

North Dorset Local Plan Part 1

Pre-submission Consultation 29 November 2013 to 24 January 2014

Response form continued on behalf of The Crown Estate

1. Policy 2: Core Spatial Strategy

Is the policy sound: No

Comments on Policy 2:

The Crown Estate supports the approach to spatial planning within Policy 2 with the majority of growth being delivered in the four main towns to provide a sustainable growth strategy. In particular, The Crown Estate supports the recognition of Blandford Forum as a location for housing growth to support its role as the only major service centre in the southern part of the District.

It is considered that the Spatial Strategy, including the identification of Blandford Forum as a main town, would support the emphasis of NPPF which is to deliver sustainable development. Other guidance provided in NPPF seeks to ensure that sustainable development is delivered through a number of steps including managing patterns of growth to ensure development takes place in locations which are or can be made sustainable (paragraph 17) and facilitate the use of sustainable modes of transport. Growth in Blandford Forum will make a significant contribution to a sustainable development strategy.

Whilst The Crown Estate generally supports Policy 2 it does not support the reliance on the settlement boundaries from the previous Local Plan. The policy states that the boundaries around the four main towns as currently defined in the North Dorset Local Plan (2003) will be retained until they are reviewed as part of the Local Plan Part 2 or a neighbourhood plan. We also do not agree with the part of the policy which currently states that sites will primarily be brought forward through Part 2 of the Local Plan, the exception being the urban extension at southern Gillingham. It is considered that this approach does not provide a sound planning policy basis because it is not consistent with the NPPF, effective or justified for the reasons set out below.

Firstly, the reliance on policies from the 2003 Plan does not fully accord with the principles of sound plan making set out in the NPPF. Annex 1, paragraph 214 gave scope for decision makers to give weight to policies adopted since 2004 for a period of 12 months following publication of NPPF (March 2012). In all other cases it states that due weight should be given to policies of existing plans according to their consistency with NPPF. The 2003 settlement boundaries cannot be considered up-to-date in the context of the new Local Plan and NPPF, particularly as the Local Plan was adopted prior to the Planning and Compulsory Purchase Act 2004.

The emphasis of the NPPF is to ensure that all policies are underpinned by sufficient evidence to ensure their soundness (paragraph 182). The four tests of soundness include justified *'the plan should be the most appropriate strategy, when considered against reasonable alternatives, based on proportionate evidence'* (emphasis added). The strategic sites around the four main towns have been subject to significant testing through the Local Plan Part 1 process and their identification is supported by an extensive evidence base produced by the Council and promoters of the strategic sites. The Crown Estate has shared a significant amount of technical work with the Council to demonstrate that their sites at West Blandford and West Blandford St Mary are deliverable. Accordingly, the Council has sufficient evidence to support revisions of the settlement boundaries at the main towns to incorporate strategic sites. This would provide a more positive and justified planning policy basis in line with the principles of NPPF rather than relying on evidence which is over a decade old.

Secondly, a process of allocating all sites in the Local Plan Part 2, other than Gillingham, will lead to unnecessary delays, impact on the Council's ability to maintain a deliverable housing land supply and would not accord with the emphasis of NPPF to boost significantly the supply of housing. The Council anticipates in its Local Development Scheme (November 2013) that Local Plan Part 2 may not be in place until December 2016 at the earliest. This assumes that there are no delays to the Local Plan Part 2 making process. Undue delays in identifying robust boundaries may weaken the overall approach of the Plan in the context of NPPF and its ability to respond to fluctuations in housing land supply.

