

STURMINSTER NEWTON NEIGHBOURHOOD PLAN 2016 - 2031

NORTH DORSET DISTRICT COUNCIL REGULATION 16 COMMENTS (MAY 2018)

North Dorset District Council (NDDC) welcomes the receipt of the submission draft of the Sturminster Newton Neighbourhood Plan 2016 – 2031 and the significant amount of work that has been undertaken by the local community in its production. The Council is aware of the many consultation events held within the local community to identify issues, gain consensus and draw conclusions. It is in this context that this response seeks to provide constructive comments relating to the finalisation of the plan.

Abbreviations:

FIT – Fields in Trust

LPP1 – North Dorset Local Plan Part 1 (2016)

NP – Neighbourhood Plan

NDDC – North Dorset District Council

PPG – Planning Policy Guidance

SHMA – Eastern Dorset Strategic Housing Market Assessment (2015)

SEA – Strategic Environmental Assessment

SN – Sturminster Newton

PDF page	Plan page	Para / Section / Policy	Regulation 16 Comments
8	1	1.1.2	Whilst in the context of this sentence the use of 'Local Plan' is considered acceptable, bearing in mind that the NP will not necessarily be updated following the current and any future review of the local plan (see NP para 11.1.11), it would provide clarity to the future use of the neighbourhood plan if the currently adopted local plan was identified. Not only is 'Local Plan' referred to without reference to which version but also 'Local Plan Review' is referenced along with points that the NP is suggesting could be considered through the review of the plan and these are summarised in para 11.1.12. Without clarifying which version of local plan is being reviewed, there is likely to be confusion for those making use of it in future years.
17	10	Text Box	The Housing – Aims box includes a statement that identifies the intention of the reserve sites is to cater for future local needs. This aim is noted, however, LPP1 Policy 2 sets out that SN is a main focus for growth and, as discussed later in this response, NDDC does have concerns that the NP is not providing for the most up to date level of housing need available at the time of its preparation (2015 SHMA) which for SN under the adopted local plan strategy comprises both strategic and local needs growth. As such it is considered that this aim might not be achievable.
31	24	Policy 5	The term 'Important Open and Wooded Areas' is tantamount to the North Dorset District-Wide Local Plan (2003) designation of 'Important Open or Wooded Areas'. The Local Plan designations are being reviewed as part of the review of the local plan. At this stage it is not known whether the current term might continue to be used or not for protecting land, however, there is potential for confusion if the NP's term was to be continued with. It is suggested that the NP term

PDF page	Plan page	Para / Section / Policy	Regulation 16 Comments
			includes 'Sturminster Newton' to make a clear distinction between the two.
34 - 38	27 - 31	Section 4.3	<p>It is noted that, following NDDC's Regulation 14 comment regarding the PPG requirement to take account of the latest and most up to date evidence of housing need (Paragraph: 040 Reference ID: 41-040-20160211), the SN Housing Needs paper has been updated to refer to the 2015 SHMA and suggests what might be a pro rata increased housing figure for SN, being around 457 dwellings. This figure however is not explicitly identified in the NP itself, the LPP1 figure of a minimum of 395 continuing to be referred to. (For information, NDDC are currently using the figure published by the Government in the consultation on a standardised method for calculating housing need for the Local Plan Review. This is higher than that in the 2015 SHMA.)</p> <p>It is noted that in para 4.3.2 the two proposed reserve sites appear to be linked to the need for additional housing, resulting from new housing needs evidence in the Local Plan Review, and that together these could provide around 90 dwellings. However, para 4.3.4 sets out that the reserve housing sites are intended to cater for growth <i>beyond</i> 2031, Policy 7 stating 'The release of the reserve sites should be phased appropriately through the Local Plan Review, and only brought forward ahead of the end of the plan period if monitoring shows their early delivery is essential.' Para 4.3.4 sets out the scenarios engendering their early release. The first is that '...one or more of the strategic sites in SN is not deliverable within the plan period (and the minimum target of 395 homes would not then be achieved without the release of a reserve site)'. The second is that there is a significant shortfall in housing land supply across North Dorset District, triggering the national policy of a presumption in favour of sustainable development. These both present issues, the first because by using the minimum target of 395, the latest and most up to date evidence of housing need is not being taken account of, and the second because it adds nothing to what is already set out in national policy. It is considered that releasing either or both of the reserve sites to accommodate an increase in the level of SN's share of identified up to date strategic housing need before the end of the plan period would not accord with these scenarios, either individually or collectively.</p> <p>As previously advised, it is also noted that whilst individual assessments of some of the proposed sites and other potential sites are included in Appendix 1 to the Pre-Submission SEA document, only cursory assessments against the SEA objectives have been undertaken of the sites that are based on housing growth areas already included in LPP1 and the proposed 'infill' sites. The District Council considers that there needs to be detailed assessments of all sites in order to establish their deliverability. In addition, the neighbourhood plan SEA should not be relying on the sustainability appraisal of LPP1 Policy 19 as that policy is a strategic policy covering a wide range of topics and whilst housing growth areas are identified, these are not specific allocations.</p>

