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North Dorset Local Plan Part 1

Pre-submission Consultation 29 November 2013 to 24 January 2014

Regulation 19 of Town and Country Planning (Local Planning) (England) Regulations 2012)

Response Form

For each representation you wish to make a separate response form will need to be completed.

This is a formal consultation on the legal compliance and soundness of the Local Plan before it is submitted to the Secretary of State for examination by an Inspector. For advice on how to respond to the consultation and fill in this form please see the 'Guidance Notes for Making Representations' that can be found on the Council's website at www.dorsetforyou.com/planning/north-dorset/planning-policy

Please return completed forms to:

Email: planningpolicy@north-dorset.gov.uk

Post: Planning Policy, North Dorset District Council, Nordon, Salisbury Road, Blandford Forum, Dorset DT11 7LL

Alternatively you can submit your comments online at: www.surveymonkey.com/s/NorthDorsetLocalPlan

Deadline: 5pm on 24 January 2014. Representations received after this time may not be accepted.

Part A – Personal details

This part of the form must be completed by all people making representations as **anonymous comments cannot be accepted**. Representations cannot be treated in confidence as Regulation 22 of the Town and County Planning (Local Planning) (England) Regulations 2012 requires copies of all representations to be made publically available. By submitting this response form on the pre-submission North Dorset Local Plan Part 1 you consent to your information being disclosed to third parties for this purpose, but signatures, private telephone numbers and e-mail addresses or private addresses will not be visible on our web site, although they will be shown on paper copies that will be sent to the Inspector and available for inspection.

*If an agent is appointed, please complete only the Title, Name and Organisation boxes to the personal details but complete the full contact details of the agent. All correspondence will be sent to the agent.

Personal Details (if applicable)*		Agent's Details (if applicable)*
Title	Mr	
First Name	Simon	
Last Name	Rutter	
Job Title(<i>where relevant</i>)		
Organisation (<i>where relevant</i>)	Proctor Watts Cole Rutter	
Address	Grosvenor House Bleke Street Shaftesbury Dorset	
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Part B – Representation

The North Dorset Local Plan 2011 to 2026 Part 1 and its supporting documents have been published in order for representations to be made prior to submission to the Secretary of State for examination. The purpose of the examination is to consider whether the Local Plan complies with the **legal requirements** and is **'sound'**.

If you are seeking to make a representation on the **way** in which documents have been prepared it is likely that your comments or objections will relate to a matter of **legal compliance**.

If you are seeking to make representations on the **content** of the documents it is likely that your comments or objections relate to the **soundness** of the plans and whether it is justified, effective or consistent with national policy.

Further information on the matter of legal compliance and the issue of soundness can be found in the 'Guidance Notes for Making Representations'.

If you need help completing the response form please see a member of the Planning Policy Team at one of the consultation exhibitions or call 01258 484201.

1. Please select which document you are commenting on:

- North Dorset Local Plan 2011 to 2026 Part 1 (please complete Questions 2 to 9)
- Final Sustainability Appraisal Report (please complete Questions 2 and 10)
- Habitats Regulations Assessment (please complete Questions 2 and 10)

2. Please state the part of that document you are commenting on:

Paragraph number:	Policy/site:	Policies map:

3. Do you consider the Local Plan to be legally compliant and prepared in accordance with the Duty to Cooperate, legal and procedural requirements?

- Yes No

4. Do you consider the Local Plan to be 'sound'?

- Yes No

5. If you consider the Local Plan to be unsound please specify your reason(s) by ticking the box(es) that apply below

- It has not been positively prepared
- It is not justified
- It is not effective
- It is not consistent with national policy

6. Please give specific details of why you consider the Local Plan has not been prepared in accordance with the Duty to Co-operate, legal or procedural requirement or why you consider the plan to be **unsound**. Alternatively, if you wish to support any aspects of the plan please also use this box to set out your comments.

This is set out in the attached document

7. What change(s) do you consider are necessary to ensure that the Local Plan is legally compliant and **sound**? It would be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

A change to the basic core strategy of concentration of all development within the four main towns to a more even distribution of development throughout the district to includes its villages where this is based on the hierarchy of settlements and their relationship to their local service centre.

8. If your representation is seeking a change, do you consider it necessary to participate in the oral part of the examination?

- No, I do not wish to participate in the oral examination
 Yes, I would like to participate in the oral examination

9. If you wish to participate in the oral part of the examination please outline why you consider that to be necessary. Please note that the Inspector determines who is heard at the examination.

10. Please outline your comments on the Final Sustainability Appraisal Report or Habitats Regulations Assessment. Comments are not confined to 'soundness' issues, but respondents can express their opinions on the above documents and use it as a reference point on the 'soundness' of the Local Plan.

11. Do you wish to be notified of any of the following? Please tick all that apply. We will contact you using the details you have given above.

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

Signature
If submitted



no signature is required.