The Council's housing land supply is already marginal. It has identified a five year land supply which only equates to 5.6 years¹. We have concerns over the robustness of this supply which for example includes 175 dwellings on the Blandford Brewery site. Although this has an extant permission, we are aware from discussions with the Council that the owner is re-thinking their strategy for the site which could delay it coming forward. The Council has not yet prepared a housing trajectory to demonstrate that a supply of sites will be maintained. Without allocating more strategic sites in the Local Plan Part 1 it is unclear how the Council will maintain the required five year (plus flexibility of 5-20%) rolling land supply in the period while the Local Plan Part 2 is prepared. This potentially leaves the Council open to unwanted applications and planning by appeal, creating a policy conflict within the Plan itself or with the NPPF. The approach is also inconsistent with the treatment of land at Gillingham which is effectively excluded from the Local Plan Part 2 allocation requirements.

It is therefore recommended to meet the tests of soundness set out in NPPF (particularly justified, positively prepared and effective) that strategic allocations should be identified in the Local Plan Part 1 rather than waiting for the preparation of Local Plan Part 2. This approach would avoid the problems that Wiltshire Council has recently run into, where its Core Strategy was in danger of being found unsound unless it modified its approach. In preparing its Core Strategy, Wiltshire had placed reliance on dated settlement boundaries including those identified in the Kennet Local Plan (2004) and had stated that settlement boundaries would be reviewed as part of the neighbourhood planning process. However, in considering the soundness of the Wiltshire Core Strategy the Inspector set out a number of concerns in a letter

¹ North Dorset Annual Monitoring Report 2013

to the Council dated 02 December 2013 (see **Appendix 1**) including on the Council's approach to settlement boundaries. On page 8 he comments that:

"...the Council has not reviewed the extent of the boundaries to inform the CS; instead relying upon the pre-existing development plan documents. Some of these were adopted some years ago, for example the Kennet Local Plan (2004), and it cannot be argued with great strength that the settlement boundaries contained therein are up-to-date for the purposes of the CS plan period. Indeed, the Council concedes in Topic Paper 3 'Settlement Strategy' that whilst existing boundaries offer protection to the countryside and guard against urban sprawl/ribbon development they are out of date, do not reflect current urban form and require review and updating ... 'a new boundary would be the ideal solution'. To review boundaries, the Council identifies community led planning as the vehicle to deliver the necessary updates. However, there remains a considerable risk that, for example, Neighbourhood Plans will not be delivered across the county in a comprehensive or timely fashion. Such an outcome would, in the context of the CS Settlement and Delivery Strategy, potentially stymie development initiatives on the basis of an unjustified evidence base and therefore not represent a positive form of planning."

Suggested amendments to ensure the Plan's soundness:

As noted above, not allocating strategic sites and relying on settlement boundaries of the 2003 Local Plan for development control purposes would be unduly restrictive and would not provide a positive planning framework which enables the Council to respond effectively in the event of a shortfall in the five year supply targets. Accordingly in order to ensure the Plan's soundness and to better reflect the guidance in NPPF, particularly the need to approve sustainable development proposals without delay, we recommend the following amendments to Policy 2:

1. The Council should prepare a housing trajectory which shows a positive position in significantly boosting housing supply in line with the emphasis of NPPF. This should set out a deliverable supply of sites covering a 15 year period from the date of adoption (also see our response to Policy 6).
2. The Plan needs to be specific about strategic sites (see our response to policy 16) and allocate more sites given the Council's marginal housing land supply.
3. Settlement boundaries around the four main towns should be amended now or it should be made clear that they can be reviewed as a part of a master planning exercise which is undertaken as part of a planning application for a strategic site identified in the Plan Part 1. All references to settlement boundaries in the policy and supporting text should be amended accordingly.

The above amendments would support the emphasis of NPPF which seeks to ensure local plans are **positively prepared** (paragraph 182) and **significantly boost housing supply** (paragraph 47). In addition, local plans should be **sufficiently flexible to adapt to rapid changes**. In line with the Government's emphasis on boosting housing supply and approving sustainable development without delay, the Plan should provide a less restrictive approach to

enable flexibility in delivery and support the allocation of strategic sites in the four main towns.

