

FONTMELL MAGNA NEIGHBOURHOOD PLAN 2017-2031

Submission Consultation (27 April to Friday 8 June 2018) – Summary of Representations

Rep #	Respondent	Summary
FON01A	Brimble Lea & Partners	<p>The assessment of potential sites for housing development against a range of sustainability criteria is considered to be flawed. The exclusion of sites 10.2 and 10.3 are based on a number of flawed assumptions and hence, inappropriate ranking of the sites against specific sustainability appraisal criteria. In particular, and as set out in another objection, it is entirely inappropriate to include a presumption against development within a Neighbourhood Plan Policy. This runs directly counter to the NPPF. Whilst the setting of the AONB and views of the village from it from the east are material planning considerations, neither are justification to oppose development to the east of the A350 per se. Rather, sites in this location should be carefully considered to ensure that they integrate with the village in terms of scale and design and are visually contained through the retention of existing planting and provision of additional landscaping. The Strategic Environmental Assessment also suggests that sites to the east of the A350 will be unacceptable, in principle, because, despite their close proximity to most of the facilities/services in the village, accessing these services on foot would require crossing the A350. Pre-application consultation has been undertaken with the competent Highway Authority (Dorset County Council) and it has raised no objection to either sites 10.2 or 10.3 being developed on highway safety grounds. In support of this objection please find attached a report and 3 drawings 1078 PL1, 1078PL2 and 1078PL3 prepared by Richard Payne, Chartered Landscape Architect which forms part of this objection. Unfortunately, the Neighbourhood Plan in its current form is flawed and potentially subject to judicial review because it is based on a flawed strategic environmental assessment (SEA). This process should be undertaken afresh with proper consideration given to the competent statutory consultees – AONB Partnership and Dorset County Council Highway Authority. Based on the responses from these parties to sites 10.2 and 10.3 it is considered that both sites should have been scored considerably higher (with fewer significant adverse impacts) and therefore taken forward for allocation. Additionally, the SEA process has failed to give proper consideration to the integration of new dwellings with existing development proposing large scale accretions on the edge of the village where smaller scale high quality development on the sites referred to above could be attractively and unobtrusively integrated with the existing pattern of development without the need for large scale sprawl on the edge of the village.</p>
FON01B	Brimble Lea & Partners	<p>The plan recognises that there are extensive views of the village (and the eastern side of it within the foreground) from higher ground within the AONB to the east of Fontmell Magna. The plan sets out a presumption that new built development within the area to the east of the A350 is unlikely to be acceptable on the basis that it is likely to have an unacceptable impact upon the setting of the AONB. It then sets out that applications would have to demonstrate exceptional</p>

		<p>circumstances to justify development within this location and also that proposals would have to enhance the setting of the AONB. Policy FM4 is fundamentally flawed by setting out a strong presumption against development that fails to conserve and enhance the natural beauty of the AONB. This runs directly counter to the presumption in favour of development as stated within the NPPF. Whilst the setting of the AONB is a relevant consideration, the land itself is not within the AONB itself and there is no reason why development of an appropriate design/scale utilising suitable landscaping should not integrate entirely acceptably within this area. Simply because new development might be visible from higher ground is not a reason to presume it will be unacceptable. Furthermore the comments received from the AONB Partnership confirm that whilst this area of the village is sensitive the sites considered (and in particular sites 10.2 and 10.3 which were rejected) could be made acceptable through the use of appropriate design and suitable landscaping. In support of this objection please find attached a report and 3 drawings 1078 PL1, 1078PL2 and 1078PL3 prepared by Richard Payne, Chartered Landscape Architect which forms part of this objection.</p> <p>Policy FM4 (the setting of the AONB) and the supporting text should be rewritten to emphasise the visual sensitivity of the area on the eastern side of the village but that development proposals within this area will need to be of a design and scale that is appropriate and integrates with the existing pattern of development. Development proposals in this area will also need to demonstrate that the setting of the AONB can be safeguarded through the retention of existing trees and hedges and the provision of additional landscaping.</p>
FON01C	Brimble Lea & Partners	<p>The SEA sustainability appraisal process is considered to be flawed. For reasons set out in other objections, assessing that sites 10.2 and 10.3 would have a significant adverse impact because of their position on the eastern side of the village and visibility from the AONB has been overstated and runs counter to comments made by the competent authority (AONB Partnership). With respect to site 10.2 (Middle Farm Dutch Barn) the assessment of significant adverse impact likely in relation to landscape is not supported by the comments from the AONB Partnership. Proximity to the AONB cannot be a reason for dismissing development potential. In relation to climatic factors the site has been assessed as adverse impact likely on the basis of possible seasonal ground water and surface water flooding – despite the flood risk undertaken by the competent authority not identifying any concerns in this regard. With respect to walking to community facilities, the Highway Authority has raised no objection. As a consequence, both factors have been assessed in an unduly critical fashion. Similarly, with regard to site 10.3 visibility from the AONB (which the AONB Partnership has not indicated should preclude development on this site) has been overstated. In relation to this site no specific safety concerns are identified in terms of material assets which runs counter to the assessment of site 10.2. There is a similar inconsistency between the assessment of 10.2 and 10.3 with respect to both cultural heritage and climatic factors. Again the ranking of each site is inconsistent but also unduly critical. With the SEA being fundamentally flawed, this document which underpins the whole plan needs to be undertaken afresh or the plan runs the risk of judicial review. In support of this objection please find attached a report and 3 drawings 1078 PL1, 1078PL2 and 1078PL3 prepared by Richard Payne, Chartered Landscape Architect which forms part of this objection.</p> <p>SEA to be undertaken again to properly take into account statutory consultee/competent expert responses and also to ensure consistency in assessment process. The Neighbourhood Plan runs the risk of judicial review if the SEA is not re-undertaken.</p>
FON01D	Brimble Lea & Partners	Appendix in support of comment FON01C with an extract from the NP and two photos of the Middle Farm site.

