

NORTH DORSET DISTRICT COUNCIL
THE NORTH DORSET LOCAL PLAN PART 1
2011- 2026 EXAMINATION

CONSULTEE ID – 3085

REPRESENTATIONS

ISSUE 1
10th MARCH 2015

MATTERS:

DUTY TO CO-OPERATE, LEGAL REQUIREMENTS
AND THE COUNCIL'S BROAD STRATEGY
(POLICIES 1 AND 2)

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DUTY TO CO-OPERATE, LEGAL REQUIREMENTS AND THE COUNCIL'S
BROAD STRATEGY
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Issue 1: Duty to Co-operate, Legal Requirements and the Council's Broad Strategy (Policies 1 and 2)

Question 1.1

Has co-operation between North Dorset District Council and other nearby local planning authorities been a continuous process of engagement from initial thinking? What evidence is there of effective co-operation (NPPF paragraph 181) and of joint working on areas of common interest being diligently undertaken for the mutual benefit of neighbouring authorities (NPPF paragraph 178)? Is there a long-term commitment to co-operation?

- 1.1 With five neighbouring authorities and being at the junction of three Housing Market Areas it is essential that there be effective co-operation between the Council and other nearby local planning authorities. The Duty to Co-operate statement states: *"that levels of housing provision is sufficient in West Dorset, South Somerset, Wiltshire and East Dorset to enable these councils to meet their own housing needs without looking to North Dorset."* It is noted that whilst both the South Somerset and Wiltshire have recently had their emerging plans found sound a number of other adjoining authorities do not have up to date plans. In the case of West Dorset the examination of the emerging joint plan with Weymouth and Portland District Council has been postponed until at least April 2015 to allow for the consideration of updated CLG housing figures. We suggest the Council is premature in drawing conclusions that that housing provision will be sufficient in nearby authorities. Furthermore, the reliance by these authorities on an outdated evidence base is a criticism which should also be levelled against North Dorset and is a fundamental concern.
- 1.2 The Inspector examining the joint West Dorset and Weymouth and Portland emerging plan has also expressed concerns with

the duty to cooperate and housing provision and is concerned that the Memorandums of Understanding are simply documents "agreeing to agree", this criticism can also be levelled against the North Dorset Memorandums of Understanding and the Statement of Common Ground and these do little to actually demonstrate evidence of joint working on areas of common interest and in particular housing.

- 1.3 Whilst we are unconvinced significant joint working has occurred one piece of evidence of such steps is the commissioning of the 'Eastern Dorset' SHMA in July 2014. However, despite anticipated availability by the end of 2014 the SHMA has not yet been released. Therefore, progressing the plan to the hearing stage in advance of this information cannot be considered to demonstrate the duty to co-operate has not been diligently undertaken. Furthermore, the West Dorset, Weymouth and Portland Local Plan examining Inspector has invited parties to comment on any implications of the New household projections which are due to be published by Communities and Local Government (CLG) on the 26 February 2015. If it transpires that the authority cannot meet its own housing needs then this may impact on North Dorset and further cooperation is required to ensure this potential has been robustly considered.

Question 1.2

Have any cross-boundary strategic priorities or issues been identified? If so are they clearly reflected in LP1 (NPPF paragraph 179)?

- 1.4 The reliance on an outdated evidence base in the preparation of the plan has prevented the accurate identification of any cross boundary strategic priorities and therefore any means to appropriately deal with them in LP1. Until an updated cross boundary evidence base is available it is not possible to conclude that that strategic priorities have been reasonably considered and the plan cannot be found sound.

Question 1.4

Is LP1 based on a sound process of sustainability appraisal and testing of reasonable alternatives, and does it represent the most appropriate strategy in the circumstances? Has the strategic site selection process been objective and based on appropriate criteria? Is there clear evidence demonstrating how and why the preferred strategy was selected?