Suggested amendment to Policy 2

Paragraph 3:

Policies 16 to 19 set out the main locations for growth at the four main towns, which are be shown in more detail in Part 2 of the allocated through the settlement policies of this Local Plan Part 1. ~~with the exception of the southern extension to Gillingham, which is identified as a strategic site allocation in Policy 21 of this document.~~

Delete the final paragraph:

Settlement Boundaries

~~The settlement boundaries defined 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 site allocations in Part 2 of the Local Plan or a neighbourhood plan. The settlement boundaries defined around all other settlements in the North Dorset District wide Local Plan 2003 are removed and these settlements will be subject to countryside policies unless new settlement boundaries are defined in neighbourhood plans or site allocations in Part 2 of the Local Plan.~~

2. Policy 6: Housing Distribution

Is the policy sound: No

Comments on Policy 6:

Policy 6 plans for the delivery of 4,200 homes in the period 2011 to 2026. The bulk of this growth will be split between the four main towns: Blandford, Gillingham, Shaftesbury and Sturminster Newton. As noted in our response to Policy 2 The Crown Estate supports the identification of Blandford Forum as a 'main town' in recognition of the town's role as a service centre in the southern part of the district. It also supports the allocation of at least 23 per cent of the District's housing provision to the town. We consider that The Crown Estate's sites in Blandford Forum and Blandford St. Mary are well placed to assist in housing delivery (see response to question 16) as part of a sustainable growth strategy.

Suggested amendment to ensure soundness:

Whilst The Crown Estate generally supports the emphasis of the policy, it is considered that the time horizon of the plan needs extending by three years to ensure a period of 15 years following the adoption of the Plan is covered. The current time horizon of 2011-2026 (as

stated in Policy 6) was based on the assumption that the Local Plan would be adopted by 2011. However, delays in the plan process mean that, subject to the Plan being found sound at examination, it will not be adopted until later in 2014 at the earliest. NPPF (paragraph 157) requires Local Plans to be drawn up of over a 15 year time horizon and take account of longer term requirements. NPPF (paragraph 47) also requires local planning authorities to identify a specific supply of developable sites or broad locations for year 6-10 and, where possible, for years 11-15 and update this annually. King's Lynn and West Norfolk Borough Council and Stratford on Avon District Council have both been required to extend the plan period of their local plans to cover the full 15 year period after the adoption following Inspector's comments at examination.

Unless the plan period is extended to account for this lag in adopting the plan since work was initially started some 4-5 years ago, it would be immediately out of date. Assuming the plan is adopted later in 2014, the plan period should be extended to 2029 to ensure that a full 15 year period is covered from the date of adoption. Accordingly, following the extension of the plan period, three additional years should be added to the district wide housing requirement set out in Policy 6. This would mean that the overall housing requirement is increased from 4,200 in the period 2011-2026 to 5,040 in the period 2011 to 2029.

As noted in our response to Policy 2, we have concerns regarding the Council's identified five year land supply which only equates to 5.6 years². This point emphasises the need to allocate strategic sites in the Local Plan Part 1 to maintain a rolling land supply in the period while the Local Plan Part 2 is prepared. As noted in our response to Policy 2, the Council should prepare a housing trajectory which shows a positive position in significantly boosting housing supply in line with the emphasis of NPPF. This should set out a deliverable supply of sites covering a 15 year period from the date of adoption. In addition the housing distribution should take account of the higher requirement. This will ensure the Plan's soundness and compliance with NPPF, particularly the need to provide flexibility and significantly boost housing supply. The Plan needs to be specific about strategic sites (see our response to policy 16) and allocate more sites given the Council's marginal housing land supply.

Based on the above comments we recommend the following amendments to Policy 6 to ensure the Plan's soundness:

² North Dorset Annual Monitoring Report 2013

Suggested amendment to Policy 6

At least ~~4,200~~ 5,040 net additional homes will be provided in North Dorset between 2011 and 2026~~9~~ at an average annual rate of about 280 dwellings per annum. The vast majority of housing growth will be concentrated at the District's four main towns of Blandford (Forum and St. Mary), Gillingham, Shaftesbury and Sturminster Newton.