FON01E	Brimble Lea & Partners	Appendix in support of comment FON01C with three photos of the Middle Farm site.
FON01F	Brimble Lea & Partners	Appendix in support of comment FON01C with five photos of the Middle Farm site.
FON01G	Brimble Lea & Partners	<p>Richard Payne CMLI Chartered Landscape Architect report in support of comment FON01C: FONTMELL MAGNA NEIGHBOURHOOD PLAN Objection to Submission Draft (16th March 2018)</p> <p>1. Introduction i. I have been commissioned to study and comment upon the work undertaken in the preparation of the Submission for Examination in the above, with particular reference to the potential landscape and visual impact and to assess its appropriateness and competency to the two sites at Middle Farm.</p> <p>2. Background i. I am a qualified and Chartered Member of the Institute of Landscape Architects with over 45 year's experience. As a partner of Peter Swann & Associates, later its principal, and now practising under my own name, I have carried out numerous Landscape and Visual Impact Assessments, many of which have been in the North Dorset District.</p> <p>3. Landscape and Visual Impact Methodology i. Since their inception I have used the 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA) published jointly by the Institute of Environmental Management and the Landscape Institute. The current edition (3rd Edition) was published in 2013. The GLVIA emphasises: "the aspects that are essential to successful landscape and visual impact assessment:- proportionality to ensure relevant weight is given to the most important elements; transparency of professional judgement; to allow others to see how judgements have been reached and what reasoning has been applied by the assessor and communication and presentation, so that those reading the LVIA can understand it." ii. The GLVIA lists a range of factors that should be evaluated, i.e. sensitivity and magnitude of impact and its significance.</p> <p>4. The 'Middle Farm' sites included in the Fontmell Magna Neighbourhood i. There are two adjacent sites which are being promoted for possible development, both located east of the A350 (Lurmer Street) at the northern end of the village ii. Site 10.2 (Middle Farm Barn) identified in the Neighbourhood Plan comprises a small area of land directly to the north east and behind Middle Farm. The farmyard site is the subject of a current Planning Application which will include additional peripheral planting around the boundaries of the external area. Site 10.3 (Middle Farm Paddock), is an area of open land to the north west as far as the southern boundary with Willow Cottage and the roadside boundary to the west. The existing western boundary of the field, which it is proposed will be retained and supplemented with additional planting, is illustrated in the photographs on Drawing No. 1078/PL1 which accompanies this report. iii. Access to both sites will be via the existing track which leads north from the Collyer's Rise housing site. The Highways Authority, having been consulted pre-application, have raised no objections to either site on safety grounds. iv. Both sites lie within the Fontmell Magna Conservation Area and lie approximately 120m outside and to the west of the Cranborne Chase and West Wiltshire Downs AONB. (see plan and photographs on Drawing No. 1078/PL1).</p> <p>5. Site Investigation i. I have carried out projects in the Fontmell Magna area and have passed through the village on countless occasions. I have recently visited the site, the village and the surrounding area, in order to assess the possible impact of both sites. On my initial pass through the village southwards on the A350, and my return northwards, it was evident that due to the extensive roadside hedgerow, there were no public views from the road into the northern area, with the exception of a 'sought-after' view through a farm gate. ii. I have recently walked the footpaths on the high ground to the east including the public access areas, i.e. National Trust land and the Fontmell Downs Nature Reserve, in order to study</p>

and assess potential impact of development when viewed from within the AONB. As a result I have produced the following :- a. Drawing No. 1078/PL2. This includes photographs taken from two viewpoints on Fontmell Down, a distance of 1 ½ km (Viewpoint C) and 1km (Viewpoint D) to the north east. Also included on this drawing is a zoom lens view from Viewpoint D. Both sites are identified and they sit within a matrix of scattered dwellings on either side and beyond, set within a well-established vegetated framework. b. Drawing No. 1078/PL3. This includes photographs from three further public viewpoints. Viewpoints E and F (approximately 1½ km distant) are taken from the Fontmell Down Nature Reserve south of Fontmell Down and Viewpoints A and B. Viewpoint G, some 1km south east of the village is taken from a point on footpath No. N63/9. Zoom lens views are also illustrated from these points, both of which clearly demonstrate that the two sites are fully screened by the extensive hedgerow trees and vegetation on the eastern edge of the village.

6. The Submission for Examination Draft

i. I list below extracts from the Submission document what I consider to be relevant to my task to assess the competence of the comments and statements relevant to the Middle Farm sites. These are as follows :- a. Site 10.2 Middle Farm Dutch Barn (Pages 38 – 40) VISIBILITY AND VIEWS General prominence Footpath N63/9 crosses the field close to the eastern and visibility from edge of the site, from which nearby views would be main public views gained. Potentially highly visible in views from AONB, notably Fore Top, Melbury Beacon and Elbury Hill SUSTAINABILITY APPRAISAL Landscape Highly visible in views from some key vantage points Within the AONB as foreground to village. Sites east of the A350 are considered likely to be the most problematic from an AONB perspective. Hedgerows and mature trees would need to be respected in design and layout. b. Site 10.3 Middle Farm Paddock (Pages 40 – 41) EXISTING SITE FEATURES Landscape features/ Outside but close (approx. 120m) to AONB boundary Interest intermittent hedgerow boundaries with mature trees. Relatively small field size providing intimacy of character. Within a current gap within built up frontage along Main road, that links to Middle Farm and Church. VISIBILITY AND VIEWS Adjoining and in elevated position to A350 Lurmer St. General prominence Potentially visibility from footpath N63/9 which crosses And visibility from the adjoining field to the east. main public views Visible in views from AONB, notably Fore Top, Melbury Beacon and Elbury Hill. SUSTAINABILITY APPRAISAL Landscape Visible views from some key vantage points within AONB as foreground to village. Sites east of the A350 are considered likely to be the most problematic from an AONB perspective.

7. Other Relevant Observations i. I note that the Cranborne Chase and West Wiltshire Downs AONB Partnership, a professional body and statutory consultee, have commented on the Neighbourhood Plan. They state that while the area is sensitive, the sites considered could be made acceptable through the use of appropriate design and suitable landscaping. ii. I have studied the Responses made by Brimble Lea and Partners, particularly with reference to Policy FM4, which I consider, as do they, that this Policy runs counter to the aims of the National Planning Policy Framework (NPPF) policies which contains a presumption in favour of development.

8. Summary and Conclusion i. Having studied the documentation listed above (Paragraph 6), and visited Fontmell Magna and the surrounding area, I have, in my professional opinion, concluded the following :- a. I believe the case put forward in the consultation documents regarding potential visual impact is flawed. It will be seen from the submitted photographs, maps and from my site inspection, that the site is not highly visible but a seen as a small element in a much wider and expansive area of attractive down land, sitting well within the village landscape. b. The two sites lie outside the AONB and, from my studies of existing public views, mainly from public access locations on the high ground to the north east, I conclude that development will have no adverse impact of the AONB provided that design, siting and use of traditional built

