



Responses: proposed further Main Modifications
to the Purbeck Local Plan

Consultation References: FMM27 – FMM30

Consultee: Ian Taylor

Event Name: Purbeck Local Plan Further Proposed Main Modifications

Consultee reference:

Consultation reference: FMM27

planningpolicyteamb

From: planningpolicyteamb
Sent: 24 January 2022 15:15
To: planningpolicyteamb
Subject: FW: Purbeck Local Plan Proposed Main Modifications Consultation
Attachments: 220124 Consultation Response Form.pdf

As discussed.

From: Ian Taylor [REDACTED]
Sent: 24 January 2022 14:18
To: planningpolicyteamb <planningpolicyteamb@dorsetcouncil.gov.uk>
Subject: Purbeck Local Plan Proposed Main Modifications Consultation

Please find attached my comments, contained within the required response form.

As per call. I have ticked the yes/no boxes and my responses show in the saved document. But if I attach the document to an email or print the boxes appear blank.

Regards, Ian Taylor



Response form for: Purbeck Local Plan Further Proposed Main Modifications consultation

This form is for making representations on the Further Proposed Main Modifications to the Purbeck Local Plan (2018-2034)

In response to comments received on the Purbeck Local Plan Proposed Main Modifications Consultation, which closed earlier this year, the council is consulting on limited Further Proposed Main Modifications around Policy V2 and I5, which are considered necessary to ensure that the plan is sound.

The Purbeck Local Plan Examination Interim Mitigation Strategy For Heathland Habitat Sites (2018/19 to 2023/24) [Interim Strategy] sets out Further Proposed Main Modifications around policy V2 and I5 and considers a range of projects that could provide heathland mitigation in the event that the strategic SANG at Morden is not delivered.

The key Further Proposed Main Modifications (referenced as **FMM6**, **FMM7**, **FMM76** and **FMM77**) are detailed in Appendix 5 of the Interim Strategy

These Further Proposed Main Modifications give rise to a series of minor consequential Further Proposed Main Modifications: **FMM3**, **FMM66** and **FMM82**, which are set out in Appendix 6 of the Interim Strategy.

The council has also published an updated Habitats Regulation Assessment (HRA), Sustainability Appraisal Addendum (SA), policies maps to take account of the Further Proposed Main Modifications. and a series of Memoranda of Understanding to support the Interim Strategy.

These documents can be found on-line at www.dorsetcouncil.gov.uk/plpmainmods.

The council is inviting comments on the key and consequential Further Proposed Main Modifications, Interim Strategy, the Memoranda of Understanding, policies map, the updated Habitats Regulation Assessment and Sustainability Appraisal Addendum only. This is not an opportunity to raise matters relating to other parts of the Plan that have already been considered by the Inspector during the examination. Weight will not be given to representations that repeat matters raised and discussed at hearing sessions or in earlier responses.

Once the consultation is closed, the council will prepare a summary of the issues raised in representations to the consultation and provide its response. The council's summary, and full copies of the representations, will then be sent to the Planning Inspector for her consideration. If the Inspector's final report indicates that the local plan is sound and legally compliant with all the Proposed Further Main and Main Modifications, the council will then take a decision about whether to adopt the local plan subject to all Further Main and Main Modifications.

PART A

	Your contact details	Agent's Details (if applicable)
Name		
Organisation / Group <small>(if applicable)</small>		
Address line 1	██████████	
Address line 2	██████████	
Town / City	██████████	
County	██████████	
Post Code	██████████	
E-mail address	██████████	

Group Representations

If your representation is on behalf of a group, ensure the lead representative completes the contact details box above. Also, please state here how many people supports the representation.

Please note:

- The consultation period starts on **6 December 2021** and will last for 7 weeks until 11.45pm on **24 January 2022**.
- Only representations made in this period will be referred to the Planning Inspector for consideration.
- Responses must be made using this form (sent in the post or attached to an e-mail).
- Respondents must complete Part A of this response form and separate Part B forms for each Further Proposed Main Modification that they might wish to comment on.
- All respondents must provide their name and address and/or email address.
- All forms must be signed and dated.
- Responses cannot be treated as confidential. By making a response you agree to your name and comments being made available for public viewing.
- Information on the council's privacy policy is available on our website at: <https://www.dorsetcouncil.gov.uk/your-council/about-your-council/data-protection/dorset-council-general-privacy-notice.aspx> .

- The council will not accept any responsibility for the contents of comments submitted. We reserve the right to remove any comments containing defamatory, abusive or malicious allegations.
- If you are part of a group that shares a common view, please include a list of the contact details of each person (including names, addresses, emails, telephone numbers and signatures) along with a completed form providing details of the named lead representative.
- Purbeck Local Plan Examination: Interim Mitigation Strategy For Heathland Habitat Sites (2018/19 to 2023/24), including Further Proposed Main Modifications to Policies V2: Green Belt and I5: Morden Park strategic suitable alternative natural green space (SANG) and holiday park, and their supporting text and Consequential Further Proposed Main Modifications, proposed Purbeck Local Plan (2018-2034), Memoranda of Understanding supporting the Interim Strategy and policies map as well as updated Habitats Regulations Assessment and Sustainability Assessment Addendum documents, are available to view on the Council's website at www.dorsetcouncil.gov.uk/plpmainmods. Paper copies of the Interim Mitigation Strategy including modifications and updated inset map for Morden are available to consult at libraries in Dorchester, Corfe Castle, Lytchett Matravers, Swanage, Upton, Wareham, Wool and Hamworthy. Paper copies of the Habitats Regulations Assessment, Sustainability Appraisal and Memoranda Of Understanding are available to loan from libraries on request. You must follow any procedures relating to COVID-19 in the libraries.
- If you have questions relating to the consultation, or the process for making a response, please contact the Planning Policy team on 01305 838517 or planningpolicy@dorsetcouncil.gov.uk.
- Response forms returned in the post should reference the **Purbeck Local Plan, Further Proposed Main Modifications Consultation, and be sent to Spatial Planning Team, County Hall, Colliton Park, Dorchester, DT1 1XJ**. Forms can be returned by email, referencing Purbeck Local Plan Further Proposed Main Modifications Consultation, to the email above.
- Please tick the box if you would like to be notified of the following:

Adoption of the Local Plan.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	
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2. Do you consider that the Further Proposed Main Modification is:

Legally compliant	Yes		No	
Sound	Yes		No	

To be considered legally compliant the Further Proposed Main Modifications must:

- comply with The Conservation of Habitats and Species Regulation 2017; and
- be appraised for their sustainability.

To be considered sound the local plan as a whole must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

Some or all of these considerations of soundness may be relevant to the Further Proposed Main Modification[s] that you are seeking to make a representation on.

3. Please give details of why you consider the Further Proposed Main Modification is / is not legally compliant or sound. (Please be as precise as possible).

Please continue on a separate sheet if necessary.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Further Proposed Main Modification legally compliant or sound. You will need to say why this change will make the Further Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

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Please continue on a separate sheet if necessary.

PART C

1. Comments on Interim Strategy, Memoranda of Understanding, updated policies map, SA or HRA.

Separate Part C forms must be completed for each appraisal or evidence document commented upon, making clear the section or paragraph you're referring to

Document:	
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Please continue on a separate sheet if necessary.

Please sign and date this form:	
Signature:	Date:

planningpolicyteamb

From: Ian Taylor [REDACTED]
Sent: 26 January 2022 15:00
To: planningpolicyteamb
Subject: Re: Purbeck Local Plan Proposed Main Modifications Consultation

Frances

I was just looking back through my response form before filing it away and I realise during my clumsy copying across from a Word document to the required response form, there was a paragraph I missed.

FMM6 Comment 1 - Green Belt boundary changes

Final paragraph of my response.

- FMMCD3 (HRA) 3.17 makes reference to the Government White paper "Planning for Homes in the Right Places". This is a supplement to "Fixing our broken housing market". Can I point out this white paper also re-affirms the Government's commitment to protecting the Green Belt, proposing to strengthen Green Belt protection further. The government wants more houses, built more quickly, but not at the expense of the Green Belt.

I know the deadline has passed but perhaps you could add this back in.

Regards, Ian Taylor

Consultee: Mr N Hill on behalf of Moreton Parish Council

Event Name: Purbeck Local Plan Further Proposed Main Modifications

Consultee reference: 1188470

Consultation reference: FMM28

planningpolicyteamb

From: Malcolm Nigel [REDACTED]
Sent: 24 January 2022 17:18
To: planningpolicyteamb
Subject: Purbeck Local Plan Further Proposed Main Modifications Consultation
Attachments: PLP - FMM Consultation - M N Hill - 24 Jan 22.pdf

Dear Sir,

Please find attached a pdf containing:

1. Covering letter.
2. Part A.
3. Part B - FMM 7.
4. Part B - FMM 76.
5. Part B - FMM 77.
6. Part C - FMMCD4e Dorset Council/Moreton Estate MoU.

Yours sincerely,

Nigel Hill

Mr M N Hill



24 January 2022

Dear Sir,

**Purbeck Local Plan (PLP)
Further Proposed Main Modifications Consultation
6 December 2021 to 24 January 2022**

1. Thank you for your letter outlining the Purbeck Local Plan (PLP) Further Proposed Main Modifications consultation.

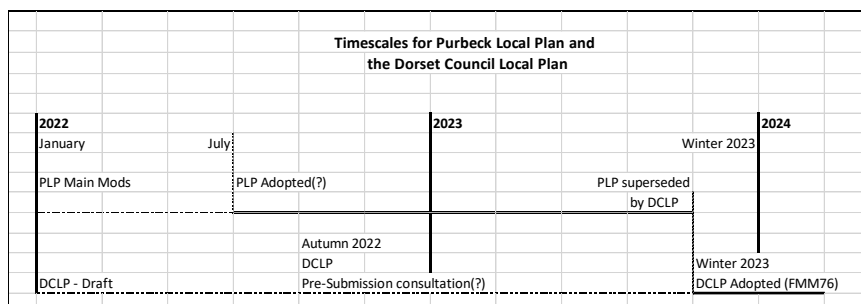
Main Modifications attached to this letter.

2. Attached to this letter are the following:

- PLP 2nd Main Mods – Part A- completed.
- PLP 2nd Main Mods – Part B – FMM 7
- PLP 2nd Main Mods – Part B – FMM 76
- PLP 2nd Main Mods – Part B – FMM 77
- PLP 2nd Main Mods – Part C – FMMCD4e – Moreton Estate – Dorset Council MoU.

Purbeck and Dorset Council Local Plans - Timescales

3. The diagram below shows the timescales for the Purbeck and Dorset Council Local Plans.
4. FMM 76 Amended Text states that: **The council expects to have adopted the Dorset Council Local Plan by winter 2023.**
5. I have explained the timescale for the adoption of the Purbeck Local Plan by about July 2022 in my response to FMM76 Part B.



6. The Purbeck Draft Local Plan started life in 2012. It has been in draft form for about 10 years, had a 3-week Public Examination in 2019, and the first set of Main Modifications were consulted upon over the Christmas period 2020-2021.
7. The second set of Main Modifications have been consulted upon over the Christmas period 2021-2022

8. The diagram shows that the Purbeck Local Plan is now only likely to be in existence for just over a year before being superseded by the adopted Dorset Council Local Plan.

The Dorset Council Local Plan versus the Purbeck Local Plan.

9. Several of the housing allocations in the Dorset Council Local Plan are significantly different from the Purbeck Local Plan.
10. The Purbeck Local Plan contains an emphasis on creating a strategic SANG at Morden Bog. The Dorset Council Draft Local Plan only mentions the words Morden Bog once and then only in the context of identifying the location of Wareham.
11. The housing number required in the Purbeck Local is out of date. The Dorset Council Draft Local Plan uses the latest ONS data, including that from the 2021 National Survey.
12. FMM77 Amended text states that ...**the council has identified deliverable heathland infrastructure projects which can mitigate the impacts of residential development up to 2023/2024 in an interim Mitigation Strategy.** Thus, the Purbeck Local Plan is not needed to mitigate the impact of residential development in the green belt.

The luxury of two Local Plans covering the same area

13. The Dorset Council Draft Local Plan includes coverage of exactly same area as the Purbeck Local Plan.
14. The Dorset Council Draft Local Plan, however, is more up to date than the Purbeck Local Plan.
15. Dorset Council is overspent and must make budget cuts to reduce its overspend and reduce wasteful interest payments.
16. Dorset Council's overspend shows that it cannot afford the luxury of continuing to pursue a legacy, draft, and out of date Local Plan with a projected life of about a year and only covering a minor part of its overall area, whilst it is also concentrating on the production of it's own Local Plan covering a much wider area and with a projected life up to 2038.
17. Put simply Dorset Council cannot afford to generate 2 local plans, when one, the Dorset Council Draft Local Plan has already overtaken the other, the Purbeck Draft Local Plan

Conclusion

18. Dorset Council should stop all work on the Purbeck Draft Local Plan and concentrate on the Dorset Council Draft Local Plan.
19. As such all work on the Further Main Modifications should stop and the Government Planning Inspectorate informed that work on the Purbeck Draft Local Plan has now stopped.

Yours sincerely,

Nigel Hill



Response form for: Purbeck Local Plan Further Proposed Main Modifications consultation

This form is for making representations on the Further Proposed Main Modifications to the Purbeck Local Plan (2018-2034)

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PART A

	Your contact details	Agent's Details (if applicable)
Name	Malcolm Hill	
Organisation / Group <small>(if applicable)</small>	Moreton Parish Council	
Address line 1	████████████████████	
Address line 2	██████████	
Town / City	██████████	
County	██████████	
Post Code	██████████	
E-mail address	████████████████████	

Group Representations

If your representation is on behalf of a group, ensure the lead representative completes the contact details box above. Also, please state here how many people supports the representation.

10

Please note:

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- Please tick the box if you would like to be notified of the following:

Adoption of the Local Plan.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	7
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2. Do you consider that the Further Proposed Main Modification is:

Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

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FMM 7 Amended Policy

1. The **Amended Policy** on page 101 is in a section entitled *Vision and Objectives, Policy V2*

The amended policy is far too vague.

2. There is no indication of how the size of a SANG is related to the number of new homes to be built in a location. There should be a formula or generic relationship between the size of a SANG in acres or hectares and the number of houses to be built.
3. The amended policy merely refers to **..appropriate land is identified and delivered for SANG.**
4. There is absolutely no mention of the requirement that a SANG should be within walking distance of the houses it is intended to serve.