The approximate scale of housing development at the four main towns during the period 2011 - 2026~~9~~ will be as follows:

- a Blandford (Forum and St. Mary) - about ~~960~~ 1,160 homes;
- b Gillingham – about ~~1,490~~ 1,765 homes;
- c Shaftesbury – about ~~1,140~~ 1,360 homes;
- d Sturminster Newton – about ~~380~~ 450 homes.

Policy 7: Delivering Homes

Comments on Policy 7:

Policy 7 is currently prescriptive about the mix of market dwellings to be provided in the District stating that the Council will seek to deliver 40% of market housing as one or two bedroom properties and 60% as three or more bedroom properties with an emphasis on two and three bedroom properties.

In line with our response to the Draft Core Strategy (May 2010) and comments on the New Plan for North Dorset Consultation on Key Issues (October 2012) The Crown Estate believes that the policy should be less prescriptive and that the mix and density of new homes should be informed by the character of the local area and housing need (including market demands) at the time a particular site comes forward. This would reflect guidance in NPPF (paragraph 50) which states that local planning authorities should:

“Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community” and to “identify the size, type, tenure, and range of housing that is required in particular locations reflecting local demand.”

Based on the above comments we recommend the following amendments to Policy 7 to ensure the Plan's soundness:

Suggested amendment to Policy 7

Second paragraph

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, a mix of dwelling types which reflects the character of the area and is informed by an up-to-date assessment of need (including a consideration of market demands).

Third paragraph

In the period to 2026, the Council will seek to deliver 60% of affordable housing in North Dorset as one or two bedroom properties and 40% of affordable housing as three or more bedroom properties, a mix of affordable homes which is informed by an up-to-date assessment of need.

Policy 8: Affordable Housing

Comments on Policy 8:

In terms of tenure, The Crown Estate believes that the split should be decided on a case by case basis to be informed by a robust assessment of need reflecting local circumstances and affordable housing needs. This approach would recognise that there will be variations in need between different locations within the District, as well as also enabling decisions to be informed by an up to date assessment of need.

In line with our response to the Draft Core Strategy (May 2010) and comments on the New Plan for North Dorset Consultation on Key Issues (October 2012) we also consider that the mix of affordable housing should consider viability and deliverability.

This approach would be consistent with paragraph 50 of NPPF which advises that affordable housing policies should be “sufficiently flexible to take account of changing market conditions over time”.

Based on the above comments we recommend the following amendments to Policy 8 to ensure the Plan’s soundness:

Suggested amendment to Policy 8

Second paragraph

Such development will contribute to the provision of affordable housing ~~in the following proportions~~. The Council will seek to deliver the following targets which will be informed by an assessment of viability and deliverability:

a within the settlement boundary of Gillingham 30% of the total number of dwellings will be affordable; and

b within the southern extension to Gillingham 35% of the total number of dwellings will be affordable, ~~subject to any site-based assessments of viability~~; and

c elsewhere in the District 40% of the total number of dwellings will be affordable.

Policy 16: Blandford Forum

Is the policy sound: Yes

Comments on Policy 16:

Policy 16 sets out the strategy for Blandford Forum and identifies two sites owned by The Crown Estate to assist in meeting development needs of the town; West Blandford and West Blandford St Mary.

The Crown Estate **supports** the allocation of these two sites. These provide highly sustainable and deliverable locations for development which can play an important role in delivering new high quality development in the town. They both present logical and sustainable locations for new housing provision and meet the tests of soundness set out in NPPF. In particular, the sites are available now, they offer suitable locations for development and are achievable with a realistic prospect that housing will be delivered on the sites within five years.

AMEC has prepared an evidence base of technical reports to demonstrate the suitability, availability and deliverability of the two sites in line with guidance in the NPPF. These include transport, landscape, biodiversity and drainage/flood risk assessments. They have previously been shared with the Council and demonstrate that the sites are deliverable and can provide a number of benefits through development.

The sustainable development merits of both sites are outlined below:

West Blandford

- Flood Risk: The site is not at risk of flooding and the area proposed for development is entirely located in Flood Zone 1 (lowest probability of flooding). The Crown Estate has undertaken modelling which confirms that the area of land proposed for development is outside the flood risk area. This modelling has also considered the impacts of Climate

Change. Consultation with the Environment Agency confirms that residential development on this site would be acceptable to them.

- Sustainability and access: being within close proximity to the town centre and directly adjacent to the town's secondary school and a primary school, the site offers the best opportunity to deliver sustainable development. The site is acknowledged as being the most sustainable option available to the Council (North and North East Dorset Transport Study, March 2010 and SAs). The Crown Estate has held numerous discussions with Dorset County Highways. They are supportive of development at this site and recognise the benefits of locating new homes adjacent to the town centre as part of a sustainable development strategy.
- Ecology: An ecological survey, including desk study and phase 1 habitat survey has been carried out. This identified a local SSSI, designated because it is the only known breeding site for greater horseshoe bats (*Rhinolophus ferrumequinum*) in Dorset. The Crown Estate has been in discussion with Vincent Wildlife Trust and Natural England regarding mitigation strategies. A landscape improvement strategy has been agreed which will provide significant local benefits to bat habitats across The Crown Estate's extensive Blandford Estate. This provides a significant opportunity to improve local bat habitats in perpetuity across a much wider area of land than that proposed for allocation. This will significantly outweigh the loss of pasture land resulting from development.
- Landscape: Development in this location provides significant opportunities to enhance the urban edge left by development at Blandford School and the adjacent 60/70s development. The Crown Estate is sensitive to the impact a development at this location may have on the historic views of the town from Blandford Bridge. We have sought to minimise any impact on these views through testing and designing initial plans that protect these views. We have prepared verified photomontages showing how a 200 and a 150 home development would appear when viewed from Blandford Bridge. These demonstrate how little impact any development would have on important views from Blandford Bridge and would maintain the views along the river from the bridge. Further opportunities exist to restore the former parkland setting through the creation of the informal open space on Crown Meadows. Overall, development would effectively 'finish off' development on the western side of the town and can be integrated into the existing settlement pattern without harming the quality and character of the area or the openness of the river corridor.
- Heritage: The site is adjacent to a surviving section of the WWII defences of Blandford Forum. Development has sought to enhance and respond to the setting of this. There is very limited public access to this at present as it is mostly contained within the gardens of neighbouring properties. Development provides opportunities to enhance the setting of this and enable public enjoyment of this feature through improved access.

The Crown Estate supports the provision of an informal area of open space at Crown Meadows (as part of a development scheme at West Blandford). We are proposing access to the Crown Meadows, where no public access exists at present. This has been a long standing policy aspiration of the Council as set out in the Local Plan and more recently articulated in early versions of the emerging Draft Core Strategy policies for Blandford.

The Crown Estate is therefore willing to put this extensive area (around 17 hectares) of land forward for community use as part of a development scheme on the West Blandford site. The Crown Estate is fully supportive of this proposal and feels that it could deliver a number of recreational and ecological benefits.

West Blandford St Mary

The Crown Estate's landholding at West Blandford St Mary has significant potential to assist North Dorset District Council meeting its development needs. It also has potential to link into a more comprehensive development to the south of the town linking with the site on Dorchester Hill which is partly owned by The Crown Estate.

