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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		Matthew
Last Name		Kendrick
Job Title *(where relevant)*		Director
Organisation *(where relevant)*	Hopkins Developments Ltd (HDL)	Grass Roots Planning Ltd
Address		11 Olveston Road, Ashley Down, Bristol
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North Dorset
DISTRICT COUNCIL

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:

X 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 separate representations 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 X 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

X It is not justified

X It is not effective

X 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 SUBMITTED REPRESENTATIONS DOCUMENT

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 SUBMITTED REPRESENTATIONS DOCUMENT

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

X 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.

HDL OWNS THE KEY PART OF THE SOUTHERN EXTENSION (I.E. THE MAJORITY OF THE LOCAL CENTRE). THEREFORE WE WISH TO BE INVOLVED TO MAKE IT CLEAR WHAT CONSTRAINTS THERE ARE ON THIS LAND AND ITS DELIVERY FOR THE USES ENVISAGED.

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.

N/A

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.*

- **X** That the Local Plan Part 1 has been submitted for independent examination
- **X** The publication of the recommendations of any person appointed to carry out an independent examination of the Local Plan Part 1
- **X** The adoption of the Local Plan Part 1.

Signature [redacted] Date: 22/01/2014

If submitting the form electronically, no signature is required.

REPRESENTATIONS TO THE PRE-SUBMISSION VERSION OF THE DRAFT NORTH DORSET LOCAL PLAN 2011-2026

ON BEHALF OF HOPKINS DEVELOPMENTS LTD

Grassroots

Grassroots Planning Ltd.

REPRESENTATIONS TO THE PRE-SUBMISSION VERSION OF THE DRAFT NORTH DORSET LOCAL PLAN 2011-2026

ON BEHALF OF HOPKINS DEVELOPMENTS LTD

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Ref: 220/A5/MJK
Date: January 2014

1.0 INTRODUCTION

1.1 On behalf of Hopkins Developments Ltd (HDL) Grassroots Planning Ltd has been instructed to lodge representations to the Pre-submission draft of the emerging North Dorset local Plan (2011-2026).

1.2 HDL own land at Kingsmead Business Park, adjacent to the Orchard Park and two strips of land at Meadowcroft and The Meadows which are located near to the B3092.

1.3 Our representations relate primarily to the town of Gillingham and the southern extension proposed for the town. In particular, our representations focus on the following matters:

- The retail capacity and existing and future retail needs of the town;
- The phasing of the neighbourhood centre that is to serve the southern extension of the town;
- The type of uses that should be accommodated within the neighbourhood centre; and
- Access matters in relation to the southern extension, particularly in relation to the land allocated adjacent to Lodden lakes.

