24 January 2014
North Dorset LP TW Elm Close covering letter 24.01.14

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Dear Sir / Madam

COMMENTS ON THE NORTH DORSET LOCAL PLAN – 2011 TO 2026 PART 1 SUBMITTED ON BEHALF OF TAYLOR WIMPEY IN RELATION TO LAND TO THE EAST OF THE FORMER CREAMERY SITE, STURMINSTER NEWTON

Please find attached representations on the North Dorset Local Plan 2011 to 2026 Part 1, submitted on behalf of Taylor Wimpey in relation to land to the east of the former Creamery site, Sturminster Newton (criterion h of Policy 19).

The continued identification of the land to the east of the former Creamery site (criterion h of Policy 19) as one of the main greenfield sites for development at Sturminster Newton is fully supported. This site benefits from a sustainable location with good connectivity to the town centre and a range of services, jobs and facilities within easy walking distance. The site is in single ownership, is relatively flat and is well contained in the wider landscape. It is not subject to any nature conservation designations and there are no constraints to development that cannot be dealt with by mitigation measures incorporated into the design of the site.

The site is in the control of Taylor Wimpey, a major national house builder, and is available and deliverable now. In view of the site's sustainability credentials, including its proximity to the town centre compared to other alternative sites, and the lack of any significant constraints to development, the attached representations support the formal allocation of the site for housing development.

I trust that these comments are of assistance to the Council in preparing the plan for submission. I would also like to confirm that Taylor Wimpey request the opportunity to be represented at the examination on the matters raised in these representations.

Yours sincerely

[redacted]

Tim Hoskinson

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Associate

Encl. Comments on the North Dorset Local Plan – 2011 to 2026 Part 1 submitted on behalf of Taylor Wimpey in relation to land to the east of the former Creamery site, Sturminster Newton

Representation form

Cc Mark FitzGerald – Taylor Wimpey UK Ltd

Comments on the North Dorset Local Plan – 2011 to 2026 Part 1 submitted on behalf of Taylor Wimpey in relation to land to the east of the former Creamery site, Sturminster Newton

January 2014

General comments

The following comments on the North Dorset Local Plan – 2011 to 2026 Part 1 are submitted on behalf of Taylor Wimpey in relation to land to the east of the former Creamery site, Sturminster Newton.

Having reviewed the plan in detail, there appears to be a degree of repetition between different sections of the plan, and many of the policies and supporting text are unnecessarily wordy. We would encourage the Council to consider revisions to the plan to remove repetition and unnecessary content in order to make it a more concise and user friendly document.

Supporting text to Policy 1 - paragraphs 3.4 to 3.32

In large measure the supporting text to Policy 1 simply repeats various passages of the National Planning Policy Framework. Not all of the supporting text would appear to be necessary and we would encourage the Council to consider replacing it with a short explanatory passage to refer to (and quote from) the NPPF, rather than repeating or re-interpreting it.

Policy 2 - Core Spatial Strategy and supporting text

Object: the policy is unsound as it is not justified.

The identification of the four main towns as the main focus for growth is supported; these towns represent the most sustainable locations for growth. The identification of Sturminster Newton as a 'main town' alongside Blandford, Gillingham and Shaftesbury is fully supported. Sturminster Newton plays an important role as a market town serving a wide rural hinterland in the western part of the District. Sturminster Newton has a range of jobs, services and facilities and an established need for affordable and open market housing.

The last paragraph of Policy 2 states that '*the settlement boundaries around the four main towns in the North Dorset District Wide Local Plan 2003 are retained and will continue to be used for development management purposes until reviewed either: through the North Dorset Local Plan – Part 2: Site Allocations or a neighbourhood plan.*'

This aspect of Policy 2 is considered unsound; the existing settlement boundaries around the four main towns in the North Dorset District Wide Local Plan 2003 are out of date, and their continued use for development control purposes would restrict opportunities for sustainable development and would therefore be contrary to the NPPF.

