

CLEMDELL LIMITED (ID No 1191)
REPRESENTATIONS ON
NORTH DORSET DISTRICT COUNCIL
LOCAL PLAN CONSULTATION DOCUMENTS

1.0 INTRODUCTION

- 1.1 Appended are Clemdell's representations for the current round of consultations. The comments submitted in May 2015 (reference MHD037) remain pertinent and are attached hereto for ease of reference.
- 1.2 The Main Modifications (MHD050) cannot be read in isolation as they are often finessed by the contents of the Additional Changes (MHD053).
- 1.3 The NDDC Consultation webpage states regarding MHD053 that: "*As well as the Main Modifications there will additionally be some minor consequential changes, editorial matters etc. which the Planning Inspector will expect the Council to follow through to improve the clarity, readability etc. of the Local Plan.*"
- 1.4 Clemdell's analysis of MHD053 indicates that it contains major implications for the all elements of the Local Plan and introduces new conflicts with the NPPF.

2.0 COMMENT

- 2.1 MHD051 and MHD053 identify substantive (and potentially major) changes to the delivery of the Local Plan's Objectives. These include to the viability and vitality of Blandford Town Centre and the housing mix.
- 2.2 New conflicts with the NPPF (such as those addressed under the headings of Flooding and Heritage) can be resolved by submissions.
- 2.3 However it is Clemdell's submission that the effect of the modifications are such that a further oral hearing is required and that they cannot be adequately or properly dealt with through the CIL Examination.

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Batch number: _____

Received: _____

Representor ID # _____

Ack: _____

Representation # _____

North Dorset Local Plan – Part 1

Main Modifications Consultation

24 July to 18 September 2015

Town and Country Planning (Local Planning) (England) Regulations 2012

Response Form

For each representation you wish to make a separate response form will need to be completed.

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www.dorsetforyou.com/northdorsetlocalplanmainmod

Please return completed forms to:

Email: planningpolicy@north-dorset.gov.uk

Post: Planning Policy, North Dorset District Council, Nordon, Salisbury Road, Blandford Forum, Dorset DT11 7LL

Deadline: Midnight on 18 September 2015. Representations received after this time may not be accepted.

Part A – Personal details

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Personal Details (if applicable)*	Agent's Details (if applicable)*
Title	
First Name	Jonathan
Last Name	Kamm
Job Title(<i>where relevant</i>)	
Organisation (<i>where relevant</i>)	CLEMDPELL LIMITED
Address	Jonathan Kamm Consultancy [Redacted] [Redacted] [Redacted]
Postcode	[Redacted]
Tel. No.	[Redacted]
Email Address	[Redacted]

Part B – Representation

Please tick if you wish to be updated on the progress of this document

1. Which proposed Main Modification are you commenting on? (please insert the MM reference number from column 1 in the consultation document):

Please use a separate form for each proposed modification you are commenting on.

MM8

2. Do you support this Main Modification? (i.e. do you think it is sound and/or legally compliant)

Yes

No

3. If no, in summary, why do you not support the proposed modification?

- It has not been positively prepared
- It is not justified
- It is not effective
- It is not consistent with national policy
- It does not comply with the law

4. What would you like to happen?

- Delete the proposed modification
- Amend the proposed modification – you should suggest amended wording below
- Add a new policy or paragraph - you should suggest new wording below

(Please give further details or suggested wording in box for Question 6)

5. If there is an additional Examination Hearing session, would you like to verbally express your views to the Inspector?

- Yes, I would like to participate in the oral examination
- No, I do not wish to participate in the oral examination

6. Your Comments.

Please provide more details as to

- Why you do/do not feel that the proposed modification meets the soundness criteria set out in Question 3.
- What changes to the proposed modification wording/new wording you are suggesting.
- What additional policies or wording you are suggesting.

To assist the Inspector please try to be as concise as possible. For longer responses a brief summary would also be helpful for the Inspector.

Please see attached representations

Continue on a separate sheet if necessary

Signature: Jonathan Kamm

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Postcode	██████████
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MM14

2. Do you support this Main Modification? (i.e. do you think it is sound and/or legally compliant)

Yes

No

3. If no, in summary, why do you not support the proposed modification?

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MM20

2. Do you support this Main Modification? (i.e. do you think it is sound and/or legally compliant)

Yes

No

3. If no, in summary, why do you not support the proposed modification?

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It is not justified

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MM20

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Yes

No

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CLEMDELL LIMITED
SUBMISSIONS ON MHD050
(previously: MHD018)

MM Ref	MHD 018 Ref	Policy	Section Ref	Proposed Change Context	Comment
MM8	5/8/22	Policy 8	Page 106 Para 5.92	<p>On a site where viability may be an issue, the Council will consider offering the opportunity for both the applicant and the Council to rely upon a single assessment of viability by the District Valuer or other mutually agreed independent assessor. Where such an offer is made, the terms will include the following requirements:</p> <p>the applicant will be expected to cover the cost of the assessment reflecting the fact that the purpose of the exercise is to enable the applicant to seek to justify a departure from the normal requirements of the Council;</p> <p>the District Valuer or other mutually agreed independent assessor would be instructed by the District Council; both parties would however have the opportunity to provide information to the District Valuer or other mutually agreed independent assessor to assist in the undertaking of the assessment; and</p>	<p>This is unacceptable in principle.</p> <p>Further it is not clear whether this precludes an Applicant using its own assessor. A local plan cannot prejudice an applicant's right of appeal.</p> <p>Many disputes will arise because NDDC fail to recognise current use value of brownfield land and place barriers to sustainable development contrary to emerging government policy (see also comments on MHD009).</p> <p>If NDDC wish to use outside consultants for any element of a planning application that is its right at its own cost.</p> <p>In any event:</p> <p>(a) DV or joint assessor must be instructed</p>

				the applicant must adopt an 'open book' approach for the purposes of the assessment.	jointly (b) that assessor makes any award of costs.
	5/8/23	Policy 8	Page 106 & 107 Para 5.93	The parties would agree to rely upon the conclusions of the District Valuer or other mutually agreed independent assessor for the purposes of the application, thereby minimising disputes and protracted negotiations, and could refer to the findings of the District Valuer or other mutually agreed independent assessor in any subsequent proceedings.	See comments on 5/8/22
	5/8/25	Policy 8	Page 111 POLICY 8: AFFORDABLE HOUSING	In cases where a level of affordable housing provision below the target percentages is being proposed, the developer may be offered an opportunity (subject to certain requirements) to involve the District Valuer or other mutually agreed independent assessor with a view to securing a mutually agreed level of affordable housing provision. In any case where viability is an issue, an 'open book' approach will be sought on any viability assessment.	See comments on 5/8/22 & 5/8/23
MM14	8/16 /10	Policy 16	Page 201 POLICY16: BLAND FORD	The main focus for town centre regeneration, which may include additional retail floorspace, will be land to the south of East Street, including land around the existing Co-op store. The extension of existing retail units south of Market Place and East Street may also be permitted.	Para 8.85 of the revised Sustainability Appraisal (MHD051) includes this conclusion <i>"The provision of greenfield sites beyond the bypass may result in the town centre regeneration being less viable. Typically the</i>

			<p>Town centre regeneration will embrace a range of town centre uses, not only retail and commercial but community and leisure as well as residential uses, and will be encouraged. An important element of town centre regeneration will be land to the south of East Street, including land around the existing Co-op store. On appropriate sites, all development and redevelopment schemes which support town centre regeneration, such as the extension of existing retail units south of Market Place and East Street, will be viewed positively within the recognised constraints of heritage and flooding considerations. The emerging Neighbourhood Plan for Blandford will have a key role to play in identifying regeneration opportunities in the town.</p>	<p><i>more difficult to develop regeneration sites in town centres are less likely to be developed than greenfield sites. The difficulties of developing these sites, along with the potential for reduced house sales prices from new developments, will have an impact on their viability and therefore make the regeneration less likely”</i></p> <p>The LP1 Changes and Modifications contain no proposals to mitigate this impact which will affect not only the viability but also the vitality of Blandford Forum Town Centre. The PBAVR does not recognise this pressure. The identified effect on the Housing Mix policies following upon this element of the Sustainability Appraisal should be considered as part of the current Local Plan Examination and not left to the CIL Examination.</p> <p>Additionally:</p> <p>A consequential minor amendment is to Figure 8.1.</p> <p>Item 12 on that plan should be reworded “<i>Regeneration to the south of Market Place</i>”</p>
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					<p><i>and East Street</i>” with an illustrative location shown similar to that in Figure 2.8.1 in the March 2010 iteration of LP1.</p> <p>Wording of this MM paragraph should be clarified to: “<i>such as the extension or redevelopment of existing, and additional, retail units south of Market Place and East Street</i>”.</p> <p>This is to provide for the potential closure of Morrisons and to guide eg the development of vacant land such as the DCC site.</p> <p>Further:</p> <p>(a) for consistency with the land around the recognised constraints on the land around the existing Morrisons, the same existing constraints around the Co-op should be recognised in paragraph 8.37 of SUD017a by adding at the end of 8.37:</p> <p><i>“any scheme here would also have to have regard to the potential impact on the historic character and visual context of the town”</i></p> <p>(b) to recognise the sequential tests in NPPF</p>
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					paragraph 24 that apply to the Co-op land, after (a) should be added: <i>“and on the viability of the town centre”</i> and paragraph 8.38 of SUD017a should reflect the final wording of this Change.
MM20	10/24/12	Policy 24	POLICY 24: DESIGN	Developments will be permitted provided that the relevant aspects of development have been designed to reflect the relevant design principles and have satisfactorily addressed the relevant standards. A proposal that uses development forms which do not reflect the relevant design principles and standards, or which otherwise conflict with the design principles, will not be permitted. <i>There may be circumstances where it is not appropriate to apply the design principles, aspects of form and / or space standards (for example, bin storage and laundry drying in town centre developments).</i>	For clarity this should be amended: <i>“... the design principles (set out in Figures 10.1, 10.2 and 10.3 of this policy)”</i>
MM27	APP/C/3	Appendix C .	Page New para CA	<i>The standards and guidance set out the Council's requirements for residential and non-residential vehicle and cycle parking unless a different level of provision can be justified by local or site-specific circumstances.</i>	For consistency and clarity this Change should also be added as a new paragraph 10.44A

