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# North Dorset Local Plan Part 1

## Pre-submission Consultation 29 November 2013 to 24 January 2014

Regulation 19 of 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.**

This is a formal consultation on the legal compliance and soundness of the Local Plan before it is submitted to the Secretary of State for examination by an Inspector. For advice on how to respond to the consultation and fill in this form please see the 'Guidance Notes for Making Representations' that can be found on the Council's website at [www.dorsetforyou.com/planning/north-dorset/planning-policy](http://www.dorsetforyou.com/planning/north-dorset/planning-policy)

**Please return completed forms to:**

Email: [planningpolicy@north-dorset.gov.uk](mailto:planningpolicy@north-dorset.gov.uk)

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

Alternatively you can submit your comments online at: [www.surveymonkey.com/s/NorthDorsetLocalPlan](http://www.surveymonkey.com/s/NorthDorsetLocalPlan)

**Deadline: 5pm on 24 January 2014. Representations received after this time may not be accepted.**

### Part A – Personal details

This part of the form must be completed by all people making representations as **anonymous comments cannot be accepted**. Representations cannot be treated in confidence as Regulation 22 of the Town and County Planning (Local Planning) (England) Regulations 2012 requires copies of all representations to be made publically available. By submitting this response form on the pre-submission North Dorset Local Plan Part 1 you consent to your information being disclosed to third parties for this purpose, but signatures, private telephone numbers and e-mail addresses or private addresses will not be visible on our web site, although they will be shown on paper copies that will be sent to the Inspector and available for inspection.

\*If an agent is appointed, please complete only the Title, Name and Organisation boxes to the personal details but complete the full contact details of the agent. All correspondence will be sent to the agent.

Personal Details (if applicable)*		Agent's Details (if applicable)*
Title	Mr	Mrs
First Name	Matthew	Rosie
Last Name	Richardson	Baker
Job Title( <i>where relevant</i> )		Associate Director
Organisation ( <i>where relevant</i> )	Gleeson Strategic Land Limited	Terence O'Rourke Limited
Address	C/O Agent	Everdene House, Deansleigh Road, Bournemouth, BH7 7DU
Postcode		BH7 7DU
Tel. No.		01202 421142
Email Address		Rosie.baker@torltd.co.uk

## Part B – Representation

The North Dorset Local Plan 2011 to 2026 Part 1 and its supporting documents have been published in order for representations to be made prior to submission to the Secretary of State for examination. The purpose of the examination is to consider whether the Local Plan complies with the **legal requirements** and is **'sound'**.

If you are seeking to make a representation on the **way** in which documents have been prepared it is likely that your comments or objections will relate to a matter of **legal compliance**.

If you are seeking to make representations on the **content** of the documents it is likely that your comments or objections relate to the **soundness** of the plans and whether it is justified, effective or consistent with national policy.

Further information on the matter of legal compliance and the issue of soundness can be found in the 'Guidance Notes for Making Representations'.

If you need help completing the response form please see a member of the Planning Policy Team at one of the consultation exhibitions or call 01258 484201.

**1. Please select which document you are commenting on:**

- North Dorset Local Plan 2011 to 2026 Part 1 (please complete Questions 2 to 9)
- Final Sustainability Appraisal Report (please complete Questions 2 and 10)
- Habitats Regulations Assessment (please complete Questions 2 and 10)

**2. Please state the part of that document you are commenting on:**

Paragraph number:	Policy/site: 2 Spatial Strategy	Policies map:
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**3. Do you consider the Local Plan to be legally compliant and prepared in accordance with the Duty to Cooperate, legal and procedural requirements?**

- Yes  No

**4. Do you consider the Local Plan to be 'sound'?**

- Yes  No

**5. If you consider the Local Plan to be unsound please specify your reason(s) by ticking the box(es) that apply below**

- It has not been positively prepared
- It is not justified
- It is not effective
- It is not consistent with national policy

**6. Please give specific details of why you consider the Local Plan has not been prepared in accordance with the Duty to Co-operate, legal or procedural requirement or why you consider the plan to be unsound. Alternatively, if you wish to support any aspects of the plan please also use this box to set out your comments.**

Gleeson Strategic Land Limited fully supports the identification of Shaftesbury as a Main Town, to function as a main service centre for the District, and the spatial strategy to distribute the majority of the housing growth to the four main towns, including Shaftesbury.