		<p>form, coupled with a sensitive and sustainable landscape concept is contained within each planning submission to assess its potential. c. I therefore conclude that the two sites identified at Middle Farm can be assimilated into the fabric of Fontmell Magna with little or no impact on its character or visual containment and no harm to its setting. I would therefore concur with the Cranborne Chase and West Wiltshire Downs AONB response and suggest that Policy FM4 should be drafted to include scope for appropriate development on the eastern side of the village.</p>
FON02	Cranborne Chase AONB	<p>Dear Ed Neighbourhood Plan for Fontmell Magna General comments, recommendations, and advice The relevance of this nationally designated Area of Outstanding Natural Beauty to this consultation is set out in Annex A to this response. Annex B lists the organisations that make up the Cranborne Chase AONB Partnership Board. The Local Authority partners have formally adopted the Cranborne Chase and West Wiltshire Downs AONB Management Plan 2014 – 2019. It is accessible on our website at http://www.ccwwdaonb.org.uk/publications/aonb-management-plan/. The Management Plan is a material planning matter. This consultation response has been prepared under delegated authority.</p> <p>The Fontmell Magna Neighbourhood Plan Team has engaged with this AONB Partnership. The Neighbourhood Plan Team appear to have addressed competently the issues that arise in a rural Neighbourhood Plan. In particular they have taken considerable account of the natural environment, green space, and amenities of the village. The proximity of the AONB, with significant parts of the village being within the setting of the AONB, have been taken into account.</p> <p>The Plan appears to comply with the adopted AONB Management Plan, particularly giving attention to the setting of the AONB and the provision of affordable housing. The issue of steady and carefully managed development at a speed appropriate for the neighbourhood seems to have been approached in a clear and positive way. This AONB notes that a number of housing options were carefully considered and the decisions appear to be based on community benefits rather than simply adding, fairly rapidly, to the supply of housing.</p> <p>Having reviewed a number of other Neighbourhood Plans this AONB commends the Neighbourhood Plan Team on its work and suggests to you that the Fontmell Magna Neighbourhood Plan is a good example of a clear and effective document for a rural neighbourhood. I hope these comments are helpful to you,</p> <p>Annex A The Cranborne Chase and West Wiltshire Downs AONB has been established under the 1949 National Parks and Access to the Countryside Act to conserve and enhance the outstanding natural beauty of this area which straddles three County, one Unitary and five District councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage. It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation's heritage assets and environmental capital. This AONB's Management Plan is a statutory document that is approved by the Secretary of State and is adopted by the constituent councils. It sets out the Local Authorities' Objectives and Policies for this nationally important area. The national Planning Practice Guidance [Natural Environment paragraph 004] confirms that the AONB and its Management Plan are material considerations in planning.</p>

		<p>The National Planning Policy Framework states (paragraph 109) that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes which include AONBs. Furthermore it should be recognised that the ‘presumption in favour of sustainable development’ does not automatically apply within AONBs, as confirmed by paragraph 14 footnote 9, due to other policies relating to AONBs elsewhere within the Framework. It also states (paragraph 115) that great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in these areas.</p> <p>Section 85 of the Countryside and Rights of Way Act 2000 requires that holders of public office, councillors and the like have ‘a duty of regard’ to the purposes of AONB designation. National and local Government are thereby clearly directed to have regard for the purposes of AONB designation when carrying out their functions that affect land in or near an AONB. National and local Government, and their departments, therefore have to be able to demonstrate that they have considered the purposes of AONBs in their decision making on any proposed legislative, strategy, policy or implementation matters.</p> <p>Cranborne Chase is the 6th largest of the nation’s Areas of Outstanding Natural Beauty and some 95% of the land in this AONB is under agricultural or woodland management. The combination of farming and forestry activities has contributed to the landscape character of this valued part of the nation. It is, nevertheless, vital that the needs of a viable farming industry are balanced against the need for sensitive environmental management in landscapes of national importance.</p> <p>The Cranborne Chase Area of Outstanding Natural Beauty Partnership Board is made up of the following Partner Organisations Unitary, County, and District Council Membership (1 Member and 1 Officer Representative each) • Wiltshire Council • Dorset County Council • Hampshire County Council • Somerset County Council • East Dorset District Council • North Dorset District Council • New Forest District Council • Mendip District Council • South Somerset District Council Other Organisations • Natural England (2 Representatives) • Historic England (1 Representative) • Campaign to Protect Rural England (1 Representative) • Forestry Commission (1 Representative) • The Country Land and Business Association (1 Representative) • National Farmers Union (2 Representatives) • Community Representatives from the Wiltshire and Dorset Associations of Town & Parish Councils (ATPCs) (2 Representatives)</p>
FON03	Gillian Severn	<p>Objection, particularly site S of Fontmell on A350 West.</p> <ol style="list-style-type: none"> 1 This is the wrong place. A350 bad now- even worse on this part with an extra 40 – 60 vehicles added. 2 Thousands of pounds just spent on this road – to build the access roundabout will cost even more money. 3. This site is in a conservation area and next to AONB. TO build here makes a mockery of both. 4. Has a Wildlife Survey been carried out? Plovers on Red List use this field 5. The School and Medical Services are seriously stretched and bus service poor 6. If it were built it enables an unintegrated carbuncle on edge of village with yards of wildlife unfriendly wooden fencing and lighting 7. Gove said he would protect Greenfield Sites. 8 Where are all the people coming from who appear to need to live in Fontmell, without the infrastructure to cope. 9. This plan seems to have been “wished” onto Fontmell Magna by the DCC who get paid a subsidy for each house built. This is a very short sighted policy – The money will quickly be gone and the land lost to agriculture for ever. 10. The Plan seems to consider Fontmell Magna only, what about other locals and regular road users who have seen the

		situation grow Steadily worse.
FON04	Historic England	<p>In our response to the previous Regulation 14 consultation we drew attention to the likelihood of the housing site allocation proposals in the Plan causing significant harm to designated heritage assets and the need to ensure the existence of a robust and consistent heritage evidence base. We recognized the need to make provision for the housing needs of the community in what is a very environmentally constrained area and the limited options for this which exist. This highlighted the need for the justification for that housing to be amply made in terms of location, number and design, and ensuring that mitigation could reduce as much as possible any undesirable residual impacts. As detailed consideration of the evidence to demonstrate conformity with national and local policy would be involved we were, and remain, happy to defer to your authority and the Examiner.</p> <p>We note from the February 2018 Consultation Statement that your authority also expressed similar concerns over heritage impacts arising from the proposed allocations. Policy FM 19 has been modified in consequence and we would ask that your authority ensure that the proposed changes are acceptable.</p> <p>We also note from the Statement that the community disputes the harm to heritage assets which your authority identified as rising from Policy FM20. We would support your authority in its position on this allocation and clearly the evidence associated with this policy needs to be established unequivocally in order that the nature and scale of any impacts and the suitability of any eventual policy can be determined.</p> <p>Policy FM 21 relating to Exception Sites has now been deleted. However, The amended text on p60 still gives a strong steer as to the suitability of the sites for development, concluding in the final sentence to para 9.35 that “either site could be considered favourably for a scheme of up to 9 dwellings”. Our view is that this is providing an undue indication and even though not a policy still likely to give rise to a level of development expectation not borne out by the evidence . We would therefore suggest that this section conclude with a less assertive outcome, highlighting that a case will need to be made at the time any development is being contemplated.</p> <p>Finally, we would urge your authority to ensure that the SEA Report accurately reflects the impacts arising from the Plan. For example, the Sustainability Assessment table showing the Cumulative Impacts arising from the policies in the Plan shows that policies FM 19 & 20 will generate a neutral impact on Cultural Heritage. In view of all the above we find this conclusion difficult to sustain.</p>
FON05	Laura Scott Walby	<p>Any specific ‘objections’ contained within this comment are not made to Neighbourhood Plan as a whole but are suggestions on the basis that in part, the Neighbourhood Plan lacks clarity, is unenforceable and does not go far enough to achieve its objective to protect the parish from planning proposals which are potentially harmful to the parish and community in Fontmell Magna. The Draft NP should be amended to rectify these defects.</p> <p>These defects are evidenced by the fact that recent planning applications including but not limited to 2/2017/2014/OUT and 2/2017/1856/FUL prove that it is and will continue to be necessary for neighbours to object to proposals in a piecemeal fashion. These applications were brought forward in order to be predetermined before the NP is made but hey are also of sites that were assessed by and rejected as development sites by the NP and as such are a useful tool to measure the plan policies by. Unfortunately, without amendment, the Draft NP will not make the determination of planning applications any less susceptible to abuse by developers, clearer or achieve the desired outcomes of preventing harm to neighbouring properties and residents’ amenity. It does not provide clear grounds to refuse inappropriate and unsustainable development or direct the actions of planning applicants. This is an opportunity missed.</p>