The emerging Local Plan only identifies one new site allocation, the strategic site at Gillingham. Further detail for the remaining main locations for growth identified the four main towns is proposed for Part 2 of the Local Plan. As set out in our response to Policy 19, we can see no reason why the Local Plan Part 1 does not formally allocate the land that is identified for development at the other market towns, including the land to the east of the former Creamery site (criterion h in Policy 19).

Changes required

In order to provide a supply of specific, deliverable sites to meet housing requirements, revised settlement boundaries for the four main towns should be included in the plan reflecting the sites identified for development in Policies 16, 17, 18, 19 and 21.. The text of Policy 2 should be modified as follows, with accompanying amendments to the Proposals Maps:

"The settlement boundaries defined around the four main towns in the North Dorset District-wide Local Plan 2003 are retained and expanded in line with Policies 16, 17, 18, 19 and 21 of this document, which identify the locations for expansion of settlement boundaries at the four main towns. The expanded settlement boundaries will continue to be used for development management purposes, until reviewed either through site allocations in Part 2 of the Local Plan or a neighbourhood plan."

Policy 3 – Climate change and supporting text

Object: the policy is unsound as it is not justified

Although the principle of mitigating climate change is accepted, various requirements in this policy are either unclear, unjustified, duplicate Building Regulations, or are at risk of becoming out-dated within a short timeframe. Likewise as currently worded the draft policy and supporting text lack the perspective of deliverability and viability and are not justified by the evidence base.

Changes required

Modify Policy 3 and supporting text to clarify that development should reflect current national targets, remove the requirement for energy statements, include considerations of deliverability and viability, and remove duplication with other parts of the plan.

Policy 4 – Natural Environment and paragraph 4.105

Object: the policy is unsound as it is not justified

The key principles of this policy are supported, however we consider certain passages to be unnecessary, imprecise, or overly prescriptive. Changes are proposed below to address this.

Changes required

The second paragraph of Policy 4 should be amended to encourage developments that offer gains in biodiversity. The first sentence of the fifth paragraph of Policy 4 should seek to protect important landscape features. The reference in the supporting text to protecting local green space in line with national policy should be deleted.

Policy 6 – Housing Distribution

Object: the policy is unsound as it is not justified

The proposed level of housing of at least 4,200 net additional homes between 2011 and 2026 (280 per annum) is in line with the household change projections contained in the 2011 Strategic Housing Market Assessment Update (SHMA). We are concerned that this figure represents a substantial *drop* from the housing provision of 350 dwellings per annum proposed in the March 2010 draft Core Strategy, and would be well below the average build rate for North Dorset between 2000 and 2011, which has averaged 370 dwellings per annum. This would appear to be a departure from the national objective (expressed in paragraph 47 of the NPPF) of significantly boosting housing supply. Other factors such as housing need, affordability and economic growth would support a higher level of housing provision. The expression of the housing target as a minimum figure through the words "at

least" in policy 6 does address this to some extent, however the words "at least" should also be repeated against individual sub-targets.

In order to provide sufficient specific, deliverable sites for development in the plan period, a housing trajectory should be included in the plan to demonstrate how housing provision will be delivered, with site specific allocations for the sites that are identified for development in Polices 16, 17, 18, 19 and 21.

The policy also sets out the 'the approximate scale of affordable housing development that will be sought at the four main towns..'. However, the criteria-based approach to affordable housing delivery is set out in Policy 8, including a 35% requirement. There is no strategy within Policy 6 for achieving the 'approximate scale' of affordable housing identified. and how the per-town targets for affordable housing might be used in terms of decision making is not clear.

Changes required

A clear housing trajectory should be provided to identify specific, deliverable sites for development over the plan period, with the inclusion of site allocations for the sites that are identified for development in Polices 16, 17, 18, 19 and 21.

Before each numerical housing target, place the words "at least".