However, Policy 2 is both ineffectual and lacks the positive approach required by the NPPF by seeking to retain the existing settlement boundaries for the main towns, even if that retention is only proposed for a temporary period. These settlement boundaries were fixed in the North Dorset District Wide Local Plan to 2011, adopted in 2003. They were identified on the basis of now out of date evidence of need and are time-expired. They are out of date and, the plan confirms, through the implications of Policy 6 and associated locations for growth as identified on the inset diagrams, cannot be retained if the objectively assessed housing needs of the District are to be met, under the presumption in favour of sustainable development for plan making. Indeed, it is relevant that the settlement boundary of Shaftesbury has already been breached.

Clearly, housing provisions at these main towns are central to the strategy and the timely delivery of plan-led development relies heavily on a review of these boundaries. Without settlement boundary review in the Core Strategy, specifically in relation to the main settlements and locations for growth (rather than every settlement boundary within the District) the sites cannot be called allocations and therefore confirmed as 'deliverable' under paragraph 47 of the NPPF (including footnotes 11 & 12). This makes the plan ineffective and undeliverable, weakening the housing land supply position of the district and rendering the plan ineffective.

Wiltshire Council took a similar approach to the retention of existing settlement boundaries, set in old style local plans, relying on neighbourhood planning and a later Allocations DPD to meet the objective assessment of need through the plan-led approach. However, the Core Strategy Inspector recently concluded that: *"it cannot be argued with great strength that the settlement boundaries contained therein are up-to-date for the purposes of the CS plan period"*. The Inspector felt that these out of date settlement boundaries could *"potentially stymie development ...and therefore not represent a positive form of planning"* (Procedural Letter number 10, dated 2 December 2013). In that case, and order to expedite adoption of the Core Strategy, the Inspector has suggested the progression of a separate DPD but it is also relevant that he has asked for confirmation that the District has a 5 year housing land supply, from the existing allocations and commitments made, as this is essential for the plan to be found sound.

Whilst it is recognised that the settlement boundaries will be reviewed in a future development plan document this work should be undertaken now as part of the Core Strategy to ensure the plan is positively prepared and meets the requirements of the NPPF to *"allocate sites to promote development...bringing forward new land where necessary, and provide detail on form, scale, access and quantum of development where appropriate"* (paragraph 157, NPPF) and to ensure the Council can continue to demonstrate a *"supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements"* (paragraph 47, NPPF).

*Continue on a separate sheet if necessary*



**7. What change(s) do you consider are necessary to ensure that the Local Plan is legally compliant and sound?** It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Core Strategy should review the settlement boundaries, allocate sites for development in the growth locations identified, and then redefine the settlement boundaries so that the allocated sites are included within the settlement boundaries, could be included as deliverable sites in the 5 year supply and therefore could be used to demonstrate the effectiveness and delivery of the plan.

Included with this response is a delivery statement for the land to the west of the A350. This statement identifies a suitable site boundary for the comprehensive development of the site, which would enable the delivery of about 150 - 200 new homes, along with significant areas of new green infrastructure that will benefit both new and existing residents.

*Continue on a separate sheet if necessary*

**8. If your representation is seeking a change, do you consider it necessary to participate in the oral part of the examination?**

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


**9. If you wish to participate in the oral part of the examination please outline why you consider that to be necessary.** Please note that the Inspector determines who is heard at the examination.

Our client has a significant interests in land to the West of the A350, Shaftesbury and we therefore consider it to be important that we are able to participate orally to expand on the comments we have made within these representations.

**10. Please outline your comments on the Final Sustainability Appraisal Report or Habitats Regulations Assessment.** Comments are not confined to 'soundness' issues, but respondents can express their opinions on the above documents and use it as a reference point on the 'soundness' of the Local Plan.

**11. Do you wish to be notified of any of the following?** Please tick all that apply. We will contact you using the details you have given above.

- That the Local Plan Part 1 has been submitted for independent examination  
 The publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan Part 1  
 The adoption of the Local Plan Part 1.