		<p>It remains my perception throughout my involvement with the NPG that the consultant to the NPG seemed to me to be actively unilaterally moderating our aims to result in a plan that has no real teeth in a few key areas, and in others, despite our explicit request and clear requirement for improvement on the status quo, does not differ substantially or at all from the provisions in the Local Plan, and does not address residents' valid comments and suggestions, particularly with regard to drainage issues, ground-water flooding, local housing need and neighbouring amenity.</p> <p>Comment 1. Lack of a Parish Housing Need Survey and failure to submit Housing Needs Assessment as a submitted document with the Neighbourhood Plan. As the Housing Focus Group lead, I wanted to conduct a parish-wide Housing Needs Survey to get a real understanding of what our need was locally if we were going to assess or allocate sites for development and as a potential defense to developer proposals which were likely to be for bigger developments than (as both the parish survey and developer proposals later confirmed) residents were going to be happy with. This suggestion was considered to be too onerous and would require too much printing. We were dissuaded from conducting a HNS due to the extra paperwork and the perception that people would not answer it.</p> <p>With hindsight, I wonder whether that was because the East Dorset Housing Market Analysis conducted by GL Hearne was due to come out, and it would be seen to be the guiding document on housing numbers if there was no local HNS. However, we now know that villages are only supposed to supply land to meet local rather than strategic needs, but we are unable to quantify what those local needs are because we did not conduct the survey so we are powerless to defend ourselves against overdevelopment on the grounds of excessive units of housing. I still maintain the lack of a Housing Needs Survey is a real flaw in the Plan especially in the light of recent case law.</p> <p>The Housing Needs Assessment "HNA" made an assessment that the parish should provide 30-35 homes throughout the plan period but did not produce accurate base figures as to housing need throughout the parish. The HNA was not included in the submission documents but only as supporting evidence. (Similarly, if the Conservation Area Assessment is adopted, why also not the Housing Needs Assessment, Landscape Assessment, Ecology Assessment, and Heritage Assessment). I question whether the LA will give these assessments any real weight when decisions come to be made with regard to overdevelopment in units of housing for both major and minor developments. It seems to me that it would be a real advantage if possible to have this accepted by the LA as an authoritative basis for whether the parish is doing enough to meet its quota towards housing targets for the plan duration and so counter developers' arguments that the Local Plan is out of date because it does not provide an adequate five year housing land supply. Indeed, the lack of five year housing supply ought to be specifically addressed within the plan policies.</p> <p>Although I asked this question at the time I did not receive an adequate response and so I raise the question again – why does the NP not make specific provision to address the question of lack of five year housing supply leading to an overriding presumption in favour of sustainable development, and developers arguing by extension a presumption that any development, i.e. their development, is sustainable development unless proved otherwise. This effectively shifts the heavy burden onto the objectors rather than the developers to demonstrate that the development is unsustainable. Fontmell Magna has always been able to demonstrate a five year supply of housing land and continues to do so. Currently the LA Consultees seem very loathe to make any adverse comments on the record and the community feels that its voice is not being heard. The question is, will the NP make any difference if it is silent on this?</p> <p>In effect what is happening currently is that in a planning application most of the Consultees raise no objection and rely on Landscape or the AONB as a last line of defence – what then happens if the Government changes National Policy? It will</p>
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		<p>surely be necessary to make sure that the assessments relied upon in the NP are upheld by the LA.</p> <p>Objection/Comment 2 Drainage Policy It will be clear from viewing any of the current development proposals that drainage is a big concern to many residents. The LA seems take at face value developers' assertions that land is not in a flood risk area and takes no action to comment on neighbours' concerns. It seems a wasted opportunity, therefore, for the Draft NP to offer no improvements whatsoever to the current position. To propose that "consideration should be given" to drainage boreholes too easily allows the developer to say "I considered it and considered it wasn't necessary" This has indeed been the case in relation to 2/2017/2014/OUT at Mill Street. Flooding from surface and groundwater is given very little weight in the SEA and this continues to be a real omission.</p> <p>The SEA should explain more fully why sites were rejected as well as explaining why others were accepted. This would help the LA to understand and follow the decisions in future as the community does not want to have to make repetitively the same arguments to the LA in respect of any future similar applications on the same sites. Foul Water Most properties are not on mains drainage, and those that are served by Wessex Water, ultimately connect to the local sewage treatment plant at West View that is near capacity. There should be a clear policy that, if we are going to have major developments, that application can only be determined once there is an agreement in place for an upgrade for Wessex Water STP at West View and developers should pay a contribution towards upgrading of the to enable all residents (at some agreed cost) to connect to an upgraded plant.</p> <p>Surface Water All major developments should have, as at St Andrew's View, culverts or drainage ditches on the uphill side adjacent to farmland which are to be maintained in perpetuity by the adjacent landowners to divert water so as to prevent surface and some ground field water from passing on to adjacent residential properties.</p> <p>Nearly all Fontmell properties' surface water goes to attenuation ponds or soakaways. However in the LA no-one seems to want to learn the lessons from past development in Fontmell. At St Andrew's View, surface water goes to an attenuation pond. Some evaporates and it then goes on to a soakaway next to the brook. In summer this soakaway acts as it should but in winter, it acts as a sump, attracting groundwater from the field and it then overflows into the brook, for which we have a discharge license. This is why developments that have no means of ultimate discharge are liable to further increase surface water and groundwater flooding to neighbouring properties and the location of new development needs to be controlled.</p> <p>Ground Water It is apparent from attending nearly all the NP consultations that many properties are affected by seasonal ground-water issues. Despite having raised residents' concerns relating to groundwater to JW and the NPG Chair on numerous occasions at Housing Focus Group meetings, JW's SEA fails to even mention groundwater (p8). This is a real problem because when determining development applications groundwater is passed from pillar to post between the Local Authority "LA" as LLFA and the Environment Agency "EA" but neither actually bothers to give a public response to consultation when it comes to a planning application and all Wessex Water is interested in is preventing water from entering the sewage mains. Site specific policies in FM 19-22 are insufficient to deal with new sites that will be put forward in future.</p> <p>Because the heavy soil gets increasingly waterlogged throughout the wet season and also after significant rain events, many residents have reported to me at various consultation events that soakaways designed to accept surface water do not disperse water fast enough and are liable to overflow, leading to water lying on the surface or draining onto lower lying ground or roadways.</p>
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		<p>The response from Mr Cleaver of DCC as LLFA to possible policy wording to mitigate flood risk is totally inadequate to deal with the real situation in Fontmell Magna parish. Relying on developers to produce their own reports in due course, where or if they consider it necessary, and in all probability only after outline permission has been granted is the worst form of self-regulation possible. Consequently, the reference to monitoring planning grants of planning permission contrary to LLFA and EA advice (SEA draft plan assessment para 12.2) is just paying lip service to what should happen, rather than what does not, in Fontmell Magna, seem to merit a response. The generic description of the parish soils does not offer adequate detail to be relevant to individual sites and the summary of site conditions is an inaccurate representation of the relative risk posed to individual sites from flooding as recognised by people who live in the neighbouring properties. For example, the assessment of sites, which appears to have been lifted from the draft SEA fails to distinguish between sites that are very prone to flooding such as site 12 at the foot of the chalk escarpment, and sites 1 and 22 on the other side of the A350.</p> <p>LLFA and Mr Cleaver can get it right, however, as shown by this abbreviated extract from a recent nearby application: May 2017 Gary Cleaver PLN17-045 2/2017/0595/OUT Dear Planning Team, Re: DCC/LLFA Consultation – Surface Water Management. Proposal: Develop the land by the erection of 10 No. dwellings and form new vehicular access, (outline application to determine access only). Location: Land At E 382790 N 111000, Hine Town Lane, Shillingstone, Dorset. Thank you for consulting Dorset County Council's (DCC) Flood Risk Management (FRM) team, as relevant Lead Local Flood Authority (LLFA) in this matter. It is appropriate that we are consulted with specific regard to surface water drainage proposals for major development as defined within Article 2(1) of the Town & Country Planning, Development Management Procedure, England, Order 2015. Given that the proposal under consideration relates to the erection of 10 dwellings, we acknowledge that it qualifies as major development.</p> <p>The site (red line boundary) of the proposal is shown to fall entirely within Flood Zone 1 (low risk – fluvial flooding), as indicated by the Environment Agency's (EA) indicative flood modelling. However the site is thought to be at some theoretical risk of localised surface water flooding, in proximity to the south-eastern boundary, as shown by relevant mapping. This surface water flooding, thought to occur during severe rainfall events (1:100/1000yr) is shown to follow the line of an adjoining, and partially culverted channel, which has the status of an Ordinary Watercourse. The indicative mapping of surface water flood risk highlighted above suggests a (1:30yr) risk of flooding. In keeping with the requirements of the National Planning Policy Framework (NPPF), all major development proposals must take due consideration of prevailing flood risk, specifically surface water management, and should offer a viable drainage strategy that does not place either the proposed site at risk, or generate off site worsening. We acknowledge that the proposal under consideration is supported by a site specific Drainage Assessment document which outlines both the character & nature of the site, and offers a conceptual surface water drainage strategy. We do not accept the statement made within s3.2 of the assessment document, that the site is too small to present any risk / if surface water run-off is not effectively managed. However whilst we do accept the basic principles of the surface water strategy set out within the Drainage Assessment provided, and acknowledge that the current application is both Outline and specific, it is essential that the conceptual arrangement is deliverable and appropriate. To this end we have some concerns that the proposed drainage strategy specifies discharge rates and outfall sizes in advance of a detailed design, that any downstream constraints on the receiving system are not identified, and that the alignment of the open channel in proximity to the site is unclear. We would highlight that any works that obstruct flow within a channel / system with the status of Ordinary Watercourse, may require</p>
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prior Land Drainage Consent (LDC) from DCC, as LLFA. The requirement for LDC is independent of planning permission. Why does Shillingstone merit such an exacting and thorough approach to drainage issues and Fontmell Magna not?