PDF page	Plan page	Para / Section / Policy	Regulation 16 Comments
36	29	Map 5	Allocated sites should be located within the settlement boundary. Whilst the housing growth areas identified in LPP1 are not within the settlement boundary, this is because they are just growth areas and not allocations.
39	32	Policy 9	LPP1 Policy 8, which reflects national policy, sets out that developments of 11 dwellings or more will contribute to the provision of affordable housing. Evidence is needed to support the case for reducing the threshold to 10 or more at SN.
41	34	Policy 10	The text in brackets seems to be referring to the community use as opposed to the building/land, which the first part of the sentence is referring to, and so does not make sense when read in the context of the sentence as a whole.
43	37	Policy 11	Table 6 sets out that in respect of equipped play areas, the main priority is to provide for older children, advising that the toddler play areas in the newer housing areas do not appear to be well-used, suggesting that the generic FiT standard may not be appropriate at SN. The SN Community Assets Review states 'Toddler play areas appear to be underprovided against the District Council standards, but this was not highlighted as a key concern through the Neighbourhood Plan consultation, and a focus on the larger multi-age play areas is therefore proposed'. NDDC is concerned at the quality of the evidence that has led to what can be interpreted as toddler play areas not needing to be provided on new developments as it appears to be reliant on responses to the NP consultation exercise not highlighting that the provision of toddler play areas being underprovided, although no specific question appears to have been included asking for views on play spaces, and a generic questionnaire to community service providers enquiring about capacity at their facility. In respect of the first source, it is noted that, where the information is available, very few respondents to the consultation exercises were in the age groups that might be expected to have children of toddler age.
52	45	Map 11	Following the submission of the NP a <u>Joint Retail and Commercial Leisure Study</u> including the North Dorset District Council area has been published. This study includes an assessment of need for retail and commercial leisure development at SN, makes recommendations in respect of the town centre development opportunity sites identified in the NP and also recommendations for the definition of the town centre area (TCA), primary shopping area (PSA) and shopping frontages (SF). In respect of the TCA the study considers that the proposed TCA in the NP is appropriate. However, the study recommends that separate Primary SFs and Secondary SFs are defined. The NP does not define a PSA, although to be in compliance with the NPPF, the study recommends a PSA is defined. These are each identified in <u>Appendix 23</u> to the study. The study forms part of the evidence base in the review of the Local Plan but NDDC would suggest that consideration be given to its findings and recommendations in the examination of the NP.

PDF page	Plan page	Para / Section / Policy	Regulation 16 Comments
52	45	Policy 15	The brackets should be removed from that part of the sentence that refers to the 'following aspirations' in order for the policy to read correctly.
53	46	Policy 16	Subject to the adoption of the recommendations on shopping frontages in the Joint Retail and Commercial Leisure Study, this policy would need to be revised to reflect both the PSF and SSF, and the PSA.
64	57	Policy 20	<p><u>Station Road</u></p> <p>The Joint Retail and Commercial Leisure Study states: '.... the land to the south of Station Road provides a strategic site in the heart of the town centre that would clearly help to "stitch together" the more traditional shops and services on Market Place/Market Cross, with The Exchange and Trailway Corridor. The Sturminster Newton Neighbourhood Plan (2016-2031) Submission Draft (Policy 20) updates and replaces the 2008 Design Brief previously prepared for the site. However, there are a number of potential barriers to redevelopment of the site that will need to be addressed as a priority; including the need to replace existing parking (120 spaces) on-site or elsewhere in the town, and dealing with the complex mix of landowners on the site. As the Neighbourhood Plan Submission Draft states, "...the timing of any scheme will depend on the plans, aspirations and cooperation of the various landowners, and the re-development of the area may not all happen at once" (paragraph 5.5.6). The Neighbourhood Plan Submission Draft also indicates that up to 1,250 sqm could be accommodated on the site facing on to a new and active Plaza. This scale of floorspace identified would more than meet the forecast need for 866 sqm net of new retail (convenience and comparison goods) over the plan period, along with the potential for new food and beverage (Class A3) uses. Any development of this site would also lend itself to new residential, office and other uses above the commercial uses at ground floor level. Finally, and notwithstanding the updated design brief and Policy 20 of the Neighbourhood Plan Submission Draft, we advise that a planning and development brief be prepared for the site to help facilitative its assembly and delivery over the plan period, and, critically, to undertake early testing of market interest and demand for the site for key end users.'</p>
65	58	Policy 21	<p><u>Market Hill site</u></p> <p>The Joint Retail and Commercial Leisure Study states: '...we have reviewed the Market Hill site (Site 2), which is currently a temporary community garden maintained by the Town Council. We conclude that the site layout and configuration does not lend itself to new retail and/or commercial leisure use. In our judgement the optimum development option for the site would be for new residential uses; potentially retirement homes, although this would need to be subject to more detailed financial/market testing.'</p>

