

Sturminster Newton Neighbourhood Plan  
**Questions from Terrence Kemmann-Lane, Examiner**  
**2 July 2018**

To: **North Dorset District Council and Sturminster Newton Town Council**

## **Introduction**

I refer to the comprehensive comments made in the response by North Dorset District Council (reference SN06-1) that include a number of comments that I can consider on the basis of the submitted documents. However, there are a number of matters that I need to explore further and which I set out below.

I consider that the most efficient way of dealing with this is to ask the District Council and the Town Council to work together, providing a joint response where possible. Where there is no agreement between the two councils, I ask that each sets out its response to me separately.

I set out below (in italics) the relevant sections of SN06-1 on which I would like responses, together with my comments. I use the details given in the first three columns of the NDDC document SN06-1 to identify the matters (in bold italics).

### **1. PDF page 17; Plan page 10; Para/Section/Policy: Text Box**

*The Housing–Aims box includes a statement that identifies the intention of the reserve sites is to cater for future local needs. This aim is noted, however, LPP1 Policy 2 sets out that SN is a main focus for growth and, as discussed later in this response, NDDC does have concerns that the NP is not providing for the most up to date level of housing need available at the time of its preparation (2015 SHMA) which for SN under the adopted local plan strategy comprises both strategic and local needs growth. As such it is considered that this aim might not be achievable.*

**EQ1:** Please seek agreement on this issue and provide me with any suggested change(s) to the NP.

### **2. PDF page 34/38; Plan page 27-31; Para/Section/Policy: Section 4.3**

*It is noted that, following NDDC’s Regulation 14 comment regarding the PPG requirement to take account of the latest and most up to date evidence of housing need (Paragraph: 040 Reference ID: 41-040-20160211), the SN Housing Needs paper has been updated to refer to the 2015 SHMA and suggests what might be a pro rata increased housing figure for SN, being around 457 dwellings. This figure however is not*

*explicitly identified in the NP itself, the LPP1 figure of a minimum of 395 continuing to be referred to. (For information, NDDC are currently using the figure published by the Government in the consultation on a standardised method for calculating housing need for the Local Plan Review. This is higher than that in the 2015 SHMA.)*

*It is noted that in para 4.3.2 the two proposed reserve sites appear to be linked to the need for additional housing, resulting from new housing needs evidence in the Local Plan Review, and that together these could provide around 90 dwellings. However, para 4.3.4 sets out that the reserve housing sites are intended to cater for growth beyond 2031, Policy 7 stating 'The release of the reserve sites should be phased appropriately through the Local Plan Review, and only brought forward ahead of the end of the plan period if monitoring shows their early delivery is essential.' Para 4.3.4 sets out the scenarios engendering their early release. The first is that '...one or more of the strategic sites in SN is not deliverable within the plan period (and the minimum target of 395 homes would not then be achieved without the release of a reserve site)'. The second is that there is a significant shortfall in housing land supply across North Dorset District, triggering the national policy of a presumption in favour of sustainable development. These both present issues, the first because by using the minimum target of 395, the latest and most up to date evidence of housing need is not being taken account of, and the second because it adds nothing to what is already set out in national policy. It is considered that releasing either or both of the reserve sites to accommodate an increase in the level of SN's share of identified up to date strategic housing need before the end of the plan period would not accord with these scenarios, either individually or collectively.*

*As previously advised, it is also noted that whilst individual assessments of some of the proposed sites and other potential sites are included in Appendix 1 to the Pre-Submission SEA document, only cursory assessments against the SEA objectives have been undertaken of the sites that are based on housing growth areas already included in LPP1 and the proposed 'infill' sites. The District Council considers that there needs to be detailed assessments of all sites in order to establish their deliverability. In addition, the neighbourhood plan SEA should not be relying on the sustainability appraisal of LPP1 Policy 19 as that policy is a strategic policy covering a wide range of topics and whilst housing growth areas are identified, these are not specific allocations.*

**EQ2:** Please seek agreement on this issue and provide me with any suggested change(s) to the NP. In responding to this request, it would be helpful to have responses to the objections and comments made by Gladman Developments Ltd (SN02), Hall & Woodhouse Ltd (SN03), and Wyatt Homes. In respect of Wyatt Homes and the land south and east of Elm Close, please deal with the objection made by Mr David Wingate (SN08-1).