Paragraph 5.6 This section still needs clarification. It is far too easy for a developer to sidestep this issue given the current draft NP wording which is unclear and unenforceable. A definition of an 'initial' assessment should be included. Is it just a paper exercise and is it just from the EA website into fluvial flood risk, which would be inadequate. What triggers the requirement for a borehole test and when does it have to be carried out in the planning application process i.e. to accompany an application in order for it to be valid? Who ultimately decides when it is needed? When does it have to be carried out in the year? Many developers try and carry out initial test at the very end of summer in order to avoid showing the true extent and magnitude of localised groundwater flooding and surface water run-off on site (for example 2/2017/2014/OUT).

The British Geological Association publishes groundwater maps relevant to the planning process at a modest fee and it is suggested these should accompany all new dwelling applications. Aquifer maps showing location and size of water-bearing aquifers were submitted by me to JW but these were dismissed without a full explanation as to why aquifer maps are not relevant in determining site selection.

Paragraph 5.3 The NP should include or applications should be accompanied by the soil classification map showing the site location and soil type. Site specific drainage schemes should include soil classification including particle size, working FW and SW layouts, attenuation volumes in relation to hard surfaces, provide for discharge rates and make provision for 1in100 rainfall events, and demonstrate that the ultimate receiving area of ground, culvert or body of water is capable of receiving these volumes throughout the year.

General Comments Paragraph 1.13. I do not understand why the NP policy aims to reduce the consultation period from a statutory three weeks to a two week bare minimum. Rather it should be extended for all major applications. No distinction in the draft NP is made between minor and major developments, for which a longer consultation period is normally afforded. More importantly, the issue of validating planning applications and determining applications within a reasonable period of time to prevent applications left open and undecided by the LA for long periods should be dealt with in the NP. Failure to determine is an increasingly common phenomenon that can lead to economic harm to those wishing to sell adjacent properties.

Paragraph 2.7 should be amended to include species and locations of bats identified in various recent planning applications but in particular 2/2017/1856. These should be addressed in the SEA and Ecology Assessment if it is considered appropriate to limit development locations on grounds of protected species habitats and biodiversity

Paragraph 2.15 and Policy 4: Nowhere is it made clear what actually constitutes enhancing and conserving the visually sensitive setting of the AONB. In the site assessment process it was discussed that one way of doing this was by maintaining a soft edge to the village in terms of much lower housing densities, ridge heights, a limit on the number of storeys, and longer gardens facing the countryside but this should be clarified. Perhaps refer to the AONB management plan. This is pertinent because the developer of 2/2017/1856 seems to be asserting that removal of the Dutch barn is conserving and enhancing the setting of the AONB to such an extent that the residential garage and open car parking which replace it will be an improvement. The application of the current draft NP Policy 4 does not help to determine situations such as this.

