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| <b>Participant</b>                         | Mr Jonathan Kamm   | <b>Rep ID</b>                    | 1191          |
|  |  | <b>Date response received</b>    | 15th May 2015 |
| <b>Representing</b>                        | Clemdell Ltd   | <b>Response reference number</b> | MHD037        |
| <b>MHD / Change reference commented on</b> | MHD006/MHD008  |                                  |               |
| <b>Summary of comment</b>                  | <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> |                                  |               |
| <b>Council’s response</b>                  | <p>The Council note the respondent’s comments concerning the early review of the Local Plan in relation to the spatial approach undertaken and supply of housing.</p> <p>The 2012 SHMA Update was produced in accordance with the most up to date guidance at the time of its production. It has been tested through the examination of local plans across the HMA and found to be a robust basis for establishing housing need. The North Dorset Local Plan is the last of the Local Plans in the HMA and should proceed to adoption to enable housing delivery to be boosted and to enable the coordinated production of the next round of local plans. This issue has been discussed in NDDC Issue Statement 1A.</p> <p>The approach is for LP1 to set the strategic policies with LP2 and</p>  |                                  |               |

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|                           | <p>neighbourhood development plans to follow which will deal with detailed proposals and policies including the review of settlement boundaries in the towns and More Sustainable Villages.</p> <p>The Council has adopted a pragmatic approach, recognising the SHMA prepared under previous guidance and that strategy/trajectory in LP1 looks to boost significantly supply after its adoption.</p> <p>The broad location sites in the five-year supply are all well advanced through the planning process some with planning permission, submitted applications and/or EIA screening requests, while some are subject to pre-application discussions with the Council.</p> |
| <p><b>Conclusions</b></p> | <p>The respondent introduces no new issues for consideration at this stage and no further action is required.</p>  |

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| <b>Representing</b>                        | Clemdell Ltd   | <b>Response reference number</b> | MHD037        |
| <b>MHD / Change reference commented on</b> | MHD009   |                                  |               |
| <b>Summary of comment</b>                  | <p>The Note recognises the emerging guidance on brownfield sites but neither integrates this into the thinking or numbers in the trajectory, nor identifies the timescale for this work.</p> <p>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.</p>  |                                  |               |
| <b>Council's response</b>                  | <p>MHD009 has been prepared at the Inspector's request following the hearing sessions to explain how the Council has considered all reasonable alternatives and opportunities for delivering affordable housing in accordance with the NPPF, ensuring that potential delivery on brownfield land is considered.</p> <p>Section 4 of MDH009 sets out National policy no longer adopts a 'brownfield first' approach to housing development however still encourages 'brownfield' development, which may take the form of suitable residential infilling.</p> <p>In January 2015 the government published its 'Building more homes on brownfield land' consultation document, the focus of which was to 'enable the development of houses on brownfield land'.</p> <p>It also explains that following consultations in January and March 2015 the Government's intention is that by 2020 over 90% of brownfield land suitable for housing, and which does not already benefit from planning permission, should be subject to Local Development Orders (LDOs). Also, in May 2015 The Secretary of State introduced the Local Development Order Incentive Fund to encourage and support local planning authorities to bring forward previously developed sites by way of LDOs.</p> <p>On average, brownfield site development contributes about 40% of total residential development as shown in Housing Topic Paper (MHN002). In the North Dorset SHLAA, enough land was identified to provide 1,500 dwellings on brownfield land, the majority of which is</p> |                                  |               |

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|                           | <p>identified as being in the five year supply.</p> <p>There is greater potential in the towns than in the rural parts for brownfield development and policies in the Local Plan are aimed at ensuring that those suitable areas of brownfield land that do exist are brought forward for housing and other uses. Local plan policies seek to concentrate the vast majority of development at the District’s four main towns, where most brownfield land is located.</p> <p>Further, part of the Council’s spatial approach to economic development in Policy 11, The Economy, is to identify and bring forward mixed-use regeneration sites on the edge of existing town centres which embrace brownfield land. The policy lists the four main sites: the Brewery site, Blandford St Mary; the Station Road area in Gillingham; the Station Road area in Sturminster Newton; and land between the Town Centre and Christy’s Lane, Shaftesbury.</p> <p>MHD009 concludes that the evidence shows that the Council will need to bring forward significant areas of greenfield land in order to meet the full assessed need for additional housing development. However, policies in the Local Plan are also aimed at ensuring suitable areas of brownfield land are brought forward for housing and other uses.</p> |
| <p><b>Conclusions</b></p> | <p>The respondent introduces no new issues for consideration at this stage and no further action is required.</p>   |