- **Sustainability and Access:** With close proximity to the town centre and nearby amenities, the site provides one of the most sustainable housing options which will encourage transport modes other than private car. The site is well integrated with existing communities and is also in close proximity to the shops and amenities in Blandford St Mary and is within walking distance of Blandford town centre.
- **Landscape and Amenity:** Although located within the AONB, the topography of the land ensures that the site occupies a discreet location within the local landscape. In addition a high quality landscaping scheme, possibly including some land to the west of the site within the ownership of The Crown Estate, would help to further assimilate the site into the local landscape.
- As with the West Blandford Forum site, an ecological survey, including desk study and phase 1 habitat survey, has been undertaken for the West Blandford St Mary site to identify biodiversity constraints and opportunities relating to potential housing at this site. This identifies no ecological constraints to development on this site. The potential mitigation strategy outlined for West Blandford Forum in respect of bat habitats would also cater the West Blandford St Mary site.
- The site is entirely in Flood Zone 1 (lowest probability of flooding).

Suggested amendments to Policy 16 to ensure soundness:

The West Blandford site was initially identified in the early stages of the Plan as being suitable for a development of 200 homes but was subsequently reduced to 150. Whilst The Crown Estate supports the allocation of this site it does not agree with the reduction from 200 to 150 homes. It is not clear that this reduction is based on an informed technical analysis and may not make the most efficient use of this important site.

The Crown Estate has undertaken, and shared with the Council, a substantial amount of technical work to support the allocation of this site. This has included landscape assessments, modelling and photomontages aimed at protecting important views from Blandford Bridge. Issues such as ecology, transport and flooding have also been looked at in detail. The results of these extensive assessments indicate no technical reasons why development on this site should be restricted to about 150 dwellings. However, based on these assessments, further analysis of site constraints, and applying appropriate densities it is considered that the site

could deliver around 175 new homes (at around 32dph). The allocation on this site should be increased to ensure that efficient use is made of this well located and highly sustainable site.

As noted in our response to Policy 6 the housing requirement for Blandford should be increased to about 1,160 dwellings. In addition in accordance with the emphasis of NPPF to ensure local plans are *positively prepared* (paragraph 182) and *significantly boost housing supply* (paragraph 47) we recommend that strategic sites in Blandford are allocated in the Local Plan Part 1 (see response to Policy 2).

In line with our response to Policy 2, this policy should make clear that the settlement boundary of Blandford should be amended now to include the proposed allocations identified in this policy (including land at West Blandford and West Blandford St Mary). Alternatively, it should be stated that the settlement boundary can be reviewed as a part of a master planning exercise which is undertaken as part of a planning application for a strategic site identified in Policy 16. All references to settlement boundaries in the policy and supporting text should be amended to reflect this.

Accordingly, Policy 16 should be amended to provide more certainty that sites can come forward for development. It is also considered that the number of dwellings to be allocated on Greenfield sites at west Blandford and west Blandford St Mary should be added to the policy text in order to provide a positive growth strategy (paragraph 8.23 states that these sites have capacity for about 500 dwellings). This would remove any ambiguity and would be consistent with guidance in paragraph 17 of NPPF which requires local plans to provide a practical framework in which decisions on planning applications can be made with a "*high degree of predictability and efficiency*" (emphasis added).

Finally, in order to be consistent with the wording of Policy 6 and provide continuity through the Plan, it is considered that references to housing targets should be amended from '~~about~~' to 'at least'.

Accordingly, we recommend the following amendments to Policy 16.

Suggested amendment to Policy 16

Meeting Housing Needs

~~About~~ At least 960 1,160 homes will be provided at Blandford Forum and Blandford St Mary during the period 2011 - 2026~~9~~. In addition to infilling and redevelopment within the settlement boundary, Blandford's housing needs will be met through the following allocated sites:

g mixed use regeneration of the Brewery site;

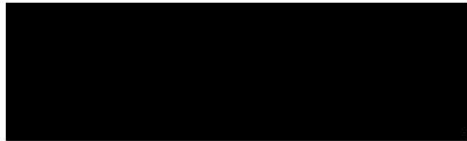
and around 500 homes on the following Greenfield sites;

h the development of land to the west of Blandford Forum; and

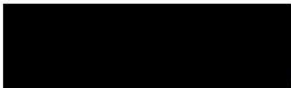
i the development of land to the west of Blandford St Mary.



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Reviewer: Neil Hall



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