Policy FM8 A design and access statement and a landscape scheme should be provided with all applications. The NPG

		<p>should consider whether it is appropriate to allow any outline planning permissions for major developments in the setting of or in the AONB or open countryside. In such instances, all applications should provide a site layout plan detailing both landscaping and location of water disposal or treatment services and other infrastructure.</p> <p>Map 8. Objection comment: I have already commented to the NPG that the map 8 does not correctly delineate existing footpaths within the village. Why has this been ignored? Several permissive footpaths are shown as if they were public footpaths which is not the case. The map needs to be corrected to remove permissive, as opposed to public footpaths from the record unless permission to include them has been specifically obtained from the owners. I do not believe the NPG has the power to create and publicise 'public' rights of access to land which it does not own or control. The track alongside Fontmell House and leading past Springhead Gardens is not a public footpath. The path from the Church to the footbridge to St Andrew's View is owned by the owner of Moore's Farm and is a permissive path which is closed periodically. The entire footbridge and path leading north from this path is owned by St Andrew's View Management Company Limited, beneficially owned by the proprietors of St Andrew's View and is also a permissive path. Perhaps all the owners should be contacted directly as a matter of courtesy. Whilst residents of the parish are permitted to use these paths, it is perfectly possible to circulate these paths within the parish network without including them in a Local Plan. I am not certain that wider access can be publicised or 'granted' by the NPG or the LA to the general public who may then drive to these locations to commence a walk. Such use by the wider public will have legal, maintenance and insurance cost implications which the NPG has obviously not considered and the Parish Council will be unwilling to bear.</p> <p>Future Planning Applications I now understand that the LA (and presumably the NP) is free to set its own 'Local List' of required documents to accompany a planning application – this knowledge would have been extremely useful (if we had been informed at the time) so that we could have influenced decision-makers in this regard. The NP should have been able to insist that drainage reports should include borehole tests in the period from January to April to show what the dispersal rates are for sites, and that this information should be included in order for the application to be validated.</p> <p>What we have in the draft NP policy 11 at the moment is still not specific enough to be enforceable – Currently applications are submitted with substandard or no information and allowing the information to be updated in due course permits the application to stay alive and undecided for months possibly years, at the behest of developers and with the collusion of the planning department so that applications technically precede the making of the NP and do not have to comply with its provisions (2/2017/2014FUL).</p> <p>Meanwhile the potential threat of development is allowed to hang over the heads of neighbours who should rightly expect the LA to get on with their job and either grant or refuse the application pending re-submission. If this can be changed by the NP then the opportunity should be taken.</p>
FON06A	London & Wessex Limited	Cover response referring to letter attached - FON06B
FON06B	London & Wessex Limited	<p>A detailed letter was submitted by London & Wessex Limited, the full response is available on the North Dorset District Council website. Below is the summary and conclusions as submitted in the response:</p> <p>Conclusions As was the case at Regulation 14 consultation stage, we consider that the Neighbourhood Plan, in its current form, is fundamentally unsound and should not be pursued without significant review and amendment. There are endemic issues arising from the site assessment process which has not been conducted in a transparent manner and fundamental issues with the proposed figure for housing need. Alongside this many of the policies proposed are fundamentally flawed</p>

		<p>due to an incompatibility with both the policies of the North Dorset Local Plan Part 1 and the National Planning Policy Framework. Our client does not consider that the Neighbourhood Plan has been positively prepared in a transparent manner without personal or political bias; particularly in respect of assessment of sites for development and creation of policies which seek to preclude development on the eastern side of the village.</p> <p>Paragraph 182 of the NPPF sets out the approach to the examination of Local Plans, which is transferrable to considerations of a Neighbourhood Plan. The tests of soundness are clear, namely that a plan must be: • Positively prepared; • Justified; • Effective; and, • Consistent with the Local Development Plan and the Framework. Positively Prepared To be positively prepared, plans must be based on a strategy which seeks to appropriate local and not strategic level needs and be consistent with achieving sustainable development. It is appropriate for the settlement to take on a proportional share of housing for the District; such growth would not be strategic, but rather proportional to the established scale of the settlement and justified. The current assessed housing need figure is based on figures within an out of date policy at its core and is not an appropriate basis for determining need. The plan in its current form seeks to deliver housing in a manner which does not seek to derive sustainable development but instead conflicts with policies of the Local Development Plan and National Planning Policy Framework. The allocation of land solely to the west of the settlement will not deliver growth in a sustainable and balanced manner which is in the interests of the village. The reliance of Site 22 upon access across 3rd party land to render the site acceptable in terms of its localised impact upon the highway network is not reasonable or rational. The plan formerly sought to allocate two further sites – Sites 1 and 24 also on this side of the village, which were latterly removed due to unaddressed constraints which we had highlighted from the outset and unmitigated harm to highway congestion and safety along West Street. The Neighbourhood Plan has instead dismissed other deliverable sites without such constraint, which have not been assessed in an open and transparent manner by an independent panel. The manner in which the site assessment process has been undertaken is not symptomatic of positive plan preparation. Justified To be justified the plan should be the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence. The plan does not provide any planning rationale for why development to the east of the A350 should be excluded. The land does not fall within the AONB and thus should not be considered as if it were within the designation. This undermines the value of land which does fall within the designation and has been designated for such purposes. The plan continues to promote Sites 22 despite the concession that if this site were to be accessed from West Street there would be significant harm to the continued function of this road; which already has congestion issues. The plan tries to justify thee site on the basis that access can be provided across third party land from the A350 when, in actuality, the requirement to do so significantly impacts upon deliverability. In any event, such access will provide a through route and there is still likely to be significant unacceptable impacts upon West Street arising from the increased movements generated. Sites put forwards should be the most appropriate having had regard for all reasonable alternatives. The plan does not demonstrate that appropriate consideration has been given to other less constrained sites which do not need to rely on third party land to be acceptable. Site 12 does not have the same constraints. The working group has acknowledged openly at a Parish Council Meeting that the site could be brought forwards for development but that there was a wealth of available sites and thus this has not been selected. The reason primarily being that it is on the eastern side of the A350. It is quite clear that the sites which have been selected do not deliver sufficient development to meet an appropriate assessment of local needs and that Site 22 does not represent the most appropriate strategy when considering that an alternative access reliant on third parties is having to be devised to</p>
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		<p>mitigate any highways impacts upon West Street; contrary to a core policy of the Neighbourhood Plan. There is no evidence to indicate that Site 12 should not be taken as an appropriate and deliverable alternative. Effective In order to be effective as a Neighbourhood Plan it is essential that sites are deliverable within the proposed time period; where there is a reliance upon other land which may affect viability or deliverability there is sufficient doubt that alternative sites should be considered which are not constrained. Allocating land which is reliant on other land in third party ownership to come forwards will not pass the tests of deliverability and thus alternative sites should be considered. Site 22 cannot be delivered without a third-party access as otherwise it would have a harmful impact upon West Street and thus alternatives should be considered. The Neighbourhood Plan does not show that alternative sites have been considered and that deliverability has formed a primary focus in the sites which have been proposed for allocation. Consistent with the Local Development Plan and National Policy As has been highlighted, the plan's approach to the location of development and seeking to place a presumption against development on land to the east of the A350 is wholly unreasonable and has no shred of Planning Policy guidance to back it up. The plan seeks to impose Policies FM4, FM5, FM8, FM9, FM16, FM17 and FM18 which are inconsistent with both the North Dorset Local Plan and the National Planning Policy Framework. The plan is not therefore sound. Paragraph 184 of the NPPF states clearly that Neighbourhood Plans must be in general conformity with the strategic policies of the Local Plan. Neighbourhood Plans should reflect Local Plan policies and plan positively to support them; they should not plan for less development or undermine strategic policies. To impose a presumption against development as stated in Policy FM4 runs contrary to the underpinning essence of the National Planning Policy Framework and is fundamentally flawed. The plan should not be allowed to proceed to independent examination in its current format. It is in need of significant revision to be appropriate justified. Summary Given the current status of the Development Plan, and the Council's absence of an available and deliverable 5-year supply of housing sites, we consider that it would be appropriate for the Fontmell Magna Neighbourhood Plan to be put on moratorium until the plethora of applications around the District have been determined. There is no certainty at this time of North Dorset's precise housing requirements, having regard for the imminent change in National Policy with the adoption of a new methodology for calculating housing need – which will see needs for the District rise, and also given the issue with the delivery of strategic sites allocated in the North Dorset Local Plan Part 1. The Neighbourhood Plan will not provide any certainty in this regard and has been constructed in a manner which is preclusive of development as opposed to appropriately promoting it in a sustainable manner. The purpose of Neighbourhood Planning is first and foremost to stimulate the supply of housing through positive engagement at the local level to meet housing needs and provide for a level of development which will allow communities to thrive and flourish. It is not intended as a means to be preclusive and place unreasonable constraint on development. Imposing a moratorium on the Neighbourhood Plan at this time would allow for resolution of the District Council's housing supply position and enable positive planning for the village going forwards. The fact that two applications for development in Fontmell Magna are currently in the process of being determined by the Council further evidences that this is an appropriate approach to take; and indeed, has been the decision taken by the Okeford Fitzpaine Neighbourhood Plan, which is being dealt with in a positive and proactive manner.</p>
FON06C	London & Wessex Limited	Concept plan proposal for Land Adjacent to Mill Street, Fontmell Magna, with sketch proposals, indicative layout and design principles.
FON07	Natural England	Planning consultation: Fontmell Magna Neighbourhood Plan Thank you for your consultation on the above dated 26 April 2018 which was received by Natural England on the same date. Natural England is a non-departmental public body. Our