...compensatory improvements...

5. FMM 76 and 77 refer to a Strategic SANG but there is no policy in FMM 7 which could be used to justify such a SANG. It literally is wishful thinking. The justification given in the preceding text on page 101 states that SANGs *...act as compensatory improvements for release of land from the Green Belt.* But a SANG is proposed for houses to be built on Moreton Pit which is not within the Green Belt.
6. The **Amended Policy** does not indicate why a SANG is required for the release of land in or not in the Green Belt.
7. The FMM7 **Amended Policy** provides no numerical relationship between the amount of land released from the Green Belt and the size in acres of the *compensatory improvement*. It is just left up to ...whom? The **Amended Policy** does not say.
8. The FMM7 **Amended Policy** or indeed any part of pages 101 and 102, does not explain what is defined by *...compensatory improvement*. The **Amended Policy** does not explain how compensation has been achieved or what has been improved.

Dorchester and Sherborne parks

9. The Victorians produced some wonderful parks such as those in Dorchester and Sherborne. Their areas are less than or equal to many proposed SANGs.
10. By comparison the **Amended Policy** merely restricts itself to **..suitable arrangement for the management of the SANG...**
11. There is nothing in the **Amended Policy** about the SANG providing an enjoyable location in which residents can relax, picnic, or recharge their equilibrium. FMM77 for example instead refers to **...fencing...visitor management and monitoring ...divert the public...and ...intercept users.** It mentions **Dog access** ... and a **...car park...**but does not mention people enjoying themselves.

Bureaucracy

12. The **Amended Policy** in FMM 7 is an extreme version of bureaucracy. It is a policy to satisfy other policies, such as the Green Belt policy. People and enjoyment are not mentioned and the size and location of a SANG is decided without prior discussion with the people in any community but instead between planners, landowners and a quango – Natural England.
13. The result is simply plots of land for dogs to walk on and in the case of the Moreton Station SANG in particular, to prevent dogs defecating on heathland.

Not legally compliant

14. The **Amended Policy** is not legally compliant because it does not appraise sustainability in terms of people.

Not Sound

15. The Amended Policy is not sound because:
 - a. It is not positively prepared – it does not provide a relationship between the area of a SANG the number of houses to be built.
 - b. It is not consistent with national policy because it does not take account of the sustainability of a SANG in terms of people using the SANG.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Further Proposed Main Modification legally compliant or sound. You will need to say why this change will make the Further Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

FMM7 Policy V2 should state:

1. To ensure that the **Amended Policy** is both Legally Compliant and Sound it should contain the following:
 - a. SANGs will be required for the building of 11 houses or more, and not just for houses built on former green belt land or in proximity to specially designated land such as heathland.
 - b. A numerical relationship must be stated between one house and the amount of SANG land which is required as a result of the building of that house. The amount of land required for 11 houses or more must be calculated on a pro-rata basis using the numerical relationship for one house.
 - c. The policy should clearly state that the objective of a SANG is to provide green land upon which people may relax and enjoy themselves. Almost all land is owned by someone or an organization, hence it cannot be assumed that just because houses are built in or near green fields that the house owners have access to the land beyond their new homes and associated roads.
 - d. All SANGs above that required for the building of 20 houses or more should be laid out as parkland encompassing grassed land, bushes, trees, and park benches such that the SANG will become an area of which the occupants of all houses, not just those whose houses have initiated the SANG, may be proud and enjoy.
 - e. The layout and composition of a SANG should be discussed with the occupants of the houses which have initiated the SANG and the local parish council.
 - f. To achieve the desired layout of a SANG following public consultation it is accepted that the SANG will not be completed prior to the building of the first house but will be completed by agreement between the new house owners and the local parish council. However, a SANG must be completed within 18 months of the start of the building of the first house.
 - g. SANGs should be built in as close a proximity to the initiating houses as possible such that people can walk to the SANG and do not need to drive. Walking distances should take account of mobility disabilities.
 - h. The landowner who is providing the land upon which houses are to be built is also responsible for providing land for the associated SANG. A SANG may require a group of landlords to combine to achieve the amount of land required for the proposed house building and creation of a SANG. It will be up to the landowners to arrange for the provision of the land required and not the Local Authority.
 - i. Natural England and other interested bodies may be consulted on the creation of a SANG but they will have no legal rights beyond the expression of their opinion. It is the opinion of the new residents and the local parish council which is to have primacy. The local parish council is to have the deciding vote on the layout of a SANG.

- j. All must be aware that the objective of a SANG is to create a parkland which all may enjoy and relax within. Dorchester and Sherborne parks are to be the yardsticks against which a SANG is to be judged.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	FMM76 Paragraph 256
---	------------------------

2. Do you consider that the Further Proposed Main Modification is:

Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

To be considered legally compliant the Further Proposed Main Modifications must:

- comply with The Conservation of Habitats and Species Regulation 2017; and
- be appraised for their sustainability.

To be considered sound the local plan as a whole must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

Some or all of these considerations of soundness may be relevant to the Further Proposed Main Modification[s] that you are seeking to make a representation on.

3. Please give details of why you consider the Further Proposed Main Modification is / is not legally compliant or sound. (Please be as precise as possible).

1. The **Amended text** includes the statement that:
2. **The council expects to have adopted the Dorset Council Local Plan by winter 2023. The Dorset Council Local Plan will supersede the Purbeck Local Plan and include an updated mitigation strategy for Dorset heathlands habit sites.**
3. The Dorset Council Draft Local Plan only refers to Morden Bog once (*Chapter 7 South East Functional Area* page 4, complete Dorset Council Local Plan, DCLP, page 268), and then only in the context of the location of Wareham.
4. The blunt fact is that the Further Proposed Main Modifications (FMMs) 76 and 77 are superfluous, work on them is nugatory and the cost of this work is high.
5. This not my personal view. Dorset Council have shown no interest in Morden Bog in the iterations of their Local Plan and have formally stated in the **Amended text** that their plan, the DCLP, is expected to be **...adopted... by winter 2023.**
6. If the Inspectorate approve the final version of the Purbeck Local Plan it is likely to only be in existence for about a year or even less. Before the relevant paperwork for the infrastructure for the SANG at Morden Bog has probably even been submitted for approval by Dorset council, the Purbeck Local Plan will have been formally overtaken by the Dorset Council Local Plan which already ignores the proposal for a strategic SANG at Morden.

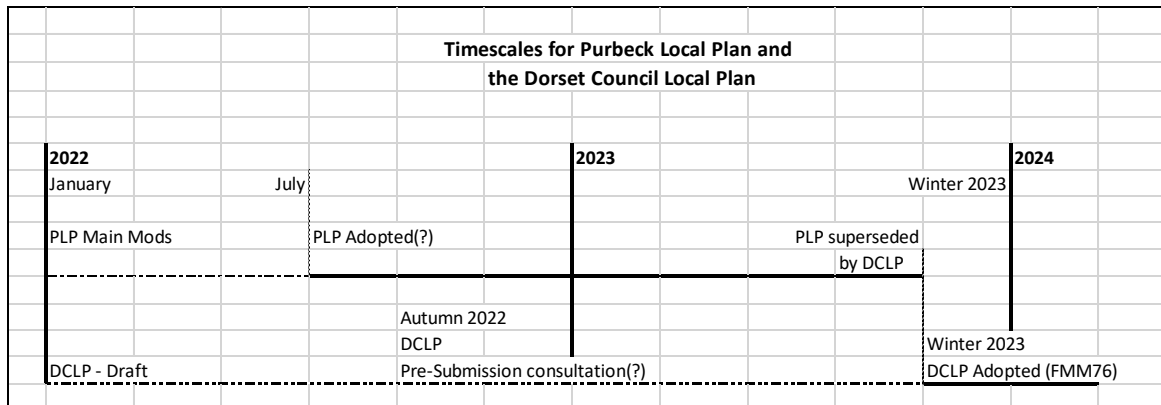
The MHCLG's paper Planning for the future

7. The MHCLG published a paper in August 2020 titled *Planning for the future* which could have been written with the Draft PLP in mind.
8. On page 12 it states that:
 - i. *Local Plan preparation takes an average of seven years (meaning many policies are effectively out of date as soon as they are adopted).*
9. The Draft PLP is now in its 10th year, the originating district authority was dissolved about 3 years ago, and the area covered by the Draft PLP is now covered by another Draft plan, the Dorset Council Local Plan which Dorset Council have stated in FMM 76 they expect to be adopted by **..winter 2023.**

Timescales for the production of the PLP and DCLP

10. Another perspective is to consider the time scale for FMM 76 and 77. In marked contrast to the Council's prediction about the adoption of the Dorset Council Local Plan by **...winter 2023** no timescale has been proposed for the adoption of the Purbeck Local Plan.
11. If it is assumed that this consultation takes approximately 2 months, Dorset Council are likely to then spend about a month and half considering the responses and writing to the Inspectorate, who will then consider Dorset Council's proposals and respond, and assuming their response is positive (which I strongly doubt – see *Planning for the future*) Dorset Council

would then have to vote to formally adopt the Purbeck Local Plan. This whole process could take about 6~7months.



12. Shortly after the council has voted on the PLP they will then be asked to vote on the Pre-Submission version of the DCLP.
13. Dorset Council have stated in the FMM 76 **Amended text** that they expect the DCLP to be adopted **by winter 2023.**
14. The PLP will last about a year before it is overtaken by the DCLP. This process will validate the statement quoted in the *Planning for the future* document.

The irrelevance of the Strategic SANG

15. The proposed FMM 76 **Amended text** states that

If the strategic SANG at Morden is not delivered the council has identified deliverable heathland infrastructure projects which can mitigate the impacts of residential development up to 2023/2024 in an Interim Mitigation Strategy.

16. The **Amended text** continues on page 104 and states that:

The Dorset Council Local Plan will supersede the Purbeck Local Plan and include an updated mitigation strategy for Dorset heathlands habitat sites.

17. Thus Dorset Council already has a mitigation strategy which does not rely on the Strategic SANG and the DCLP will include an updated mitigation strategy which also does not require the Strategic SANG.
18. FMM 76 shows that the Strategic SANG is simply not required.
19. Furthermore FMM 76 shows that the DCLP has already superseded the PLP.

The Dorset Council Local Plan (DCLP)

20. The **Amended text**, as quoted above, clearly shows that the DCLP will provide a mitigation strategy which will supersede that proposed in the PLP.
21. The timescale diagram above shows that if endorsed by the Government Inspectorate the PLP will barely last a year.
22. Furthermore, as the wording in the **Amended text** shows, the DCLP is the result of far more recent planning considerations and proposes different solutions.
23. As MHCLG's Planning for the future presciently states:

.....many policies are effectively out of date as soon as they are adopted
24. The **Amended Text** proves this point.
25. Work on the PLP should stop now.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Further Proposed Main Modification legally compliant or sound. You will need to say why this change will make the Further Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

1. Housing allocations in Purbeck in the Dorset Council Draft Local Plan vary significantly from those in the Purbeck Draft Local Plan, especially in Bere Regis and Wareham. The allocation and location of SANGs considered in Main Modifications 2 will need to be evaluated in the context of the draft Dorset Council Local Plan and not the Purbeck Draft Local Plan, which is now about 10 years old.
2. The appropriate place, therefore, to explain where SANGs should be located is in the Dorset Council Local Plan and not in the Purbeck Local Plan.
3. I have shown above that the DCLP has already pre-empted and overtaken the PLP. Further work on the PLP will be nugatory.
4. FMM76 has shown that the PLP has no future and should be stopped now.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	FMM77 Policy 15
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2. Do you consider that the Further Proposed Main Modification is:

Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

To be considered legally compliant the Further Proposed Main Modifications must:

- comply with The Conservation of Habitats and Species Regulation 2017; and
- be appraised for their sustainability.

To be considered sound the local plan as a whole must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

Some or all of these considerations of soundness may be relevant to the Further Proposed Main Modification[s] that you are seeking to make a representation on.

3. Please give details of why you consider the Further Proposed Main Modification is / is not legally compliant or sound. (Please be as precise as possible).

1. The amendments proposed by Dorset Council clearly show that a strategic SANG is not required.
2. FMM 76 has clearly shown that further work on the PLP is superfluous and nugatory and should stop now.
3. The proposed amendments in Policy I5 on page 105 confirm the above statements and are also supported by my comments on FMM7.
4. The features proposed in FMM 77 confirm that the strategic SANG is not required. It appears that the SANGs primary users will be dog owners (**Dog access...**, **...free running dogs**) who will have to drive to the SANG to exercise their dogs. This will increase global emissions and be bad for global warming.
5. Policy I5 refers to the provision of a **New car park**...but no mention of public transport links or even a bus stop. The Policy is therefore very discriminatory.
6. Whilst dogs are referred to in Policy I5 there is no mention of people or facilities which would enable people to enjoy their time at the SANG. Instead there is reference to **...fencing...**, **Visitor management and monitoring** **...diverting the public...**and **...intercepting users...**
7. It is difficult to see that people will wish to visit and enjoy a location which aims to manage, monitor, divert and intercept them.
8. The strategic SANG does appear to be a friendly or welcoming location.
9. Furthermore FMM 76 has shown that the strategic SANG is not required.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Further Proposed Main Modification legally compliant or sound. You will need to say why this change will make the Further Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

1. In FMM 76 I showed that the strategic SANG is not required.
2. In FMM 7 I showed that SANGs should be located within walking distance of the houses for which they are intended, and not in a remote location to which people would have to drive.
3. I can make suggestions for Policy I5 to be more welcoming for people as well as dogs, but the fact is that FMM 76 has shown that the Purbeck Local Plan has already been supersede by the Dorset Council Local Plan and that the Purbeck Local Plan should be dropped.

