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Representation # _____



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

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


Alternatively you can submit your comments online at: 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	Dr	
First Name	Suzanne	
Last Name	Keene	
Job Title (where relevant)		
Organisation (where relevant)	Campaign for the Protection of Rural England (CPRE) North Dorset Branch	
Address		
Postcode		
Tel. No.		
Email Address		

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: Various	Policy/site: Policy 4	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.

The CPRE very much supports this policy to conserve and enhance the natural environment.

However, we notice that weak and unclear terms such as 'should' are used in the Policy and in explanatory paragraphs. This leaves applicants unclear as to whether they have to meet the requirements of the policy or whether this is optional. The wording needs to be clarified and strengthened to avoid doubt.

As it is the policy is **unsound** because it would be difficult to enforce.

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.

Para. / policy	Wording suggestions
4.44	<p><u>Delete</u> Para. 4.44.</p> <p>In this text, as we read it, the meaning is ambiguous and unclear and contradicted by Para. 4.70 below, and others dealing with Landscape Character Areas, AONBs and IOWAs, such as the clear statement in Para. 4.65. Policy 1 already defines the presumption in favour of sustainable development and Paras. 4.43 immediately above reinforces this.</p> <p>A preferable wording for Para. 4.44, if retained, would be: The high quality natural environment should shape the way that growth is managed within the District. Businesses should be developed imaginatively to take advantage of North Dorset's natural assets without causing damage or deterioration.</p>
4.45	<p><u>Delete</u> "achieved through the establishment of coherent ecological networks and the creation of multi-functional spaces".</p> <p>The planning system has to protect environments and ecological systems that are of public value because they have taken centuries to form, it can't create them.</p>
4.65	<p>"Where development is proposed within an AONB or that may harm the setting of an AONB and is at a scale above the needs of those who live and work in the area, the Council will require developers to clearly demonstrate that the development is in the public interest."</p> <p>A major concern for the CPRE is the gradual and cumulative degradation of landscape in and around AONBs, whether on new sites or at outlying farms. These include large</p>

	<p>structures, however described, wind turbines and solar installations. We argue that the Council must provide an effective mechanism for scrutinising such developments more closely than has been the case in the past, that ensures close cooperation with AONB bodies. A positive approach to landscape protection is required, we believe, to support and supplement the new and sensible housing policies.</p> <p>This para. 4.65 should be reworded to provide stronger support for AONB management plans.</p>
4.70	<p>We welcome this clear commitment to prevent impact on internationally designated sites. This section as a whole, headed International Wildlife Designations, could perhaps be revised as the paragraphs taken together present a somewhat confused picture of what will or will not be permitted.</p>
4.99	<p>The relationship should be clarified between the green infrastructure network and nationally designated wildlife sites, SSSIs and AONBs etc.. Green infrastructure is about public access, recreation and enjoyment, which is not the purpose of these designated areas. The Green Infrastructure network components as set out in Para. 7.121 do not include these environmentally important areas.</p> <p><u>Delete</u> references to the Green Infrastructure network in Para. 4.99.</p>
4.100	<p>Either development should be permitted in these areas (Paras. 4.102 - 4.104 clearly state it is not) or it should be refused. This Para. appears to deal with a situation that according to your policies will not arise.</p>
4.111, 4.112	<p>Where significant harm is identified which is unavoidable, permission will be refused unless it can be demonstrated that the impact is adequately mitigated or effective compensation can be put in place. ...</p> <p>... the last resort would be for any biodiversity loss to be compensated for through the provision of equivalent, alternative and suitable habitat in close proximity to the area of habitat loss.</p> <p>We consider that these paragraphs should be deleted as they constitute an open invitation to developers. The concluding sentence in Para. 4.112 is not sufficient modification. The concept of “offsetting” if habitats and natural areas are destroyed is flawed, since it is impossible to re-establish ecosystems that have evolved over centuries. We object strongly to these paragraphs and wish them to be deleted as developments that destroyed or harmed such areas would not be compliant with international law and agreements.</p> <p>The NPPF Paragraph 109 is referenced (Para. 4.110). The NPPF makes no mention of compensating for damage.</p>
	<p>Policy 4: The natural environment</p> <p>3rd paragraph: <u>re-word</u></p> <p>Developments must respect the natural environment (not “should”)</p> <p>“Should” is unclear and unenforceable. Replace with “must” throughout this policy.</p> <p>Internationally important wildlife sites, SSSIs</p> <p>These are clearly protected in the NPPF and in international agreements, and in other policies in this document. There should not be allowances for developments that</p>

degrade them.

Benefits from development could not outweigh harm to an environmental asset that has formed over centuries and is dependent for its wildlife value on site specific factors.

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 for this section of the Plan

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.

We would like to explain our arguments and reasoning.

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: S. Keene

Date: 23 January 2014

If submitting the form electronically, no signature is required.