- 1.5 In our opinion the Council have not reasonably tested alternatives with regards to strategic site selection and the given the constraints which exist (with particular reference to landscape matters at Shaftesbury and available sites at Gillingham.

Question 1.5

Is the Council's core spatial strategy (policy 2) justified and compatible with the principles referred to in paragraphs 17 and 55 of the NPPF? Will the policies and proposals in LP1 contribute to the sustainable growth of the District?

- 1.6 Whilst we do not agree with the more detailed approach to how growth will be achieved at individual settlements we do believe that that the Councils core spatial strategy is sufficiently justified. The district is subject to a number of constraints, not the least being that a large area is designated AONB. Furthermore there are a limited number of existing larger settlements which have a range of services this coupled with generally restricted access to strategic transport linkages. These factors all act in support of a strategy which focuses on the four principal settlements. Growth in these locations and in particular Gillingham, as the only town with a direct rail link is suitable to accommodate growth is considered that this is the most sustainable solution.
- 1.7 Policy 2 allows for flexibility to ensure that required growth can occur and is considered to be compatible with paragraphs 17 and 55 of the Framework. Furthermore, whilst a two stage plan approach is not supported it does allow for the consideration of the potential for further rural growth at a later stage.

Question 1.7

Restrictive countryside policies will apply to settlements where settlement boundaries are proposed to be removed. Bearing in mind that only 230 dwellings (as a minimum) are proposed outside the 4 main towns, will housing need (including for affordable housing) and LP1 objectives 4 and 5 (page 23) in these locations be met? What is the justification for only proposing about 230 dwellings (6% of total provision) in smaller settlements? Why has the Council placed little weight on the 2010 SHLAA (MHN007) which identified 19 smaller settlements (page 47) suitable for some market and affordable housing? Are there any significant opportunities for sustainable residential or economic development in these settlements? (see also question 6.1)

- 1.8 A focus on the main settlements is the most sustainable solution for the district given the landscape and transport constraints which exist. However, if as we contend, there is need for increased housing numbers across the district then as well as allocating further growth in the main towns there may also be scope to provide further housing in the more sustainable villages. Given the outdated evidence base the preparation of further evidence will be required to inform this process and it serves to reinforce the point that a new SHMA is required.

Question 1.12

What is the justification for progressing with a plan that once adopted would only have a lifespan of about 11 years? Paragraphs 2.45 and 2.46 refer to the vision for 15 years time, so why is the plan period not 15 years from submission or likely adoption (as referred to in paragraph 157 of the NPPF)?

- 1.10 The Council have provided no justification for progressing a plan that once adopted would have an 11 year, or shorter, lifespan and this approach does not accord with stated Council objectives and the Framework. Furthermore the supporting evidence covers varying time periods and makes the evidence opaque and lacking in transparency. The Council should consider extending the plan period to at least 2030 and increase its housing requirement on a pro-rata basis.

Question 1.13

The Planning Practice Guidance (paragraph 012 under Local Plans) confirms that while additional local plans can be produced, for example a separate site allocations document, there should be a clear justification for doing so. What is the clear justification in this case?

- 1.11 The Framework does not envisage a two part approach and the deferring site allocations and the revision of settlement boundaries around the four main towns is unjustified and provides uncertainty for both developers and the local community. It also places the Council at risk of 'opportunistic' development proposals which may not be sustainable.

Question 1.14

Although not necessarily a matter of soundness, LP1 is over 400 pages long. Planning Practice Guidance (paragraph 010 under Local Plans) advises that 'local plans should be as focused, concise and accessible as possible'. Are there any opportunities which the Council could take to streamline the document?

- 1.12 The plan is verbose and is not sufficiently concise to avoid confusion and to make LP1 accessible. This criticism extends to both the supporting text and individual policies. For example Policy 21 extends over 5 pages it is contend that parts of a number of the policies and the accompanying supporting text could be revised to reduce length whilst still providing sufficient clarity.