PART C

1. Comments on Interim Strategy, Memoranda of Understanding, updated policies map, SA or HRA.

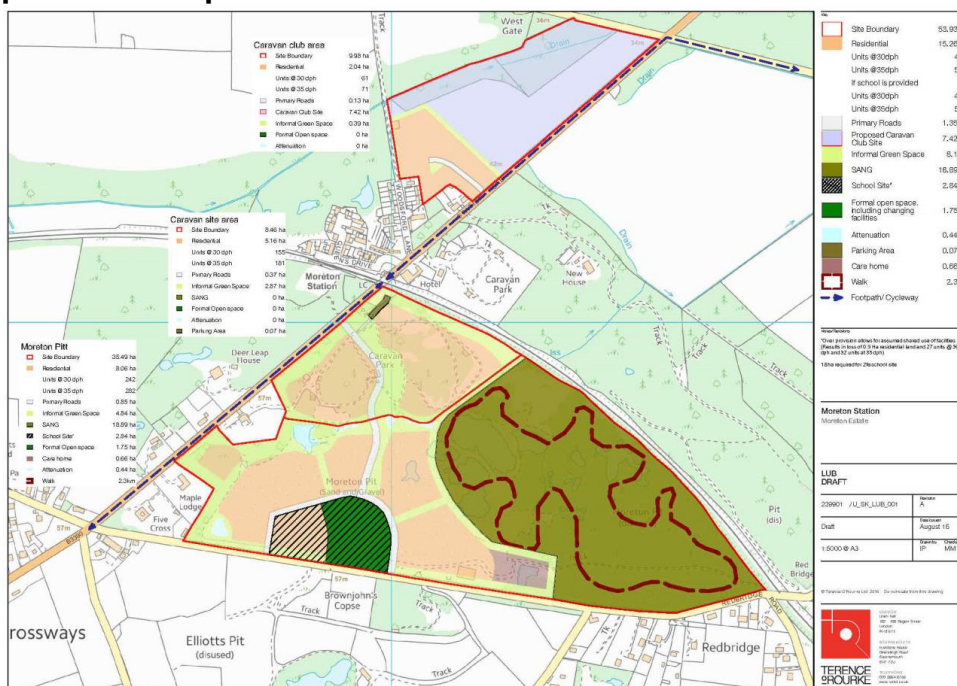
Separate Part C forms must be completed for each appraisal or evidence document commented upon, making clear the section or paragraph you're referring to.

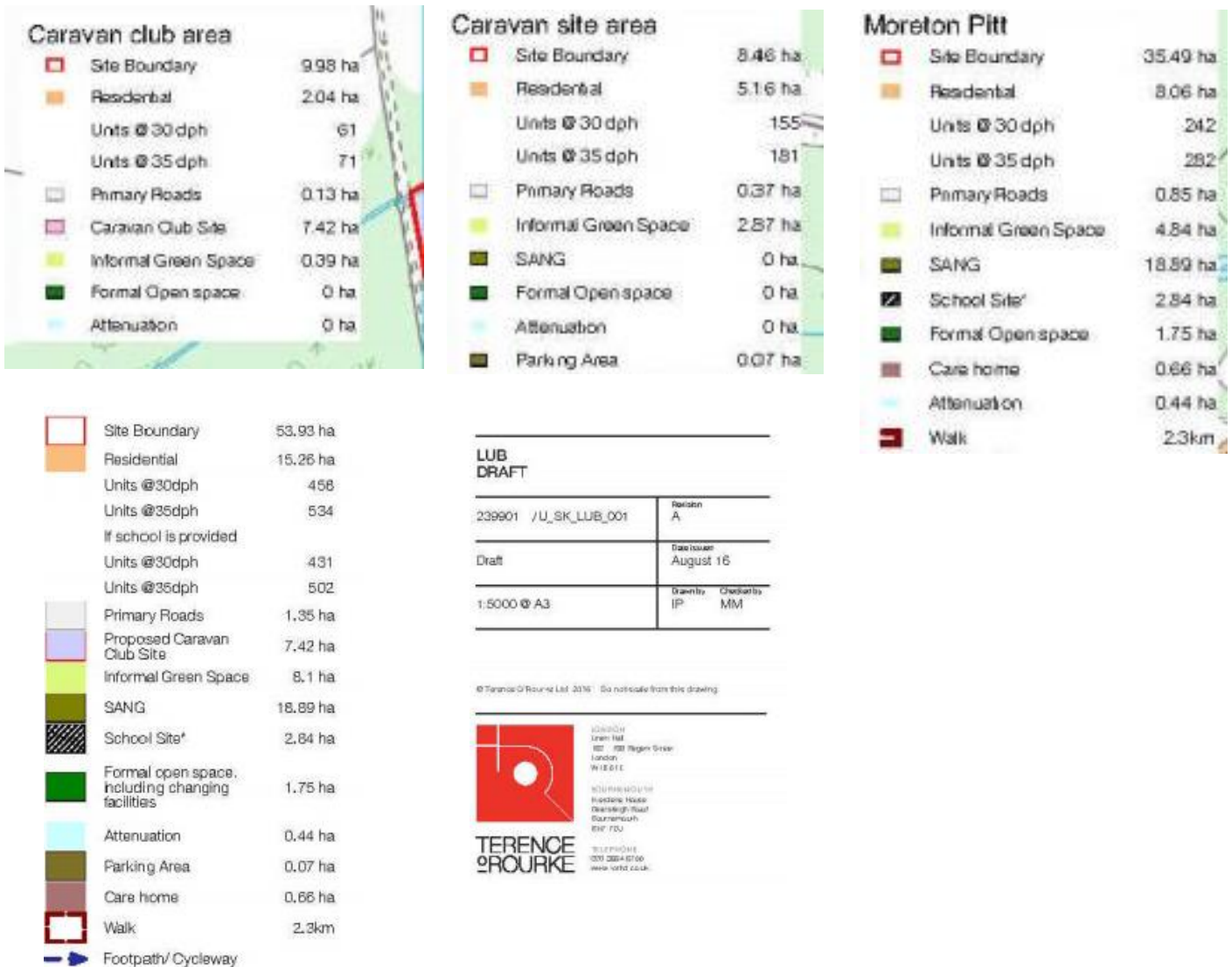
Document:	FMMCD4e Memorandum of understanding between Dorset Council and Moreton Estate November 2021
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Status of the Memorandum of Understanding

1. FMMCD4e is a document which the title indicates is up to date as of November 2021, about 2 months ago. Little if anything has changed in Moreton in the 2 months since the date of the document.
2. Since the MOU was between Dorset Council and the Moreton Estate it can be assumed that it is an accurate reflection of the understanding between the two parties.
3. Both parties are very competent in their fields and knowledgeable about that which they agreed upon in their MOU.
4. The Moreton Estate in particular would be very keen to ensure that the document accurately reflected their intentions.
5. FMMCD4e contains no caveats about the map in Appendix 2. The map has also been officially endorsed by Dorset Council.
6. Given all the above I was very surprised by the map in Appendix 2, shown below.

MoU Appendix 2 - Map





7. The blocks above have been copied from the map for ease of interpretation.

- a. The Caravan Club Area development parameters.
- b. The Caravan Site Area development parameters.
- c. Moreton Pit development parameters.
- d. The map key.
- e. The Terence O' Rourke logo and the dates on the map.

Questions generated by the map

8. After 10 years of deliberations the following questions arise from the map:

a. School site. A large area is shown for a possible school. If no school is built what happens to this site? More houses?

b. Shop site. An area is shown for a possible school, but no site is shown for the

possible shop also mentioned in the MOU?

- c. The Caravan Club area. The relocated caravan site now appears to occupy the whole of the field north of Moreton Station settlement according to its site boundary. Is this the case?
- d. A residential area is shown on the Caravan Club area. Are houses to be built in this area?
- e. The residential development in the Caravan Club area is shown as having a road. Is this road to be built?
- f. The Caravan Club area below the words West Gate is a darker shade of blue. What does the darker shade of blue denote?
- g. Care home. The Moreton Pit box refers to a *Care Home*. At the Public Examination about 18 months ago we were told that there are to be 65 individual care units and not a single *care home*. After 18 months why doesn't the map indicate whether it is to be a single care home or 65 individual care units?
- h. After 18 months there is still no indication whether any additional buildings are associated with the care home or 65 individual care units. Are there to be any additional buildings?
- i. Car Park. The map shows a very small brown area close to the railway level crossing in the Caravan site area. The area appears to be about the same size as the current station car park – about 8 cars. Is the small brown area the new car park promised by the Estate?
- j. Is access to the car park from Redbridge Road?
- k. Will electric car charging be available at the car park?
- l. Accuracy of the map. The map itself, with the exception of the proposed development on Moreton Pit, the Caravan site area and the Caravan Club area appears to be almost 20 years old. Elliotts Pit is shown undeveloped whereas it now contains a solar farm.
- m. The large white area opposite the Caravan club area is in fact already approved as Station Road quarry. The land is owned by the Moreton Estate.
- n. The land under the abbreviated word *rossways* has already been approved for 500 houses. The land under the *ys* of *rossways* is already approved for 2 hectares of industrial use.
- o. This is important because each of these areas will contribute very significant traffic flows, especially at the 5 ways road junction.
- p. The failure to identify the above development appears to indicate that Moreton Estate and Dorset Council are disinterested in this major development which will impact directly on the Moreton Station-Moreton Pit housing development.
- q. Attenuation. The Caravan site area block indicates zero land for attenuation. This in itself means that FMM4a is not legally compliant because there is no sustainability of sound attenuation with no bunding.

- r. Number of houses. The table below shows a calculation of the number of houses on the site depending on the whichever housing density shown in the area blocks is used.

Draft Purbeck Local Plan - Moreton Station - housing and care facility				
Draft PLP Pre-Submission and Public Examination				
Draft PLP Pre-Submission - Redbridge/Moreton Pit (not dated - early 2018)	= 490 houses			
Draft PLP Pre-Submission - Redbridge/Moreton Pit (not date - early 2018)	= 65 bed care home			
Draft PLP Public Examination (August 2019) - Care Facility changed	= 65 individual units			
FMMCD4e - Appendix 2 - O'Rourke Map - 6 December 2021				
Care facility - changed = one care home				
Housing				
	Caravan club (N of MS)	Caravan site (S of MS)	Moreton Pit (S of MS)	
Units at 30 dph	61	155	242	
Units at 35 dph	71	181	282	
Totals - north and south of Moreton Station (MS)				
	North Moreton St	South Moreton St		
Total at 30 dph	61	397		
Total at 35 dph	71	463		
Moreton Station - north + south Overall totals				
Total at 30 dph	458			
Total at 35 dph	534			
Maximum total units				
Pre-Submission and Public Examination				
	Care home units	Housing units	Total units	
Pre-Submission =	1	490	491	
Public Examination =	65	490	555	
FMMCD4e housing units with Pre-Submission, Public Examination and FMMCD4e number of Care units				
	Care home units	FMMCD4e Housing units		Total units
		@30dph	@35dph	@30dph
		@35dph		@35dph
Pre-Submission =	1	458	534	459
Public Examination =	65	458	534	523
FMMCD4e map =	1	458	534	459
				535
				M N Hill
				13 December 2021

- s. As the table shows the number of houses varies from 458 to 534 depending on what housing density is used.
- t. The table also shows the number of buildings if a care home or 65 individual units are built
- u. The map data as shown above, which has been approved by Dorset Council, is widely variable depending on which housing density is used and which care facility is chosen.
- v. At a dph of 30 dwellings per hectare the total number of houses would be about 458 houses. If houses are only built on the Caravan site area and Moreton Pit then the total number of houses would only be about 463 even at 35 dwellings per hectare.
- w. Both these numbers are less than the 490 houses assumed in the Draft Local Plan.
- x. Thus, FMMCD4e and by extension the Draft Purbeck Local Plan are not Sound

because the total housing number will be less than the area's objectively assessed needs.

Conclusion

9. After 10 years Dorset Council and the Moreton Estate have produced an MoU containing a map which means the Local Plan:
 - a. Is not Legally Compliant (failure to appraise the sustainability of no noise attenuation)
 - and
 - b. Is not Sound because it will provide significantly less housing than has been assumed to meet the area's objectively assessed needs

Signature: M. N. Hill

Date 24 January 2022

Consultee: Pro Vision on behalf of the Charborough Estate

Event Name: Purbeck Local Plan Further Proposed Main Modifications

Consultee reference: 1190180

Consultation reference: FMM29

planningpolicyteamb

From: James Iles [REDACTED]
Sent: 24 January 2022 17:17
To: planningpolicyteamb
Subject: Purbeck Local Plan Examination - Representation by Charborough Estate
Attachments: 2273 Charborough Estate Pro Forma 240122.pdf; 2273 PFMM Representations 240122 Final.pdf

Importance: High

Dear Spatial Planning,

Please find attached a representation on behalf of the Charborough Estate.

The following documents are attached:

- Completed pro forma with representor details
- Representation.

I would be grateful if you would confirm safe receipt of this message and its attachments.

Many thanks,
James



Response form for: Purbeck Local Plan Further Proposed Main Modifications consultation

This form is for making representations on the Further Proposed Main Modifications to the Purbeck Local Plan (2018-2034)

In response to comments received on the Purbeck Local Plan Proposed Main Modifications Consultation, which closed earlier this year, the council is consulting on limited Further Proposed Main Modifications around Policy V2 and I5, which are considered necessary to ensure that the plan is sound.

The Purbeck Local Plan Examination Interim Mitigation Strategy For Heathland Habitat Sites (2018/19 to 2023/24) [Interim Strategy] sets out Further Proposed Main Modifications around policy V2 and I5 and considers a range of projects that could provide heathland mitigation in the event that the strategic SANG at Morden is not delivered.

The key Further Proposed Main Modifications (referenced as **FMM6**, **FMM7**, **FMM76** and **FMM77**) are detailed in Appendix 5 of the Interim Strategy

These Further Proposed Main Modifications give rise to a series of minor consequential Further Proposed Main Modifications: **FMM3**, **FMM66** and **FMM82**, which are set out in Appendix 6 of the Interim Strategy.


The council has also published an updated Habitats Regulation Assessment (HRA), Sustainability Appraisal Addendum (SA), policies maps to take account of the Further Proposed Main Modifications. and a series of Memoranda of Understanding to support the Interim Strategy.

These documents can be found on-line at www.dorsetcouncil.gov.uk/plpmainmods.

The council is inviting comments on the key and consequential Further Proposed Main Modifications, Interim Strategy, the Memoranda of Understanding, policies map, the updated Habitats Regulation Assessment and Sustainability Appraisal Addendum only. This is not an opportunity to raise matters relating to other parts of the Plan that have already been considered by the Inspector during the examination. Weight will not be given to representations that repeat matters raised and discussed at hearing sessions or in earlier responses.