Signature: 

Date: 24 January 2014

*If submitting the form electronically, no signature is required.*

Land west of the A350, opposite Wincombe Business Park, Shaftesbury

Response to consultation on the core strategy pre-submission January 2014

Gleeson Strategic Land Limited

January 2014

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## 1 SUMMARY

- 1.1 Land to the West of the A350, Shaftesbury provides a suitable and sustainable site for the delivery of circa 200 new dwellings to meet local housing need.
- 1.2 The site, currently agricultural land, is acknowledged to be in an accessible location, close to existing shops, services and employment opportunities. It is suitable for and could accommodate residential development without undue impact on landscape setting of Shaftesbury. It can also make a significant contribution to open space provision, together with much needed market and affordable housing.
- 1.3 The site represents a sustainable and suitable location for housing in accordance with the NPPF. In accordance with paragraph 47 of the NPPF, (footnote 11 and 12) the site is deliverable; it is available now, offers a suitable location for development now and is achievable with a realistic prospect that housing will be delivered on site within five years, as demonstrated by this delivery statement.
- 1.4 There is a recognised need in the Local Plan to continue to support Shaftesbury's role in the district with development, and Policy 18 identifies the requirement for about 1,140 homes to be built during the period 2011 – 2026 to meet local housing need. In addition to infilling and regeneration within the settlement boundary three sites are identified. Gleeson Strategic Land Limited (Gleeson) fully supports the identification of the land to the west of the A350 as one of these sites.
- 1.5 As such, Gleeson has produced this statement and is producing a concept master plans for the site, building on the Council's identification of the land to demonstrate how the development could be delivered. A location plan is attached which identifies the land to which Gleeson control. Early technical work suggests the 9.46 hectare site is capable of delivering up to 200 dwellings together with significant areas of green infrastructure, subject to detailed master planning and testing.
- 1.6 Section 3 below confirms that the site is wholly within Gleeson's control, is immediately available for development, and is suitable for new homes as an integrated and sustainable extension to Shaftesbury. The site presents the opportunity to deliver a range and mix of homes, including affordable housing, all set within a high-quality green landscape framework, providing significant opportunities for green infrastructure, public open space and an enhancement to the entrance to the town from the north.
- 1.7 The site is in a sustainable location, abutting the urban area of Shaftesbury and adjacent to Littledown Business Park and opposite the entrance to Wincombe Business Park. Its location enables new residents to walk, cycle or use public transport to access services and facilities in or near to the town centre, to make the best use of the existing facilities and also enables existing residents to use the new green infrastructure provided on site.
- 1.8 The site has natural features, including existing mature hedgerows and important views that provide a strong landscape structure and the opportunity

to create a strong green infrastructure framework. As a consequence there is potential to create an enhanced and sensitive green edge to the settlement benefiting views from the Area of Outstanding Natural Beauty and retaining a key view to the west. There are no known site constraints that would delay delivery. The site can therefore be delivered in accordance with the principles of sustainable development as set out in the National Planning Policy Framework, helping to meet social, economic and environmental objectives. Its inclusion in the plan complies with the presumption in favour of sustainable development.

- 1.9 In particular, the identification of the site as a "main location for housing growth" contributes to the 'soundness' of the plan in that it:
- demonstrates that the plan has been *positively prepared* and will assist North Dorset District Council to meet the objectively assessed need for new homes in Shaftesbury and the wider district;
  - is *justified* with respect to the need for development in the town, the sustainability of Shaftesbury as a key settlement, the review of alternative sites available in and around the town;
  - is *effective* and can be delivered without delay; and
  - *is consistent with national policy* that promotes sustainable development and seeks economic, social and environmental gains to be realised through such growth.
- 1.10 This submission should be read alongside the representations made by Terence O'Rourke Ltd on behalf of Gleeson to the pre-submission draft Local Plan part 1.

## 2 CONTEXT

- 2.1 The pre-submission draft Local Plan has identified Shaftesbury as a focus for housing growth and development in the district. This reflects the settlement's importance and role in North Dorset.
- 2.2 Shaftesbury is a key market town of North Dorset and as such offers a range of services, facilities and employment opportunities that make it an appropriate location for housing growth. As one of four main towns in the District it helps to serve the needs of the northern part of the District in conjunction with Gillingham.
- 2.3 In the preparation of the pre-submission draft Local Plan, North Dorset District Council has undertaken significant work to identify appropriate areas to deliver the new homes. Through this work they have identified the land to the west of the A350 as a suitable site to deliver new homes for the market town.
- 2.4 The need for additional housing sites in Shaftesbury is identified in the Market Towns Site Selection Background Paper, which acknowledges that in order "to meet the need for housing in the town, two further greenfield sites close to the edge of the existing built-up area have been identified" (p.68, Market Towns Site Selection Background Paper) one of which is this site.