CLEMDELL LIMITED
REPRESENTATIONS ON HOUSING
MHD053 AND MHD051

1.0 INTRODUCTION

- 1.1 These representations are part of Clemdell's response to proposed Changes to LP1 as set out in MHD053. This part of the response focuses on issues around the housing mix.
- 1.2 The Changes in combination represent a change from an approach informed by the SMHA to one determined by the Peter Brett Associates North Dorset Whole Plan Viability and CIL Study Final Report (February 2015) ("PBAVR") (INF016).
- 1.3 The publication of the NDDC Preliminary Draft Charging Schedule accepting the PBAVR recommendations affecting the housing mix and delivery result in MHD053 Changes that are not minor and are properly for consideration through the Local Plan Examination.

2.0 CHANGE 5/6/3

- 2.1 This Change to deliver about 1,480 additional affordable homes in the four main towns by **2026** is stated to be: "*To clarify policy position and ensure consistency in the plan*".
However: :
- (i) Change 5/6/19 proposes at least 1150 affordable homes in the four main towns by **2026**;
 - (ii) Change 5/6/30 proposes about 1350 affordable homes in the four main towns by **2031**.
 - (iii) Change CON/6/8 proposes about 1540 affordable homes in the four main towns by **2026**.
- 2.2 That is not consistent – in particular the numbers do not have a consistent alignment with the % affordable housing to be sought from market housing in Change 5/6/36. As an example in the revised Policy 6, Blandford has 1200 dwellings with 395 affordable, so market housing is about 805. Therefore 805 market dwellings support 395 affordable – which is about 49% with a proposed affordable housing quota of

30% from sites above 11 dwellings.

2.3 The Council should clarify its policy and this inconsistency by reference to the comment on Change 5/6/36 below so that there can be discussion upon an appropriate balance between the provision of Affordable Housing and CIL.

3.0 **CHANGES 5/6/36 & 5/8/11**

3.1 Change 5/6/36 consists of altering the percentages of Affordable Housing in the four main towns.

3.2 It is stated to be because of the “Councils written response to Inspectors Question 2”. That Question 2 (INS003) is “*on Support for Small-Scale Developers, Custom and Self-Builders*” and the Council’s reply (INS007) responds to that point without reference to Policy 6. The Council should clarify the reason for Change 5/6/36.

3.3 By reading the terms of Change 5/8/11, Change 5/6/36 appears, in fact, to be an acceptance of the recommendations of the PBA North Dorset Whole Plan Viability and CIL Study (“PBAVR”) (INF016). For the purposes of setting CIL the PBAVR has concluded that its proposed CIL rates are not viable unless Affordable Housing is reduced.

3.4 The Change accepts two tendentious propositions which require examination:

- (i) that residual land values are lower in Gillingham and Sturminster; and
- (ii) that the PBAVR should determine Affordable Housing policy.

3.5 Clemdell’s Submission in the CIL consultation addresses these points in more detail and is attached hereto. In short the change, evidenced in MHD053, of sidelining the SMHA and accepting the PBAVR indicates that:

- (i) the delivery of flats during the Plan period is at best problematic. The PBAVR identifies this as 20% of market housing. But given that Change 5/7/2 strengthens the LPA’s commitment to “*support the delivery of about 40% of market housing in North Dorset as one or two bedroom properties*” flats could be about 40% of market housing.
- (ii) NDDC accepts that an appropriate balance is to reduce Affordable Housing and maintain CIL.

- 3.6 PBA adopt the Harman methodology. The Harman Report sets out its Key Principles (pp10-11) and continues: *“None of the above is intended to suggest that the outcome of a viability assessment should dictate individual policy decisions. Rather, the role of an assessment is to inform the decisions made by local elected members to enable them to make decisions that will provide for the delivery of the development upon which the plan is reliant.”*
- 3.7 As the PBAVR states (at para 7.8.2) *“The exact level to charge is ultimately the Council’s decision and should be aligned to wider ambitions...”* and (at para 8.2.3) *“The Council will need to carefully consider the requirements set out in their Infrastructure Delivery Plan and the Strategic Housing Market Assessment to arrive at an appropriate balance.”* That step appears not to have been taken.
- 3.8 The Harman Report (page 40) records that: *“in the context of the Local Plan as a whole... As already discussed, this is an iterative process. If an initial viability assessment determines that, for example, the plan’s housing requirements are not deliverable, factors such as plan policies or the geographical distribution of housing land will need to be reconsidered and balanced until the plan is judged deliverable within the principles of sustainable development.”*
- 3.9 The debate on the iterative rebalancing of the plan’s housing mix etc which NDDC has accepted in its Preliminary Draft Charging Schedule is properly one for the Local Plan Examination and not for the CIL Examination.
- 4.0 **CHANGES 5/7/9 & 5/7/22**
- 4.1 Both changes delete *“including on residential gardens”* from *“infilling”*. The wording remains in para 5.1 for *“Meeting Housing Need”*
- 4.2 The Council should clarify the Policy Panel’s reasoning in deleting residential gardens from infilling. Change 5/7/22 states the deletion is for *“clarification”*.
- 4.3 Garden infilling is still included in the meeting of housing need and the typologies in the PBAVR used to evidence whole plan viability for CIL.
- 5.0 **CHANGES 5/7/1 & 5/7/2 & 5/7/2A**
- 5.1 These three Changes each add the words *“or viability considerations”*, stated to be: *“To clarify policy position”*. On the contrary this introduces an element of policy

confusion.

5.2 Given that (at the very least) the delivery of smaller units such as flats is evidenced as problematic in its CIL documentation (as detailed in the attached CIL submission) the LPA should identify how it reconciles these Changes with:

(i) its commitment to “*seek a mix of housing across the District, in terms of bedroom numbers, that reflects the identified needs for different sizes, both in relation to market and affordable homes.*” (Change 5/7/3)

(ii) its reinforced commitment to support the delivery of about 40% of market housing in North Dorset as one or two bedroom properties (Change 5/7/5):

6.0 **CHANGE 6/12/2 & MHD051 – 8.85**

6.1 Change 6/12/2 includes a statement that the “*Council recognises that residential development can play an important role in ensuring the vitality of centres*”

6.2 Para 8.85 of the revised Sustainability Appraisal (MHD051) includes this conclusion “*The provision of greenfield sites beyond the bypass may result in the town centre regeneration being less viable. Typically the more difficult to develop regeneration sites in town centres are less likely to be developed than greenfield sites. The difficulties of developing these sites, along with the potential for reduced house sales prices from new developments, will have an impact on their viability and therefore make the regeneration less likely*”

6.3 The LP1 Changes and Modifications contain no proposals to mitigate this impact which will affect not only the viability but also the vitality of Blandford Forum Town Centre. The PBAVR does not recognise this pressure. The identified effect on the Housing Mix policies following upon this element of the Sustainability Appraisal should be considered as part of the current Local Plan Examination and not left to the CIL Examination. LP1 must incorporate mitigation measures “to ensure consistency with national policy and guidance” and Change 6/12/2 and these should be carried through to the CIL Schedule.

NOTE: the Change references are as follows

Change Page LP1

5/6/3	p54	P91	Policy 6 para 5.17
5/6/36	p53	P91	5.16
5/8/11	p78	P109	5.85
5/7/9	p67	P97	5.36
5/7/22	p74	P105	Policy 7
5/7/3	p67	P97	5.34
5/7/5	p72	P104	Policy 7
6/12/2	p93	P145	Policy 12 para 6.53

REPRESENTATIONS ON BEHALF OF CLEMDELL LIMITED
Preliminary Draft Charging Schedule Consultation

1.0 **Question 1: Do you agree that the evidence provided by Peter Brett Associates in their viability report and other supporting evidence is correct?**

1.1 **INTRODUCTION**

1.1.1 Peter Brett Associates (“PBA”) have compiled Viability Reports (“PBAVR”) for several Dorset Charging Authorities. The NDDC PBAVR states, at para 1.2.5 “*The arithmetic of residual land value assessment is straightforward (we use a bespoke spreadsheet models for the assessments). However, the inputs to the calculation are hard to determine for a specific site (as demonstrated by the complexity of many S106 negotiations). The difficulties grow when making calculations that represent a typical or average site - which is what is required by CIL regulations for estimating appropriate CIL charges. Therefore our viability assessments in this report are necessarily broad approximations, subject to a margin of uncertainty.*” The same wording is found in the Bournemouth PBAVR at para 4.1.4 thereof.

1.1.2 NDDC has now linked with two other Dorset Charging Authorities viz West Dorset and Weymouth. These authorities commissioned BNP Paribas to carry out Viability Reports (“BNPPVR”).