Once the consultation is closed, the council will prepare a summary of the issues raised in representations to the consultation and provide its response. The council's summary, and full copies of the representations, will then be sent to the Planning Inspector for her consideration. If the Inspector's final report indicates that the local plan is sound and legally compliant with all the Proposed Further Main and Main Modifications, the council will then take a decision about whether to adopt the local plan subject to all Further Main and Main Modifications.

PART A

	Your contact details	Agent's Details (if applicable)
Name		
Organisation / Group <small>(if applicable)</small>		
Address line 1		
Address line 2		
Town / City		
County		
Post Code		
E-mail address		

Group Representations

If your representation is on behalf of a group, ensure the lead representative completes the contact details box above. Also, please state here how many people supports the representation.

Please note:

- The consultation period starts on **6 December 2021** and will last for 7 weeks until 11.45pm on **24 January 2022**.
- Only representations made in this period will be referred to the Planning Inspector for consideration.
- Responses must be made using this form (sent in the post or attached to an e-mail).
- Respondents must complete Part A of this response form and separate Part B forms for each Further Proposed Main Modification that they might wish to comment on.
- All respondents must provide their name and address and/or email address.
- All forms must be signed and dated.
- Responses cannot be treated as confidential. By making a response you agree to your name and comments being made available for public viewing.
- Information on the council's privacy policy is available on our website at: <https://www.dorsetcouncil.gov.uk/your-council/about-your-council/data-protection/dorset-council-general-privacy-notice.aspx> .

- The council will not accept any responsibility for the contents of comments submitted. We reserve the right to remove any comments containing defamatory, abusive or malicious allegations.
- If you are part of a group that shares a common view, please include a list of the contact details of each person (including names, addresses, emails, telephone numbers and signatures) along with a completed form providing details of the named lead representative.
- Purbeck Local Plan Examination: Interim Mitigation Strategy For Heathland Habitat Sites (2018/19 to 2023/24), including Further Proposed Main Modifications to Policies V2: Green Belt and I5: Morden Park strategic suitable alternative natural green space (SANG) and holiday park, and their supporting text and Consequential Further Proposed Main Modifications, proposed Purbeck Local Plan (2018-2034), Memoranda of Understanding supporting the Interim Strategy and policies map as well as updated Habitats Regulations Assessment and Sustainability Assessment Addendum documents, are available to view on the Council's website at www.dorsetcouncil.gov.uk/plpmainmods. Paper copies of the Interim Mitigation Strategy including modifications and updated inset map for Morden are available to consult at libraries in Dorchester, Corfe Castle, Lytchett Matravers, Swanage, Upton, Wareham, Wool and Hamworthy. Paper copies of the Habitats Regulations Assessment, Sustainability Appraisal and Memoranda Of Understanding are available to loan from libraries on request. You must follow any procedures relating to COVID-19 in the libraries.
- If you have questions relating to the consultation, or the process for making a response, please contact the Planning Policy team on 01305 838517 or planningpolicy@dorsetcouncil.gov.uk.
- Response forms returned in the post should reference the **Purbeck Local Plan, Further Proposed Main Modifications Consultation, and be sent to Spatial Planning Team, County Hall, Colliton Park, Dorchester, DT1 1XJ**. Forms can be returned by email, referencing Purbeck Local Plan Further Proposed Main Modifications Consultation, to the email above.
- Please tick the box if you would like to be notified of the following:

Adoption of the Local Plan.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	
---	--

2. Do you consider that the Further Proposed Main Modification is:

Legally compliant	Yes		No	
Sound	Yes		No	

To be considered legally compliant the Further Proposed Main Modifications must:

- comply with The Conservation of Habitats and Species Regulation 2017; and
- be appraised for their sustainability.

To be considered sound the local plan as a whole must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

Some or all of these considerations of soundness may be relevant to the Further Proposed Main Modification[s] that you are seeking to make a representation on.

3. Please give details of why you consider the Further Proposed Main Modification is / is not legally compliant or sound. (Please be as precise as possible).

Please continue on a separate sheet if necessary.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Further Proposed Main Modification legally compliant or sound. You will need to say why this change will make the Further Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

Please continue on a separate sheet if necessary.

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Separate Part B forms must be completed for each separate proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	
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Legally compliant	Yes		No	
Sound	Yes		No	

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Please continue on a separate sheet if necessary.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	
---	--

2. Do you consider that the Further Proposed Main Modification is:

Legally compliant	Yes		No	
Sound	Yes		No	

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- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

Some, or all, of these considerations of soundness may be relevant to the Further Proposed Main Modification[s] that you are seeking to make a representation on.

3. Please give details of why you consider the Further Proposed Main Modification is / is not legally compliant or sound. (Please be as precise as possible).

Please continue on a separate sheet if necessary.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Further Proposed Main Modification legally compliant or sound. You will need to say why this change will make the Further Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

Please continue on a separate sheet if necessary.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	
---	--

2. Do you consider that the proposed Main Modification is:

Legally compliant	Yes		No	
Sound	Yes		No	

To be considered legally compliant the Further Proposed Main Modifications must:

- comply with The Conservation of Habitats and Species Regulation 2017; and
- be appraised for their sustainability.

To be considered sound the local plan as a whole must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

Some or all of these considerations of soundness may be relevant to the Further Proposed Main Modification[s] that you are seeking to make a representation on.

3. Please give details of why you consider the Further Proposed Main Modification is / is not legally compliant or sound. (Please be as precise as possible).

Please continue on a separate sheet if necessary.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Further Proposed Main Modification legally compliant or sound. You will need to say why this change will make the Further Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

Please continue on a separate sheet if necessary.

PART C

1. Comments on Interim Strategy, Memoranda of Understanding, updated policies map, SA or HRA.

Separate Part C forms must be completed for each appraisal or evidence document commented upon, making clear the section or paragraph you're referring to

Document:	
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Please continue on a separate sheet if necessary.

Please sign and date this form:	
Signature:	Date:

PURBECK LOCAL PLAN

FURTHER PROPOSED MAIN MODIFICATIONS, DECEMBER 2021

Prepared by Pro Vision on behalf of Charborough Estate

24 January 2022

FURTHER PROPOSED MAIN MODIFICATIONS, DECEMBER 2021

PURBECK LOCAL PLAN

PROJECT NO. 2273

PREPARED BY:

RICHARD HARWOOD QC

39 ESSEX CHAMBERS

AND

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CONSULTANT

AND

JAMES ILES MRTPI

DIRECTOR

DATE:

24 JANUARY 2022

PRO VISION

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APPENDICES

Appendix A – Correspondence with Dorset Council, James Cleary to Mr Garrity (22 July 2021).....

Appendix B – SANG Sites Plan, Pro Vision, January 2022

1.0 Introduction

- 1.1 These representations relate to the Further Proposed Main Modifications which were published by Dorset Council in December 2021. In short, none of the proposed Main Modifications can or should be made.
- 1.2 These representations have been prepared by James Cleary and James Iles at Pro-vision on the planning side and Richard Harwood QC on legal matters.
- 1.3 The Estate also appends for information its correspondence with the Council in the summer of 2021 when the question of modifications was raised (Appendix A). Some of that material will be picked up in the representations below.

The fairness and transparency of the process

- 1.4 We have at the outset to register the Estate's deep concern at the handling of these further proposed modifications by the Council and the Examination. The Inspectors' letter of 24th November 2021 refers to their consideration of 'draft information prepared by the Council to support further Main Modifications'. They go on to say that the Council's new interim approach to habitat site mitigation 'would appear to be a pragmatic one' and 'we are satisfied, at this stage, that with FMMs the Purbeck Local Plan is likely to be capable of being found legally compliant and sound'.

- 1.5 The Inspectors go on to say that:

"However, any representations made as a result of the consultation on the FMMs will be considered in coming to our final conclusions on the Plan. The advice and the comments in this note are without prejudice to those final conclusions."

- 1.6 The draft information submitted by the Council was not published at the time and has not been published in that form since. The Estate and the public at large do not know what that information was. The Council's 'latest news' webpage omits it from the 'Correspondence between the council and the inspector following main modifications consultation' despite including the Inspectors' 24th November reply ¹

¹ <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news>.

- 1.7 The Inspector’s letter of 10th June 2021 had envisaged a ‘timescale for the submission of further evidence’ relating to the Council’s apparent concerns about the plan, but did not indicate that the evidence might be submitted in secret.
- 1.8 Even more importantly the Estate and the public were given no notice that material was being put in front of the Inspectors nor any opportunity to comment. The views expressed in the Inspectors’ letter of 24th November were made without receiving any representations from the Estate or others.
- 1.9 The Planning Inspectorate’s Procedure Guide for Local Plan Examinations emphasises at para 2.4:
- “The examination website is the principal means by which all the documents for the examination are made available to participants and the public. An easily-accessible and well-structured website, on which documents are published promptly, is essential for the smooth running and transparency of the examination.”*
- 1.10 The need for the examination process to be conducted fairly (see Introduction) is re-iterated numerous times. For example, Inspectors should only exercise their discretion to accept additional documents, including from the local planning authority, if ‘it would not be unfair to other participants’ (para 3.18). Any later requested material might require an opportunity for comment (para 5.18).
- 1.11 The Estate recognises that the Inspectors’ letter says its advice and comments are ‘without prejudice’ to final conclusions following consultation on the further proposed main modifications. However preliminary conclusions have been reached following a one-sided, private and unfair process. That ought not to have happened. The problem for the Examination is to reach untainted conclusions on the representations which will be made and to be able to persuade the public, other participants and if need be, the Court that has been done.
- 1.12 The Council are certainly expressing the view that the issue is resolved by the 24th November 2021 letter. Their latest news says of the new consultation²

²<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck-local-plan/purbeck-local-plan-latest-news>

“After taking account of the circumstances, the Inspectors have agreed that we have responded to these issues pragmatically.”

- 1.13 The public are being asked to make – or in effect discouraged from making – representations on further modifications which the Council and the Inspectors agree with.
- 1.14 It is commonplace for main modifications consulted on after Inspectors have suggested in interim conclusions, that they should be made. However those interim conclusions will follow a hearing or consideration of representations from all sides. That is not the case here. Instead, as discussed below, these main modifications contradict the interim conclusions reached earlier in the examination by the Inspector having considered representations from all parties.

The approach to be taken to the Further Proposed Main Modifications

- 1.15 The approach which has to be taken to any main modification following the submission of the Local Plan is (Planning and Compulsory Purchase Act 2004, s 20(7), (7B), (7C)):
- (i) Is the plan as it stands sound and legally compliant?
 - (ii) If it is then the main modification may not be made;
- 1.16 If the plan is not sound and legally compliant then does the proposed main modification (on its own or with other main modifications) make it sound and compliant and is it appropriate to make that change?
- 1.17 The Estate will structure its representations under these headings.
- 1.18 The Council’s response form for these Further Proposed Main Modifications asks the wrong questions. It fails to ask whether the Plan as previously proposed was sound and compliant. Having omitted that matter, it does not address whether the further proposed main modifications would cure that unsoundness or lack of compliance. Whether the modifications are themselves sound and legally compliant is only part of that second question. Unsound or non-compliant modifications cannot cure an issue with the plan. However, if a proposed main modification is sound and legally compliant it does not follow that it can be made. It can only be recommended if it is part of the cure for an unsound or non-compliant plan. The Council is not able to suggest Main Modifications because it changes its mind, even if those Main

Modifications would themselves be sound and legally compliant. The consultation process is therefore defective.

2.0 Representations on the Further Proposed Main Modifications

- 2.1 The Further Proposed Main Modifications in Appendix 5 of the Interim Mitigation Strategy are essentially to a single point: omitting the Morden Park holiday proposal; keeping in the Morden Park SANG even though it is very unlikely to be deliverable without the holiday park as the enabling development; identifying some short-term but uncertain alternatives; and hoping that the Dorset Local Plan will rescue the Five Year Housing Land Supply and the remainder of the Plan period.
- 2.2 The Further Proposed Main Modifications cannot be supported because:
- (i) The present proposed Local Plan is sound;
 - (ii) The Proposed Further Main Modifications would fail to cure any unsoundness; they are unsound and are not legally compliant.

The Soundness of the present Local Plan Proposals

The Holiday Park scheme

- 2.3 The proposal for a holiday park at Morden Park has been worked on for a considerable time. The Purbeck Local Plan (Part 1) Inspector was sympathetic to it, saying in 2012 (report, paragraph 100):
- “With regard to Morden Park it is the ambition of the landowner that the area is opened up to the public as a Country Park with some tourist accommodation. On the face of it this seems to be a suitable use for such a site ...”*
- 2.4 It was deferred to consideration in a more detailed plan. During that process the local authority began to link the acceptability of the holiday site to the promotion of a SANG on adjacent land. Notwithstanding the independent merits of the holiday site, the Estate was willing to provide a SANG in association with the holiday site.
- 2.5 The holiday park proposal has benefits which are independent of the SANG. These include new holiday accommodation in a suitable location away from the Jurassic coast, providing wider access to what is presently private land and enabling a wide range of environmental improvements and management measures to occur. These improvements and measures were identified and sought by Natural England. Additional benefits of this diversification of the rural estate, which is in line with longstanding government policy, include economic development

and employment creation (please also refer to the Memorandum of Understanding with the Estate)³.

The Holiday Park SANG proposal

- 2.6 The proposal for the very low density holiday park to be sited on land removed from the Green Belt at Morden Park to then enable a SANG to be provided, was included in the pre-submission draft of the new Purbeck Local Plan. The SANG land is mainly arable farmland and would be given up at significant cost to the Estate. This cost would need to be balanced by revenue from the holiday park and contributions via the Council from developers.
- 2.7 The proposal was set out in the Submission draft policies V2 and I5. A policy I5 area was drawn and then within that the SANG and holiday park.
- 2.8 It was recognised that “The Council's green belt review concludes that the provision of a strategic SANG would provide the exceptional circumstances required to amend the green belt boundary for the adjacent siting of a holiday park”⁴. The target of policy I5 was to “Provide a strategic SANG to assist in mitigating smaller housing development in the District.”
- 2.9 The Morden holiday park and SANG proposals were in the Plan pre-Submission, taken out by Submission Stage Modifications, put back in post-Submission / pre-hearing.