		<p>statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Town and Country Planning Act 1990 Town and country Planning (General Development Procedure Order) 1995, Article 10 The Conservation of Habitats and Species Regulations 2017, regulation 63 Wildlife and Countryside Act 1981, Section 28 (G) and (I) Natural England have no objection to the Fontmell Magna Neighbourhood Plan and wish to make the below specific comments. Natural England welcome the inclusion of a policy on local wildlife corridors and protected species and have the below recommendations for this policy and the site allocation policies;</p> <ul style="list-style-type: none"> • Amend text to show the updated name of “Biodiversity Mitigation and Enhancement Plan”. This better indicates the requirement of development to enhance the natural environment, in line with NPPF paragraphs 7, 109 and 118. • The Dorset Biodiversity Protocol is recommended for all sites over 0.1ha or where there is likely adverse impact to biodiversity and as such we suggest the policy contain wording to state that plots over 0.1ha will be required to complete a BMEP We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Emily Greaves on . For any new consultations, or to provide further information on this consultation please send your correspondences to
FON08	North Dorset District Council	<p>North Dorset District Council (NDDC) welcomes receipt of the submission version of the Fontmell Magna Neighbourhood Plan and the significant amount of work that has been undertaken by the local community in its production. The Council is aware of the various consultation events held within the local community to identify issues, gain consensus and draw conclusions and in this context seeks to provide constructive comments on the finalisation of the Plan. For ease of reference, comments are set out according to the sections of the submission version of the neighbourhood plan. Some comments may cover more than one topic or section and should be seen in this context. The comments made in this response should not be seen as exhaustive and the officers continue to encourage an on-going dialogue with the Neighbourhood Plan Group and the Qualifying Body.</p> <p>General Comments: The submission version of the Plan appropriately seeks to deal with issues of a local nature including the built and natural environment, green infrastructure, the local economy and proposed allocations to meet local housing needs.</p> <p>Section 2. Rural Character of the Parish Table 2, Local Green Spaces: The National Planning Policy Framework (NPPF) is clear that Local Green Space designation will not be appropriate for most green areas or open space. NDDC notes the justification provided for the selection of the 19 areas proposed as Local Green Spaces but considers that some of the areas may fall short of the tests set out at paragraph 77 of the NPPF. For example areas 6 & 11 are not considered to be sufficiently special or holding particular local significance. The School grounds are also afforded a high degree of protection for educational uses which may reasonably warrant appropriate development with the provision of further ancillary spaces.</p> <p>Policy FM1: The wording should more closely reflect that of the NPPF and address the spatial extent of the policy: "Local Green Spaces (listed in Table 2) have been identified as important to the local community. Inappropriate development will not be approved in these areas except in very special circumstances"</p> <p>Policy FM2: The wording should use the thresholds set out by Natural England and DCC Natural Environment, i.e. sites over 0.1ha or where there is likely adverse impact to biodiversity (which might include development on areas identified as Wildlife Corridors).</p> <p>Policy FM3: For clarity it is suggested that the wording should be amended to "... or negatively affect views of the parish and Blackmore Vale...". It is likely that the proposed allocation at site 20 and suggested onward vehicular access will fall partly within View 3 from Brandis Down.</p> <p>Policy FM4: The wording of this policy should more closely reflect that of Policy 4 of the North</p>