1.1.3 As noted it is a view across the Dorset-wide PBAVR that the arithmetic is straightforward and, in particular, it uses a “bespoke spreadsheet model”. Although PBA states its broad approximations are subject to a margin of uncertainty it does not identify that range for the certainty of its conclusions.

1.1.4 The NDDC PBAVR is considerably at variance with, inter alia, the evolving part of the Local Plan (“LP1”). LP1 determined its housing objectives, such as the geographic spread and unit sizes by reference to the Strategic Housing Market Assessment (“SHMA”) as updated in 2012 (and about to be republished shortly).

1.1.5 LP1 now states the purpose of the PBAVR to be: “*A whole Plan Viability*

Assessment provided a more fine-grained analysis and gave an indication of the levels of affordable housing (having regard to other infrastructure needs) that could be delivered in different parts of the District.” (LP1 Change 5/8/9).

- 1.1.6 PBA draws its methodology from the Harman Report and uses (at para 1.1.5) the Harman Report definition for Local Plan Viability which links viability to deliverability.
- 1.1.7 PBA then quotes (at 1.1.6) from Harman on how viability should be tested: *“A more proportionate and practical approach in which local authorities create and test a range of appropriate site typologies reflecting the mix of sites upon which the plan relies.”*

1.2 **TPOLOGIES**

- 1.2.1 LP1 Policy 7 now states *“In the period to 2026, the Council will seek to deliver about 40% of market housing in North Dorset as one or two bedroom properties”* (Change 5/7/2/A). PBAVR Appendix A assumes that will be split 20% 1 and 2 bed flats and 20% 2 bed houses from its consultation with NDDC.
- 1.2.2 The NDDC PBAVR has 39 residential typologies at Figure 5.2. Only three typologies are for flats, principally care and retirement institutions (ie not C3) (36, 37, and 39) and none are for a “stand alone” flat development. In contrast its Bournemouth PBAVR (Table 6.1) has 16 typologies of which 9 are for “stand alone” flats.

[Note: the context of the Bournemouth Core Strategy discouraging flats and promoting dwelling-houses (see eg Policy CS 19 and Policy CS20) as summed up in the Bournemouth PBAVR para 6.2.5: *“However, an important objective of the Core Strategy involves providing a range of housing types. The housing policies try to restrict the number of new sites being developed for flats by restricting development to small family housing, where it is appropriate”*]

- 1.2.3 The lack of typologies for flats which could account for up to 40% of the LP1 Housing Mix Policy means that there is no published data for viability for this sector of the LP1 Housing Mix. Because of the potential size of this sector the PBAVR cannot assert that it has considered typologies *“reflecting the mix of sites upon which the plan relies”* Thus whole plan viability is not assessed. Nor can there be the necessary consultation on this element of the Report.

1.3 ASSESSMENTS

- 1.3.1 At para 1.1.1 the PBAVR states PBA has been commissioned to provide outputs, inter alia, “*viability assessment of theoretical developments taking into account the Local Plan requirements.*” Such requirements have been derived, inter alia, from SHMA data.
- 1.3.2 At para 1.1.9 the PBAVR states: “*The [Harman] report later suggests that once the typologies testing has been done :’it may also help to include some tests of case study sites, based on more detailed examples of actual sites likely to come forward for development if this information is available’*”
- 1.3.3 Appendix B gives only two example appraisals. Neither are referenced by location or LP1 requirements. In contrast the Bournemouth PBAVR gives 11 appraisals. BNPP published 151 pages of fine grained appraisals for West Dorset and 75 pages for Weymouth.
- 1.3.4 The NDDC PBAVR states (at para 1.2.2) that “*The viability testing and study results are based on a standard residual land valuation of different land uses relevant to different parts of the District, aiming to show typical values for each site*”. The only residual land values published in the Report are at Table 6.4 Rural Exception Sites (Typology 34) and the two non geographic appraisals.
- 1.3.5 Therefore the differentiation it proposes in headroom/viability between different geographic sub-areas is unsupported in the Report. This is particularly so where PBAVR conclusions are challenged by the inclusion of third party (such as Land Registry) information in the Report which rebut the PBA conclusions.
- 1.3.6 PBA does not seek to reconcile its Report with other viability analyses produced for NDDC as part of its LP1 Evidence Base such as the SMHA (MHN005). Rather it states at PBAVR para 8.2.3: “*Where development is marginal, some policy trade-off will be required between affordable housing and infrastructure (as outlined below). The Council will need to carefully consider the requirements set out in their Infrastructure Delivery Plan and the Strategic Housing Market Assessment to arrive at an appropriate balance.*”
- 1.3.7 For one example from the SMHA, at Figures 4.7 & 4.8 “Entry-level purchase price by sub-market”, identifies Blandford Forum as having the lowest purchase price across the Area: particularly it is lower than Gillingham. Although the figures may

have changed there is no evidence of variation in the ratios.

- 1.3.8 Thus there is no evidence published in the PBAVR to conclude at para 8.2.7: “*The towns of Gillingham and Sturminster Newton have the lowest headroom for residential viability. Development within Shaftesbury and Blandford Forum has a greater headroom than the other two main towns*”.
- 1.3.7 A possible answer to the contradiction between PBAVR para 8.2.7 and eg the SHMA may be found at PBAVR 6.2.8. “*Given the larger proportion of houses built in the District compared to flatted developments we have only considered the average prices of houses, as this is likely to have a greater degree of accuracy.*” and 2.4.19: “*we should not waste time and cost analysing types of development that will not have significant impacts, either on total CIL receipts or on the overall development of the area as set out in the local plan.*” This is in the context of the PBAVR statement at 1.2.5 that all its assessments “*are necessarily broad approximations, subject to a margin of uncertainty.*”
- 1.3.8 Although the PBAVR states no consideration has been given to the sales prices, and thus viability, of flatted developments Table 5.3 lists “Average new sales values achieved (£psq.m)” for flats – Blandford Forum £2,050 psm and Sturminster Newton £2,100 psm. There is thus no source for this information which helps to explain why, at para 8.2.7, the sales values are inverted to assert that Blandford has greater headroom than Sturminster. Concern is reinforced by PBAVR para 6.3.1 which confirms that headroom “*is based on the broad areas we have used for each individual typologies*” where there is no typology, inter alia, for flats.
- 1.3.9 Even upon its own assessment, at Appendix A, flats will account for 20% of delivery (but LP1 indicates up to 40%). Typologies are produced for development types that will have very little impact upon “*CIL receipts or on the overall development*” (eg Exception Sites and Extra Care). Yet there are no assessments of differential costs of flatted, garden severance and Conservation Area developments that potentially account for the majority of C3 residential development.
- 1.3.10 The PBA admission also goes to explain why the Report can incorrectly assert a “particularly” higher value in Blandford Forum than in Sturminster (see paras 1.6.2 & 1.6.3 below)

1.4 RESIDUAL LAND VALUES

- 1.4.1 At para 5.3.16 the PBAVR states “*To assess viability, the residual value generated by a scheme is compared with a benchmark/threshold land value*”.
- 1.4.2 However, with the exception of three examples, residual land values are not published. As noted, the PBAVR confirms this has not been assessed for flatted and other major sources of C3 development. Therefore this challenges PBAVR statement at para 1.2.2 that the Report is “*aiming to show typical values for each site*” and the LP1 statement of the purpose of the Report to provide “*a more fine-grained analysis*”
- 1.4.3 In the Bournemouth PBAVR Tables 6.5 and 6.6 PBA collate results for each typology including residual land values, benchmark land values etc.
- 1.4.4 As set out in PBAVR para 6.3.1 headroom calculations use only the selective typologies thereby excluding, for example, flats, Conservation Area, and severance developments – which are all likely to have less headroom and lower residual land values – and which constitute a major element of the LP1 Housing Mix.
- 1.4.5 Absent published Residual Values for the typologies (included and omitted) there can be no discussion on, or examination of, the PBA conclusions and no evidence of whole plan viability.

1.5 GIA and NIA

- 1.5.1 The distinction between GIA and NIA is recognised in the PBAVR at para 5.3.6 “*Two floor areas are used for flatted schemes: the Gross Internal Area (GIA), including circulation space, is used to calculate build costs and Net Internal Area (NIA) is applied to calculate the sales revenue*”. CIL is payable on GIA.
- 1.5.2 The differentiation between GIA and NIA can be found in Appendix A which states (in part):

