

Fontmell Magna Neighbourhood Plan Submission Regulation 16 Consultation North Dorset District Council Response 08/06/2018

North Dorset District Council (NDDC) welcomes receipt of the submission version of the Fontmell Magna Neighbourhood Plan and the significant amount of work that has been undertaken by the local community in its production. The Council is aware of the various consultation events held within the local community to identify issues, gain consensus and draw conclusions and in this context seeks to provide constructive comments on the finalisation of the Plan.

For ease of reference, comments are set out according to the sections of the submission version of the neighbourhood plan. Some comments may cover more than one topic or section and should be seen in this context. The comments made in this response should not be seen as exhaustive and the officers continue to encourage an on-going dialogue with the Neighbourhood Plan Group and the Qualifying Body.

General Comments:

The submission version of the Plan appropriately seeks to deal with issues of a local nature including the built and natural environment, green infrastructure, the local economy and proposed allocations to meet local housing needs.

Detailed Comments:

Section 2. Rural Character of the Parish

Table 2, Local Green Spaces:

The National Planning Policy Framework (NPPF) is clear that Local Green Space designation will not be appropriate for most green areas or open space. NDDC notes the justification provided for the selection of the 19 areas proposed as Local Green Spaces but considers that some of the areas may fall short of the tests set out at paragraph 77 of the NPPF. For example areas 6 & 11 are not considered to be sufficiently special or holding particular local significance. The School grounds are also afforded a high degree of protection for educational uses which may reasonably warrant appropriate development with the provision of further ancillary spaces.

Policy FM1: The wording should more closely reflect that of the NPPF and address the spatial extent of the policy: "Local Green Spaces (listed in Table 2) have been identified as important to the local community. Inappropriate development will not be approved in these areas except in very special circumstances"

Policy FM2: The wording should use the thresholds set out by Natural England and DCC Natural Environment, i.e. sites over 0.1ha or where there is likely adverse impact to biodiversity (which might include development on areas identified as Wildlife Corridors).

Policy FM3: For clarity it is suggested that the wording should be amended to "... or negatively affect views of the parish and Blackmore Vale...". It is likely that the proposed allocation at site 20 and suggested onward vehicular access will fall partly within View 3 from Brandis Down.

Policy FM4: The wording of this policy should more closely reflect that of Policy 4 of the North Dorset Local Plan Part 1 (LPP1) which is applicable to proposals within the setting of AONBs.

3. The Built Character and Historic Environment

Policy FM7: Direct reference could be made to the importance of the patchwork of green spaces within the built environment, especially if the examiner concludes that a number of the proposed Local Green Spaces should be deleted.

Policy FM8: NDDC considers the proposed minimum distance (20m) is excessive and unjustified and combined with the proposed minimum rear garden depth would be inflexible. 'Modern standards' have not been defined. The space standards in paragraph 10.57 of the LPP1 provide an appropriate standard.

5. Flood risk, drainage and sewage treatment

Policy FM11: The wording should be changed to reflect the Government's Planning Practice Guidance (PPG) thresholds, being sites which are greater than 1ha in flood zone 1, any development in flood zone 2 or flood zone 3 or areas identified to be at risk from surface water or groundwater flooding.

Policy FM12: The requirement to demonstrate necessary upgrades to the treatment works are in place prior to the site's occupation should be caveated with; "unless otherwise agreed by Wessex Water"

6. Community Facilities

Policy FM13: The importance of accessibility of any new facilities should be highlighted within the policy, perhaps reflecting the neighbourhood plan group's

general preference for development on the west side of the A350.

6.12: The reference to using 25% of the CIL chargeable amount should be removed as this is not considered to be appropriate in the context of CIL regulation 122.

Policy FM13A: the wording should be amended to enable other reasonable requirements to be identified beyond those listed. NDDC currently require affordable housing units to contribute to all necessary obligations as such the proposed distinction should be removed.

7. Employment Needs

Policy FM14: NDDC has some concerns regarding the appropriateness of this policy and the information needed in order to demonstrate compliance. If to be included the information requirements should be specified within the policy. It is suggested that the wording of the policy is amended with the replacement of 'incidental' with 'ancillary'. Furthermore, if the policy is retained within the plan the reference to 'the business use' (in the third bullet point) should be replaced with 'the development'.

Policy FM15: NDDC considers that this policy should be deleted. Whilst the rationale for the policy is understood it is considered that it is not justified given what is set out in national planning policy and guidance.

9. Amount and location of new development

Policy FM17: The current wording of Policies FM19 and FM20 allow for the development of up to 40 dwellings (up to 30 and 10 dwellings respectively). The wording of Policy FM 17 should be amended to reflect this. Furthermore, the justification and supporting assessments of this policy, including the Sustainability Assessment, should be considered as to any potential implications.

Table 4 Site 20: This site is within the Conservation Area, not on the edge of it.

Policy FM19: The development of 30 dwellings is considered likely to cause less than substantial harm to the conservation area, despite being found by the neighbourhood plan group to have a neutral impact in the supporting evidence (appendix 2). As highlighted in comments made by a member of the Council's Conservation Team in respect of a current planning application (2/2018/0338/OUT) relating to this site, less than substantial harm does not mean no harm or acceptable harm. The current indicative plan shows a vehicular link to site 22 which may prejudice the sub-area for employment / community facilities and or reuse of the building on that site as currently located. The inclusion of a substantial landscaped edge on the south of the site, along with parking provision for the school, will also concentrate the density of the residential development.

Table 5 Site 22: There is no reference here or on page 57 that the site is located within the Conservation Area.

Policy FM20: The allocation of any housing types provides a precedent for residential development. It is considered that the policy currently fails to adequately restrict proposals to affordable or self-build housing as intended.