### **3. PDF page 36; Plan page 29; Para/Section/Policy: Map 5**

*Allocated sites should be located within the settlement boundary. Whilst the housing growth areas identified in LPP1 are not within the settlement boundary, this is because they are just growth areas and not allocations.*

**EQ3:** Please seek agreement on this issue and provide me with any suggested change to the NP. Also provide responses to the objections and comments made by Gladman Developments Ltd (SN02), Hall & Woodhouse Ltd (SN03) and Wyatt Homes.

### **4. PDF page 39; Plan page 32; Para/Section/Policy: Policy 9**

*LPP1 Policy 8, which reflects national policy, sets out that developments of 11 dwellings or more will contribute to the provision of affordable housing. Evidence is needed to support the case for reducing the threshold to 10 or more at SN.*

**EQ4:** Please seek agreement on this issue and provide me with any suggested change to the NP.

### **5. PDF page 41; Plan page 34; Para/Section/Policy: Policy 10**

*The text in brackets seems to be referring to the community use as opposed to the building/land, which the first part of the sentence is referring to, and so does not make sense when read in the context of the sentence as a whole.*

**EQ5:** Whilst I could make a change to the text myself, it is preferable that I be provided with a proposed change.

### **6. PDF page 43; Plan page 37; Para/Section/Policy: Policy 11**

*Table 6 sets out that in respect of equipped play areas, the main priority is to provide for older children, advising that the toddler play areas in the newer housing areas do not appear to be well-used, suggesting that the generic FiT standard may not be appropriate at SN. The SN Community Assets Review states 'Toddler play areas appear to be underprovided against the District Council standards, but this was not highlighted as a key concern through the Neighbourhood Plan consultation, and a focus on the larger multi-age play areas is therefore proposed'. NDDC is concerned at the quality of the evidence that has led to what can be interpreted as toddler play areas not needing to be provided on new developments as it appears to be reliant on responses to the NP consultation exercise not highlighting that the provision of toddler play areas being underprovided, although no specific question appears to have been included asking for*

views on play spaces, and a generic questionnaire to community service providers enquiring about capacity at their facility. In respect of the first source, it is noted that, where the information is available, very few respondents to the consultation exercises were in the age groups that might be expected to have children of toddler age.

**EQ6:** Please seek agreement on this issue and provide me with any suggested change to the NP.

**7. PDF page 52; Plan page 45; Para/Section/Policy: MAP 11**

*Following the submission of the NP a Joint Retail and Commercial Leisure Study including the North Dorset District Council area has been published. This study includes an assessment of need for retail and commercial leisure development at SN, makes recommendations in respect of the town centre development opportunity sites identified in the NP and also recommendations for the definition of the town centre area (TCA), primary shopping area (PSA) and shopping frontages (SF).*

*In respect of the TCA the study considers that the proposed TCA in the NP is appropriate. However, the study recommends that separate Primary SFs and Secondary SFs are defined. The NP does not define a PSA, although to be in compliance with the NPPF, the study recommends a PSA is defined. These are each identified in Appendix 23 to the study. The study forms part of the evidence base in the review of the Local Plan but NDDC would suggest that consideration be given to its findings and recommendations in the examination of the NP.*

**EQ7:** Please seek agreement on this issue and provide me with any suggested change to the NP. Also comment on the need for any further consultation that might be necessary in respect of any change(s).

**8. PDF page 53; Plan page 46; Para/Section/Policy: Policy 16**

*Subject to the adoption of the recommendations on shopping frontages in the Joint Retail and Commercial Leisure Study, this policy would need to be revised to reflect both the PSF and SSF, and the PSA.*

**EQ8:** Please explain the position with regard to the adoption of the recommendations on shopping frontages in the Joint Retail and Commercial Leisure Study referred to, seek agreement on this issue and provide me with any suggested change to the NP. In respect of this matter, please deal with the question of the possible need for consultation as referred to in EQ7 above.