Private sale Flats (NIA) 59 sq m

Private sale Flats (GIA) 62 sq m

The difference of 3 sq.m is equivalent to 5%

- 1.5.3 In other PBAVR, such as Bournemouth, Table 5.2 states, in part,

Dwelling type Sqm per unit

Flats (NIA) 64

Flats (GIA) 75

The difference of 11 sq.m is equivalent to 17%

- 1.5.4 In the BNPPVRs it assumes, for flats, a gross to net ratio of 85% (para 4.10 for Weymouth and at para 6.15 for West Dorset). Thus allowing for 15% difference between GIA and NIA. The “Development Appraisal Toolkit – Dorset Authorities” is part of LP! Evidence Base (MHN022) and the starting point for assessing viability for s.106 Contributions with Charging Authorities across the County. The Toolkit references (eg at AN4.6) a 15% difference between GIA and NIA.
- 1.5.5 PBA at para 5.3.10 of its Bournemouth Report states that “*Residential floorspace is based upon industry standards of new build schemes, as shown in Table 5.2*”.(which is 17% see para 1.5.3 above)
- 1.5.6 Given that PBA (in its Bournemouth PBAVR) states it uses industry standards of 17% and applies a bespoke spreadsheet model, this same distinction between GIA and NIA must be repeated in the NDDC PBAVR. PBA also notes its margin of uncertainty. Therefore the 15% assumption by BNPP in its Reports for the Charging Authorities linked to NDDC is in line with the 17% industry standard PBA has adopted.
- 1.5.7 The PBAVR does not propose that CIL is charged only on NIA + 5% - CIL is chargeable on the full GIA of flatted schemes. The difference between 5% and 17% obviously affects the viability of every flat scheme that could account for around 40% of the Housing Mix.
- 1.5.8 To be clear, if PBA tested the viability of flatted schemes which could account for up to 40% of the Housing Mix they would understate development costs by some £8,000 per flat including c.£7600 build costs (ie £1091 psm per Table 5.6 x 7 sq.m) and CIL c.£245 (ie £35 x 7 sq.m). Expressing this against the headroom the PBAVR identify for Blandford Forum (eg at Table 6.7) this eliminates headroom and

gives a negative of £53 psm (ie £82 - £135) for each flat of the PBAVR standard size of 59 sq.m (stated at Appendix A). Thus 20% to 40% of the Housing Mix would be neither viable nor deliverable. LP1 now emphasizes that NDDC “*support the delivery of about 40% of market housing in North Dorset as one or two bedroom properties*” (Change 5/7/5).

1.5.9 Absent any published analysis of flatted schemes in the NDDC PBAVR, the concern about the failure to observe industry standards for the distinction between GIA and NIA in the NDDC PBAVR is simply another element in the general failure of the Report to demonstrate whole plan viability for proper consultation.

1.6 GEOGRAPHIC ASSESSMENT

1.6.1 LP1 Policy 6 gives the approximate scale of housing development at the four main towns during the period 2011 - 2026 (LP1 Change 5/6/19)

1.6.2 The PBAVR at para 5.1.4 considers the geographic mix that “*In the case of both housing and flats there appears to be higher values towards the east of the district (in locations such as Shaftesbury and Blandford Forum) compared with locations towards the west particularly Sturminster Newton*”.

1.6.3 In Appendix A the PBAVR states as “values used” (to arrive at “Sales Value”) the following for:

		House	Flat
Private sale	Blandford Forum	£2,583	£2,050 sqm
Private sale	Sturminster Newton	£2,447	£2,100 sqm

That does not support “particularly” higher values (and therefore higher headroom) in Blandford than in Sturminster. For flats the reverse is true.

1.6.4 Table 5.5 of the PBAVR indicates that Benchmark Values (presumably residential) are £1,450,000 in Blandford Forum and £1,250,000 in Sturminster per developable ha. Therefore, as defined by the PBAVR Glossary, Sturminster landowners will sell at a lower price than Blandford owners in any event.

1.6.5 Further, the PBAVR uses a standard of 59 sq.m for any flat (Appendix A). Multiplying the PBA flat size by the PBA “values used” (£2,050) gives an average

flat sale price in Blandford Forum of £120,950. In contrast “*Figure 5.4 Average flat price by Postcode sector*” shows an average flat price for Blandford Forum of £90,000 - £95,000.

- 1.6.6 A conclusion by the Charging Authority that has clearly not been integrated into the PBAVR and does affect viability is found in the Sustainability Appraisal of the North Dorset Local Plan Part 1 (MHD051) which concludes at para 8.85: “*The provision of greenfield sites beyond the bypass may result in the town centre regeneration being less viable. Typically the more difficult to develop regeneration sites in town centres are less likely to be developed than greenfield sites. The difficulties of developing these sites, along with the potential for reduced house sales prices from new developments, will have an impact on their viability and therefore make the regeneration less likely*”

1.7 OTHER MATTERS

- 1.7.1 The Preliminary Draft Charging Schedule Consultation Document states that the “*Proposed town centre boundaries for CIL purposes are those set out in the North Dorset District-Wide Local Plan 2003*” (footnote 10).
- 1.7.2 LP1 directly rebuts that footnote under the heading “Defining Town Centre Boundaries” para 6.47 “*The North Dorset District-Wide Local Plan 2003 does not show any town centre boundaries for Blandford Forum, Gillingham, Shaftesbury and Sturminster Newton. These will be defined as part of the site allocations in the Local Plan Part 2 unless a local community decide to define a boundary for their town centre in a neighbourhood plan*”
- 1.7.3 The Charging Authority should clarify the status of the plan referred to in the CIL footnote; and whether it intends to continue to use that plan for CIL once LP2 or Neighbourhood Plans have adopted statutory town centre boundaries.
- 1.7.4 The Charging Authority should also clarify whether it will align CIL rates, by, inter alia, geographic area or use of building in the event of different criteria are adopted in LP2 or Neighbourhood Plans.

1.8 SUMMARY & CONCLUSION

- 1.8.1 Clemdell has addressed Question 1 by focussing on just one element of the Housing Mix (flats) and just one geographic sub-area (Blandford Forum). This

analysis could be repeated across every aspect of the Report. In the light of the Charging Authority's conclusion in MHD051 set out at para 1.6.6 above that in Blandford Forum "*the potential for reduced house sales prices from new developments, will have an impact on their viability*" focussing on challenges in that town is particularly pertinent.

- 1.8.2 It has been noted at 1.1.5 that LP1 now states the PBAVR "*provided a more fine-grained analysis*". LP1 (Change 5/8/22) also states that private developers "*must adopt an 'open book' approach*" to viability assessments.
- 1.8.3 The "*open book approach*" should be applied to the PBAVR. No fine grained analysis can be deduced from the present Report.
- 1.8.4 However for the reasons set out above it can be concluded that the evidence as presented by PBA is incomplete and the interpretation is often contradictory. LP1 is not a site allocation plan and assessing whole plan viability in advance of LP2 and Neighbourhood Plans is premature per se.
- 1.8.5 The matters that need to be addressed in order for there to be a consultation opportunity to assess the credibility of the PBAVR as evidence include:
- Additional, or rationalised, typologies and assessments for a range of appropriate site typologies reflecting the mix of sites upon which the plan relies;
 - Assessments related to specific typology;
 - Publication of residual values to include, inter alia, flatted developments;
 - Amendment to "*industry standards*" of the ratio of GIA/NIA;
 - Alignment of the evidence on average flat sale values to the values to be used for flats in assessing CIL viability;
 - Linkage of geographical differences to residual viability;
 - In response to the Charging Authority's Sustainability Appraisal, Blandford Forum viability of reappraised with appropriate typologies;

- Headroom calculations that incorporate the LP1 Housing Mix not limited to the selective current typologies.
- The PBAVR recommends a zero CIL rate where it finds no headroom (eg non residential/retail development). That should be the recommendation where, prima facie, it applies to types of residential development (such as flats) rather than simply omitting that development.

1.8.6 Question 1 refers to “other supporting evidence”. If this refers to non PBA evidence in the LP1 Evidence Base and in LP1 - then PBA has not sought to align its Report to that evidence.

1.8.7 On the basis of the PBAVR as presented there is no whole plan viability. No recommendations can be definitively drawn from the PBAVR but it is clear that the Charging Authority need to consider the option of setting a zero rate on flats – similar to many other Charging Authorities.

1.8.8 At para 7.8.2 the PBAVR states: “*The exact level to charge is ultimately the Council’s decision and should be aligned to wider ambitions..... there is scope to vary the CIL charge across different retail units*” There is no reasoning given to suggest why those criteria should not also apply across use of buildings for different residential types.

REPRESENTATIONS ON BEHALF OF CLEMDELL LIMITED
Preliminary Draft Charging Schedule Consultation

2.0 **Question 2: Do you agree that the CIL Rates proposed (per square metre) strike an appropriate balance between the desirability of funding infrastructure through CIL and associated economic viability? If not, please set out alternative evidence to support your view.**

2.1 **INTRODUCTION**

2.1.1 The CIL Rates proposed are those recommended within the Peter Brett Viability Report (“PBAVR”). The initial reasons for concluding that the published Report does not strike an appropriate balance are set out in Clemdell’s Response to Question 1. That response applies equally to Question 2.

2.1.2 The Preliminary Draft Charging Schedule at para 3.13 states: *“The objective of the study is to inform policy decisions relating to the trade-offs between the policy aspirations of achieving sustainable development and the realities of economic viability.”*

2.1.3 The PBAVR relies for its approach upon selected quotations from ‘Viability Testing Local Plans’ (“the Harman Report”) – see eg PBAVR 1.1.5 et seq.

2.1.4 The Harman Report (page 13) identifies the NPPF as the linkage between the Local Plan and CIL and states: *“These documents make it clear that, while it is legitimate to look at how the value released from development can contribute towards the services and infrastructure that will make that development acceptable to communities, it is important that planning authorities weigh this carefully against the potential that cumulative policy requirements might put the delivery of the plan at risk”*

2.1.5 Change 5/7/1 to LP1 commits NDDC to *“support the delivery of about 40% of market housing in North Dorset as one or two bedroom properties”*, albeit PBAVR Appendix A assumes flats will be restricted to 20%.

2.2 **SUBMISSION**

2.2.1 The Harman Report sets out its Key Principles (pp10-11) and continues: *“None of the above is intended to suggest that the outcome of a viability assessment should*

dictate individual policy decisions. Rather, the role of an assessment is to inform the decisions made by local elected members to enable them to make decisions that will provide for the delivery of the development upon which the plan is reliant.”