Remove the following passage of Policy 6: *"The approximate scale of affordable housing development that will be sought at the four main towns during the period 2011 - 2026 will be as follows: (e) Blandford (Forum and St. Mary) – about 380 affordable homes; (f) Gillingham – about 500 affordable homes; (g) Shaftesbury – about 450 affordable homes; (h) Sturminster Newton – about 150 affordable homes."*

Policy 7 – Delivering homes

Object: the policy is unsound as it is not justified

A flexible approach to housing mix is sought in order to reflect local circumstances and viability. The policy is also unclear in relation to target of 60% of market homes being 3+ bedroom, and the reference to an 'emphasis' on smaller units. We therefore propose the omission of the latter reference.

Changes required

Amend wording of Policy 7 as follows: *These proportions will be the starting point for negotiations on the mix of house sizes on all sites where 10 or more dwellings are proposed, although a different mix may be permitted if it can be soundly justified by local circumstances or on grounds of viability."*

Amend wording of Policy 7 as follows: *"In the period to 2026, the Council will seek to deliver 40% of market housing in North Dorset as one or two bedroom properties and 60% of market housing as three or more bedroom properties, with an emphasis on the provision of two and three bedroom properties."*

Policy 8 – Affordable Housing and paragraph 5.93

Object: the policy is unsound as it is not justified.

It should be noted that the viability study used to support the affordable housing target proportions was prepared by Three Dragons in June 2009. Given the age of this document a detailed review of the approach used should be undertaken. More specifically with regards to viability, it may not be satisfactory for an applicant to *'rely upon the conclusions of the District Valuer'* as this reduces any certainty in the decision making process for the developer. It is normal practice that the Council may seek a second opinion in terms of viability (and often for this to be paid for by the applicant), though

viability is a subjective matter and it may not always be possible to rely on the conclusions of the third party. The policy indicates that where the level of affordable housing proposed is below the target, 'the developer may be offered an opportunity (subject to certain requirements) to involve the District Valuer with a view to securing a mutually agreed level of affordable housing provision'. This does not give a clear indication of how a decision-maker should approach issues of viability, not least because the criteria for referral to the District Valuer are not specified.

Changes required

Amend wording of paragraph 5.93 as follows: *"The parties ~~would~~ may agree to rely upon the conclusions of an independent assessor ~~the District Valuer~~ for the purposes of the application"*

Replace 4th paragraph of Policy 8 to read: *"Where it is demonstrated to the Council's satisfaction through an independent 'open book' assessment of viability that on-site provision in accordance with the policy would not be viable, a reduced level of provision may be accepted."*

Policy 13 - Grey Infrastructure

Object: the policy is unsound as it is not justified.

This policy is primarily a statement of how NDDC will work with statutory undertakers. In the course of the planning process, infrastructure required to mitigate the effects of development will be delivered by the development, and thus we do not consider that a specific policy is required. In any event, much of the wording of the policy is too general to be enforceable or used in any meaningful way as a decision-making tool. Certain parts of the policy and supporting text could potentially remain within the Local Plan, but as background information only. Insofar as there is a requirement for transportation, drainage or other issues to be considered, these would better be described in policies which refer to specific towns or allocations.

Changes required

Delete the policy, or shorten to retain only the first two paragraphs.

Policy 14 – Social infrastructure

Object: the policy is unsound as it is not justified

This policy addresses a range of matters that are not land-use related and/or cannot not be controlled through a Local Plan. It would be preferable to focus on the needs in individual parts of the district and address these in the relevant settlement specific policies .

Changes required

Delete the policy, or shorten to retain only the first paragraph.

Policy 15 – Green infrastructure

Object: the policy is unsound as it is not justified

Again we consider that this is not required. Rather, any assessment of what green infrastructure is required would more appropriately take place on a case-by-case basis responding to the specific impacts of each development. Green Infrastructure strategies for individual settlements are set out elsewhere in the plan; the need for an overarching and non-specific policy such as Policy 15 is therefore questioned.

Changes required

Delete the policy, or shorten to retain only the first paragraph.