The Examination

- 2.10 The Morden Park holiday park/SANG was considered in detail in the written representations on the submission plan and in the examination hearings. They were supported by the Memorandum of Understanding between the Council, the Estate and Natural England as well as further responses by those parties. This includes the Council’s paper SD93: Strategy for mitigating the effects of new housing on European sites and justification for changes to green belt boundaries at Morden prepared following the first round of hearings. The Council, the Estate and Natural England were present at the relevant hearing sessions and were able to address any matters which the Inspector had.
- 2.11 The Morden SANG was said by Natural England to be necessary in this location (between housing in, and visitors from, the northern part of the District and Wareham Forest to the

³ Memorandum of understanding between: Dorset Council, Charborough Estate, and Natural England (June 2019).

⁴ Purbeck Local Plan Pre-submission draft (2018-2034) (paragraph 256)

south) to divert existing and new visitors away from the European sites in Wareham Forest, particularly Morden Bog – areas that were in ‘unfavourable’ conservation status. In hearing sessions NE indicated that this mitigation measure was needed 10 years ago and could not be held off any longer. The need for the strategic SANG in the northern part of the District was identified in the HRA for Purbeck Local Plan Part 1, but that has not been delivered. This need and the assessment on which it is based are considered by NE to be “robust” (para33, SD 93).

2.12 Dr Langley made detailed written representations on the HRA, Green Belt and the Morden Park proposals in particular. He spoke at the examination hearing sessions on the HRA, Green Belt, the Morden Park scheme, implementation and delivery and monitoring. When a further session on Habitats Regulations was held in October 2019, three of the four non-Council participants were Dr Langley, Natural England and the Charborough Estate.

2.13 Following the hearings, the Inspector produced her detailed note on key considerations in March 2020. She was ‘reasonably satisfied at this stage that with Main Modifications the Plan is likely to be capable of being found legally compliant and sound, but as with all such interim reports by Local Plan Inspectors she said the comments were without prejudice to her final conclusions in the Inspector’s Report. A reader would though have reasonably expected that this would be her final conclusion unless persuaded on fresh evidence to change her mind.

2.14 The Inspector addressed Morden Park in detail at paragraphs 29 to 34. She referred to the Green Belt study SD56 on the need for the SANG. She also recorded Natural England’s advice that a strategic SANG was needed and ‘that, of the other possible alternative locations for a strategic SANG in the north of Purbeck that were considered, it considers that the strategic SANG being proposed in the Plan is the most suitable’⁵.

2.15 As the Inspector pointed out⁶:

“The MoU indicates that an appropriately designed SANG is achievable on the site, that a holiday park is capable of financing the SANG and that the provision of a strategic SANG provides exceptional circumstances to justify the changes to the GB boundary to enable the development of a holiday park.”

2.16 She concluded:

⁵ Independent Examination of the Purbeck Local Plan (2018-2034) Post Hearings Note, 18 March 2020.

⁶ Paragraph 33

“I have now given this matter some further consideration and, on the basis of the evidence, I am minded to accept the position advanced by the Council and supported by Natural England in relation to the proposed alteration to the Green Belt at Morden Park⁷.”

- 2.17 The Inspector recommended further changes for clarification of the Morden Park policies.
- 2.18 She also considered that there were ‘some gaps in the HRA narrative that need to be filled in, in order to explain the conclusion of no adverse effects on any European site’⁸. These could be addressed along with any HRA revisions arising from the further Main Modifications.
- 2.19 The Morden Park changes were contained in the subsequent Main Modifications which were accompanied by revised HRA material.

The representations on those further Main Modifications

- 2.20 Dr Langley’s representation on the further Main Modifications is, in fairness, not about the modifications at all. It is a challenge to the decisions in the submitted Local Plan to have the holiday park/SANG scheme at Morden Park. In reality this is a re-run of the issues considered by the Inspector at the Examination hearings, and rejected by her. Paragraphs 21 and 22 of the Annexure to the Objection (page 22) make this clear.
- 2.21 Dr Langley raises neither new points of law nor new evidence. Instead the submissions are simply requests to reach different judgments on matters which have been already considered.
- 2.22 Much of the concerns are based on an unrealistic reading and application of the proposed policies. The Plan proposes the larger I5 area, within which are shown the SANG and the land to be removed from the Green Belt. The latter is, and has to be, where the holiday park would be sited, since that would not be appropriate development in the Green Belt (as defined by the NPPF, para 149, 150). Dr Langley’s submissions on the HRA rely on the holiday site use taking place on the I5 land which is retained in the Green Belt which would not happen, whether taking the policies as a whole, or applying them sensibly.
- 2.23 The 2018 Habitats Regulations Assessment considered the SANG and holiday park, considering the only likely significant effect to be recreational pressure. That was then addressed in paragraphs 6.6 and 6.7 of the HRA. The narrative is set out further in the 2020 revisions to the HRA. Dr Langley’s representations at Annexure paragraphs 45 and 46 set out

⁷ Paragraph 34

⁸ Paragraph 6

the measures that can be expected. He provides no reasons why those judgments should not continue to be accepted. Similarly, when Dr Langley refers to the ‘functional land’ which is the extent to which land near a European site might contribute to the site, he does not explain why the holiday site/SANG land might do so. The Council’s consultants and Natural England have previously made judgments as to what the likely significant effects of the plan may be on European sites and Dr Langley provides no evidence to challenge those judgments. We note that the Council does not accept Dr Langley’s submissions on the HRA (Interim Management Strategy, para 26).

- 2.24 Since the SANG land is mainly arable and the holiday site is mainly dense woodland neither have the character of the European site. The changes required by the SANG can only enhance any contribution which it makes to supporting the European site, and the holiday park site will retain its essential character.
- 2.25 The holiday park proposal is for an extremely low density development which maintains the character of the site and provides a great deal of on-site space for walking and recreation.
- 2.26 The air quality and other points are more general, but again involve an absence of any evidence.
- 2.27 The Green Belt criticisms (para 103 onwards) are again a re-run of well-travelled topics. The need for a SANG in this part of Purbeck and the desirability of this location has been explained to and accepted by the Inspector. Dr Langley’s complaint that a justification has not been put forward is wrong, and he provides no evidence as to why the Inspector should change her mind.
- 2.28 Lastly, it is understood that Dr Langley’s representations are on behalf of the CPRE. The reference to “approximately 40,000 members” on his proforma said to support his representations is open to be misrepresented. There is no evidence that the full national membership of CPRE is aware of the Purbeck Local Plan proposals or holds views on them.

The Council’s request for the Inspector to change position

- 2.29 As set out above, the Holiday Park proposal / Green Belt release and Morden SANG were subject of examination and endorsed by the Inspector in her post hearing note (March 2020). The Council are now saying that having considered the latest representations from Dr Langley they consider they got it wrong and now need to make further changes to make the Plan

sound. That view could only be accepted by the Inspector if her interim conclusion that the Plan was sound, was also wrong.

2.30 It cannot be said that any new material has been received which gives rise to the need for Proposed Further Main Modifications as: a) Dr Langley's representations (being the only reps with a causal connection with the Proposed Further Main Modifications) raise nothing new and nothing that was not previously considered openly and in detail at the examination sessions and b) relevant National policy and guidance, in particular policy and guidance relating to Green Belts, has not changed in the intervening period.

2.31 There is no legally defensible basis for the change of position which the Council are now urging on the Inspector.

The Council's present rationale

2.32 The Council's sole basis for reversing its support for the holiday site policy is Green Belt. The point on effectiveness (IMS, para 27-28) is a drafting point about the scope of the policy rather than going to its principle. It is in any event a bad point, for the reasons in paragraph 2.22 above.

2.33 The Council's reasons on Green Belt are to say that the proposals 'were not justified or consistent with national planning policy' (IMS, para 19). This part of national policy has not changed since the earlier examination sessions. The Council does not contend that these policies are not positively prepared, justified or effective. The Council also says correctly, that it is right to take into account 'delivery of a strategic SANG, net gains in biodiversity or positive environmental land management at the proposed holiday park' (IMS, para 20). It also says that the site specific exceptional circumstances included 'the site will deliver a strategic SANG; and the effects of the holiday park can be partially offset through compensatory improvements' (IMS, para 20).

2.34 The Council's concession is based on a variety of points about alternatives (IMS, para 17, 18). Since 2018 the NPPF has said 'the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development' (now NPPF (2021), para 141). The policy sets out particular factors on the use of brownfield sites, density and neighbouring authorities which do not bear on the present issues.

2.35 The Council's change of position is based on the following matters (IMS, para 17,18), none of which are good:

- (i) Failure to demonstrate that the opportunity to deliver heathland infrastructure projects (including strategic SANG) in locations outside the Green Belt where they would serve a similar function or on sites within the Green Belt without the need for changes to Green Belt boundaries.

SD93 explained in detail why other locations for SANGs were not suitable (para 31 to 40). Natural England also concluded the SANG north of Purbeck as robustly assessed and was needed; and that it was not aware of any other suitable strategic SANGs (SD93, para 40). Those conclusions were tested at the examination and nothing has changed since. The absence of alternative holiday park sites was also addressed by SD83.

- (ii) Failure to explain funding or examine planning obligations/CIL for the Morden SANG or other projects; SD93 took account of the use of CIL contributions 'to help fund strategic SANGs' (para 62) in reaching its conclusions which supported the holiday park proposal. It is implicit in the Council accepting the holiday use as enabling the SANG that SANGs could not be generated solely by planning obligations/CIL received from off-site developments – they needed to be onsite schemes or funded by some other development. The IMS does not claim that the Morden Park SANG could be funded solely by planning obligations or CIL. The IMS does not contain any figures for either the planning obligation/CIL resources which would be available or for the costs of their various proposals.

Prior to Submission Stage the Council required a detailed viability from the estate for both the holiday park and the SANG. This was provided and accepted by the Council without any request for further information or clarification. The viability was prepared after discussions with and input from LA officers and NE. It showed that the strategic SANG would be substantially funded / enabled by the holiday park but both were deliverable. Following receipt of this information the Council went ahead with post submission stage changes to delete the Main Modifications that would otherwise have removed the holiday park, green belt release and SANG proposals from the plan. The detailed viability had clearly been accepted. It was open to the

Council, subject to prior agreement with others, to use information from it to explain the Morden Park SANG funding, if that had been necessary.

- (iii) Failure to consider use of compulsory purchase powers;

The Council is not proposing the use of compulsory purchase powers to provide SANGs in the Proposed Further Main Modifications. No authorities have attempted to use compulsory purchase orders for those purposes.

- (iv) Failure to consider whether the land release from the Green Belt was proportionate;

The Council's Green Belt Review concluded that the provision of a strategic SANG would provide the 'exceptional circumstances' required to amend the green belt boundary for the adjacent siting of a holiday park at Morden. This finding was endorsed by the Inspector in her post-hearing note⁹. The scale of the release was assessed in the context of the clear nature of the holiday park scheme. This was discussed between the Council and the Estate and has been a constant topic in representations. The Council do not suggest that any lesser proposal would secure the SANG and they do not appear to have even considered this. They are also not proposing main modifications to reduce the Green Belt release: the justification for the modifications are said to be the unacceptability of the holiday park in principle rather than the size of the area within which it may be accommodated.

2.36 The Council are conceding points which the participants would obviously have had in mind. It then does not find that any of them would have changed the policy decisions.

2.37 The issue raised by the Council is the adequacy of its consideration of other reasonable options. An option which is poorer or less likely to be achieved is not a reasonable option.

2.38 The Council's Further Proposed Main Modifications reinforce the adequacy of the original exercise and the correctness of the Inspector's preliminary conclusion that the proposal is sound. As explained further below, the modifications replace a certain, well researched, long standing and viable scheme at Morden Park with a basket of options that make up a short term, two-year alternative which is riddled with uncertainty. That supports the conclusion

⁹ Independent Examination of the Purbeck Local Plan (2018-2034) Post Hearings Note, 18 March 2020.

that Morden Park is a better solution than the latest Main Modifications and that the earlier options assessment was more than adequate.

- 2.39 The Council's new finding of unsoundness is expressed as the Green Belt deletion and the promotion of the holiday use. If the holiday use is deleted from the Local Plan then the Morden Park SANG will not be viable and so will not be provided. The Interim Mitigation Strategy acknowledges at para 33, 107 that it would not come forward. It follows therefore that in those circumstances, the SANG policy I5 will not be effective as it will not be deliverable over the plan period. The removal of the holiday proposal would render the Local Plan unsound if policy I5 remains.

The Further Proposed Main Modifications

- 2.40 The Further Proposed Main Modifications would fail to cure any unsoundness; they are unsound and are not legally compliant.
- 2.41 The Council's Further Proposed Main Modifications are defective. If the Morden Park holiday park proposals are unsound, the plan is not rendered sound by the proposed main modifications:

The inclusion of the Morden Park SANG with the modifications make it undeliverable

- 2.42 For the reasons above, it still allocates a Morden Park SANG which is not effective as it is not deliverable. The Estate has made clear – and does so again – that the valuable agricultural land will not be turned into a SANG without enabling development. The land is subject of an agricultural tenancy. There would be an adverse impact on the tenant unless they could be accommodated elsewhere on the Estate. The effect on the tenant without wider changes in the Estate must be factored into its the SANG's overall delivery cost and impacts, including with other delivery mechanisms, along with the significant SANG construction and management costs.