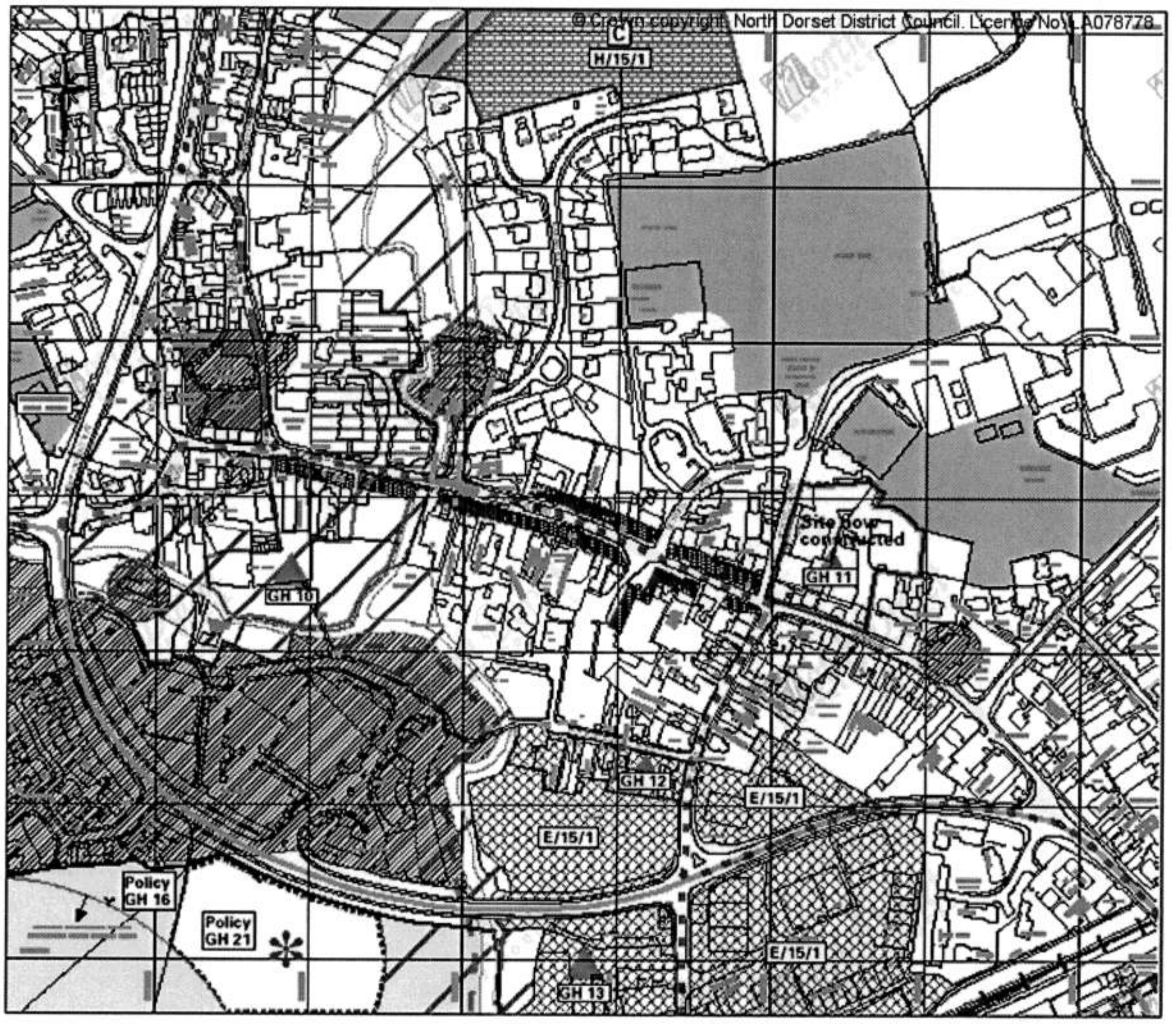
1.4 We will now proceed to make our representations on the various emerging policies in sequential order, based on how they appear in the draft document.

2.0 POLICY 12: RETAIL, LEISURE AND OTHER COMMERCIAL DEVELOPMENTS

2.1 This policy broadly seeks to direct such development towards the main town centres of Blandford Forum, Shaftesbury, Gillingham and Sturminster Newton. We do not disagree with this approach generally as long as suitable sites exist within these centres to accommodate the level of growth required.

2.2 Policy 12 outlines that the centres of these towns will be defined in the site allocations section of Part 2 of the emerging Local Plan. Gillingham's existing town centre is focused on the High Street and its primary shopping centre is defined in the emerging Local Plan as shown in figure 1 below (Dark Blue Shading):

Figure 1: Gillingham Town Centre as shown in 2003 Local Plan



2.3 At the current time the council already acknowledge that the town centre offers limited retail facilities (see para 8.50) and the retail study that forms part of the council's evidence base (Nathaniel Lichfeild report dated March 2008) makes a number of salient points regarding Gillingham:

- The proportion of both comparison and convenience shops is below the national average;
- Car parking in the town centre is constrained;
- 61% of business respondents to their survey stated that in terms of the shopping/services mix;
- Gillingham has too many small independent shops and not enough large chain stores;
- 45% of respondents stated that the need to increase the range of national multiple/chain stores was the most important future planning issue; and
- The report identifies a lack of national retailers a weakness.