		<p>Dorset Local Plan Part 1 (LPP1) which is applicable to proposals within the setting of AONBs.</p> <p>3. The Built Character and Historic Environment Policy FM7: Direct reference could be made to the importance of the patchwork of green spaces within the built environment, especially if the examiner concludes that a number of the proposed Local Green Spaces should be deleted. Policy FM8: NDDC considers the proposed minimum distance (20m) is excessive and unjustified and combined with the proposed minimum rear garden depth would be inflexible. ‘Modern standards’ have not been defined. The space standards in paragraph 10.57 of the LPP1 provide an appropriate standard.</p> <p>5. Flood risk, drainage and sewage treatment Policy FM11: The wording should be changed to reflect the Government’s Planning Practice Guidance (PPG) thresholds, being sites which are greater than 1ha in flood zone 1, any development in flood zone 2 or flood zone 3 or areas identified to be at risk from surface water or groundwater flooding. Policy FM12: The requirement to demonstrate necessary upgrades to the treatment works are in place prior to the site’s occupation should be caveated with; “unless otherwise agreed by Wessex Water”</p> <p>6. Community Facilities Policy FM13: The importance of accessibility of any new facilities should be highlighted within the policy, perhaps reflecting the neighbourhood plan group’s general preference for development on the west side of the A350. 6.12: The reference to using 25% of the CIL chargeable amount should be removed as this is not considered to be appropriate in the context of CIL regulation 122. Policy FM13A: the wording should be amended to enable other reasonable requirements to be identified beyond those listed. NDDC currently require affordable housing units to contribute to all necessary obligations as such the proposed distinction should be removed.</p> <p>7. Employment Needs Policy FM14: NDDC has some concerns regarding the appropriateness of this policy and the information needed in order to demonstrate compliance. If to be included the information requirements should be specified within the policy. It is suggested that the wording of the policy is amended with the replacement of ‘incidental’ with ‘ancillary’. Furthermore, if the policy is retained within the plan the reference to ‘the business use’ (in the third bullet point) should be replaced with ‘the development’. Policy FM15: NDDC considers that this policy should be deleted. Whilst the rationale for the policy is understood it is considered that it is not justified given what is set out in national planning policy and guidance.</p> <p>9. Amount and location of new development Policy FM17: The current wording of Policies FM19 and FM20 allow for the development of up to 40 dwellings (up to 30 and 10 dwellings respectively). The wording of Policy FM 17 should be amended to reflect this. Furthermore, the justification and supporting assessments of this policy, including the Sustainability Assessment, should be considered as to any potential implications. Table 4 Site 20: This site is within the Conservation Area, not on the edge of it. Policy FM19: The development of 30 dwellings is considered likely to cause less than substantial harm to the conservation area, despite being found by the neighbourhood plan group to have a neutral impact in the supporting evidence (appendix 2). As highlighted in comments made by a member of the Council’s Conservation Team in respect of a current planning application (2/2018/0338/OUT) relating to this site, less than substantial harm does not mean no harm or acceptable harm. The current indicative plan shows a vehicular link to site 22 which may prejudice the sub-area for employment / community facilities and or reuse of the building on that site as currently located. The inclusion of a substantial landscaped edge on the south of the site, along with parking provision for the school, will also concentrate the density of the residential development. Table 5 Site 22: There is no reference here or on page 57 that the site is located within the Conservation Area. Policy FM20: The allocation of any housing types provides a precedent for residential development. It is considered that the policy currently fails to adequately restrict</p>
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FON09	Pennyfarthing Homes Ltd	<p>proposals to affordable or self-build housing as intended.</p> <p>Policy FM8 - Policy FM8 states that 'new greenfield development should not exceed the density of nearby properties'. This policy could restrict developments to a maximum density of 12dph although such a constraint would be contrary to the policies of the District Council's Local Plan Part 1 as well as the National Planning Policy Framework (NPPF). Policy 7 of the former states that the design and layout of any development should make effective use of the site and para 59 of the NPPF requires design policies to avoid unnecessary prescription. Reference is also made to para 173 of NPPF which states that the 'plan' should not be subject to a scale of obligations that would threaten the viability of development. It is the experience of Pennyfarthing Homes that a density of 12dph would often not be achievable in viability terms given the need to provide affordable homes and other infrastructure. With direct reference to Site 20 (see policy FM19), such an obligation would not comply with strategic policy. A question would also be raised with regard to the use of the term 'cul-de-sac'. If the term is used to describe a single access development such a constraint would be too prescriptive in a plan which seeks to control small scale development.</p> <p>Policy FM16 - Pennyfarthing Homes recognise the findings of the Housing Needs Assessment set out in the paragraphs 8.5 and 8.6 of the Neighbourhood Plan, and the aspiration for development to contribute towards boosting the stock of smaller homes within the village. At the same time however, it is important to ensure that development remains viable in order to be delivered. With specific reference to site 20 (see policy FM19), and the infrastructure requirements of that site's development, it is recommended that policy FM16 should require new market housing to be predominantly 1, 2 and 3 bed properties.</p> <p>Policy FM19- Paragraph 16 of the NPPF states that neighbourhood plans should support the strategic development needs, including housing development, set out in local plans. In this instance the Local Plan comprises inter alia, the Local Plan Part 1 2011-2031, adopted in January 2016 (LPP1). Within the Plan, in order to meet identified and local essential needs, Policy 6 allocates 825 dwellings (private and affordable) to Stalbridge and the 18 larger villages (of which Fontmell Magna is one) which are contained within the countryside. This figure is neither a target nor a maximum, it is up to individual communities to identify the level of local need. The submission Neighbourhood Plan has been informed by way of detailed and intensive surveys undertaken to assess the extent of local housing need, (ref. Housing Needs Assessment – Fontmell Magna March 2017) and it has been established that approx. 30-35 new dwellings would be required to be built within the village up to 2031. Bearing in mind that the LPP1 states that the figure of 825 should not be regarded as a target nor a maximum (para. 5.26), it is quite appropriate for the FMDNP to seek a range of house numbers. In the case of the Home Farm site, development is expected to deliver infrastructure including a school drop off and affordable housing whilst having due regard to heritage and environmental constraints. In order to ensure the viability of the site for development, and its delivery to meet those aspirations it is recommended that policy FM19 should not set an absolute limit on the number of new homes to be delivered on the site.</p> <p>Policy FM8 - It is suggested that the first sentence of the second paragraph of Policy FM8 should be amended to read that 'Open-market housing in new greenfield development should not exceed a density that is appropriate to ensure that the character of the area is preserved'.</p> <p>Policy FM16 – It is suggested that the second paragraph of policy FM16 should be modified to: 'New open market housing should predominantly be of 1, 2 and 3 bedroom properties, and be suitable for young working individuals and families (and capable of adaptation and extension so that residents can adapt their housing to suit their future needs without having to</p>
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		<p>relocate) or suitable for older residents wishing to downsize’.</p> <p>Policy FM19 – It is recommended that the second paragraph of policy FM19 should be modified to: ‘The total number of dwellings should be at least 30 units and will comprise a mix of open market and affordable housing in line with Local Plan policies, and a range of house types and sizes in accordance with Policy FM16 Housing Types’.</p>
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