- 2.2.2 Upon the analysis of the PBAVR in response to Question 1 it is evident that LP1 Policies as to the mix and location of development will not be deliverable. Specifically Clemdell’s analysis looks at one type of development (flats) that could provide the majority of one and two bedroom properties making up to 40% of the housing provision and at one geographic area (Blandford Forum) making up 23% of housing provision (with adjoining parishes) (23% is in PBAVR Table 3.7, LP1 MHD053 has various proximate percentages)
- 2.2.3 The Harman Report (page 40) records that: *“in the context of the Local Plan as a whole... As already discussed, this is an iterative process. If an initial viability assessment determines that, for example, the plan’s housing requirements are not deliverable, factors such as plan policies or the geographical distribution of housing land will need to be reconsidered and balanced until the plan is judged deliverable within the principles of sustainable development.”*
- 2.2.4 The iterative process has already been applied to Sturminster where, as assessed by the PBAVR, CIL viability depends upon a reduction of the Affordable Housing requirements (LP1 Change 5/6/36). That appears to invert the intention of CIL. Affordable Housing should be consistent across the area and the CIL rate reconsidered such that the numbers and geographic spread of Affordable Housing are delivered (per Harman) *within the principles of sustainable development* as assessed through the Local Plan. It does not introduce complexity by introducing differential CIL related to viability. There can be no more complexity involved in applying differential CIL rates than in applying the differential Affordable Housing rates as recommended in the PBAVR.
- 2.2.5 The PBAVR focuses upon demonstrating to its own satisfaction the viability of high value and estate developments leaving aside the provision of entry-level housing eg para 6.2.8 *“we have only considered the average prices of houses”*. As noted the Harman Report emphasises the need to deliver the Local Plan *“within the principles of sustainable development”* and that CIL cannot be divorced from the Local Plan.
- 2.2.6 As noted, at para 2.2.1 above, Harman is clear that the viability assessment should

not dictate policy.

- 2.2.7 A conclusion by the Charging Authority that has clearly not been integrated into the proposed CIL rates and does affect viability is found in the Sustainability Appraisal of the North Dorset Local Plan Part 1 (MHD051) which concludes at para 8.85: *“The provision of greenfield sites beyond the bypass may result in the town centre regeneration being less viable. Typically the more difficult to develop regeneration sites in town centres are less likely to be developed than greenfield sites. The difficulties of developing these sites, along with the potential for reduced house sales prices from new developments, will have an impact on their viability and therefore make the regeneration less likely”*.
- 2.2.8 Question 2 is misconceived. It implies that a viability assessment, when properly drawn, is the sole determinant of CIL rates. That is not the case. An appropriate balance is to be consulted upon after Councillors have determined the effect of the assessment upon the aims of LP1. As the PBAVR states (at para 7.8.2) *“The exact level to charge is ultimately the Council’s decision and should be aligned to wider ambitions....”* and (at para 8.2.3) *“The Council will need to carefully consider the requirements set out in their Infrastructure Delivery Plan and the Strategic Housing Market Assessment to arrive at an appropriate balance.”* – that step appears not to have been taken. That balance is not as stated in Question 2 with “associated economic viability”; it is per Regulation 14 *“the economic viability of development across its area”* (PBAVR para 2.4.4b).
- 2.2.8 The PBAVR is not at a point that it is a useful tool in assessing an appropriate balance, inter alia, for the reasons set out in the response to Question 1.

REPRESENTATIONS ON BEHALF OF CLEMDELL LIMITED
Preliminary Draft Charging Schedule Consultation

4.0 **Question 4: Do you have any views on the content of the Council's Preliminary Draft Regulation 123 list and the proposed balance between CIL and S106?**

4.1 **THE COUNCIL'S PRELIMINARY DRAFT REGULATION 123 LIST**

4.1.1 The Council's List is simply a list of its own and other Agencies functions funded by Council Tax, Business Rates and national taxation.

4.1.2 Some items on the list are provided by other Agencies – such as Highways which are funded by Central Government as well as the County Council.

4.1.3 Other items are identified as already fully funded – such as Health – in Table 1 of the Preliminary Draft Charging Schedule Consultation Document.

4.1.4 The Preliminary Draft Charging Schedule Consultation Document does not give an indication, as examples only, of the amounts:

- to be collected for these services from Council Tax and Business Rates in any event over the Plan period;
- that relate to expenditure by, and funded by, other Agencies;
- that relate to projects outside of the Charging Authority's area.

4.2 **THE PROPOSED BALANCE BETWEEN CIL AND S106**

4.2.1 Representations on this have been made in response to Questions 1 and 2 and are repeated here.

4.2.2 It is noted that in response to the PBAVR Recommendations (in Table 6.7), the level of Affordable Housing s.106 liability for Sturminster Newton is proposed to be reduced by way of LP1 Change 5/6/36 from 30% to 25%.

4.2.3 It is suggested that, where development and delivery of the LP1 objectives cannot proceed with both a given level of s.106 and a CIL charge it is the CIL charge rather than the s.106 that is lowered to ensure the maximum return to the Charging Authority and enable the delivery of the Housing Mix in the Local Plan.

4.2.4 As the PBAVR states (at para 7.8.2) *“The exact level to charge is ultimately the Council’s decision and should be aligned to wider ambitions....”* and (at para 8.2.3) *“The Council will need to carefully consider the requirements set out in their Infrastructure Delivery Plan and the Strategic Housing Market Assessment to arrive at an appropriate balance.”* . Those steps appear not to have been taken.

CLEMDELL LIMITED
REPRESENTATIONS ON MHD0053 CHANGES 4/5/3 TO 4/5/6

1.0 **INTRODUCTION**

1.1 These representations focus on heritage issues where LP1 should be aligned to the NPPF in recognising that the setting of a heritage asset may evolve; and that PPG refers to substantial harm and demolition of buildings rather than “significant” harm.

2.0 **CHANGE 4/5/3**

2.1 This Change is stated to be: “*To reflect the importance of the setting of heritage assets in line with the PPG*”. The footnote it refers to (as Change 4/5/4) is to the NPPF.

2.2 Change 4/5/3 should therefore be rewritten to reflect the definition given in the NPPF which is: “**Setting of a heritage asset:** *The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*”

2.3 The proposed Change in MHD0053 does not conform with the NPPF as the Change omits the key element in the NPPF that recognises as to setting that “*Its extent is not fixed and may change as the asset and its surroundings evolve.*”

2.4 For this Change to be in line with PPG and enforceable it should read:

“The setting of a heritage asset* is defined as the surroundings from which an asset is experienced. *Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral* This setting is integral to the heritage asset and the impact of a proposal on the heritage asset is also derived from the impact to its setting” (etc.)

3.0 **CHANGE 4/5/5**

3.1 This Change is stated to be: “*To ensure consistency with national policy and guidance*”. Change 4/5/6 then gives two PPG references neither of which reference

“*significant harm*”. Prima facie this change does not accord with Practice Guidance.

- 3.2 Indeed the Change seeks to confuse by conflating an unsupported “significant” harm with the harm referred to in the PPG reference 18a-017-20140306 which is headed “How to assess if there is substantial harm?” and which includes the advice that “*In general terms, substantial harm is a high test, so it may not arise in many cases.*”
- 3.3 Neither of the paragraphs referred to in Change 4/5/6 considers “significant” harm. PPG 18a-018-20140306 considers harm in relation to the demolition of unlisted buildings in Conservation Areas.
- 3.4 Either appropriate PPG references should be found or this Change must be deleted.

NOTE: the Change references are as follows

4/5/3 Policy 5	Page 78	New Para 4F after Para 134
4/5/4 Policy 5	Page 78	Para 4F New footnote
4/5/5 Policy 5	Page 80	Para 4.147
4/5/6 Policy 5	Page 80	Para 4.147 New Footnote

CLEMDELL LIMITED
REPRESENTATIONS ON MHD053 FLOODING CHANGES

1.0 INTRODUCTION

1.1 There are a series of major Changes proposed to LP1 stated to be in response to Environment Agency requests. Clemdell has not identified the primary source of these to be able to examine and understand the exact terms. In any event and especially where they are contrary to national guidance they should not be entertained. Those Changes include the following in MHD053: -

2.0 CHANGE 4/3/9

2.1 This Change requires in part that: *“Flood Risk Assessments must demonstrate that development itself is not at risk from flooding”*

2.2 This should be deleted. It is inconsistent with the remainder of the Change and contrary to the NPPF Technical Guidance .Every development is at risk of flooding and within a Flood Zone. The Technical Guidance states that: *“The overall aim should be to steer new development to Flood Zone 1”* (para 5). Flood Zone 1 is defined as “Low Probability” ie it may flood – thus the best that a Flood Risk Assessment (“FRA”) can ever demonstrate is that it has “low probability”

3.0 CHANGES 7/13/10 & 4/3/9 COMPARED

3.1 This Change states: *“Site specific Flood Risk Assessment taking into account all sources of flood risk including surface water management, and the impact of climate change, will be required to accompany planning applications”*

3.2 That is contrary to NPPF which states at NPPF Footnote 20 *“A site-specific flood risk assessment is required for proposals of 1 hectare or greater in Flood Zone 1; all proposals for new development (including minor development and change of use) in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems (as notified to the local planning authority by the Environment Agency); and where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.*

PPG reference Paragraph: 030 Reference ID: 7-030-20140306 reaffirms the reference to Footnote 20.