- 2.5 Following consultation on the draft Local Plan in 2010, a Landscape Impact Assessment of proposed development on the site was undertaken by the Council. The assessment concluded that the area to the north of the site *"has a hard urban feel to it due to the domination of the large industrial units"* in comparison to the southern elevated plateau, which is considered to possess qualities of *"skyline significance"*. This was not seen as a constraint to development as the report concludes that this does not rule out development but would rather be resolved through the detailed design by *"pulling back any future line of development to the east of the site and locating any public open space associated with the development along this south west edge"* (p.63, Landscape Impact Assessment).
- 2.6 The site to the west of the A350 adjoins the built up part of the town, with built development on three sides. It is within walking and cycling distance of the town centre. Careful analysis of the site and its context has provided a number of key parameters that will inform the development of a concept master plan for the site:
- Retention of the important landscape and ecologically features within the site
  - Protection the setting of AONB and retaining views across the site to the west
  - Use of natural features, in particular the site's topography and mature hedgerows to provide a strong green infrastructure framework for the site development.
- 2.7 The design intent, combined with the site's natural attributes and its proximity to the services and facilities in the town makes it a suitable and sustainable location to deliver new homes to meet local needs.

### **3 Littledown New Garden Neighbourhood Delivery Statement**

#### **Availability**

- 3.1 Gleeson is in sole control of the circa 9.46 hectare of the site. As such it can be confirmed that the site is immediately available for development. It is Gleeson's intention to progress the site towards an outline planning application at the earliest opportunity, in order to demonstrate the sites suitability and deliverability for housing.

#### **Suitability**

- 3.2 Gleeson has already undertaken work in regard to technical studies that demonstrate the sites suitability for development. The review below demonstrates that there are no site-specific constraints that would prevent development of the site, and indeed there are many benefits and sustainability gains that would be delivered through the provision of new homes and significant on this site green infrastructure.
- 3.3 A new garden neighbourhood on land to the north of Shaftesbury has a number of potential benefits that include:

- It is within half an hour walking distance of the town centre and easy cycling distance, with bus connections available along Grosvenor Road just to the south of the site.
- The land is free from significant environmental or physical constraints and is visually well contained.
- Significant opportunities exist to create a comprehensive network of green spaces.
- Clear boundaries to the development can be established as part of an environmentally sensitive layout that takes into account the setting within the AONB, and long distance views of the site and the northern entrance to the town.
- The development could deliver a wide range of high quality homes of varying size, type and tenure.
- The land interest is solely with Gleeson's control, which is important as this will make sure that the site and the scheme is delivered comprehensively.

#### *Accessibility*

- 3.4 The principle point of access to the site will be from the A350. Early work indicates that the local highway network can accommodate this development and access is achievable. This will be re-confirmed through a full transport assessment that will be submitted with a planning application for the site and will also identify the opportunities for bus, cycle and pedestrian connectivity to the town centre.
- 3.5 The site also benefits from good local linkages to Shaftesbury and the facilities on offer in the town, which include shops and supermarkets providing a range of retail opportunities and leisure facilities. Many of these facilities are within walking distance and the whole town is within cycling distance.

#### *Topography and other natural features*

- 3.6 As recognised by the Sustainability Appraisal (2013) the "*growth of Shaftesbury is constrained by its hilltop location*" and "*this will necessitate careful management of the development to ensure the landscape impact of the development is minimised*" (paragraph 6.55). The site itself has a very slight rising gradient from the A350 westwards towards the top of the ridge from where the scarp slope falls sharply down to the vale below.
- 3.7 The site comprises two fields that are currently laid to grass, the northern field is enclosed on all boundaries with woodland to the west, a mature hedgerow to the south and a line of cypress trees to the east and the business park to the north. The Southern field is more open and offers glimpsed views to the west from the A350, albeit two overhead power lines run parallel across the site from the A350 interrupt these views. To the south of the second field is a substantial area of twentieth century housing, which is immediately to the south of this field.
- 3.8 A public footpath (number N1/32) enters the site from the A350 and crosses diagonally through the northern field to the north west corner of the site where

it connects to the ancient wooded slopes of the Cliff and continues northwards along the scarp edge.