The failure to plan for the plan period

- 2.43 The modifications proposed will mean that the plan fails to plan effectively for the plan period for the following reasons:
- (i) Whilst the Plan is for the period up to 2034, the modifications mean that there are no proposals for strategic SANGs beyond April 2024. Whilst housing sites with their own

SANGs are planned for and may come forward after that time, strategic SANGs are not. Consequently, the plan does not meet the needs for SANGs in the plan period and is therefore not 'positively prepared';

- (ii) As strategic SANG requirements for the plan period are not met, the objectively assessed housing need and the housing requirement cannot be met. One-third of the housing supply is envisaged to come from small sites and windfalls, which are those proposed to be served by strategic SANGs. Without strategic SANGs those homes cannot be delivered, therefore the plan would not be positively prepared;
- (iii) A strategy which plans to fail is not an appropriate strategy. Nor is it effective, as it is not deliverable over the plan period. The failure to deliver sustainable development is also not consistent with national policy;

Compromising the five-year housing land supply

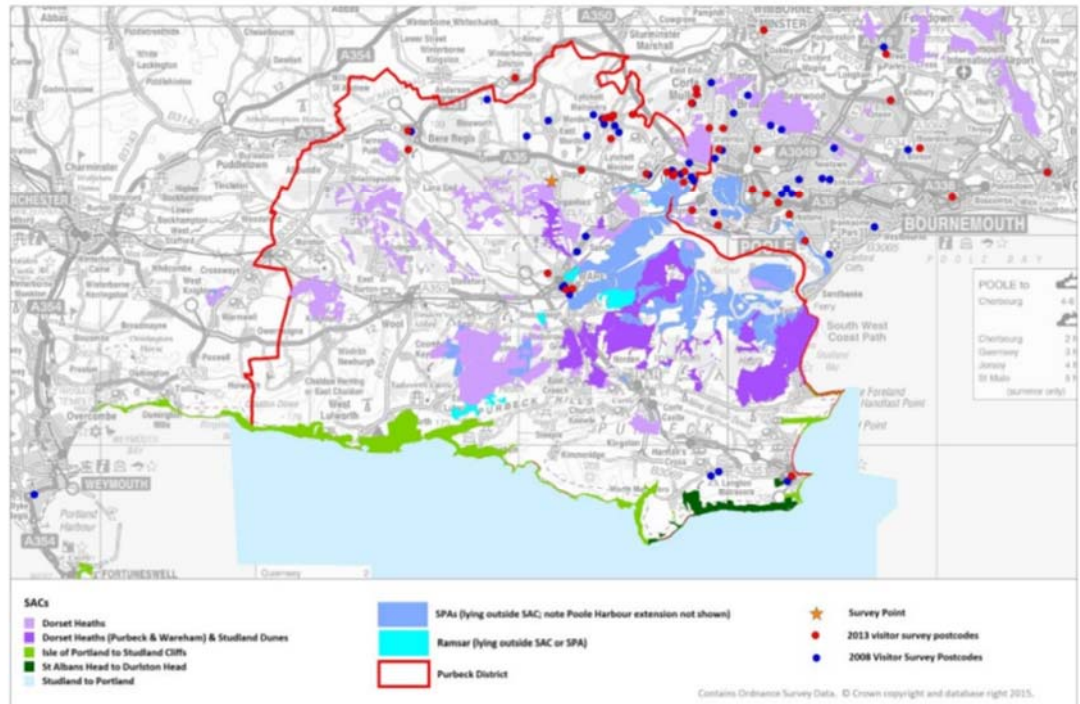
- 2.44 The failure to plan for strategic sites beyond a two year horizon severely compromises the ability to deliver housing in the next five years. Planning permission cannot be granted for a scheme if a developer is willing to make a contribution but there is nowhere that SANG provision would be made which serves that development. The Habitats Regulations Assessment tests would not be met in the absence of such mitigation on the ground. Developers could either find that there is no SANG capacity available or have to consider whether and how to progress projects without knowing whether SANG capacity would be available.

Failure to deliver alternatives in appropriate locations

- 2.45 Natural England have previously made it clear that a strategic SANG is needed in the northern part of the District, principally to reduce harm to the areas of Wareham Forest with European designations (para 35, SD 93). Some of these sites are in 'unfavourable' conservation status and may be further impacted by increased visitor numbers associated mainly with new housing to the north and north east of Morden Park. Specifically, Natural England proposed the Morden SANG to intercept residents using the B3075 parking areas and visiting Morden Bog / Wareham Forest.
- 2.46 Map 5 in SD 93 (reproduced below) shows the location of visitor postcodes for surveys undertaken at Sherford Bridge parking area on the B3075. Surveys undertaken in 2008 and

2013 show that the vast majority of visitors come from the areas north and east of the A35, in and around Lytchett Matravers, Upton and Poole (denoted by the red and blue dots on the plan).

SD93: Strategy for mitigating the effects of new housing on European sites and justification for changes to green belt boundaries at Morden



Map 5: Sherford Bridge location of visitor postcodes

- 2.47 Natural England identify that the capacity of SANGs is affected by ‘their natural features, size, design and their spatial relationship with homes and European sites’ (SD93, para 28, and quoted in IMS, para 185).
- 2.48 Natural England’s SANG advice to Dorset Council (26 July 2019, SD93, Appendix) is to ‘advise the authority that the alternative option sites identified at Lytchett Minster and Bere Farm have not been designed to, and are not likely to, be able to perform the strategic functions of intercepting visitor pressure from the Morden Bog/Wareham Forest area with sufficient certainty. The nature of the SANG land available at these locations is not currently of high quality and will not be established countryside for some years in comparison with the attractiveness of the established landscapes at Morden Bog/Wareham Forest.’
- 2.49 The plan prepared by Pro Vision (Appendix B) shows the location of the proposed Morden SANG (red), Morden Bog / Wareham Forest (green) and the IMS sites (blue). The majority of

the IMS sites are remote from Morden Bog / Wareham Forest and will have little effect on visitor pressure coming mainly from the north and the east. The Council rely heavily on Bere Heath as comprising 11 hectares of the 15.2 hectares which the Council says it has 'high confidence' about (IMS, para 189). Bere Heath is far to the west of Morden Park and will not provide an alternative. It is only the Sherford Bridge car parking proposals (see below) that have any reasonable prospect of intercepting visitors to Morden Bog / Wareham Forest from the B3075 route. It does though increase the need for alternative provision in this immediate area. Hence, in terms of NE concerns and strategic requirements the IMS stands and falls mainly on this one tenuous project over which NE state there is "some uncertainty" when even land ownership is unknown (IMS, para 178).

Failure to deliver alternatives within the two-year period

- 2.50 The IMS fails to deliver SANG capacity even within its limited two-year period to meet the requirements of recent completions and housing proposed in this period. The Council envisage that the non-allocated developments from 2018 to 2024 would be 762.2 (para 120, table 13). Of those, SANG mitigation has been secured for 161, leaving a deficit of 601.2 homes (para 122).
- 2.51 This deficit is sought to be addressed by increasing capacity in existing SANGs or delivering heathland infrastructure projects (para 123, c), d)). These are repeatedly expressed to be uncertain. Since they are hoped to be delivered in the very near future, a lack of certainty suggests that they are speculative:
- 2.52 In the IMS (para 186 to 188) the Council change from meeting the agreed ratio of 16ha per 1000 population which Natural England have said is appropriate in Dorset (SD93, para 29) to the lower 8 hectare per 1000 figure applied to different European sites in the Thames Basin. Whilst the calculation may then be adjusted to reflect the site's location and constraints there is no justification using the lower figure in the Plan. The Council's asserted mitigation, which they say is possible, is therefore for 392 homes, at best, rather than the 601 required in this short period (see IMS, para 191).
- 2.53 Opportunities to increase the capacity of existing SANG are currently being explored. (IMS para 126.) but these are on sites which are remote from Morden Park. They will not serve the needs which have to be met by Morden Park.

2.54 None of these projects are certain or have planning permission where planning permission is needed, as we address below site by site.

2.55 Additionally, there is no assessment of the costs involved or the availability of funds to deliver these. It is not said that planning obligations/CIL will be able to fund any of these projects. In contrast, the Morden Park SANG would be largely funded by the holiday park scheme (but not otherwise) and has been shown to be viable and deliverable with only modest planning obligation / CIL funding at a level agreed as reasonable by and acceptable to the Council and Natural England.

2.56 To elaborate on this point, at Post-Submission stage, the Council added back in the Morden holiday park/green belt release after receiving detailed costings and viability information. The information was robust, contained information on CIL contributions and SANG costs provided by Natural England. The viability case was accepted and hence was deemed to show that the overall package with the new Morden strategic SANG was deliverable. No equivalent viability information has been prepared (or at least none has been published) for the proposed new SANGs and other measures. Consequently, there is no equivalent basis for assuming it can be delivered, and therefore, there can be no confidence that the Plan would be effective.

- *Flowers Drove (also referred to as Lytchett Matravers SANG)*

2.57 Discussions 'are also ongoing' about increasing the Flowers Drove SANG capacity, with a possible 100 dwelling capacity increase. However 'the Council has yet to complete any preliminary work' to determine whether the capacity could be increased (IMS para 127). There is said to be 'a high probability that discussions with Wyatt Homes could positively conclude around investment in existing excess mitigation capacity that could be delivered before 31 March 2024', without identifying what could be achieved.

- *Bog Lane, Stoborough*

2.58 This site is south of Wareham. The council 'has opened discussions' with respect to the Bog Lane SANG but 'The council has not defined the level of enhanced mitigation that these proposals might add to the existing SANGs 'mitigation capacity'. It merely contends that there is 'a high probability that discussions with landowners will conclude in time for the enhancements to be delivered before the end of March 2024' (IMS para 126).

- *Land to the north of Winfrith Heath habitat site near Tadnoll*

2.59 This is said to enable earlier delivery of existing proposals to manage public access onto Winfrith Heath. That is not the provision of SANGs nor accommodation of increased numbers of residents. So it does not address the need. There is said to be a ‘high probability’ of this being carried out by the Moreton Estate. It is over 20 kilometres from the access points into Wareham Forest.

Delivering heathland infrastructure projects (HIPs)

2.60 These are said to include:

- *Bere Heath, Court Farm*

2.61 This is described as a possible SANG but the landowner, Dorset Wildlife Trust, have simply ‘indicated as a matter of principle ... that they are prepared to work with the council’ (IMS para 134). The proposals are thought to have the potential to intercept visitors from the west before they reach the Wareham Forest habitat sites. This mitigation is limited to offsetting pressure only from a relatively small number of visitors from Bere Regis and other areas over 7km west of the access points into Wareham Forest. Visitor data from SANG surveys (Frenches Farm, Upton Farm etc) shows that most SANG visitors travel less than 5 km and NE consider that all existing SANG sites within Purbeck have spheres of influence of between 2 – 5km only (Table 3, SD 93). It has no reasonable prospect of intercepting visitors from the main areas of existing and new housing to the north and north east.

2.62 The SANG is yet to be agreed, designed or even specified. Dorset Wildlife Trust acquired the land mainly for re-wilding. The nature conservation value of the land is yet to be determined by early stage ecological surveys. A visitor car park is needed, access points are unclear and part of the site is within Flood Zone 3. There are significant heritage issues that will need to be assessed due to its location adjacent to a scheduled ancient monument, listed building and conservation area. Planning permission will be needed, with consideration of the effect on the settings of these designated heritage assets, and funding, including a contribution from the Council, will need to be agreed thereafter.

- *French’s Farm, Upton*

2.63 This is described as a possible SANG extension, where Wyatt Homes have indicated that as a ‘matter of principle that they would be prepared to co-operate in the delivery of an extension to the existing SANG’ (IMS para 142). The Council say they are ‘satisfied that there is a high

probability that heathland infrastructure project will be delivered at French's Farm before the 31 March 2024. Wyatt Homes say they have an option over that land and the price which would be paid under that is not disclosed.

- *Norden*

2.64 The Council accept that this is uncertain (IMS para 148):

“Negotiations between the council and interested parties are at an early stage. Dorset Council is confident that negotiations will conclude positively however it is not certain that the heathland infrastructure project will be delivered before the end of March 2024.”

- *Land to the east of Gore Heath*

2.65 This is at the stage of ‘initial investigations’ with negotiations between the Council and interested parties not yet started (IMS para 153, 154).

- *Pike's Farm Organford Manor*

2.66 It is said “Negotiations between the landowner [Bournemouth Canine Association] and the council have not concluded – it is therefore not clear at present how much land would be made available for HIP or its mitigation capacity. The landowner has given their indication as a matter of principle that they are prepared to work with the council toward delivery of a heathland infrastructure project” (IMS para 160).

- *Purbeck Heaths Visitor Project*

2.67 This is said to be an enhancement of an existing SANG. Initial phases (which are unexplained) are said to be capable of being delivered by July 2022 (IMS para 166). There is no explanation of how this replaces any need for new SANG capacity.

- *Purbeck Visitor Management Project*

2.68 This involves forming ditches and banking on an internationally designated site. Since ‘The council has not specifically defined the contribution that this project would make to mitigation of impacts on Dorset heaths habitat sites’ (IMS para 170) it is not an alternative to delivering the Morden Park SANG.

- *Sherford Bridge car parking area*

2.69 The project is to block off parking on land which is in unknown third party ownership (para 173, 178). It will increase the need for SANG capacity, rather than provide more capacity. The Council itself doubts whether it can be delivered.

- *Wareham Common*

2.70 This is existing public access land, parts of which are within a SSSI. No benefit of avoiding the need for SANGs is identified. The Council has only ‘made advances to landowners’ so accepts there ‘is not currently any certainty’ (IMS para 184).

2.71 Overall the Council accepts the problems with its new proposals (IMS para 194):

“The council recognises that further work is needed to determine the suitability and deliverability of the heathland infrastructure projects which will serve as mitigation during the interim period pending adoption of the Dorset Council Local Plan”

2.72 Referring to Lytchett Matravers SANG, French’s Farm extension, Bere Heath, Purbeck Heaths Visitor Project [existing SANG] and Purbeck Visitor Management Project [banks and ditches] the Council asserts (IMS para 196):

“Collectively the council is satisfied that these projects will mitigate the impacts from the 601.2 homes that have been and are expected to be delivered between 2018/19 and 2023/24.”

2.73 This conclusion is not supported by Natural England in their new Memorandum of Understanding.

2.74 Some of these projects do not provide additional land at all, they are generally in locations which are incapable of serving the needs which would be met by Modern Park SANG. They are all uncertain about whether they will take place, their funding and timescale.

The new sites process

2.75 As with most processes of trying to select new sites by a private exercise during the course of an examination, the attempt to find alternative projects is flawed:

- (i) Attempting to replace the Morden Park SANG with new provision elsewhere falls into a series of major difficulties:

- (a) The Council and Natural England have already given extensive evidence (accepted and taken account of by the Inspector before she concluded favourably in her post hearing note) that other possible SANGs are less good than the present Morden Park proposal;
- (b) Whilst alternative SANGs have been searched for, been able to be put forward and have been assessed during the course of the local plan preparation and examination, there has been no public call for SANGs since the examination hearings. Any alternatives to Morden Park would be (and have been) assembled from a private exercise, conducted to the wider public's great surprise. Proponents of any other SANGs are likely to be aggrieved at being left out;
- (c) Any new or extended SANGs will not have been subject to public consultation as actual proposals. It is not possible to know the extent of representations which might be made about their suitability;
- (d) Changing the SANG provision requires a major review of the habitats mitigation strategy.