2.4 In 2008 HDL commissioned a retail study in connection with the town of Wincanton which lies approximately 8 miles to the west of Gillingham. This analysis used Experian data to identify the per capita expenditure forecasts for the town, this data is presented in appendix A to these representations.

2.5 These figures are considered to represent a good approximation of spending capacity per capita for Gillingham also as it is a similar town with similar social and economic demographics. We can use these figures to estimate the retail capacity that will be created by the housing growth proposed as part of the southern extension of the town.

2.6 The emerging local plan identifies that about 1,490 dwellings will be delivered at the town over the plan period. The 2011 ONS census figures for Gillingham identify that average household size is 2.25 therefore we can estimate that the housing allocation for the town will create approximately 3353 new residents. On this basis, and taking a mean of the expenditure figures set out in appendix A (£1,953.01), this equates to a total potential convenience retail expenditure of £6,548,443 being generated by the new residents of the town alone, not considering latent demand generated by the existing population.

2.7 This spending would equate to a need for an additional 873 sqm. (9396.89 sqft.) of convenience retail floor space in the town based on a sales density of £7,500 per m2 which is considered appropriate for this area based on the retail analysis undertaken in relation to nearby Wincanton. This represents the minimum demand created by the proposed housing development allocated for the town, which is primarily to be sited to the south of the town. In addition to this, further demand will be generated by increased spending power of the existing population; the potential that Gillingham's market share increases in comparison with surrounding towns and through changes in the existing retail offer in the town - for example, the Cooperative store located on the High Street (which is owned by HDL), which was shut down due to fire damage some years ago, is currently unoccupied and Cooperative have confirmed they will not be reoccupying this unit. No interest from other convenience store operators has been shown in the unit with many of them confirming it is too small.

2.8 In addition to this, there will be increased demand for comparison goods floor space. Based on the data set out in appendix A, a mean comparison goods expenditure for the 2011-2026 period equates to £5,305.11 per capita.

2.9 On the basis of the 3353 new residents, we have already calculated the total potential comparison retail spend will be around £17,788,033.80. Based on a sales density of £4,000 per m2, which is considered to be a low estimate a further 4447 sqm (47,867 sqft) of comparison retail floor space should be required at the town. We consider that some of this floorspace could be accommodated at the Kingsmead business park where bulky goods sales will have synergies with some of the existing and future businesses that are/will be located here (the landscape suppliers, garden centre etc).

2.10 Therefore, it is clear that the southern extension to the town will exacerbate the existing need for further retail provision and the issues identified by the Nathaniel Lichfield report cannot be addressed by constraining future retail growth to the town centre alone (for example there is extremely limited capacity to accommodate new chain stores, particularly bulky retail, within or adjacent to the town centre).

2.11 Figure 1 shows that the existing town centre is located in the historic core of the town where redevelopment opportunities are extremely limited. Further analysis of potential sites located adjacent to this core area will show that the capacity to accommodate any significant retail floor space in the town's primary shopping area is negligible and the only potentially available sites near to the town centre lie within the Station Road area.

2.12 While we do not object to the potential regeneration of the Station Road area, we would question whether retail developments will come forward here and whether it is deliverable. The reason for this is that the Station Road area is occupied by numerous businesses and shows limited amounts of vacancy, therefore its wholesale redevelopment will be problematic from a land assembly point of view and in terms of practicalities given the potential ground conditions issues that will be associated with its previous industrial usage. In light of this, the council needs to think of alternative options for accommodating retail growth at the town to provide the flexibility required by the NPPF.

2.13 We advocate that a supermarket is needed to serve the existing and future residents in the southern part of the town and such a use should be used as the anchor element of the new neighbourhood centre proposed as part of the southern extension. Providing retail space within walking distance of the community of Ham will also address the fact that existing residents have very limited access to convenience stores within walking distance in this part of the town, which increases the reliance on the car.