- 3.3 Change 7/13/10 is also contradicted by part of Change 4/3/9 which adds the following:

“If following the application of the sequential test, development is proposed in a flood risk area or where the site is greater than 1 hectare in area even in Flood Zone 1, a site specific Flood Risk Assessment taking into account all sources of flood risk, including fluvial, groundwater, surface water (both site derived and other overland flow) etc., and the impact of climate change, will be required to accompany the planning application”.

This does not comply entirely with the NPPF Footnote but at least it limits the need for an FRA. This part of Change 4/3/9 should be deleted and replaced by a reference to, or verbatim wording of, NPPF Footnote 20.

- 3.4 Change 7/13/10 should be deleted and FRA's limited to development that meets the NPPF requirements for an FRA.
- 3.5 It is not simply a matter of the extra cost that would (in theory) be added to every minor homeowner application. As the FRA can do no more than demonstrate a low probability of flooding (ie Flood Zone 1) and meeting NPPF criteria. It would still be refused if Change 4/39 remained

4.0 **CHANGES 10/26/1 & 10/26/2**

- 4.1 This Change requires development to demonstrate *“that sites are not located in flood risk areas.”*
- 4.2 That is perverse and should be deleted. Every site is in a Flood Risk Area and the NPPF Technical Guidance identifies the appropriate area for different types of development. Sites may be located in Flood Zone 1 and acceptable in terms of NPPF etc. But that is still a flood risk area and would fall foul of this ill thought out Change, which should be amended to align with NPPF.

NOTE: the Change references are as follows:

4/3/9	p33	Policy 3	P49	
7/13/10	p98	Policy 13	P166	7.55
10/26/1	p158	Policy 26	P312	10.105
10/26/2	p159	Policy 26	P314	

CLEMDELL LIMITED
REPRESENTATIONS ON VARIOUS CHANGES IN MHD053

1.0 INTRODUCTION

1.1 MHD053 is inconsistent containing multiple versions of paragraphs and tables. For example Changes 5/6/31; 5/6/14 and CON/6/4 are three different versions of Figure 5.1 for consultation. Although the Change numbers are not sequential they follow each other in MHD053. This should be clarified.

1.2 Although the Plan period is to be extended to 2031 there remain numerous conflicting examples of the retention of 2026 – for example in MHD054 it states at para 6.20 “... will be required during the plan period (2011 to 2026). Equally confusing in preparing comments MHD053 Change 5/7/2 uses 2026 and the same paragraph in MHD054 uses 2031. This needs clarification.

2.0 CHANGE 1/INT/28

2.1 It is not made clear how the deletion of the final sentence in this paragraph assists clarification. It should be re-instated.

3.0 CHANGE 3/2/16

3.1 The justification for this change is stated to be: “*To reflect relevant legislation and guidance*”. LP1 should add a footnote to identify that legislation and guidance, and specifically the need for “*general conformity*” between local and neighbourhood plans.

4.0 CHANGES 3/2/20 & 3/2/21

4.1 The deletions in these Changes are stated to be “*To remove duplication*”. But the double deletion effectively totally removes the substantive and important matter from the Plan. One of these deletions should be re-instated.

5.0 CHANGE 4/4/47

5.1 This Change to identify the importance of restricting development by reference to “*the setting of an AONB*” is supported and should be applied to the Sustainability Appraisal (MHD051) when considering broad locations for development in LP1

(currently not the case); to Scoping Opinions etc for those broad locations proceeding through the planning process; and to Neighbourhood Plan allocations.

6.0 **CHANGE 4/4/23**

6.1 This Change, to include the grade of agricultural land will therefore be taken into account in the decision making process, is supported and should be applied to the Sustainability Appraisal (MHD051) when considering broad locations for development in LP1 (currently not the case); to Scoping Opinions etc for those broad locations proceeding through the planning process; and to Neighbourhood Plan allocations.

7.0 **CHANGES 5/7/2, 5/7/8 & 5/8/28**

7.1 Change 5/8/28 confirms “*Adapted or supported housing should be considered as part of the affordable housing mix*” whilst Change 5/7/8 states: “*For sites of 10 or more dwellings this mix should be determined through early engagement with Registered Social Landlords, Dorset County Council and NHS Dorset health and social care services.*”

7.2 To be consistent with Changes setting the Affordable Housing threshold at 11 or more (eg Change 5/8/13) considerations of the housing mix should only apply to sites of 11 or more dwellings. This also applies to Change 5/7/2.

NOTE: the Change references are as follows

Change	Page	LP1
5/6/31	p55	Policy 6 P92 5.1
5/6/14	p56	ditto
CON/6/4	p57	ditto
1/INT/28	p5	INTRO P3&4 1.5
3/2/16	p22	Policy 2 P36 3.44
3/2/20	p23	Policy 2 P38 3.50
3/2/21	p24	Policy2 P38 3.51
4/4/47	p40	Policy 4 P58 4.59
4/4/23	p43	Policy4 P60 para 4C, D, E (4.65)
5/7/8	p73	Policy 7 P104
5/8/28	p84	Policy 8 P104
5/7/2	p104	Policy 7

NORTH DORSET DISTRICT COUNCIL

LOCAL PLAN PART 1

COMMENTS ON THE ADDITIONAL MATERIAL

ON BEHALF OF

CLEMDELL LIMITED

ID No: 1191

1.0 INTRODUCTION

1.1 These Comments are made on the contents of the Mid Hearing Documents (MHD).

1.2 The MHD tend to depart in content from the headings and Inspector's questions and the same issues frequently appear in different MHD's. There is therefore some duplication in the Comments but an effort has been made to cross reference the different MHD's.

1.3 Overall the MHD's address (often in contradictory terms) strategic matters not addressed in the Examination for example major extension to broad locations, or fail to substantively address issues for example the contribution to the strategic numbers from smaller brownfield sites.

1.4 It is not considered that the MHD make any credible case for the early adoption of LP1 on "current evidence". Rather they identify:

- numerous issues for examination some of which appear to be "modifications" embedded in MHD, and
- reasons why LP1 should not be adopted in its current form as modified

1.5 This opinion derives from the Comments that follow.

2.0 MHD006: EXTENDING THE PLAN PERIOD

- | | Para |
|--|-------------|
| 2.1 The decision to adopt LP1 as set out in the Notes based on current evidence is not supported for reasons including: | 1.1 |
| 2.1.1 The decision is justified by NDDC only by reason of boosting the housing supply. That implies that LP1 is making “allocations” (other than at Gillingham) contrary to the latest iteration of LP1 (SUD017a) at paragraphs 1.7 and 1A: <i>“The two-part approach will see a strategic policy framework put in place in advance of specific sites being allocated”</i> . Allocations should therefore not be made in LP1. (Allocations are specifically made in MHD012 paragraphs 5.1 and 5.3) | |
| 2.1.2 Work has not been done through the plan process to allow the early approvals relied upon in the trajectory. | |
| 2.1.3 Sites have not been brought forward by landowners because of reliance on the clarity of paragraph 1.7 of LP1 that <i>“Part 2 (a subsequent document) will allocate specific sites for housing and employment growth in the main towns”</i> reinforced by the addition of paragraph 1A added in November 2014. | |
| 2.1.3 The “current evidence” available to NDDC is not reflected in LP1. For example LP1 does not take account of its MWA reports on the state of Blandford Town Centre. | |
| 2.1.4 The Note repeats the “one dimensional” approach to a sustainable Local Plan. | |
| 2.2 It appears that this Note seeks to make a further “allocation” for 150 dwellings adjoining the St Mary’s Hill location – presumably SHLAA site 2/03/0534. The proposed extension to the broad location at St Mary’s Hill has not been subject to an SEA/SA. This is considered further at point 5.0 re Satnam. | 3.9
3.14 |
| 2.3 In assessing jobs & employment land there is no recognition of the role of eg Blandford Town Centre as the employment hub for the town and the | 4
et seq |

need to support its role because of the fragility recorded by NDDC's MWA reports. Regeneration of the town centre should have the purpose of supporting and extending the range and quantity of employment (as well as a key location for brownfield housing) – this should be recognised by additional text in LP1.