Further work on the IMS

- 2.76 The Council have in effect introduced a large amount of additional information at a late stage. This additional information should be considered in a transparent and rigorous manner that is likely to give rise to the need for many more examination sessions involving a wide range of participants. Plan adoption is likely to be pushed back well into 2022 or beyond thus making the whole Plan increasingly less viable.
- 2.77 Reverting to the Morden Park SANG and Holiday Park strategy, already found sound previously, would avoid this delay

The Dorset Local Plan

- 2.78 The progress of the Dorset Local Plan remains uncertain. It is a very large plan, which has not yet been published in a submission draft. Assessment papers which had been proposed for the autumn 'later in 2021' are yet to be published, including the Strategic Flood Risk Assessment, Retail and Town Centre, Viability and Economic Needs and Gypsy and Traveller Accommodation Needs Assessments¹⁰. Hence it is already significantly behind schedule and this is likely to be further aggravated by pandemic related staffing shortages. To assume that

¹⁰ <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/dorset-council-local-plan/dorset-council-local-plan-evidence-and-background-papers>

the Dorset Local Plan will be adopted by the proposed Q4 2023 date or the end date for the Interim Strategy of 2024 is unreasonable.

- 2.79 The Proposed Further Main Modifications are therefore reliant upon another proposed plan, whose contents and timescale are both uncertain, coming forward and securing new SANGs which would be available from April 2024. That does not lead to an effective, and so sound, Purbeck Local Plan.

3.0 Conclusion

3.1 The Local Plan is sound with the Morden holiday park and SANG. There is no justification for reversing the previous views of the Council, Natural England and the Inspector on that matter.

3.2 The Proposed Further Main Modifications cannot therefore be considered. Those proposals would not remedy any unsoundness. Instead they would render the Plan unsound. It would fail to plan for the necessary SANG provision for the plan period, or even for the five-year housing land supply. Its proposals for the next two years are speculative and inadequate. It relies on works which might not occur, without identified funding, of uncertain value and which are usually in the wrong place to make up for the failure to provide the Morden Park SANG. The plan would not be positively prepared, justified or effective.

Appendix A – Correspondence with Dorset Council, James Cleary to Mr Garrity (22 July 2021)

Our ref: 2273/JC



M Garrity
Head of Planning
Dorset Council
County Hall
Dorchester
DT1 1XJ

Sent by email

22 July 2021

Dear Mr Garrity

PURBECK LOCAL PLAN: SANG AND HOLIDAY PARK AT MORDEN

Thank you for your recent letter to James Iles in respect of the proposals for Suitable Alternative Natural Greenspace (SANG) and a holiday park at Morden Park in the submission draft of the Purbeck Local Plan. The latter would be removed from the Green Belt. Those proposals have received the support of the Local Plan Inspector, subject to modest Main Modifications which have been consulted upon.

Pursuing that agreed package provides a safe and lawful means of progressing the Local Plan. Indeed, the other options raised would put the plan at risk.

In responding we have taken advice from Richard Harwood QC, and this letter reflects his views.

The Holiday Park scheme

The proposal for a holiday park at Morden Park has been worked on for a considerable time. The Purbeck Local Plan (Part 1) Inspector was sympathetic to it, saying in 2012 (report, paragraph 100):

“With regard to Morden Park it is the ambition of the landowner that the area is opened up to the public as a Country Park with some tourist accommodation. On the face of it this seems to be a suitable use for such a site ...”

The matter was deferred for consideration in a more detailed plan. During that process, the local authority began to link the acceptability of the holiday site to the promotion of a SANG on adjacent land. Notwithstanding the independent merits of the holiday site, the Estate was prepared to provide a SANG to secure the holiday site allocation.

The holiday park proposal has benefits which are independent of the SANG, including holiday accommodation, providing wider access to what is presently private land, creation of local jobs, a boost to the local economy and enabling environmental improvements and management to occur.

The Holiday Park and SANG proposal

The proposal for the very low-density holiday park to be sited on land removed from the Green Belt at Morden Park to then enable a SANG to be provided was included in the pre-submission draft of the new Purbeck Local Plan. The SANG land is mainly arable farmland and would be given up at significant cost to the Estate. This cost would need to be balanced by profit / revenue from the holiday park and contributions via the Council from developers.

The proposal was set out in the Submission draft policies V2 and I5. A policy I5 area was drawn and then within that the SANG and holiday park. It was recognised that 'The Council's green belt review concludes that the provision of a strategic SANG would provide the exceptional circumstances required to amend the green belt boundary for the adjacent siting of a holiday park' (para 256). The target of policy I5 was to 'Provide a strategic SANG to assist in mitigating smaller housing development in the District.'

The Examination

The Morden Park holiday park/SANG was considered in detail in the written representations on the submission plan and in the examination hearings. They were supported by the Memorandum of Understanding between the Council, the Estate and Natural England as well as further responses by those parties. This includes the Council's paper *SD93: Strategy for mitigating the effects of new housing on European sites and justification for changes to green belt boundaries at Morden* prepared following the first round of hearings. The Council, the Estate and Natural England were present at the relevant hearing sessions and were able to address any matters which the Inspector had.

Dr Langley made detailed written representations on the HRA, Green Belt and the Morden Park proposals and spoke at the examination hearing sessions on these matters together with

implementation and delivery, and monitoring. When a further session on Habitats Regulations was held in October 2019, three of the four non-Council participants were Dr Langley, Natural England and the Charborough Estate.

Following the hearings, the Inspector produced her detailed note on key considerations in March 2020. She was 'reasonably satisfied at this stage that with Main Modifications the Plan is likely to be capable of being found legally compliant and sound' but as with all such interim reports by Local Plan Inspectors she said the comments were without prejudice to her final conclusions in the Inspector's Report. It can though reasonably be expected that this would be her final conclusion unless she is persuaded on fresh evidence to change her mind.

The Inspector addressed Morden Park in detail at paragraphs 29 to 34. She referred to the Green Belt study SD56 on the need for the SANG. She also recorded Natural England's advice that a strategic SANG was needed and 'that, of the other possible alternative locations for a strategic SANG in the north of Purbeck that were considered, it considers that the strategic SANG being proposed in the Plan is the most suitable'.¹

As the Inspector pointed out:²

"The MoU indicates that an appropriately designed SANG is achievable on the site, that a holiday park is capable of financing the SANG and that the provision of a strategic SANG provides exceptional circumstances to justify the changes to the GB boundary to enable the development of a holiday park."

She concluded:³

"I have now given this matter some further consideration and, on the basis of the evidence, I am minded to accept the position advanced by the Council and supported by Natural England in relation to the proposed alteration to the Green Belt at Morden Park."

The Inspector recommended further changes for clarification of the Morden Park policies.

¹ Paragraph 31.

² Paragraph 33.

³ Paragraph 34.

She also considered that there were ‘some gaps in the HRA narrative that need to be filled in order to explain the conclusion of no adverse effects on any European site’.⁴ These could be addressed along with any HRA revisions arising from the further Main Modifications.

The Morden Park changes were contained in the subsequent Main Modifications which were accompanied by revised HRA material.

The representations on those further Main Modifications

Dr Langley’s representation on the further Main Modifications is, in fairness, not about the modifications at all. It is a challenge to the decisions in the submission Local Plan to have the holiday park/SANG scheme at Morden Park. In reality this is a re-run of the issues considered by the Inspector at the Examination hearings, and rejected by her. Paragraphs 21 and 22 of the Annexure to the Objection (page 22) make this clear.

Dr Langley raises neither new points of law nor new evidence. Instead, the submissions are simply requests to reach different judgments on matters which have been already considered.

Much of the concerns are based on an unrealistic reading and application of the proposed policies. The Plan proposes the larger I5 area, within which are shown the SANG and the land to be removed from the Green Belt. The latter is, and has to be, where the holiday park would be sited, since that would not be appropriate development in the Green Belt. Dr Langley’s submissions on the HRA rely on the holiday site use taking place on the I5 land which is retained in the Green Belt which would not happen, whether taking the policies as a whole, or applying them sensibly.

The 2018 Habitats Regulations Assessment considered the SANG and holiday park, considering the only likely significant effect to be recreational pressure. That was then addressed in paragraphs 6.6 and 6.7 of the HRA. The narrative is set out further in the 2020 revisions to the HRA. Dr Langley’s representations at Annexure paragraphs 45 and 46 set out the measures that can be expected. He provides no reasons why those judgments should not continue to be accepted. Similarly when Dr Langley refers to the ‘functional land’ which is the extent to which land near a European site might contribute to the site, he does not explain why these the holiday site/SANG land might do so. The Council’s consultants and Natural England have previously

⁴ Paragraph 6.

made judgments as to what the likely significant effects of the plan may be on European sites and Dr Langley provides no evidence to challenge those judgments.

Since the SANG land is arable and the holiday site is dense woodland neither have the character of the European site. The changes required by the SANG can only enhance any contribution which it makes to supporting the European site, and the holiday park site will retain its essential character.

The holiday park proposal is for an extremely low-density development which maintains the character of the site and provides a great deal of on-site space for walking and recreation.

The air quality and other points are more general, but again involve an absence of any evidence.

The Green Belt criticisms (para 103 onwards) are again a re-run of well-travelled topics. The need for a SANG in this part of Purbeck and the desirability of this location has been explained to and accepted by the Inspector. Dr Langley's complaint that a justification has not been put forward is wrong, and he provides no evidence as to why the Inspector should change her mind.

The way forward

As the Council will understand, the submitted Local Plan can only be modified materially if the Examination Inspector considers that it is not sound, and the modifications are necessary to make it sound. The Examination is not an opportunity for the Council to have second thoughts. The creation of Dorset Council also does not enable there to be a change of mind about decisions on the Local Plan taken by its predecessor authority. The Inspector has already reached her interim conclusion on the matters relating to Morden Park and the HRA. She is satisfied that those elements as proposed to be modified and with the HRA revised would be sound and compliant.

Those are matters of the Inspector's judgement which have been reached in a lawful fashion. A challenge by Dr Langley to the Local Plan containing the holiday site, Green Belt and SANG proposals would be expected to fail.

The published Local Plan approach does not create any precedent issues. It is common for SANGs to be associated with development proposals, even where they provide capacity which is not intended to serve that development. Any plan proposal will have to be considered on its own merits in any event.

There has been no basis for the inspector to change her conclusions which were reached on consideration of extensive written and oral evidence.

The Council's proposed change of position would cause several major problems for it and the Local Plan, a number of which are raised by the Inspector:

- (i) Whether the evidence taken as a whole persuades the Inspector to change her mind on the soundness of the Morden Park holiday site/SANG and the adequacy of the HRA. Dr Langley has added nothing new, and Council officers, the Council's consultants and Natural England have repeatedly supported the Morden Park proposals;
- (ii) Whether the SANG strategy can survive without the Morden Park SANG. It would be unreal to believe that the Morden Park SANG would come forward without the enabling development of the holiday park. The SANG site is productive arable land, tenanted, and the costs and effort involved in producing it on its own would not justify that. If modified as the Council's letter suggests, the plan would have to be examined on the basis that the Morden Park SANG will not be provided. The Council has not suggested that the SANG capacity can be reduced to this extent. We note that the housing need for the Purbeck area has been moderately increased in the Examination process, so requiring more SANG provision;
- (iii) Attempting to replace the Morden Park SANG with new provision elsewhere falls into a series of major difficulties:
 - (a) The Council and Natural England have given evidence that other possible SANGs are less good than the present Morden Park proposal;
 - (b) Whilst alternative SANGs have been searched for, been able to be put forward and have been assessed during the course of the local plan preparation and examination, there has been no public call for SANGs since the examination hearings. Any alternatives to Morden Park would be assembled from a private exercise, conducted to the wider public's great surprise. Proponents of any other SANGs are likely to be aggrieved at being left out;

- (c) Any new SANGs will not have been subject to public consultation as actual proposals. It is not possible to know the extent of representations which might be made about their suitability;
- (d) Changing the SANG provision requires a major review of the habitats mitigation strategy.

If these proposals are made then further hearing sessions would be necessary, covering the changes at Morden Park, the new HRA and the replacement provision. The hearings and the need for the Inspector to reconsider the issues would seriously prolong the Examination process.

We would expect the now proposed changes to fail. The Inspector has considered that the submitted Local Plan, with the Main Modifications that she suggested, is lawful and sound.

There is no adequate basis to change that conclusion. The proposed changes would be an expensive and time-consuming delay and distraction.

Regardless of the Inspector's conclusions on such proposals, the outcome is liable to be disastrous for the plan.

As the Inspector rightly pointed out, the further delays which would be involved would make the evidence base as a whole even more dated. The Council's letter of 24th June sets out that critical parts of the evidence are already three years old (and some of the economic material even older). The now proposed changes would push the Inspector's Report well into 2022, at the best.

The Inspector has suggested that the Council may wish to withdraw the Local Plan. Those suggestions are not made often or lightly. She has put the Council on a warning that it may lose a plan which has taken a considerable amount of member and officer time, public money and the resources and effort of hundreds of people interested in planning in Dorset. That would be a wholly unnecessary outcome. Putting aside the political embarrassment, it would hinder the much-needed delivery of development, including homes, in this part of Dorset.

Abandonment of the Purbeck Plan will not speed the Dorset Plan. On the contrary, loss of otherwise adopted Purbeck Plan proposals will give rise to a need for more work, delay and costs during the Dorset Plan preparation stage. In addition, this will extend the geographic area and time period within which there will be no 5-year housing land supply and in which planning is likely to be 'developer led'.

In all these circumstances, the only realistic course would be to continue with the Council's long-established position of supporting the Morden Park SANG and holiday camp. That approach would be lawful and sound. It would enable the Purbeck Local Plan to be adopted, an outcome which would be imperilled by seeking to persuade the Inspector to change her interim conclusions. Proceeding with the proposals as they stand would help to bring the Dorset Plan forward more quickly.

We wish to continue to work with Council Officers and Natural England as we have done successfully for many years. That tripartite approach, which has been recognised by the Inspector, has worked well and needs to continue.

