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Your ref:

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Date: 16 June 2020



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Dear Sirs

**RE: Puddletown Neighbourhood Plan – Defined Development Boundary
 Our Client: Lorna Chinniah
 Land at The Coombe House, Whitehill**

We are instructed by Lorna Chinniah [REDACTED]
[REDACTED] in respect of the draft Neighbourhood Plan submitted by
Puddletown Parish Council.

Our client is aware that her land attached to the Property known as land at The Coombe House ("the Land") has been removed from the defined development boundary plan filed by the Parish Council. This plan is to form part of the new Neighbourhood Plan for Puddletown.

From consideration of the West Dorset, Weymouth & Portland Local Plan 2015 ("the Local Plan") the accompanying policies map includes the Land within the defined development boundary. For ease of reference, the Land is marked on the draft defined development boundary document produced by the Parish Council and also the existing policies map accompanying the Local Plan.

Our client currently rents out the Property and included within its tenancy is the use of the Land attached to the Property. The tenant uses the Land to grow vegetables and as an extension to the garden of the Property. The Land is fenced off from the avenue of trees located next to it, and unless permitted by our client or her tenant, the Land cannot be accessed by the public.

It is not clear why the Land has been removed from the Defined Development Boundary, and reasons for its removal have not been provided in the draft Neighbourhood Plan or any accompanying documents.

The Parish Council had sought for the Land to be included as local green space. This designation was challenged and the Land was removed from the local green space designation given that the Land did not meet the criteria for local green space. It is therefore possible that in the Parish Council's removal of the Land as potential local green space, they removed it from the defined development boundary plan and failed to correct it.

If of course this is not the case, then our client strongly objects to the removal of the Land from the defined development boundary.

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General guidance for the defined development boundary in a Neighbourhood Plan is, but not limited to:-

- Delineate acceptable areas for development;
- Follow a consistent approach to development boundaries based on an agreed set of criteria relevant to both rural and urban settlements;
- Follow clearly defined physical features (e.g. hedgerows, roads and streams);
- Include curtilage of dwellings.

Some of this guidance is reaffirmed in the Local Plan at paragraph 3.3.27 which states that:-

“Using neighbourhood development plans and other planning tools, communities can allocate sites, introduce or extend a development boundary or develop a criteria-based policy to allow development to take place”.

It is not apparent from the draft Neighbourhood Plan, what criteria-based strategy has been applied for the removal of the Land from the existing defined development boundary. Further, the Local Plan paragraph 3.3.27 recognises introducing or extending a development boundary but does not suggest that land already designated within the defined development boundary should be removed without justification.

As stated above, the Land is used as an extension to the residential curtilage of the Property (a residential garden) and ought properly to be included within the defined development boundary.

The Local Plan reiterates this point at paragraph 3.5.4 where it states that:-

Neighbourhood Development Plans have the potential to “extend existing defined development boundary, or adding them to settlements that do not currently have a boundary”.

When considering the strategic objectives of the Local Authority contained within the Local Plan, the strategic approach is that *“it is expected that neighbourhood development plans and other appropriate planning tools will be used to help bring forward new development, and may allocate additional sites, or extend an existing (or add a new) development boundary to help deliver this growth”.*

Policy SUS5 confirms that Neighbourhood Plans should contribute to the Local Plan strategic objectives. Removal of this Land is believed to conflict with the Local Plan strategic objectives as it seeks to remove land previously contained within the defined development boundary rather than retain it or extend the existing development boundary in order to help deliver appropriate growth.

Furthermore, the National Planning Policy Framework (“the NPPF”) at paragraph 29 is as follows:-

“Neighbourhood Plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies”.

Removal of the Land from the defined development boundary is promoting less development and undermining the existing policies map accompanying the Local Plan, which clearly includes the Land within the defined development boundary.

The draft Neighbourhood Plan for Puddletown does not provide reasoning or justifications for removal of the Land from the existing defined development boundary. It does however provide, at paragraph 4.1.9 that:-

"Adjustments have been made to the defined development boundary to include these sites (and exclude land that is to be protected from development, such as local green spaces)".

Our client was not aware through the public consultation period that the Land was to be removed from the defined development boundary and would have objected at this stage.