Date: 24/01/2014

Submit Form

This button should attach your form to a pre-addressed email, if it does not, please save the form and send it to planningpolicy@north-dorset.gov.uk

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Policy Manager (Planning)
North Dorset District Council
"Nordon"
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DT11 7LL

24th January 2014

Dear Sir

NORTH DORSET LOCAL PLAN – Pre-submission Consultation

Policy 2 Cores Spatial Strategy

The plan sets out that 48% of the population lies outside the existing four main towns yet the vast majority of growth is proposed within them. This is unbalanced.

The spatial strategy is based on the objective of achieving sustainable development as set out in the NPPF. Yet nowhere is there any evidence produced that living beyond the four main settlements is unsustainable, and that living within the four main settlements is sustainable. It appears the plan assumes that rural living is unsustainable but there is no evidence presented. UK society is to remain largely car based and with technological advances and alternative power sources being developed likely to remain so. It is wholly unrealistic to rely on access to public transport as a determinant for locating development which is classed as sustainable ignoring the other two strands set out in the NPPF.

The strategy condemns the rural areas to a cycle of decline on this basis which is itself unsustainable.

The meeting of local needs in respect of the countryside (and its villages), is not defined. At the moment because of the lack of housing and housing choice outside the main towns local needs are being met within the towns fragmenting and diluting rural communities.

The strategic housing requirement for the district is calculated at meeting its housing needs throughout the district. Yet although the rural areas account for nearly 50% of the population the housing needs generated by these areas

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(which in itself is collectively a strategic requirement) is in effect entirely allocated to the towns. This is a reversal of historic trends which has previously valued the contribution development can make in villages to the overall growth and cohesion of the district. The new approach is unbalanced and will exacerbate the trend mentioned above.

We have previously written to suggest an alternative approach would be more appropriate giving local communities opportunities for discussion and choice. That is a distribution of housing on the basis of the four or five main towns and their catchments so that each town and its catchment villages negotiate and agree how the distribution of housing is met in the first instance. This would satisfy the requirement to allocate the strategic housing without being overly prescriptive of where it is located.

This policy is an abdication of the responsibility of the local planning authority to plan its area effectively leaving as it were small local communities to 'fight over the crumbs' of the disproportionately small dwelling allocations.

Policy 3 Climate Change

f) Robust design of housing should be considered as an alternative option to an outright prohibition on building in the margins of flood plains.

Policy 5 The Historic Environment

This policy is unnecessarily long in trying to expand on the guidance within the NPPF which in itself provides adequate policy guidance. In seeking to add a local interpretation on the NPPF the tests and requirements for change to a heritage asset is set too high and are too onerous and over prescriptive. Therefore the policy as worded may well lead, perversely, to those with an interest in heritage assets to avoid making applications for work or undertaking work involving building features and fabrics that might contribute to the significance of an asset without making formal applications. This is foreseeable and would be an unintended consequence.

Policy 6 Housing Distribution

As stated above 48% of the population is located outside the four main towns and in the plan is now allocated only a minimum of 5% of new houses. This is wholly disproportionate and unbalanced. This will exacerbate the concentration of affordable housing within urban areas further unbalancing the social and economic structure between towns and countryside. Further the figure in the previous 15 year plan was 5900 and is now reduced to 4200 although housing need has risen.

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In terms of allocating most development to towns this has resulted in old fashioned urban sprawl, most noticeable in Shaftesbury from the higher land of the Cranborne Chase AONB nearby and a point made by the AONB Partnership Forum when appearing at the inquiry into the eastward expansion of Shaftesbury. A similar scale of development can be distributed more evenly so that it can be assimilated into the landscape more successfully. Similarly this scale of development in on geographic location is hard to assimilate into existing communities particularly where physical barriers separate new from established areas e.g principal roads and railways. This is also a function of the speed of such developments where a more considered approach to phasing is needed.

Policy 7 Delivering Homes

b) Relocation. This approach has demonstrably failed in Shaftesbury which embraced the Enquiry by Design approach. When considering large bolt on housing projects unrelated to the historic growth of the host settlement there should be a 'house' style adopted for the new development throughout which would be more honest and appropriate and widens the design palette.

Policy 9 Rural Exception Affordable Housing

The policy compounds the overly restrictive development policy for the countryside in that any affordable housing will, for the most part, come under the definition of an exception site.

It substitutes its' own interpretation of sustainability for that set out in the NPPF rather than seeking to provide guidance on how this might be interpreted locally.

No guidance or criteria is set out for how the Council might exercise their discretion.

The local housing needs survey will inevitably show the need for non-affordable as well as affordable housing. Policies within the plan make it very difficult for communities to plan for non-affordable housing as it could not come within the terms of this exception site or other policy and without a Neighbourhood Plan would have to go without.

The way provision of market housing is to be provided is too inflexible. In meeting a communities need for affordable housing the way sites come

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forward should be maximized, which means how they can be delivered should be more flexible.