We look forward to hearing from you after you have had time to consider the above

Regards,

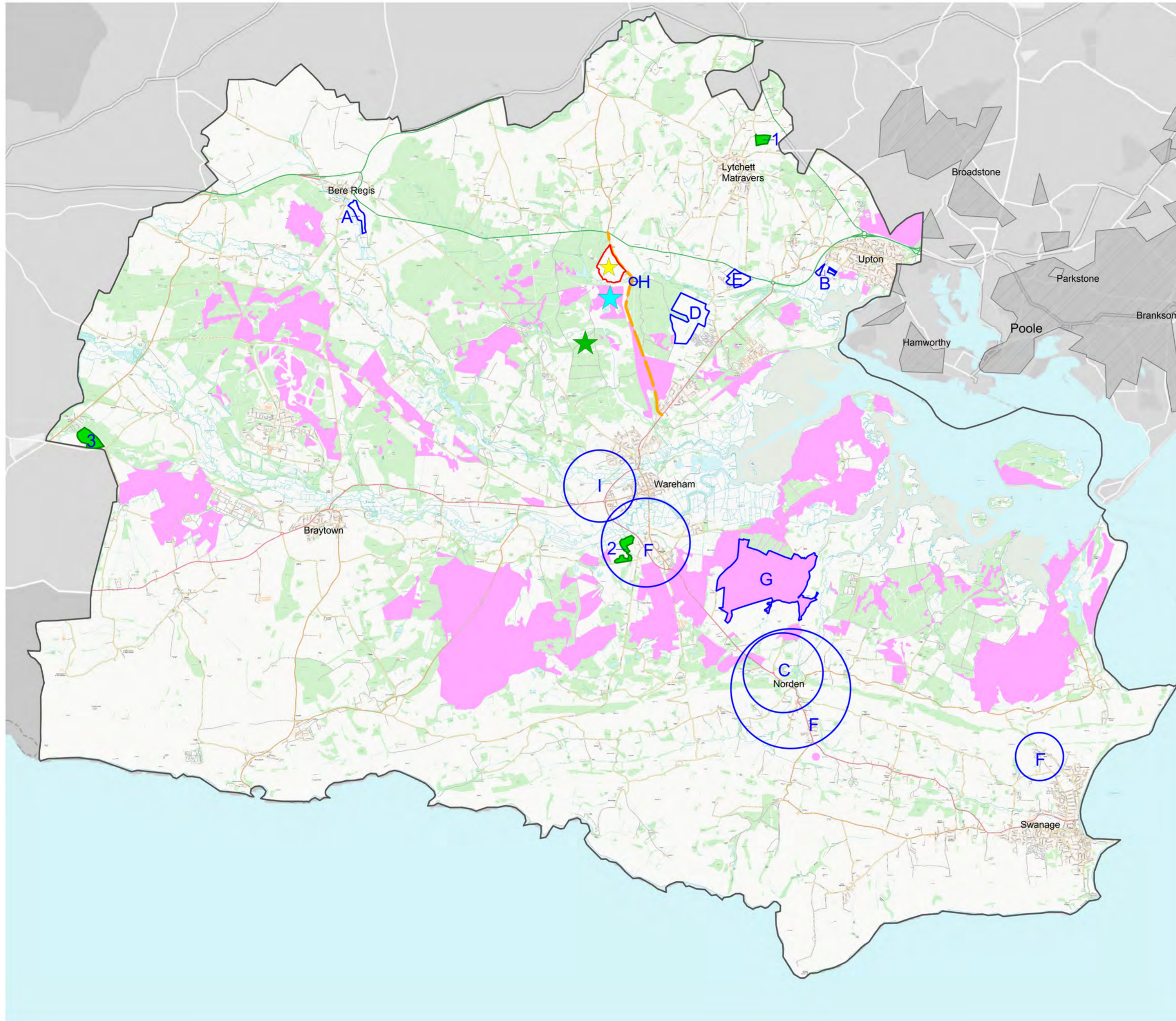
James

James Cleary
Consultant

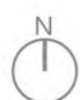
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Appendix B – SANG Sites Plan, Pro Vision, January 2022



Key	
A	= Interim Mitigation Sites
A. Bere Heath, Court Farm	Approx. 11.5Ha*
B. Fench's Farm	Approx. 9Ha* (inc. 4.8Ha of Existing SANG)
C. Land at Norden (Broad Location)	
D. Land East of Gore Heath	Approx. 37Ha*
E. Pike's Farm Organford Manor	Approx. 10Ha*
F. Purbeck Heaths Visitor Project (Focus Zones)	
G. Purbeck Visitor Management Project	
H. Sherford Bridge Car Parking Area	Approx. 0.4Ha*
I. Wareham Common (Project Area)	
★	= Morden Park SANG (Policy I5)
★	= Morden Bog
★	= Wareham Forest
■	= Internationally Protected Heathland Sites
—	= B3075 Morden Road
↑	= Allocated SANG's
■	= Urban Areas Outside Purbeck District
1. Flowers Drove (App ref: 6/2019/0530)	Approx. 7.5Ha**
2. Stoborough Withy Bed (App ref: 6/2013/0285)	Approx. 12.9Ha**
3. Winfrith Heath (MoU to Purbeck Local Plan)	Approx. 19.1Ha***
Note - Information taken from the following sources:	
-	QGIS (Natural England SAC & SPA data)
-	Magic Map (Heathland Sites)
-	Google Maps (Background mapping)
-	Interim mitigation strategy for heathland habitat sites 2018/19 to 2023/24 (undated) (IMS)
*	Area quoted in IMS
**	Area interpreted from Planning Permission
***	Area interpreted from Memorandum of understanding between Dorset Council and Moreton Estate November 2021



0 0.5 1.0 1.5 2.0 2.5 km

REV.	DATE	AMENDMENTS	DRAWN	CHECKED
A	19/01/22	General amendments	IW	A
B	21/01/22	General amendments	IW	A

CLIENT:
Charborough Estate

PROJECT:
Purbeck Local Plan Further Modifications
January 2022 - SANG Strategy

DRAWING:
SANG Sites Plan

DATE:
Jan 2022

SCALE: 1:75,000
SIZE: A2
JOB NO: 2273
DWG NO: SK1-01
REV: B

Consultee: Wyatt Homes

Event Name: Purbeck Local Plan Further Proposed Main Modifications

Consultee reference: 1190589

Consultation reference: FMM30

planningpolicyteamb

From: Tim Hoskinson - Wyatt Homes [REDACTED]
Sent: 24 January 2022 18:53
To: planningpolicyteamb
Cc: Steve Boyt; Frances Summers
Subject: Response to Purbeck Local Plan Further Modifications Consultation
Attachments: Wyatt Homes response to Further Main Modifications.pdf; Wyatt Homes response to Further Main Modifications Part C only.pdf

Please find attached comments from Wyatt Homes in response to the Purbeck Local Plan Further Modifications Consultation.

Regards



Tim Hoskinson MRTPI

Head of Planning



Wyatt Homes

1 Parkstone Road, Poole, Dorset, BH15 2NN



Email: [REDACTED]



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Response form for: Purbeck Local Plan Further Proposed Main Modifications consultation

This form is for making representations on the Further Proposed Main Modifications to the Purbeck Local Plan (2018-2034)

In response to comments received on the Purbeck Local Plan Proposed Main Modifications Consultation, which closed earlier this year, the council is consulting on limited Further Proposed Main Modifications around Policy V2 and I5, which are considered necessary to ensure that the plan is sound.

The Purbeck Local Plan Examination Interim Mitigation Strategy For Heathland Habitat Sites (2018/19 to 2023/24) [Interim Strategy] sets out Further Proposed Main Modifications around policy V2 and I5 and considers a range of projects that could provide heathland mitigation in the event that the strategic SANG at Morden is not delivered.

The key Further Proposed Main Modifications (referenced as **FMM6**, **FMM7**, **FMM76** and **FMM77**) are detailed in Appendix 5 of the Interim Strategy

These Further Proposed Main Modifications give rise to a series of minor consequential Further Proposed Main Modifications: **FMM3**, **FMM66** and **FMM82**, which are set out in Appendix 6 of the Interim Strategy.


The council has also published an updated Habitats Regulation Assessment (HRA), Sustainability Appraisal Addendum (SA), policies maps to take account of the Further Proposed Main Modifications. and a series of Memoranda of Understanding to support the Interim Strategy.

These documents can be found on-line at www.dorsetcouncil.gov.uk/plpmainmods.

The council is inviting comments on the key and consequential Further Proposed Main Modifications, Interim Strategy, the Memoranda of Understanding, policies map, the updated Habitats Regulation Assessment and Sustainability Appraisal Addendum only. This is not an opportunity to raise matters relating to other parts of the Plan that have already been considered by the Inspector during the examination. Weight will not be given to representations that repeat matters raised and discussed at hearing sessions or in earlier responses.

Once the consultation is closed, the council will prepare a summary of the issues raised in representations to the consultation and provide its response. The council's summary, and full copies of the representations, will then be sent to the Planning Inspector for her consideration. If the Inspector's final report indicates that the local plan is sound and legally compliant with all the Proposed Further Main and Main Modifications, the council will then take a decision about whether to adopt the local plan subject to all Further Main and Main Modifications.

PART A

	Your contact details	Agent's Details (if applicable)
Name		
Organisation / Group <small>(if applicable)</small>		
Address line 1		
Address line 2		
Town / City		
County		
Post Code		
E-mail address		

Group Representations

If your representation is on behalf of a group, ensure the lead representative completes the contact details box above. Also, please state here how many people supports the representation.

Please note:

- The consultation period starts on **6 December 2021** and will last for 7 weeks until 11.45pm on **24 January 2022**.
- Only representations made in this period will be referred to the Planning Inspector for consideration.
- Responses must be made using this form (sent in the post or attached to an e-mail).
- Respondents must complete Part A of this response form and separate Part B forms for each Further Proposed Main Modification that they might wish to comment on.
- All respondents must provide their name and address and/or email address.
- All forms must be signed and dated.
- Responses cannot be treated as confidential. By making a response you agree to your name and comments being made available for public viewing.
- Information on the council's privacy policy is available on our website at: <https://www.dorsetcouncil.gov.uk/your-council/about-your-council/data-protection/dorset-council-general-privacy-notice.aspx> .

- The council will not accept any responsibility for the contents of comments submitted. We reserve the right to remove any comments containing defamatory, abusive or malicious allegations.
- If you are part of a group that shares a common view, please include a list of the contact details of each person (including names, addresses, emails, telephone numbers and signatures) along with a completed form providing details of the named lead representative.
- Purbeck Local Plan Examination: Interim Mitigation Strategy For Heathland Habitat Sites (2018/19 to 2023/24), including Further Proposed Main Modifications to Policies V2: Green Belt and I5: Morden Park strategic suitable alternative natural green space (SANG) and holiday park, and their supporting text and Consequential Further Proposed Main Modifications, proposed Purbeck Local Plan (2018-2034), Memoranda of Understanding supporting the Interim Strategy and policies map as well as updated Habitats Regulations Assessment and Sustainability Assessment Addendum documents, are available to view on the Council's website at www.dorsetcouncil.gov.uk/plpmainmods. Paper copies of the Interim Mitigation Strategy including modifications and updated inset map for Morden are available to consult at libraries in Dorchester, Corfe Castle, Lytchett Matravers, Swanage, Upton, Wareham, Wool and Hamworthy. Paper copies of the Habitats Regulations Assessment, Sustainability Appraisal and Memoranda Of Understanding are available to loan from libraries on request. You must follow any procedures relating to COVID-19 in the libraries.
- If you have questions relating to the consultation, or the process for making a response, please contact the Planning Policy team on 01305 838517 or planningpolicy@dorsetcouncil.gov.uk.
- Response forms returned in the post should reference the **Purbeck Local Plan, Further Proposed Main Modifications Consultation, and be sent to Spatial Planning Team, County Hall, Colliton Park, Dorchester, DT1 1XJ**. Forms can be returned by email, referencing Purbeck Local Plan Further Proposed Main Modifications Consultation, to the email above.
- Please tick the box if you would like to be notified of the following:

Adoption of the Local Plan.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	
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2. Do you consider that the Further Proposed Main Modification is:

Legally compliant	Yes		No	
Sound	Yes		No	

To be considered legally compliant the Further Proposed Main Modifications must:

- comply with The Conservation of Habitats and Species Regulation 2017; and
- be appraised for their sustainability.

To be considered sound the local plan as a whole must be:

- positively prepared - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs;
- justified - an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- effective - deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- consistent with national policy - enabling the delivery of sustainable development in accordance with the policies in the Government's National Planning Policy Framework.

Some or all of these considerations of soundness may be relevant to the Further Proposed Main Modification[s] that you are seeking to make a representation on.

3. Please give details of why you consider the Further Proposed Main Modification is / is not legally compliant or sound. (Please be as precise as possible).

Please continue on a separate sheet if necessary.

4. Having regard to your comments in question 3, please set out what change(s) you consider necessary to make the Further Proposed Main Modification legally compliant or sound. You will need to say why this change will make the Further Proposed Main Modification legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording and where appropriate provide evidence necessary to support/justify the representation. (Please be as precise as possible)

Please continue on a separate sheet if necessary.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	
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2. Do you consider that the Further Proposed Main Modification is:

Legally compliant	Yes		No	
Sound	Yes		No	

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Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	
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2. Do you consider that the Further Proposed Main Modification is:

Legally compliant	Yes		No	
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Please continue on a separate sheet if necessary.

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Please continue on a separate sheet if necessary.

PART B

1. Which Further Proposed Main Modification does your representation relate to?

Separate Part B forms must be completed for each separate Further Proposed Main Modification you wish to comment on.

Further Proposed Main Modifications reference number	
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2. Do you consider that the proposed Main Modification is:

Legally compliant	Yes		No	
Sound	Yes		No	

To be considered legally compliant the Further Proposed Main Modifications must:

- comply with The Conservation of Habitats and Species Regulation 2017; and
- be appraised for their sustainability.

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Please continue on a separate sheet if necessary.

PART C

1. Comments on Interim Strategy, Memoranda of Understanding, updated policies map, SA or HRA.

Separate Part C forms must be completed for each appraisal or evidence document commented upon, making clear the section or paragraph you're referring to

Document:	
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Please continue on a separate sheet if necessary.

Please sign and date this form:	
Signature:	Date:

PART C

1. Comments on Interim Strategy, Memoranda of Understanding, updated policies map, SA or HRA.

Separate Part C forms must be completed for each appraisal or evidence document commented upon, making clear the section or paragraph you're referring to

Document:	
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Please continue on a separate sheet if necessary.

Please sign and date this form:	
Signature:	Date: