For office use only	
Batch number:_____	Received:_____
Representor ID #_____	Ack:_____
Representation #_____	

North Dorset DISTRICT COUNCIL

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	Miss	
First Name	Alison	
Last Name	Appleby	
Job Title *(where relevant)*	Lead Adviser	
Organisation *(where relevant)*	Natural England	
Address	Hornbeam House Crewe Business Park Electra Way Crewe Cheshire	
Postcode	CW1 6GJ	
Tel. No.	07500 913698	

Email Address	Alison.appleby@naturalengland.org.uk	

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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:	Policies map:
Entire document		

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

North Dorset
DISTRICT COUNCIL

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.

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.

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.

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.

SEA/SA

We confirm that the SEA/SA has been undertaken and meets the requirements of the SEA Directive. The process has been undertaken in an iterative way alongside the preparation of the Local Plan. Natural England has been consulted at each stage of the Plan and we understand that our comments have been taken on board during the revision process. However, we have the following comments to make:

Recommendations for Local Plan Part 1 – Figure 8.2

We support the proposed further recommendations as detailed in figure 8.2, particularly the need for Policy 4 to ensure there is adequate monitoring and review of impacts on biodiversity to ensure sufficient mitigation measures can be put into place.

Monitoring.

We support the following proposed monitoring Indicators as detailed in figure 10.1:

- Number of planning applications approved against Natural England's advice.
- The number and extent of Local Nature reserves

We suggest amending a number of indicators to ensure they better monitor the impacts of the plan as follows:

- Change the indicator "changes in areas of international, national and local biodiversity importance to "changes in area as a result of development, of sites of international, national or local biodiversity importance".
- We suggest removing the indicator "number of SSSIs designated" as the local plan is not responsible for delivery of this.
- We suggest including the Indicator "number of planning applications approved whichh have a direct

or Indirect impact on sites of biodiversity importance"

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: Alison Appleby Date: 24/1/14

If submitting the form electronically, no signature is required.

Date: 24 January 2014
Our ref: 105606
Your ref: North Dorset Local Plan

Mr Trevor Warrick
Planning Policy Manager
North Dorset District Council

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Mr Warrick

Planning consultation: North Dorset Local Plan – Pre-submission consultation
Location: North Dorset District Council

Thank you for your consultation on the above dated 28 November 2013 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

For clarity we have provided our comments in summary tables below, but have also separately submitted a comment form for each table entry.

Habitats Regulations Assessment

Ref	Sound? Yes/No	Comment
HRA	N/A	Natural England draws your attention to and concurs with the recommendations in column 6 (recommending minor word changes to policy) and column 7 (Appropriate Assessment recommendations) of Table 2 within the HRA document and also the site specific additional recommendations from the Appropriate Assessment of the HRA We request that these be actioned and for clarity detail them below: **From column 6 (Additional measures required to remove LSE)** **Policy 6:** Although overall housing numbers have reduced , all key issues remain of relevance. Further detailed assessment required – take to AA, with consideration of housing numbers proposed for each town. **Policy 10:** Note that HRA will be required for the development plan document. **Policy 14:** Opportunity for supporting text to make reference to importance of informal and natural open space to reduce pressure on areas of high wildlife value (7.108) **Policy 15:**

		The policy should refer to the role of new greenspace as part of the suite of measures that protect European sites. **Policy 18:** It is noted (para 8.121) that the plan is no longer reliant on the outer ring road during the plan period, and the line of the road is now only protected from development to retain future options. It is clear that the plan is no longer reliant and therefore no LSE for this aspect of the policy but it is suggested that para 8.121 refers to the need for HRA for any future allocation or road project. Impacts of recreational pressure do need further consideration in the appropriate assessment. **Policy 20:** To remove LSE it is recommend that the Table highlighting relevant policies guiding development in the countryside is amended to include Policy 4 on the natural environment and policy 15 on green infrastructure. The cross reference to policy 4 will ensure that it is clear that impacts on European sites will be taken into account in any proposals and also relevant to neighbourhood planning. **Policy 21:** The masterplan for the southern extension should be the subject of HRA, and should seek to rule out LSE. Recommend that supporting text at para 9.20 and para 9.44 should refer to the green infrastructure plan seeking to prevent impacts on European sites, with wording that captures wider impacts (e.g. from water resources and discharges, recreation etc) not just those in close proximity. This could be done with minimal additional wording with either specific reference to European sites and the need for a masterplan HRA expanding the sentence relating to ecological interests close to the site to also state 'and those in the wider area where relevant through HRA.' **Policy 26:** It is however noted that the policy could refer to impacts on the natural environment. **From column 7 (Appropriate Assessment (AA) recommendations)** **Policy 2:** See AA chapter summary boxes to identify recommendations that still need to be put in place to enable conclusion of no AEOI for the plan **Policy 4:** Additions to supporting text and policy should be made as recommended in the appropriate assessment, to ensure that this policy provides the protection measures required. **Policy 6:** See AA chapter summary boxes to identify recommendations that still need to be put in place to enable conclusion of no AEOI for the plan **Policy 11:** The new AA reconsidered impacts of increased traffic and air pollution on the SACs. No AEOI now concluded with considerable focus of the plan on traffic reductions and sustainable transport. However, there are further options to improve air quality within the immediate vicinity of the SACs which should be taken forward through relevant plans and strategies

		Policy 12: The new AA reconsidered impacts of increased traffic and air pollution on Rooksmoor SAC. No AEOI now concluded with considerable focus of the plan on traffic reductions and sustainable transport. However, there are further options to improve air quality within the immediate vicinity of the SACs which should be taken forward through relevant plans and strategies **Policy 13:** The Appropriate Assessment has considered potential impacts on European sites arising from water resources and water quality issues. Whilst it appears that impacts will not occur or there are measures in place to address them, it is recommended that the plan needs a robust evidence base to support these conclusions. This should be obtained from Wessex Water and the Environment Agency **Policy 15:** Particularly need to consider the conclusions of the appropriate assessment relating to recreational impacts on the chalk grassland sites, and the role of greenspace at Shaftesbury **Policy 16:** Impacts of increased recreational pressure on Fontmell and Melbury Downs SAC is considered in the appropriate assessment and measures are recommended to strengthen text and put monitoring in place **Policy 18:** Impacts of increased recreational pressure on Fontmell and Melbury Downs SAC is considered in the appropriate assessment and measures are recommended to strengthen text and put monitoring in place **Policy 19:** The AA has considered updated information relating to the potential impact of increased traffic from new growth on Rooksmoor SAC and its management. **Site specific additional recommendations from the Appropriate Assessment of the HRA** **Urban effects and the Dorset heaths (page 37)** Supporting text could highlight the level of developer contributions expected from within the 5km zone and cross reference to the SPD (which gives details of mitigation measures). It could also mention the possibility for large developments within 5km of the Heaths (which are not likely to come forward) to provide their own mitigation. **Impacts of recreation on chalk grassland sites (Fontmell and Melbury Downs SAC, Cerne and Sydling Downs SAC and Salisbury Plain SAC/SPA)(page 40)** It is suggested that the Council liaise with Natural England and site managers (Dorset Wildlife Trust/National Trust) in order to ensure monitoring is in place and that – should any problems arise in the future relating to increased recreational pressure from local users – mechanisms are in place to resolve the problems. **Impacts of increased recreational pressure on the New Forest (New Forest**

		SAC/SPA/Ramsar)(page 43) We recommend that North Dorset District Council does maintain contact with neighbouring local authorities and Natural England regarding the New Forest. It may be that at some stage in the future some strategic measures or joint working will be required. **Impacts relating to water resources and water quality (page 45)** It is recommended that urgent discussions take place between the Council and the Environment Agency and Wessex Water to build the necessary evidence to support the conclusion that the proposed growth over the plan period will not contribute to any impacts on European sites in terms of water quality and water resources. The plan needs to specifically refer to the Strategy for Managing Nitrogen for Poole Harbour and secure policy wording that commits development within the catchment area to adhering to the nitrogen neutral requirements, primarily within policy 4 but also in introductory sections describing overall growth for the plan period. **Impacts on air quality as a result of new growth (Fontmell and Melbury Downs and Rooksmoor SACs) (page 48)** It continues to be suggested that further traffic control measures should continue to be investigated for roads in close proximity to the SACs. Furthermore, the benefits of baseline information for assessing impacts and seeking appropriate mitigation measures continue to be emphasised and the Council should seek opportunities to work with relevant partners to develop more comprehensive baselines for the two sites. **Long term management of Rooksmoor SAC in relation to roads and traffic (page 50)** Prior to 2025 it will be necessary for the management at Lydlinch Common to be reviewed. The issues are therefore not entirely resolved and there may be implications for the Council to consider in the longer term. **Other comments** With particular reference to paragraph 3.34 of the HRA (relating to policy 13 of the Local Plan) we cannot agree with the HRA in relation to its conclusions with regards to water resource and quality. This is because no evidence has been provided to conclude there is unlikely to be any other water resource and water quality issues relating to European sites over and above the need to mitigate for the area known to discharge to Poole Harbour. We concur with the recommendation that North Dorset District Council should seek assurances from Wessex Water and the Environment Agency regarding water abstraction and discharge across the district. It is suggested that these discussions should be held prior to the Examination of the North Dorset Local Plan Part 1, in order to provide evidence to back up the assumptions being made. **Conclusion** Natural England will be in a position to agree with the conclusions of the HRA once we have been provided with the evidence that water quality and resource is not an issue, and that the above recommendations have been actioned and incorporated into the plan before final submission.

SEA/SA

Ref	Sound?	Comment

	Yes/No	
SEA/SA	N/A	**SEA/SA** We confirm that the SEA/SA has been undertaken and meets the requirements of the SEA Directive. The process has been undertaken in an iterative way alongside the preparation of the Local Plan. Natural England has been consulted at each stage of the Plan and we understand that our comments have been taken on board during the revision process. However, we have the following comments to make: **Recommendations for Local Plan Part 1 – Figure 8.2** We support the proposed further recommendations as detailed in figure 8.2, particularly the need for Policy 4 to ensure there is adequate monitoring and review of impacts on biodiversity to ensure sufficient mitigation measures can be put into place. **Monitoring.** We support the following proposed monitoring Indicators as detailed in figure 10.1: • Number of planning applications approved against Natural England's advice. • The number and extent of Local Nature reserves We suggest amending a number of indicators to ensure they better monitor the impacts of the plan as follows: • Change the indicator "changes in areas of international, national and local biodiversity importance to "changes in area as a result of development, of sites of international, national or local biodiversity importance". • We suggest removing the indicator "number of SSSIs designated" as the local plan is not responsible for delivery of this. • We suggest including the Indicator "number of planning applications approved whichh have a direct or Indirect impact on sites of biodiversity importance"

Local Plan

Ref	Sound? Yes/No	Comment
Fig 11.1	N	<u>Monitoring framework Figure 11.1 for objective 2 (conserve and enhance the environment of North Dorset)</u> This currently refers only to changes in **areas** of biodiversity importance (loss and addition of sites). Consideration should also be given to the monitoring changes in the quality of those sites of biodiversity importance, as well as the populations of those priority species which may inhabit the site. Policy 4 states under the **Species** heading that 'Where there is likely to be an impact on nationally protected or locally rare or scarce species, an assessment of the impact on these species should be submitted to accompany development proposals. This should be appropriate to the scale of development and be informed initially through consultation with the local environmental records centre'. Therefore we are proposing a change to the monitoring framework for Objective 2 in order for it to measure the success of policy 4.

Para 4.84 (and footnote 63)	N	We wish to point out that the Local Plan currently refers to the Dorset Heathlands Joint Development Plan Document as setting out the mitigation measures (which supersedes the Dorset Heathlands Planning Framework). However, the Dorset Heathlands Planning Framework Supplementary Planning Document is now the core document which details the strategic approach to mitigation for Dorset Heathlands. Please refer to Mr Jacobs at the Borough of Poole for clarification on this matter.
9.45	Y	With regards to the Gillingham Strategic Site Allocation we welcome 9.45 which refers to the habitats and species which will require specific consideration at this site.
Policy 4	N	Soils and Best and Most Versatile Land Whilst there are a number of references to soils throughout the Local Plan, there seems to be a lack of more specific reference to them in the context of protection and enhancement of soils, and their sustainable use (NPPF 109). You may like to consider referring to the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites. In addition, the Plan appears not to safeguard the long term capability of best and most versatile agricultural land and does not make clear that areas of lower quality agricultural land should be used for development in preference to best and most versatile land (NPPF 112). We therefore recommend that consideration should be given to inclusion of additional wording in the Local Plan to cover these aspects of soil use/protection.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries relating to the specific advice in this letter only please contact Alison Appleby on 07500 913698. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Alison Appleby
Land Use Operations, Winchester team

Feedback

Land Use Planning Consultations

NATURAL ENGLAND

We value your opinion

At Natural England we value our customers and seek to improve the quality of our services based on feedback and suggestions from you. If you would like to let us have your views, we would be grateful if you could take a few minutes to answer these questions and return it to us using the "Submit by Email" button.

105606

1) With reference to the recent consultation, please rate your satisfaction with:	Very satisfied	Fairly satisfied	Neutral	Fairly dissatisfied	Very dissatisfied	N/A
a) The quality of online guidance that Natural England provides on land use planning issues	O	O	O	O	O	O
b) The ease of contacting someone who could help you	O	O	O	O	O	O
c) The extent to which our staff were helpful, friendly and polite	O	O	O	O	O	O
d) The extent to which our staff understood your needs	O	O	O	O	O	O
e) The clarity of our requests for further information when dealing with your consultation	O	O	O	O	O	O
f) The extent to which you understood the advice/information you received	O	O	O	O	O	O
g) The practicality and helpfulness of the advice given to you	O	O	O	O	O	O
h) The clarity of our communication	O	O	O	O	O	O
i) The extent to which we kept you updated and informed on progress	O	O	O	O	O	O
j) The timeliness of us negotiating revised deadlines (where applicable)	O	O	O	O	O	O
k) Our response within agreed deadlines	O	O	O	O	O	O
l) The extent to which you felt you had been treated fairly and with respect	O	O	O	O	O	O

Improving the overall quality of our service

The overall quality of our service throughout your consultation process:

2) *In relation to your particular consultation, do you have any suggestions, ideas or feedback on how we can improve our service to you? If you have responded 'dissatisfied' or 'very dissatisfied' for question 1, please provide further information on why this is the case.*

If you would like to be contacted about this consultation please tick this box ☐ and add your direct e-mail address here:

Thank you for taking the time to let us have your views.

Rob Cooke, Director for Land Use.

Using and sharing your information

The data controller is Natural England, Foundry House, 3 Millsands, Riverside Exchange, Sheffield S3 8NH

Your information will be stored and processed in accordance with the Data Protection Act 1998. This Act gives you, as an individual, the right to know what data we hold on you, how we use it, with whom we share it and for it to be accurate.

Any information you provide will only be used by Natural England for the purposes of service standard monitoring.

Submit by Email