2.14 Other parts of Gillingham are served by smaller scale supermarkets such as the cooperative based at The Parade, Lodbourne Green in the north of then town and we consider that the part of the town south of the railway needs such a facility to reduce the reliance on the car for small grocery shopping trips.

2.15 Therefore, we propose that Policy 12 be amended to include the provision of retail facilities within proposed neighbourhood centres.

3.0 POLICY 17: GILLINGHAM

3.1 We generally support this policy but consider that parts of policy 21 need to be amended to ensure that it does not contradict the proposals set out in policy 17.

3.2 For example, criterion l of policy 17 identifies that land at Kingsmead Business Park will be developed for a local centre and/or a range of employment uses. Policy 21 does not include specific reference to the potential for Kingsmead Business Park to accommodate further employment uses. We will go on to suggest some minor changes to this policy to address this matter.

3.3 This policy also describes that retail expansion in the town will be confined to the Station Road regeneration area (in respect to comparison retailing) and local shops to serve the southern extension, which will be accommodated within the local centre.

3.4 This approach is not underpinned by any evidence and will not address the significant problems that the town centre and Gillingham as a whole experiences. It is widely recognised that the retail offer in Gillingham needs to be improved and we would question how, given the constraints identified, this will be achieved.

3.5 Therefore, in respect to criterion O and P of Policy 17 we think further thought needs to be given to alternative scenarios that will be needed if the envisaged redevelopment of the Station Road area does not come forward as anticipated or fails to accommodate all of the retail uses that are required in the town.

3.6 We consider that an alternative or complimentary option would be to allow limited retail development as part of the new local centre proposed for the south of the town and we will describe this in more detail as part of the next section of our representations.

3.0 POLICY 21: GILLINGHAM STRATEGIC SITE ALLOCATION

The Local Centre

3.1 The emerging local plan proposes to allocate land centred on Kingsmead Business Park as a local centre, the identified land straddles the B3081 Shaftesbury Road.

3.2 HDL owns the majority of this land and currently leases a number of employment units located within the business park to a range of occupiers. Land on the opposite site of the B3081 that lies within the identified local centre is currently occupied by Sydenham's building supplies and landscaping centre.

3.3 At the current time Policy 21 identifies that the following uses will be accommodated within the local centre:

- Small local convenience shops;
- A 3 form entry primary school;
- A pre-school nursery;
- A community hall;
- Health facilities (including a doctors surgery, a dentist and dispensing pharmacy); and
- Other as yet undefined essential local facilities.

3.4 The supporting text to this policy refers to:

small local convenience shops with a mixture of A1, A3 and A4 uses of about 500 square metres floor space in total, with the largest A1 use class unit not exceeding 250 square metres.

3.5 We do not object to any of the social/community facilities proposed subject to the master plan proposals for the southern extensions including phasing arrangements for these facilities that allow for a land equalisation agreement to be agreed between HDL and the housing developers (we will turn to this in more detail in the next sections of these representations).

3.6 We do, however, strongly object to the reference that only small convenience stores should be accommodated here. Having read the council's supporting evidence base to the Local Plan the restriction mentioned in the supporting text (namely that a maximum of 500 sqm. of retail space in total and no more than 250 sqm. in any one unit should be allowed here) is not based on any objectively assessed evidence. Therefore, such a restriction is unfounded, unnecessary, anticompetitive (as it restricts the type of potential occupiers) and accordingly unsound.

3.7 Such a restriction would severely restrict the range potential operators that could be accommodated within the neighbourhood centre and therefore the viability of the centre as a whole, as a convenience store will be its key 'anchor' element. Eliminating the potential for larger operators to locate here is anticompetitive.

3.8 If a series of small convenience shops were to set up in the neighbourhood centre (which may also happen if a larger store operator is not interested in the site or smaller operators demand parcels within the centre) the effect on the existing town centre would be the same as a midsized convenience store. Accordingly, we do not see the rationale behind this restriction and strongly consider that it would severely curtail the range of operators that would be interested in locating here, thereby affecting the viability of this centre which is the cornerstone of the wider southern extension.