PDF page	Plan page	Para / Section / Policy	Regulation 16 Comments
66	59	Policy 22	<p><u>Clarkes Yard site and other land at the Bath Road/Old Market Hill junction</u></p> <p>The Joint Retail and Commercial Leisure Study states: In our judgement the site incorporating the Clarkes Yard area and land at Bath Road/Old Market Hill junction (Site 3), at the western end of Railway Gardens, also has the potential to accommodate a range of different uses. It could, for example, accommodate a larger format retail unit, ideally with direct frontage on to Bath Road, and access, servicing and parking to the rear. Another option for the site could be for 100% residential, or for a mixed use scheme with residential above ground floor uses; again with frontage on to Bath Road. A further option, as identified by the Neighbourhood Plan Submission Draft (Policy 22), could be for public parking to replace any parking that may potentially be lost from redevelopment of the Station Road site. The site area could also be extended to include the police station and library, although these uses would either need to be retained on-site, or re-provided elsewhere in the town centre. Finally, we advise that careful thought needs to be given to the route of the Trailway, as the route currently shown on Figure 3 of the Submission Draft could effectively blight the redevelopment of the site and undermine its overall viability. For this reason we advise that a planning and development brief be prepared for the site to help inform and guide its redevelopment and the optimum, most viable uses.'</p>
107	100	Policy 38	<p>It is noted that that the first criterion in Policy 38 of the NP allows for a 'hotel/catering primarily aimed at business users' on Land at North Dorset Business Park. Policy 11 (Economy) in LPP1 does not allow for a hotel/catering. Consequently, it is considered that there is a tension between Policy 11 in LPP1 and Policy 38 in the NP.</p>
109	102	Policy 39	<p><u>Land adjoining the Bull Tavern</u></p> <p>This allocation is not supported. Whilst Newton is included within the settlement boundary for Sturminster Newton, as advised in para 1.12 of the NDDC Issue 10 Hearing Statement during the examination into LPP1, NDDC considers that development in or adjoining the village of Newton to the south of the River Stour is inappropriate on the basis of poor access to local services and facilities which are located in the town centre but which are not easily accessible for pedestrians due to severance issues caused by the main road (A357). This position is being maintained for the Local Plan Review with the 'Areas of Search' to the south of Newton and between Glue Hill and the A357 being rejected from having development potential in the Issues and Options document due in part to poor accessibility to the local services and facilities situated within the town centre.</p> <p>More specifically, proposals for development on this site have been considered several times over the last few years. In</p>

PDF page	Plan page	Para / Section / Policy	Regulation 16 Comments
			<p>addition to its proposed allocation in the NP, the site has also been the subject of pre-app PRE/2016/0292/PREAPP. In both instances, NDDC's response has been consistent and robust in that it is considered that residential development on this site would be detrimental to this important key open space and to affect the special character and interest of the neighbouring heritage assets and their setting. The site is currently under consideration for development under planning application 2/2017/1912/OUT the details of which and consultation comments, including detailed heritage comments, can be viewed here.</p> <p>In general, for enabling development to be supported there needs to be evidence that a listed building is physically 'At Risk' in any way now or in the future. Such evidence has not been provided in the case of the Bull Tavern, neither have any discussions, test applications or documentation been presented to the LPA to provide any justification for such a type of scheme. The policy also makes no reference to avoiding harm to heritage assets or below ground archaeology either, which are all relevant.</p>
110	103	Policy 40	<p><u>Land adjoining Barton Farmhouse</u></p> <p>Whilst Newton is included within the wider Sturminster Newton settlement boundary Local Plan boundary, as advised in para 1.12 of the NDDC Issue 10 Hearing Statement during the examination into Local Plan Part One, NDDC considers that development in or adjoining the village of Newton to the south of the River Stour is inappropriate on the basis of poor access to local services and facilities which are located in the town centre but which are not easily accessible for pedestrians due to severance issues caused by the main road (A357). This position is being maintained for the Local Plan Review with the 'Areas of Search' to the south of Newton and between Glue Hill and the A357 being rejected from having development potential in the Issues and Options document due in part to poor accessibility to the local services and facilities situated within the town centre.</p> <p>If the Examiner considers that the proposed allocation is appropriate, it is suggested that the 2nd bullet point is amended as follows: 'additional <u>native</u> planting to retain the semi-rural character of this section of road.'</p>
113	106	11.1.9	<p>The Town Council is only a consultee on planning applications and whilst those wishing to make comments on individual planning applications may choose to share their views with the TC, in order for them to be given appropriate consideration by planning professionals as part of the statutory process for the determination of applications they must be submitted direct to the LPA. NDDC considers that this sentence needs to be rewritten to say that planning application comments should be made to the LPA, however the TC will take into account in its consideration of planning applications any views</p>

PDF page	Plan page	Para / Section / Policy	Regulation 16 Comments
			that are shared with it.
115	107	12.1.1	Given, amongst other things, current uncertainty regarding future national legislation/policy in respect of the Community Infrastructure Levy (CIL) NDDC does not currently intend on adopting or implementing a CIL Charging Schedule. In the interim, Section 106 agreements will continue to be used in order to make acceptable development which would otherwise be unacceptable in planning terms.

Anne Goldsmith
 Planning Policy Officer
 25-05-18