

**For office use only**

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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	Mr
First Name	Barry	Jonathan
Last Name	Pliskin	Kamm
Job Title (where relevant)	Director	
Organisation (where relevant)	Clemdell Ltd	Jonathan Kamm Consultancy
Address		2 Marsh Court Farm Romsey Road Stockbridge, Hampshire
Postcode		SO20 6DF
Tel. No.		01264 810442
Email Address		KammJP@aol.com

## 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 numbers: 5.115 to 5.150	Policy: <b>9 Rural Exceptions</b>	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.

Please see the separate sheets **REP P9** attached

*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 the separate sheets **REP P9** attached

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.

Clemdell Ltd is a local company that has various properties in the Blandford Forum area and is actively involved in promoting exception sites elsewhere in Dorset.

Clemdell's participation in the Hearing could, therefore, assist the Inspector in determining the outcome of 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.

Not applicable

**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: J Kamm

Date: 23 January 2014

*If submitting the form electronically, no signature is required.*

**CLEMDLL LIMITED REPRESENTATION ON  
POLICY 9 RURAL EXCEPTION SCHEMES**

**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.

It is considered that the Policy for Rural Exception Sites is unsound for the reasons set out below. This representation objects to Policy 9 of the North Dorset Local Plan - 2011 to 2026 Part 1 Pre-submission Document ("the Local Plan").

The NPFF supports the established principle of "enabling-development" to bring forward affordable housing in rural areas. The essence for that support of exception sites is to promote sustainable development in rural areas and enhance or maintain the vitality of rural communities. (NPFF paragraphs 54-55)

The paragraphs 5.115 to 5.150 of the Local Plan regarding Rural Exceptions Sites are exceptionally and unnecessarily repetitive. But in effect the Local Plan puts barriers in place when it should be enabling this form of development. Particular concerns include:

Paragraph 5.115 of the Local Plan limits support for enabling-development to schemes providing "any market element is similar (or smaller) in size and type to the rural exception affordable homes being proposed." and that restriction is expanded in Policy 9. The core justification and purpose for enabling-development is to generate profit from market value housing in order to enable appropriate affordable housing. The Plan states that "the small numbers of market homes proposed should be the minimum necessary to support the provision of the affordable homes on that site." (paragraph 5.137).

Therefore placing restrictions on the form of housing that can be marketed without consideration of achieving best or any market *value* reduces profit per unit thereby requiring more market housing to achieve the minimum necessary to enable the provision of the affordable homes on a site.

The policy element in paragraph 5.115 fails to recognise that the exception site should be integrated into the fabric of a rural settlement in order to enhance or maintain the vitality of

rural communities. The market element should be designed as a bridge between the affordable and existing properties of a settlement.

The criteria for evidencing local needs and connections are unduly onerous, it is not referenced in the NPPF and is contrary to the NPPF intention of enhancing or maintaining the vitality of rural communities.

Overall the paragraphs on Rural Exception Sites should be rewritten in a concise form to support, and positively enable, the implementation of exception sites in accordance with national policy.

**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.

It is proposed that all duplication and repetition in paragraphs 5.115 to 5.150 should be deleted and further it is considered that the changes underlined are appropriate & necessary:

5.115 The Council may also allow small numbers of market homes as an integrated part of a rural exception scheme:

- but only as a last resort to contribute towards closing a funding gap for the provision of the rural exception affordable homes proposed on the site; and
- provided that any market element is similar (or smaller) in size and type to the rural exception affordable homes being proposed.

5.121 Any local connection needs to have existed for a reasonable period of time. The Council would usually expect residence to have been established for at least a continuous period of the twelve months preceding the survey and also at least three of the preceding five years, or for any family or employment connection to have been established for at least three of the preceding five years.

## **POLICY 9: RURAL EXCEPTION AFFORDABLE HOUSING**

..... If the Council accepts that a market housing element is required on a rural exception affordable housing scheme, the scheme will only be permitted if:

f no market home is larger than the largest affordable home on the site; and  
g no market home exceeds the size of comparable types of affordable housing that is  
—being provided on the site; and

h

f. the market homes are integrated with the affordable homes to form a single housing scheme.

g. the scheme is integrated into the fabric of a rural settlement in order to  
enhance or maintain the vitality of rural communities.