Policy 19 – Sturminster Newton

Object: the policy is unsound as it is not justified

The continued identification of the land to the east of the former Creamery site (criterion h of Policy 19) as one of the main greenfield sites for development at Sturminster Newton is fully supported. This site benefits from a sustainable location with good connectivity to the town centre and a range of services, jobs and facilities within easy walking distance. The site is in single ownership, is relatively flat and is well contained in the wider landscape. It is not subject to any nature conservation designations and there are no constraints to development that cannot be dealt with by mitigation measures incorporated into the design of the site.

The site is in the control of Taylor Wimpey, a major national house builder, and is available and deliverable now. In view of the site's sustainability credentials, including its proximity to the town centre compared to other alternative sites, and the lack of any significant constraints to development, Policy 19 should go beyond simply identifying the site for development to provide a formal allocation for housing development. The settlement boundary on the Proposals Map should be extended to include the site and designated for housing in line with the illustrative development plan submitted in support of our previous representations on this matter.

The landowner has previously indicated a willingness to provide allotments on nearby land at Elm Close Farm also within their ownership, however the requirement at paragraph 8.168 and criterion r of Policy 19 for allotments to be located on land at the end of Elm Close, between Elm Close and the Trailway would impact on the developable are of the site and is not justified.

Planned growth targets for Sturminster Newton should be expressed as minimum levels, as set out in our comments on Policy 6.

Changes required

Delete the Environment and Climate Change section of Policy 19 as this is covered elsewhere in the plan.

Make the following amendments to the Meeting Housing Needs section Policy 19: '~~*About*~~ *At least 380 homes will be provided at Sturminster Newton..... together with the development of the following greenfield sites, which are allocated for housing development as shown on the Proposals Maps: .....*'

Amend criterion r of Policy 19 as follows: *additional allotments will be provided in or on the edge of the town, including consideration of land at Elm Close Farm* ~~*on land between Elm Close and the Trailway*~~

Amend paragraph 8.146 as follows: *It is anticipated that* ~~*about*~~ *at least 380 dwellings will be build in Sturminster Newton between 2011 and 2026.*

Delete the last sentence of paragraph 8.168

Policy 24 – Design and supporting text

Object: the policy is unsound as it is not positively prepared, justified or effective

Policy 24 is unclear and does not give a clear indication as to how a decision maker should react to a proposal. This section should be re-worded to describe how development proposals should respond to local context. The approach to contemporary design set out in the third paragraph is not justified and is contrary to paragraph 60 of the NPPF. The fourth paragraph relates to amenity, which is covered in Policy 25. Paragraph 5 should be amended to encourage engagement and for developers to take into account consultation feedback as far as is practicable and reasonable. The reference in paragraph 6 to cycle parking is unnecessary as this is covered in Policy 23.

Changes required:

Amend Policy 24 to remove the cross reference to design principles, and explain clearly how development proposals should respond to local context. Delete the second, third and fourth paragraphs of Policy 24. Amend the fifth paragraph to encourage developers to engage with the local community.

Policy 25 – Amenity and supporting text

Policy 25 is considered unnecessarily long and should be replaced by a criteria based policy. The requirement for noise and/or vibration impact assessments should be covered in the supporting text.

Changes required:

Delete Policy 25 and replace with a concise criteria based policy.

Proposals Maps

As set out in our response to Policy 19, land to the east of the former Creamery site (criterion h of Policy 10) should be included within the settlement boundary for Sturminster Newton and designated for housing in line with the illustrative development plan submitted in support of our previous representations on this matter.

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		Mr
First Name		Tim
Last Name		Hoskinson
Job Title *(where relevant)*		Associate
Organisation *(where relevant)*	Taylor Wimpey (land to the east of the former Creamery site, Sturminster Newton)	Savills
Address		Wessex House, Wimborne
Postcode		BH21 1PB
Tel. No.		01202 856851
Email Address		thoskinson@savills.com

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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:
Please see attached report		

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.

Please see attached report

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.

Please see attached report

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

North Dorset
DISTRICT COUNCIL

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.

Please see attached letter

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: [redacted] Date: 24 January 2013

If submitting the form electronically, no signature is required.