- 2.4 The section of the Note headed “Need for an Early Review” considers only housing issues. Housing may be one issue of relevance. But the substantive reasons LP1 requires early review include the need to: 5.5 et seq
7.4
- a. recognise the most up to date evidence across all of its “strategic policies”.
 - b. integrate the three elements of sustainable development to remedy the one dimensional approach of LP1.
 - c. provide the framework for enabling the proposed government target of identifying and enabling brownfield housing sites to be objectively met (considered further at point 4.0)
 - d. distinguish between “broad locations” and “allocations” and thus between LP1 and LP2.
- 2.5 The Recommendation for provision for an early LP1 review is not carried into a specific time-frame. That should be stated now so that it can be examined. If LP1 is to proceed in basically its current form and upon its current superseded evidence base there should be a commitment to that review within two years so that LP2 is based upon a sound and up-to-date plan, during that time LP1 could remain unadopted but a material consideration. 1.1
- 2.6 In the confusion within these Notes it appears they seek an unexamined redefinition of the role of LP2. NDDC implies that the “broad locations” for development are effectively allocations of the whole of that location. That is emphasised by the heading preceding paragraph 6.5: “*Bringing Forward ‘Broad Locations’ Through Planning Applications.*”, and confirmation in the Note of the Council's Agenda item, referred to in the Note, that “*This wording change would effectively enable development to be brought forward on these sites in advance of the Local Plan Part 2.*” Allocations are specifically made in MHD012 paragraphs 5.1 and 5.3 6.3
6.5

- 2.7 But then the Note affirms the purpose of LP1 as limited to: “*identification of broad locations for development in Part 1, whilst also providing some flexibility in Part 2*”.and “*LP1 provides a strategic framework for making planning decisions through LP2*” 6.3
6.4
- 2.8 Again this is contradictory for example by MHD012 stating sites are “allocations” in LP1 and “*A revised housing trajectory has been prepared and is included as Figure 6.1 below. This shows that there will be relatively high levels of delivery in the five years from 2015/16 onwards reflecting the bringing forward of a number of sites at the ‘broad locations for housing growth’ in accordance with Policy 2 (and paragraph 3.55) of LP1 - where there have already been pre-application discussions; where environmental assessment screening opinions (and in some cases scoping opinions) have already been issued; or where planning applications have already been submitted.*” 6.6
- 2.9 In other words LP1 would pre-empt LP2, which is in contradiction to the quoted Agenda Item, paragraph 26, that “*The allocation of sites in the Local Plan Part 1 would be likely to require significant additional work and would delay the submission of the plan.*” That work is essential and should have been carried out over the many years of iterations of this Plan – if it delays LP1 so be it. 6.5
- 2.10 It is not even clear that NDDC still support an LP2. For example: “*In the event that the new SHMA and subsequent work indicated a similar or a lower level of need for housing in North Dorset, any review of LP1 would be ‘light touch’. The preparation of LP2, which **could** remain as a separate document could then focus on formally allocating any sites at the ‘broad locations for growth’, which had not yet been developed or granted planning permission.*” This is in circumstances where the Note and its trajectory indicate the “broad locations” being allocations being built out from next year. 6.9
- 2.11 If “broad locations” are to be regarded as allocations, as runs through the Notes, then stating that LP2 “*also provides choice to local communities in the four main towns to decide whether they want to lead on defining sites and reviewing detailed policies through their neighbourhood plans, or whether the Council should lead on these matters*” and in MHD007 6.3

paragraph 3.6 that “*NDPs have a key role to play, when made, as they will form a part of the Development Plan. Additionally the Council will invite the significant new active involvement of communities in preparation of LP2*” is at best misleading. Blandford+ have recently identified a completely different broad location as a strategic proposal.

- 2.12 The Note also records that “*work has commenced on the revision of the Workplace Strategy for the area.*” There is no indication of this timescale nor whether it will recognise and support town centres as the hub of the local economy. 6.12
- 2.13 The Note does not provide any sound reason for the need to adopt LP1 in its present iteration. It raises considerable doubt as to whether LP2 can serve its stated purpose. It makes a substantial addition to the “broad locations” for housing and, with other Notes, conflates locations with allocations. If it is to be adopted it should be clarified that locations are to be examined as allocations in LP2 and NPO’s and that it will be replaced in a specific timescale, not longer than two years. The changes proposed in these Notes are fundamental and demand examination.

3.0 MHD008: HOUSING TRAJECTORY

Para

- 3.1 The substance of this Note is concerned with Blandford sites and an assumption that proposed broad locations have been evidenced as suitable for development in their entirety. 2.3
- 3.2 Although the Note refers to increasing the capacity of the land at St Mary's Hill to 450 this actually represents an additional site. Although the addition is expressed interrogatively in MHD006 paragraph 3.14 ie "*If it is assumed*" etc it is clear that assumption has been made. But it has not been examined. 4.7
- 3.3 This Note adds the assumption of extra land into the trajectory at Figure 1 to produce a build out at St Mary's Hill of 450 units by 2031. This is in the context of even the small part of the location that was the subject to a Scoping Opinion (2/2014/0079/PLNG) being unsatisfactory.
- 3.4 Further, there is a conflation within these Notes between "broad locations" and "allocations" (see eg MHD012) within the context of MHD006 at paragraph 6.5 recording "*(t)he allocation of sites in the Local Plan Part 1 would be likely to require significant additional work and would delay the submission of the plan.*"
- 3.5 For any part of the broad locations to be included in the trajectory that work does need to be done. Not least, as affirmed by Satnam, there needs to be a comprehensive SEA/SA covering the whole of the broad location.
- 3.6 The trajectory does not include delivery of non-strategic brownfield sites that need to be identified further to emerging government policy (as referenced in MHD009 paragraph 4.1). Without this work NDDC will be unable to demonstrate a five year housing supply.
- 3.7 LP1 states at paragraph 1.7 that Part 2 "*will allocate specific sites for housing*". The trajectory should be derived from LP2 after the significant additional work has been done on strategic sites (including compliance with full SEA/SA's) and brownfield sites.

- 4.0 **MHD009: as to “ENSURING THAT POTENTIAL DELIVERY ON BROWNFIELD LAND IS CONSIDERED.”** Para
- 4.1 The NPPF refers to “brownfield” land interchangeably with “previously developed land.” On 13 June 2014 DCLG issued a press release that included that “(m)inisters are clear of the need to make the best possible use of brownfield land in a way that keeps strong safeguards in place that protect our valued countryside. Councils will play a critical role in bringing forward brownfield land” This went on to reference government proposals to introduce local development orders to ensure the delivery of 90% of brownfield sites by 2020 (with a sliding scale introduced by 2017 starting at 50%). This delivery target is not focussed on “affordable” housing. The government’s direction of travel is clear – to remove barriers to brownfield sites coming forward for housing which are capable of supporting five or more dwellings. Non compliant LA’s will be unable to claim a five year housing supply. Note 1 4.1 2.3
- 4.2 The potential of the majority (as to area) of brownfield land, such as in town centres, is not addressed by LP1 or this Note (MHD009) which focuses on the larger parcels. As noted in the Housing Topic Paper (MHN002) after excluding larger sites, delivery of brownfield housing in North Dorset to 2008 is approximately 33% (paragraph 6.19). (MHN2 analysis has not been updated from the 2009 version.) MHN002 states “it would be unlikely that the Council could meet the 50% target” (paragraph 6.20 reaffirmed at 6.22) 4.3
- 4.3 The Housing Topic Paper (MHN002) notes that “(t)he rural nature of the District means that brownfield land is not abundant. It remains important to encourage development on brownfield land where regeneration opportunities arise in suitable locations.” (paragraph 7.3 in 2009). Yet LP1 did not recognise town centres as brownfield land with **any** residential potential until its final iteration in November 2014 (SUD017).
- 4.4 MHD007 at paragraph 5.7 references that LP1 strategy “brings together employment opportunities with the vast majority of proposed housing development to support an enlarged workforce.” Again, it was only in the

iteration dated November 2014 that LP1 recognised that town centres had **any** role in delivering housing. Delivery is addressed with proposed changes in MHD018 (10/24/10 and 10/24/12). However a principal barrier to the delivery of brownfield land is viability. That is not reconsidered in this Note.

- 4.5 This Note states that the level of the Affordable Housing tariff is based on MHN017 (Three Dragons dated, in its footnote, April 2009). This takes a broadbrush approach to the sub-areas in the District with just six locations, all geographic, (paragraph 6.1). It recognises (at paragraph 6.7) that *“(v)iability is highly sensitive to the relationship between existing (or, where relevant, alternative) use value”* and *“it must be acknowledged that residual values, with even relatively low levels of affordable housing, will not be sufficiently above current use values to encourage land owners to bring the land forward.”* 3.4
cf 5.1
- 4.6 Following on, NDDC issued its Contributions SPD (COD036 December 2011), paragraph 3.3 of which states under the heading *“Redevelopment (Brownfield) Sites”*: *“In particular, a flexible approach will be taken towards redevelopment schemes which contribute towards regeneration schemes and are of overall benefit to the local community”*. That accords with PPG Viability which recognises *“the fact that brownfield land is often more expensive to develop.”* (Paragraph: 025 Reference ID: 10-025-20140306)
- 4.7 That approach in COD36 to brownfield sites indicates an approach to viability that recognises the three elements of sustainable development to facilitate site delivery. The Note gives no explanation as to why NDDC’s earlier flexibility has been withdrawn and is justified. That explanation is also lacking in LP1. The Note states the NPPF presumption in favour of sustainable development ie all three elements 2.3
- 4.8 Whilst the Note concludes that *“Local Plan policies are aimed at ensuring that brownfield land is brought forward”* that is not correct. Town Centre land has a substantial current use value. This is recognised, by implication in MHN017. But policy, and practical discussions with NDDC Policy and Planning Officers, disregards current use value (and indeed the Toolkit MHN022). If brownfield sites are made unviable by inflexible policies NDDC will not achieve government targets and thus fail to evidence a five 5.2

year housing supply.

- 4.9 The Note also concludes that “*reflecting residual land values is considered to be the most appropriate given the available evidence and is therefore justified.*” Again this cannot be correct. Current use values should be at the heart of LP1 policies for ensuring that potential delivery for housing is supported. 5.1
- 4.10 The Note fails to state what, if any, work is in progress to identify brownfield potential so that NDDC will be able to satisfy the requirements of evolving government policy and, as appropriate, identify and allocate sites in LP2, and NP’s. This lack of aspiration is evidenced (for example) in Note MHD008 where Figure 3.1 identifies some smaller, including brownfield, sites and Figure A1 which projects just 31 infill units for Blandford over a 20 year period.
- 4.11 LP1 should identify the work the Council will undertake to identify its brownfield housing sites for 5 or more dwellings. LP1 should recognise PPG and its own evidence base to produce flexible standards for its Affordable Housing tariff which will ensure that appropriate brownfield sites are not subject to the wasted time and costs of viability assessments or which act as a barrier to delivery because eg of the “*hassle*” (MHN017 page 47). This Note (MHD009) should be rewritten to address this issue.
- 4.12 The Note (as with LP1) fails to recognise PPG. It acknowledges emerging national policy but then ignores it. Without the necessary integration of national policy LP1 remains unsound, will not be able to evidence a five-year housing supply and should not be adopted.