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| <b>Representing</b>                        | Clemdell Ltd  | <b>Response reference number</b> | MHD037        |
| <b>MHD / Change reference commented on</b> | MHD010  |                                  |               |
| <b>Summary of comment</b>                  | <p>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)</p> <p>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.</p>  |                                  |               |
| <b>Council’s response</b>                  | <p>The North Dorset Local Plan Part 1 has been subject to a comprehensive Sustainability Appraisal and Strategic Environmental Assessment to predict the social, environmental and economic effects of implementing the Local Plan.</p> <p>MHD010 was produced at the request of the Inspector at the hearing sessions to provide a view on the legal judgement between Satnam Millennium Limited v Warrington Borough Council (2015) and the implications for meeting affordable housing needs in North Dorset.</p> <p>MHD010 identifies and considers a number of issues arising from the case. The Council considers its approach to the relevant Local Plan policies to stand as robust when tested in the context of the case. MHD10 recommends no changes are required to the Local Plan arising from this recent case law.</p> |                                  |               |
| <b>Conclusions</b>                         | The respondent introduces no new issues for consideration at this stage and no further action is required.  |                                  |               |

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| <b>Representing</b>                        | Mr Jonathan Kamm   | <b>Response reference number</b> | MHD037                    |
| <b>MHD / Change reference commented on</b> | MHD018   |                                  |                           |
| <b>Summary of comment</b>                  | <p><u>Change references 5/8/22, 5/8/23 and 5/8/15</u></p> <p>Clemdell Ltd considers the changes are unacceptable in principle. 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>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). 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> <p><u>Change reference 8/16/10</u></p> <p>A consequential minor amendment is to Item 12 on that plan should be reworded "Regeneration to the south of Market Place and East Street" 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: "such as the extension or redevelopment of existing, and additional, retail units south of Market Place and East Street". This is to provide for the potential closure of Morrisons and to guide eg the development of vacant land such as the DCC site. Further: (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: "any scheme here would also have to have regard to the potential impact on the historic character and visual context of the town" (b) to recognise the sequential tests in NPPF paragraph 24 that apply to the Co-op land, after (a) should be added: "and on the viability of the town centre" and paragraph 8.38 of SUD017a should reflect the final wording of this Change.</p> |                                  |                           |

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|                                  | <p><u>Change reference 10/24/11</u><br/>This should cross refer to Changes: 10/24/12, 10/25/6 and App/C/3</p> <p><u>Change reference 10/24/12</u><br/>For clarity this should be amended: "... the design principles (set out in Figures 10.1, 10.2 and 10.3 of this policy)"</p> <p><u>Change reference 10/25/6</u><br/>For consistency this Change should also be added to the Policy 25 ie: "In certain circumstances, such as the conversion of buildings in town centres, private open space provision may not be required".</p> <p><u>Change reference APP/C/3</u><br/>For consistency and clarity this change should also be added as a new paragraph 10.44A</p>   |
| <p><b>Council's response</b></p> | <p><b><u>No change required</u></b></p> <p><u>Change references 5/8/22, 5/8/23 and 5/8/15</u> The Council agreed the scope of response to issues raised at the Hearing with the Inspector. The agreed scope, to which the Council has responded, sets out that the Council should widen the scope of Policy 8 to allow mutually agreed independent valuers to resolve viability disputes, rather than just the 'District Valuer'.</p> <p><u>Change reference 8/16/10</u> The Council considers the proposed changes recommended by the respondent to be unnecessary. The Council proposed change to Policy 16 (8/6/10) makes it clear that <b>all</b> town centre regeneration projects in Blandford will be encouraged. Further, it makes it clear that on appropriate sites, <b>all development and redevelopment schemes which support town centre regeneration</b> would be viewed positively within the recognised constraints of <b>heritage</b> and flooding considerations.</p> <p>Any future development/redevelopment of sites in town centre would also be subject to character, local context and viability considerations.</p> <p><b><u>Support recommended changes</u></b></p> <p><u>Change references 10/24/11, 10/24/12, 10/25/6 and APP/C/3</u><br/>Support the changes recommended by respondent to add consistency between the policies and supporting text in the plan.</p> |
| <p><b>Conclusions</b></p>        | <p>The Council <b>supports</b> the respondent's recommendations for change references 10/24/11, 10/24/12, 12/25/6 and APP/C/3.</p> <p>The Council does <b>not support</b> the respondent's proposed recommendations to change references 5/7/22, 5/8/23, 5/8/15 and 8/16/10.</p>  |