3.9 As we have set out previously the demand for convenience floor space generated by the new housing in the town alone will equate to close to 10,000 sqft, given that nearly all of this housing will be located in the south of the town, which is a considerable distance from the existing town centre, and given the constrained nature of the town centre itself we consider that any convenience store located in the neighbourhood centre should be at least 10,000 sqft. in size. This will also allow the option for other essential facilities such as a post office or pharmacy to be accommodated within such a facility.

3.10 We also consider that some comparison retail floor space may be appropriate in this location given the existing retail uses located in this area and the fact that bulky comparison goods may be better accommodated in out of town locations given the constrained nature of the existing town centre and the availability of sufficient available and deliverable sites for these uses closer to the town centre.

3.11 Furthermore, the existing role and function of the Kingsmead Business Park should not be ignored. At the current time the part of the park operated by HDL accommodates a range of employment uses including:

- Offices
- Veterinary surgery
- Kitchen supplier shop
- Electrical wholesaler
- Screwfix
- Light Industrial Units (occupiers include a plumbing wholesaler, fabric upholsterer, delicatessens supplier and magazine publisher)

4.0 SUMMARY OF SPECIFIC CHANGES SOUGHT

4.1 We now go on to set out the specific changes that we consider are necessary to address the concerns we have identified and make the emerging plan sound and less likely to be susceptible to challenge.

4.2 Policy 12: we propose that this policy be amended to include the provision of retail facilities within proposed neighbourhood centres without having to test the impact on existing centres if they fall within defined thresholds (the NPPF refers to 2,500 sqm at para 26). Given that the neighbourhood centres are to serve the populations of new development, placing retail development within them will mean that new residents have the ability to carry out their shopping on foot in the most sustainable way, particularly if alternative suitable sites closer to the town centre do not exist.

4.3 Policy 17: we propose that this policy needs to be amended in line with comments we make in relation to policy 21. Specifically this should include the following changes:

- An allowance for further retail development as part of the new centre proposed in the southern expansion area; and
- Reference to A3 and A4 uses being appropriate as part of the new local centre.

4.4 Policy 21: we propose that with reference to the phasing of the site and the connected Master Plan Framework this policy needs to make it clear that either land equalisation or increased S106 contributions will need to be agreed as part of the framework to ensure that the local centre is delivered as housing development comes forward and is not left as an afterthought.

4.5 In respect to the wording of the policy relating to the local centre we propose that criterion Z should be altered to read:

- *A local centre in the Shaftesbury Road corridor to serve the southern extension, which will include: (small local – delete) convenience shops;*
- *comparison shops if synergies with existing businesses and land uses can be identified;*
- *a 2 form entry primary school; a pre-school nursery;*
- *a community hall; health facilities (including a doctors' surgery, a dentist and a dispensing pharmacy);*
- *other essential local facilities;*

- *A3 and A4 uses including Cafes, restaurants and pubs proportionate to the needs of the new community and the existing residents of Ham; and*
- *employment uses comparable to those already accommodated within the existing Kingsmead Business Park if they can be accommodated without prejudicing the delivery of the required community facilities (our suggested additions/deletions).*

4.6 Turning to the issue of access we also consider that it should be made clear that access into the part of the southern extension that abuts Lodden Lakes should be provided to the north and south to maximise permeability and make the development of this part of the southern extension compliant with the manual for streets. Therefore, we suggest that criterion t be amended accordingly or a separate criterion relating to this issue alone added.

5.0 CONCLUSION

5.1 In general, we think the council's emerging Local Plan forms a credible strategy for delivering development in the district up until 2026. However, we have some concerns regarding its approach to the development of Gillingham and in particular the southern extension of the town. These primarily include:

- A lack of focus on the need to significantly improve the retail offer of the town to increase its market share and hence its sustainability;
- The lack of alternative or complimentary options to the redevelopment of the Station Road area for delivering improved retail facilities within the town – without such an option the plan will not be sufficiently flexible to deal with rapid change and will not accommodate sufficient retail facilities in the town to encourage its existing and future population to shop within it, thereby resulting in increased car borne trips to other surrounding towns;
- The mix and extent of uses currently proposed for the local centre is not appropriate, is not founded on a robust evidence base and will result in its viability and future success being compromised; and
- The decision to restrict convenience floor space within the new local centre is not based on any objectively assessed evidence – this will mean that insufficient facilities will be provided to serve the shopping needs of future residents in the southern part of the town in a location that would be walkable to the majority of new residents and the existing residents of Ham.