5.0 **MHD0010: LEGAL VIEW OF IMPLICATIONS OF SATNAM**

- 5.1 The Note does not refer to the Court's judgement that Warrington Borough Council had failed to carry out a strategic environmental assessment or sustainability appraisal (SEA/SA) in line with the requirements of European and domestic law. (Ground 2)
- 5.2 This aspect is material when considering the SEA/SA supporting LP1 and when NDDC conflates "broad locations" with "allocations" – see eg MHD012 paragraph 5.1. Indeed a new area for 150 dwellings has been added in MHD006 paragraphs 3.9 and 3.14 to a broad location where the Scoping Opinion (2/2014/0079/PLNG) was for only small part of the original broad location.

MHD018: SCHEDULE OF CHANGES

Change Reference	Policy	Section Reference	Proposed Change	6.0 Comment
5/8/22	Policy 8	Page 106 Para 5.92	<p>On a site where viability may be an issue, the Council will consider offering the opportunity for both the applicant and the Council to rely upon a single assessment of viability by the District Valuer or other mutually agreed independent assessor. Where such an offer is made, the terms will include the following requirements:</p> <p>the applicant will be expected to cover the cost of the assessment reflecting the fact that the purpose of the exercise is to enable the applicant to seek to justify a departure from the normal requirements of the Council;</p> <p>the District Valuer or other mutually agreed independent assessor would be instructed by the District Council; both parties would however have the opportunity to provide information to the District Valuer or other mutually agreed independent assessor to assist in the undertaking of the assessment; and</p> <p>the applicant must adopt an ‘open book’ approach for the purposes of the assessment.</p>	<p>6.1 This is unacceptable in principle.</p> <p>Further it is not clear whether this precludes an Applicant using its own assessor. A local plan cannot prejudice an applicant’s right of appeal.</p> <p>Many disputes will arise because NDDC fail to recognise current use value of brownfield land and place barriers to sustainable development contrary to emerging government policy (see also comments on MHD009).</p> <p>If NDDC wish to use outside consultants for any element of a planning application that is its right at its own cost.</p> <p>In any event:</p> <p>(a) DV or joint assessor must be instructed jointly</p> <p>(b) that assessor makes any award of costs.</p>

5/8/23	Policy 8	Page 106 & 107 Para 5.93	The parties would agree to rely upon the conclusions of the District Valuer <i>or other mutually agreed independent assessor</i> for the purposes of the application, thereby minimising disputes and protracted negotiations, and could refer to the findings of the District Valuer <i>or other mutually agreed independent assessor</i> in any subsequent proceedings.	6.2 See comments on 5/8/22
5/8/25	Policy 8	Page 111 POLICY 8: AFFORDABLE HOUSING	In cases where a level of affordable housing provision below the target percentages is being proposed, the developer may be offered an opportunity (subject to certain requirements) to involve the District Valuer <i>or other mutually agreed independent assessor</i> with a view to securing a mutually agreed level of affordable housing provision. In any case where viability is an issue, an ‘open book’ approach will be sought on any viability assessment.	6.3 See comments on 5/8/22 & 5/8/23
8/16 /10	Policy 16	Page 201 POLICY 16:BLAND FORD	The main focus for town centre regeneration, which may include additional retail floorspace, will be land to the south of East Street, including land around the existing Co-op store. The extension of existing retail units south of Market Place and East Street may also be permitted. Town centre regeneration will embrace a range of town centre uses, not only retail and commercial but community and leisure as well as residential uses, and will be encouraged. An important element of town centre regeneration will be land to the south of East Street,	6.4 A consequential minor amendment is to Figure 8.1. Item 12 on that plan should be reworded “ <i>Regeneration to the south of Market Place and East Street</i> ” with an illustrative location shown similar to that in Figure 2.8.1 in the March 2010 iteration of LP1. Wording of this paragraph should be clarified to: “ <i>such as the extension or redevelopment of</i>

			<p>including land around the existing Co-op store. On appropriate sites, all development and redevelopment schemes which support town centre regeneration, such as the extension of existing retail units south of Market Place and East Street, will be viewed positively within the recognised constraints of heritage and flooding considerations. The emerging Neighbourhood Plan for Blandford will have a key role to play in identifying regeneration opportunities in the town.</p>	<p><i>existing, and additional, retail units south of Market Place and East Street”.</i></p> <p>This is to provide for the potential closure of Morrisons and to guide eg the development of vacant land such as the DCC site.</p> <p>Further:</p> <p>(a) for consistency with the land around the recognised constraints on the land around the existing Morrisons, the same existing constraints around the Co-op should be recognised in paragraph 8.37 of SUD017a by adding at the end of 8.37:</p> <p><i>“any scheme here would also have to have regard to the potential impact on the historic character and visual context of the town”</i></p> <p>(b) to recognise the sequential tests in NPPF paragraph 24 that apply to the Co-op land, after (a) should be added:</p> <p><i>“and on the viability of the town centre”</i></p> <p>and paragraph 8.38 of SUD017a should reflect the final wording of this Change.</p>
10/24/11	Policy 24	Page 294	Development should be designed to improve the character and quality of the area within which it is located. Proposals for	6.4 This should cross refer to Changes: 10/24/12, 10/25/6 and App/C/3

			development will be required to justify how the relevant aspects of development form address the relevant design principles and standards set out in Figures 10.1, 10.2 and 10.3 of this policy and how the design responds to the local context.	
10/24/12	Policy 24	POLICY 24: DESIGN	Developments will be permitted provided that the relevant aspects of development have been designed to reflect the relevant design principles and have satisfactorily addressed the relevant standards. A proposal that uses development forms which do not reflect the relevant design principles and standards, or which otherwise conflict with the design principles, will not be permitted. <i>There may be circumstances where it is not appropriate to apply the design principles, aspects of form and / or space standards (for example, bin storage and laundry drying in town centre developments).</i>	6.5 For clarity this should be amended: “... <i>the design principles (set out in Figures 10.1, 10.2 and 10.3 of this policy)</i> ”
10/25/6	Policy 25	Page 296 Para 10.76	Permanent residential developments should be provided with adequate private open space to meet the needs of the people likely to occupy the properties. The amount of private open space required will largely depend on the type of residential development being proposed. For a family house, an adequate garden is essential both to meet operational needs and for family activities, such as children playing. For small single bedroom or retirement units, a well-designed communal space may be more appropriate. Communal private spaces should include sufficient	6.6 For consistency this Change should also be added to the Policy 25 ie: “ <i>In certain circumstances, such as the conversion of buildings in town centres, private open space provision may not be required</i> ”.

			space for refuse storage and clothes drying as well as a garden area. Adequate private open space should be provided not only for new dwellings but also where existing residential properties are extended or subdivided and where existing buildings are converted to residential use. In certain circumstances, such as the conversion of buildings in town centres, private open space provision may not be required.	
APP/C/3	Appendix C	Page New para CA	The standards and guidance set out the Council's requirements for residential and non-residential vehicle and cycle parking unless a different level of provision can be justified by local or site-specific circumstances.	6.7 For consistency and clarity this Change should also be added as a new paragraph 10.44A

7.0 SUMMARY & CONCLUSIONS

	Para	
7.1	The Mid Hearing Documents when read as a whole are contradictory and underline the need for further work before LP1 can be considered for adoption as a sound plan. As noted in MHD012 paragraph 5.6 Main Modifications are still to come.	
7.2	LP1 (SUD017) added, in November 2014, paragraph 1A which reaffirmed that LP2 will make the site allocations. It appears that by way of the Notes NDDC propose to turn “broad locations” into allocations without the necessary examination – yet the Notes also reaffirm that LP2 will identify sites within the broad locations.	MHD012 5.1 MHD006 6.6 6.3 & 6.4
7.3	The evidence base for LP1 does not provide SEA/SA sufficient to meet the legal requirements (reaffirmed by Satnam) for determining allocations nor for the strategic extension of a broad location simply by way of Note MHD006.	MHD006 3.9 & 3.14
7.4	The Notes recognise the emerging guidance on brownfield sites but neither integrate this into the thinking or numbers in the trajectory, nor identify the timescale for this work.	MHD009 4.1
7.5	There is no explanation within MHD009 why the flexibility in supporting the viability of brownfield sites found for example in COD036 has been removed from LP1 thereby placing new barriers on sustainable development. There is no substantive consideration in MHD009 on means to ensure the delivery of the range of potential brownfield land, nor accepting PPG guidance.	
7.6	MHD006 promotes the early adoption of LP1 on current evidence for a single issue – housing. In that regard the Notes cannot be correct in concluding housing locations will substantively feed into the trajectory from 2016 as it is acknowledged that significant additional work has to be done.	1.1 6.5
7.7	Therefore LP1 should not be adopted until further work is completed for examination - to include the acceptability of site allocations and identification of the full range of brownfield land.	