**9. PDF page 64; Plan page 57; Para/Section/Policy: Policy 20**

**Station Road**

*The Joint Retail and Commercial Leisure Study states: '... the land to the south of Station Road provides a strategic site in the heart of the town centre that would clearly help to "stitch together" the more traditional shops and services on Market Place/Market Cross, with The Exchange and Trailway Corridor. The Sturminster Newton Neighbourhood Plan (2016-2031) Submission Draft (Policy 20) updates and replaces the 2008 Design Brief previously prepared for the site. However, there are a number of potential barriers to redevelopment of the site that will need to be addressed as a priority; including the need to replace existing parking (120 spaces) on-site or elsewhere in the town, and dealing with the complex mix of landowners on the site. As the Neighbourhood Plan Submission Draft states, "...the timing of any scheme will depend on the plans, aspirations and cooperation of the various landowners, and the re-development of the area may not all happen at once" (paragraph 5.5.6). The Neighbourhood Plan Submission Draft also indicates that up to 1,250 sqm could be accommodated on the site facing on to a new and active Plaza. This scale of floorspace identified would more than meet the forecast need for 866 sqm net of new retail (convenience and comparison goods) over the plan period, along with the potential for new food and beverage (Class A3) uses. Any development of this site would also lend itself to new residential, office and other uses above the commercial uses at ground floor level. Finally, and notwithstanding the updated design brief and Policy 20 of the Neighbourhood Plan Submission Draft, we advise that a planning and development brief be prepared for the site to help facilitate its assembly and delivery over the plan period, and, critically, to undertake early testing of market interest and demand for the site for key end users.'*

**EQ9:** I am not clear whether all that is being suggested here is that the NP includes a reference to the need for a planning and development brief to be prepared. Please seek agreement on this issue and provide me with any suggested change to the NP. In doing so, please respond to the points made by Streeters Carpets and Beds Ltd (SN07-1).

**10. PDF page 65; Plan page 58; Para/Section/Policy: Policy 21**

**Market Hill site**

*The Joint Retail and Commercial Leisure Study states: '...we have reviewed the Market Hill site (Site 2), which is currently a temporary community garden maintained by the Town Council. We conclude that the site layout and configuration does not lend itself to new retail and/or commercial leisure use. In our judgement the optimum development option for the site would be for new residential uses; potentially retirement homes, although this would need to be subject to more*

*detailed financial/market testing.'*

**EQ10:** At present I am not clear about what is being sought as far as a change to the NP is concerned. Please seek agreement on this issue and provide me with any suggested change to the NP.

**11. PDF page 66; Plan page 59; Para/Section/Policy: Policy 22**

***Clarkes Yard site and other land at the Bath Road/Old Market Hill junction***

*The Joint Retail and Commercial Leisure Study states: 'In our judgement the site incorporating the Clarkes Yard area and land at Bath Road/Old Market Hill junction (Site 3), at the western end of Railway Gardens, also has the potential to accommodate a range of different uses. It could, for example, accommodate a larger format retail unit, ideally with direct frontage on to Bath Road, and access, servicing and parking to the rear. Another option for the site could be for 100% residential, or for a mixed use scheme with residential above ground floor uses; again with frontage on to Bath Road. A further option, as identified by the Neighbourhood Plan Submission Draft (Policy 22), could be for public parking to replace any parking that may potentially be lost from redevelopment of the Station Road site. The site area could also be extended to include the police station and library, although these uses would either need to be retained on-site, or re-provided elsewhere in the town centre. Finally, we advise that careful thought needs to be given to the route of the Trailway, as the route currently shown on Figure 3 of the Submission Draft could effectively blight the redevelopment of the site and undermine its overall viability. For this reason we advise that a planning and development brief be prepared for the site to help inform and guide its redevelopment and the optimum, most viable uses.'*

**EQ11:** As in EQ9 above, is the planning and development brief being suggested as a post-NP document, being merely referred to in the NP as being necessary? Please seek agreement on this issue and provide me with any suggested change to the NP.