- 3.9 As such, the site's topography and surrounding existing natural vegetation and features provide benefits that will be fully incorporated into a concept master plan and will inform the landscape strategy for the site to ensure the landscape impact of development in this location is minimised.

#### *Ecology*

- 3.10 An ecological baseline assessment has been undertaken. This assessment has confirmed that there are no over-riding ecological constraints to the development of this site, in fact the site is predominantly poor semi-improved grassland considered in the report to be of low ecological value.
- 3.11 The site is adjacent to The Cliff SINC, this is an area of woodland also listed as Ancient Woodland. The SINC is unlikely to constrain the development proposals, however a sensitive approach will be taken to this natural feature.
- 3.12 The site is also within 10km of the Fontmell and Melbury Downs Special Area of Conservation (SAC) and Chilmark Quarries SAC. It is unlikely that the presence of these sites would act as a significant constraint to development although they will be considered in any ecological assessment of the proposals.
- 3.13 There are some natural site features including boundary hedgerows and mature trees on the site boundary, which will be incorporated into a master plan in order to conserve and enhance biodiversity, and to provide quality open space and residential amenity.

#### *Landscape*

- 3.14 The site forms part of a downland landscape that runs north of the town parallel to the A350 and the chalk ridge and on which the twentieth century housing to the south has been built.
- 3.15 The majority of the site lies within the AONB and the landscape and visual sensitivity of the site has been recognised as a key factor that will inform our master planning work and subsequent design development. The Council's own landscape assessment acknowledges that the sites designation in the AONB is not a constraint to development. Through design development it will be necessary to ensure that new development (a) does not harm the landscape character of the AONB and (b) is well designed. Where these two are achieved there is no reason why new development is not compatible with paragraph 115 of the National Planning Policy Framework, which states "*Great weight should be given to conserving landscape and scenic beauty in...Areas of Outstanding Natural Beauty*".
- 3.16 The importance of the landscape quality and natural features of the site are recognised and will have a critical role in the formation of the master plan.

The development of the site offers the opportunity to improve the urban edge and transition between the town and the AONB.

*Flood risk*

- 3.17 The site falls within flood zone 1 and is free from any flooding constraint. Through careful design, landscape proposals and selection of materials development on this site will not be put at risk of flooding. Measures will also be incorporated into the master plan to ensure that the development does not lead to an increased flood risk and incorporates sustainable urban drainage within the green infrastructure framework.

*Agricultural Land quality*

- 3.18 The land is Grade 3 good to moderate agricultural land and a small part is classified as Grade 4 poor quality agricultural land, which is not a constraint on development.

*Utilities*

- 3.19 The site can be serviced off the existing infrastructure network and there are no known capacity constraints that will prohibit or delay the delivery of new homes.

*Sustainability*

- 3.20 In addition to the inherent sustainability of the site, including its suitability to accommodate much needed housing, Gleeson's is committed to ensuring that the development would be highly energy efficient, incorporating energy saving technologies.

**Deliverability**

- 3.21 Early technical work has suggested the site is capable of delivering up to 200 dwellings together with significant areas of green infrastructure, subject subject to detailed master planning and testing.
- 3.22 Technical and master planning work is underway and Gleeson's is committed to facilitating the early delivery of the site. We note the need to deliver the site from 2016 and are committed to achieving this, which would be further assisted by a more positive approach to the plan i.e. the allocation of the site at this stage.
- 3.23 A range and mix of dwellings will be provided including affordable homes to meet local needs. Provision will be made for a new green infrastructure on site and contributions will also be made towards sports provision, public transport etc. commensurate with the need to provide services for the new residents.



#### **4 Conclusion**

- 4.1 The NPPF requires that Local Plans are i) positively prepared, ii) justified, iii) effective and iv) consistent with national policy. On the basis of the evidence the identification of the area to the west of the A350 at Shaftesbury is sound, as a matter of principle. However the plan as currently drafted is not sound because it fails to plan positively through the allocation of sites and revision of settlement boundaries. Clearly the delivery of the Littledown site is central to the delivery of the Local Plan, including demonstration of a five year housing land supply. As a consequence further certainty must be provided in the plan to demonstrate delivery and secure that a planning application can be progressed at the earliest opportunity in accordance with the plan led approach.

Land to the west of the A350, Shaftesbury  
Glesson Strategic Land Limited

Appendix 1            Location Plan

Land at Littledown, Shaftesbury