It may therefore be the case that when initially designating the Land for local green space, the Land was removed from the defined development boundary and following removal of the Land from designation as local green space, the Land was not re-included within the defined development boundary. This would accord with paragraph 4.1.9 of the draft Neighbourhood Plan.

If that was not the case, then the removal of the Land from the defined development boundary does not accord with paragraph 4.1.9 of the draft Neighbourhood Plan.

The Local Authority are therefore asked to consider the defined development boundary plan submitted by Puddletown Parish Council alongside their draft Neighbourhood Plan and seek inclusion of the Land within the defined development boundary.

Yours faithfully

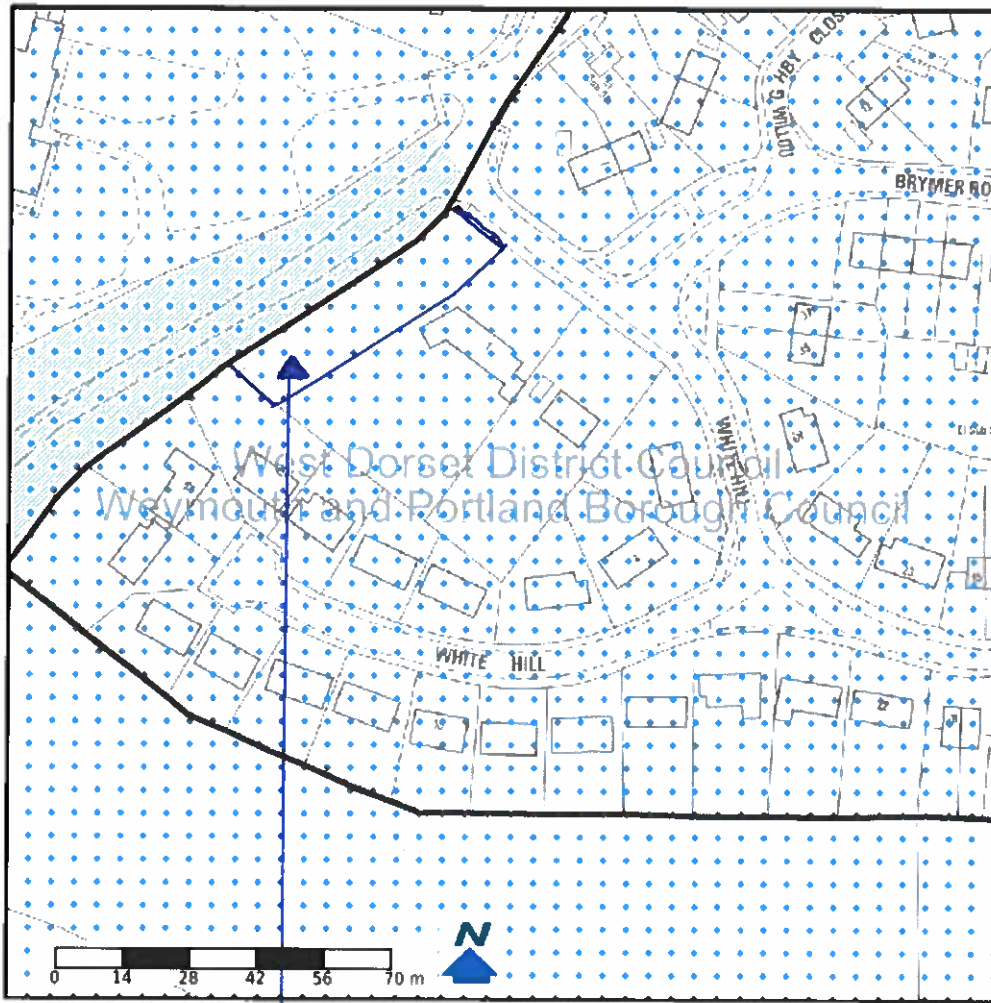
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The Coombe House, Whitehill

Legend

- Land of Local Landscape Importance ENV 3
- Defined Development Boundary SUS 2
- Groundwater Source Protection Zones ENV 9
- Poole Harbour Nutrient Catchment Area ENV 2



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