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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 (where relevant)		Associate Director
Organisation (where relevant)	Gleeson Strategic Land Limited	Terence O'Rourke Limited
Address	C/O Agent	Everdene House, Deansleigh Road, Bournemouth, BH7 7DU
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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: 6 Housing Distribution	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 distribution of the majority of the growth to the four main settlements in the District. This approach clearly accords with the principles and objectives of the NPPF in terms of contributing to the achievement of sustainable development and enabling sustainable communities to grow and accommodate housing needs.

However, we are concerned that the overall level of housing development proposed will not achieve the aims set out in the NPPF to *"boost significantly the supply of housing"* (paragraph 47) and is not robustly justified. It does not present a high enough target to meet the aims and objective of the NPPF and test of soundness.

The NPPF sets out a number of tests in respect of identifying and meeting objectively assessed housing needs. These tests are set within the presumption in favour of sustainable development, paragraph 14 for 'plan-making', and further explained at paragraphs 47 and 159 of the NPPF. These paragraphs confirm that LPAs must boost the supply of housing land, using the evidence base to meet the full objectively assessed need (47), and that the objective assessment must meet household and population projections (159). Further that in identifying need they must cater for housing demand, and the scale of supply, necessary to meet this demand (my emphasis). The intended effect is confirmed by the following Core Principle:

*"Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth"* (NPPF 17, extract from 3<sup>rd</sup> bullet).

Firstly, whilst the plan period covers 15 years (2011 to 2026), at the time of adoption this is likely to have reduced to 11 years. Whilst the NPPF is not prescriptive on the period that should be planned for, it is clear that plans should be drawn up over *"an appropriate timescales...to take account of longer term requirements, and to be kept up to date"* (paragraph 157). Given the plan period, we are not convinced that, at the point of adoption, the plan will present the most up to date strategy. Extending the plan period would clearly lead to a need to plan for more homes but would also present the longer term certainty for the plan-led approach to development as sought by the NPPF.

Secondly, we are concerned that the number of new homes proposed does not meet the objectively assessed housing need of the District. The number of new homes required is based on now out of date evidence. The SHMA report was published in 2012 and is based on population projections from the 2001 census, dated evidence, which has therefore not taken into account more recently published census data and does not provide an NPPF consistent interpretation of that information. It is further noted that adjacent districts are intending to update their SHMAs and it may be that this will also result in further housing requirements under the duty to cooperate – whilst this is unknown current this situation must be kept under review before the Plan is submitted.

In the meantime, it would be beneficial for the Council to provide a technical paper on their assessment of the objectively assessed need as it is not clear what the difference is, in the evidence and interpretation of that evidence, between the draft SW RSS requirement for 350 dwellings per annum and the proposed requirement in the pre-submission plan for 280 dwellings per annum. Equally, it is not clear from the SHMA if there has been a consideration of the Council's economic aspirations for the four main market towns and how these might impact the objectively assessed housing need.

The Framework is also clear that the Core Strategy should meet objectively assessed needs for both market and affordable housing (paragraph 47). It is generally accepted that a higher policy requirement enables the increased potential to provide for affordable housing. Increasing the annual requirement would provide the Council with greater potential to go further towards addressing the affordable housing shortfall. The 2012 SHMA identifies that there is an annual need of 387 additional affordable homes (paragraph 5.2 of the Summary Report for North Dorset). Even if the Council were to achieve its desired level of affordable housing on new sites, the number of new affordable homes per annum would fall woefully short of this figure. Clearly, capping the dwelling requirement at 280 homes per annum is not going to help to meet the affordable housing need.

Having identified the objective assessment of need, it is appropriate for the Council through the plan making process to seek opportunities to meet that need in full. The Framework, paragraph 14, is clear that the only justifiable reason for not meeting need is that *"any adverse impacts of doing so would significantly or demonstrably outweigh the benefits .... or specific policies in the Framework indicate development should be restricted."* This exemption has not been demonstrated in this case; indeed the previous evidence base, for example, confirmed that the district could accommodate at least 350 dwellings per annum (this relates to the draft SW RSS – which is never going to progress but did through testing demonstrate the District's ability to accommodate housing levels above those currently proposed).

*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 plan period should be lengthened to ensure that at the point of adoption the Council is planning for a 15-year time horizon.

The Council should provide more evidence to justify their assessment of the objective assessed housing need and if that evidence presents a higher assessment of need then this need should be met.

Further explanation should be provided to demonstrate why the affordable housing need will not be fully met by the current housing target, and if this evidence demonstrates there is no reason not to meet this need the housing requirement should be increased.

*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 interest 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

  
If submitting the form electronically, no signature is required.

Date: 24 January 2014