Policy 12 Retail, Leisure and Other Commercial Development

This policy is behind current thinking on the future of town centres which means encouraging their use as a meeting place and activities for people. The key ingredient to centres is allowing active uses which encourage people to visit and inhabit them and this is not restricted to retail uses. Definitions of primary and secondary frontages is therefore obsolete and introduction of whatever uses which result in high levels of footfall is required.

Policy 13 Grey Infrastructure

Transportation

- a) The A303 is the major strategic route into and through the eastern part of the South West of England. Significant amounts of development are planned in settlements along its length where reliance on the A303 is key. The growth of Gillingham will add only a fraction of pressure on this road and it is over simplistic to suggest placing housing growth on the south side of Gillingham will help avoid any additional pressure on this road. Completion of the dualling of the A303 along its length would be more constructive and beneficial to the whole region rather than trying to avoid adding traffic to it in the hope this will not be necessary. The alternative A30 route is not really an alternative as it is far inferior quality, narrow and winding, running through many villages and towns unsuited to an increase in traffic and diminishing residents amenity.
- b) Generally there is no effective alternative to the car, yet no commitments are made to improve the existing network around two of the main towns of Shaftesbury and Gillingham, which are subject to regular congestion, with no routes other than through each town. Given the current and future proposals for growth of each town, by-passes should form a commitment so any and all development can contribute to their funding.

Policy 17 Gillingham

Generally there is a lack of vision for the town in addressing its lack of cohesion and legibility, congested relief road and declining town centre and looking at its future as the principal town in the district.

- b) The strategic allocation on the south side of Gillingham is misconceived in placing itself further from the A303, in lower areas more prone to flooding, on clay land around the confluence of local rivers and placing the railway line and its single crossing between it and

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the town centre and the main area of the town. The area to the north and east is better placed to meet the long term growth of Gillingham and where there is a choice between the two junctions of the A303. It would be better placed for access to the Doctors surgery at Peacemarsh and so there would be not need to build a new surgery.

q) This link road is largely to serve the needs of the proposed strategic site allocation and is therefore, not properly described as infrastructure that will help the town.

s) No new transport infrastructure is proposed only upgrading. Gillingham has only a single crossing point over the main line railway between the southern and north parts of the town which has already been upgraded in the past. This is already subject to substantial congestion on a daily basis as result of development on the south side of the river and increases in the district's population generally. As Gillingham's size increases (leading to improvements as a service centre reaching an expanding catchment population) this will exacerbate an already congested route. In view of Gillingham's large strategic allocation of development (likely to be repeated in the future given the constraints in the districts' other three main towns) identifying the need for a second crossing as part of a new by-pass would be good planning for the current plan period and beyond. This would allow any new development to contribute to its funding as part of the CIL charges. This policy singularly fails to make any provision for new infrastructure although its need is foreseeable. With this in mind a replacement railway station could be planned on the route for the bypass which would encourage more use, provide a better facility with more car parking and allow the old station site to be re-developed to fund it giving better access to its newly re-developed leisure centre and site for a community hall.

Policy 21 Gillingham SSA

For general remarks see above. This confirms that no new infrastructure is planned that will assist Gillingham town to become a more functional and successful town in managing the distribution of its development and improvement of its town centre exposing a lack of vision.

Policy 28

h) Unnecessary, as change of use to a separate dwelling requires planning permission in any case and unduly restrict legitimate design approaches.

k) There is no design or aesthetic reason why an extension or alteration need to be subservient or designed to be in character and ignores opportunities for enhancement. There are numerous examples where an existing dwelling has

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no architectural or aesthetic merit. This policy unnecessarily fetters both the designer and the Council in its decision making.

m) Again, use as a separate dwelling would require planning permission in any case, and unduly restricts where buildings could otherwise be reasonably located.

n) Unnecessary, as this is already within the control of the Council under law without need of a policy.

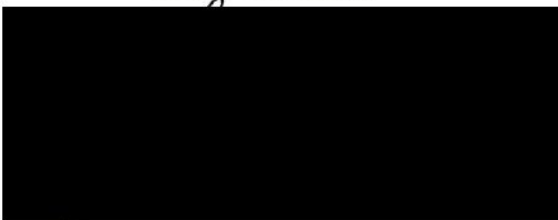
Policy 31 Tourist Accommodation in the Countryside

a) One of the key requirements of most tourist accommodation, camping and caravan touring sites is that they are in the countryside remote from other settlements and is their 'raison d'être'. Public transport is confined to a few main routes within the district and services are not sufficiently frequent to be of any help in giving access to local facilities as for the vast majority of the resident population. The policy as worded ignores the reasons for many of these sites and so severely restricts opportunities for tourism.

General Remarks

The plan is unnecessarily long and wordy which is reflected in policies that are similarly too long over prescriptive and do not reflect the spirit of the NPPF seeking to envisage every situation when better worded policies could achieve greater degree of flexibility for all participants allowing them to respond to material considerations in a local context.

Yours faithfully



3/GH