5.2 To address these concerns we strongly recommend that the council seek to incorporate the changes we suggest in section 4 of this report as we do not consider the plan to be in compliance with the guidance contained in the NPPF.

5.3 In particular, paragraph 24 of the NPPF outlines that the needs for retail and other main town centre uses should be '*met in full and are not compromised by limited site availability*'. It further defines that out of centre sites can be allocated where town centre sites are not available as long as they are in appropriate locations that are well connected to the town centre.

5.4 In this case Gillingham town centre is severely constrained and out of centre sites are needed to meet the needs of not just the centre but the needs of the new and existing population located south of the town some distance from the centre. The chosen location for the local centre offers an appropriate location, being well served by public transport links that travel straight into the town centre which can also be improved through the provision of new development and associated S106 contributions, to not only meet local need but also the need for improved retail offerings for the town as a whole.

5.5 Finally, the provision of around 900 sqm of convenience floor space in the local centre falls well below the threshold of 2,500 sqm above which the NPPF requires a mandatory impact assessment on the town centre be undertaken (see para 26). Accordingly, we must question the scope and potential for any such impact occurring.

5.6 Therefore, we urge the council to take into account our concerns and make the changes required to ensure that the plan is sound and we look forward to working with the council as part of the development of the master plan framework for the southern extension to Gillingham in the coming months.

APPENDIX A: WINCANTON CONVENIENCE AND COMPARISON SPENDING FORECASTS

WINCANTON RETAIL EXPENDITURE FORECASTS - Convenience(2006 prices)

PER CAPITA EXPENDITURE IN	2007	
	(£)	less 1.7% Special Forms of Trading
Convenience Goods	1,854	1,822.48
GROWTH IN PER CAPITA RETAIL EXPENDITURE:		
Convenience Goods:	0.60	%pa '07-'28

PER CAPITA EXPENDITURE IN	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Convenience Goods: (£)	1,822.48	1,833.42	1,844.42	1,855.48	1,866.62	1,877.82	1,889.08	1,900.42	1,911.82	1,923.29	1,934.83
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
	1,946.44	1,958.12	1,969.87	1,981.69	1,993.58	2,005.54	2,017.57	2,029.68	2,041.85	2,054.11	2,066.43

SOURCE:

Per capita expenditure figure is the average figure for Wincanton Postcode sectors BA9 9 BA9 8 and BA8 0 (in 2006 Prices) (Experian)

Expenditure growth rates taken from Experian. Ultra Long term growth rate of 0.6% per annum adopted between 2007-2028.

WINCANTON RETAIL EXPENDITURE FORECAST – convenience (2006 prices)

PER CAPITA EXPENDITURE IN	2007		
	(£)	less 6.0% Special Forms of Trading	
Comparison Goods	3,216	3,023.04	
GROWTH IN PER CAPITA RETAIL EXPENDITURE:			
Comparison Goods	4.80	%pa '07-'28	

PER CAPITA EXPENDITURE IN	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Comparison Goods: (£)	3,023.04	3,168.15	3,320.22	3,479.59	3,646.61	3,821.64	4,005.08	4,197.33	4,398.80	4,609.94	4,831.22
	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
	5,063.12	5,306.15	5,560.84	5,827.76	6,107.50	6,400.65	6,707.89	7,029.86	7,367.30	7,720.93	8,091.53

SOURCE: Per capita expenditure figure is the average postcode sector figure for Wincanton (in 2006 Prices)

Expenditure growth rates taken from Experian. Ultra Long term growth rate of 4.8% per annum adopted between 2007-2021.