**12. PDF page 107; Plan page 100; Para/Section/Policy: Policy 38**

*It is noted that the first criterion in Policy 38 of the NP allows for a 'hotel/catering primarily aimed at business users' on Land at North Dorset Business Park. Policy 11 (Economy) in LPP1 does not allow for a hotel/catering. Consequently, it is considered that there is a tension between Policy 11 in LPP1 and Policy 38 in the NP.*

**EQ12:** Please seek agreement on this issue and provide me with any suggested change to the NP.

### **13. PDF page 109; Plan page 102; Para/Section/Policy: Policy 39**

#### **Land adjoining the Bull Tavern**

*This allocation is not supported. Whilst Newton is included within the settlement boundary for Sturminster Newton, as advised in para 1.12 of the NDDC [Issue 10 Hearing Statement](#) during the examination into LPP1, NDDC considers that development in or adjoining the village of Newton to the south of the River Stour is inappropriate on the basis of poor access to local services and facilities which are located in the town centre but which are not easily accessible for pedestrians due to severance issues caused by the main road (A357). This position is being maintained for the Local Plan Review with the 'Areas of Search' to the south of Newton and between Glue Hill and the A357 being rejected from having development potential in the Issues and Options document due in part to poor accessibility to the local services and facilities situated within the town centre.*

*More specifically, proposals for development on this site have been considered several times over the last few years. In addition to its proposed allocation in the NP, the site has also been the subject of pre-app PRE/2016/0292/PREAPP. In both instances, NDDC's response has been consistent and robust in that it is considered that residential development on this site would be detrimental to this important key open space and to affect the special character and interest of the neighbouring heritage assets and their setting. The site is currently under consideration for development under planning application 2/2017/1912/OUT the details of which and consultation comments, including detailed heritage comments, can be viewed [here](#).*

*In general, for enabling development to be supported there needs to be evidence that a listed building is physically 'At Risk' in any way now or in the future. Such evidence has not been provided in the case of the Bull Tavern, neither have any discussions, test applications or documentation been presented to the LPA to provide any justification for such a type of scheme. The policy also makes no reference to avoiding harm to heritage assets or below ground archaeology either, which are all relevant.*

**EQ13:** Please seek agreement on this issue and provide me with any suggested change to the NP. The response should also deal with the issues raised in the objection by Hall & Woodhouse Ltd. Please incorporate a response to the points made by Mr David Stuart, Historic Places Adviser, (SN10).

### **14. PDF page 110; Plan page 103; Para/Section/Policy: Policy 40**

#### **Land adjoining Barton Farmhouse**

*Whilst Newton is included within the wider Sturminster Newton settlement boundary Local Plan boundary, as advised in para 1.12 of the*

*NDDC [Issue 10 Hearing Statement](#) during the examination into Local Plan Part One, NDDC considers that development in or adjoining the village of Newton to the south of the River Stour is inappropriate on the basis of poor access to local services and facilities which are located in the town centre but which are not easily accessible for pedestrians due to severance issues caused by the main road (A357). This position is being maintained for the Local Plan Review with the 'Areas of Search' to the south of Newton and between Glue Hill and the A357 being rejected from having development potential in the Issues and Options document due in part to poor accessibility to the local services and facilities situated within the town centre.*

*If the Examiner considers that the proposed allocation is appropriate, it is suggested that the 2<sup>nd</sup> bullet point is amended as follows: 'additional native planting to retain the semi-rural character of this section of road.'*

**EQ14:** Please seek agreement on the paragraph 15.1 issue and provide me with any suggested change to the NP.

**15. PDF page 115; Plan page 107; Para/Section/Policy: Paragraph 12.1.1**

*Given, amongst other things, current uncertainty regarding future national legislation/policy in respect of the Community Infrastructure Levy (CIL) NDDC does not currently intend on adopting or implementing a CIL Charging Schedule. In the interim, Section 106 agreements will continue to be used in order to make acceptable development which would otherwise be unacceptable in planning terms.*

**EQ15:** Please seek agreement on a suggested change to the NP.

**EQ16:** In addition to the matters dealt with above, please respond to the various issues raised by Gladman Developments Ltd SN02, Hall & Woodhouse Ltd (SN03) and Wyatt Homes (SN09), to the extent that they have not been dealt with in previous responses.

**EQ17:** In addition to the above, please let me have a response to the objections and observations made by Dorset County Council (SN01).