

**For office use only**

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 Representation # \_\_\_\_\_

# 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](http://www.dorsetforyou.com/planning/north-dorset/planning-policy)

**Please return completed forms to:**

Email: [planningpolicy@north-dorset.gov.uk](mailto: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](http://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	Miss	
First Name	Alison	
Last Name	Appleby	
Job Title (where relevant)	Lead Adviser	
Organisation (where relevant)	Natural England	
Address	Hornbeam House Crewe Business Park Electra Way Crewe Cheshire	
Postcode	CW1 6GJ	
Tel. No.	07500 913698	

Email Address	Alison.appleby@naturalengland.org.uk	
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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:
Section 3, Appropriate Assessment		

### 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.

*Continue on a separate sheet if necessary*

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.

*Continue on a separate sheet if necessary*

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.

Natural England draws your attention to and concurs with the recommendations in column 6 (recommending minor word changes to policy) and column 7 (Appropriate Assessment recommendations) of Table 2 within the HRA document and also the site specific additional recommendations from the Appropriate Assessment of the HRA

We request that these be actioned and for clarity detail them below:

**From column 6 (Additional measures required to remove LSE)**

**Policy 6:**

Although overall housing numbers have reduced , all key issues remain of relevance. Further detailed assessment required – take to AA, with consideration of housing numbers proposed for each town.

**Policy 10:**

Note that HRA will be required for the development plan document.

**Policy 14:**

Opportunity for supporting text to make reference to importance of informal and natural open space to reduce pressure on areas of high wildlife value (7.108)

**Policy 15:**

The policy should refer to the role of new greenspace as part of the suite of measures that protect European sites.

**Policy 18:**

It is noted (para 8.121) that the plan is no longer reliant on the outer ring road during the plan period, and the line of the road is now only protected from development to retain future options. It is clear that the plan is no longer reliant and therefore no LSE for this aspect of the policy but it is suggested that para 8.121 refers to the need for HRA for any future allocation or road project. Impacts of recreational pressure do need further consideration in the appropriate assessment.

**Policy 20:**

To remove LSE it is recommended that the Table highlighting relevant policies guiding development in the countryside is amended to include Policy 4 on the natural environment and policy 15 on green infrastructure. The cross reference to policy 4 will ensure that it is clear that impacts on European sites will be taken into account in any proposals and also relevant to neighbourhood planning.

**Policy 21:**

The masterplan for the southern extension should be the subject of HRA, and should seek to rule out LSE. Recommend that supporting text at para 9.20 and para 9.44 should refer to the green infrastructure plan seeking to prevent impacts on European sites, with wording that captures wider impacts (e.g. from water resources and discharges, recreation etc) not just those in close proximity. This could be done with minimal additional wording with either specific reference to European sites and the need for a masterplan HRA expanding the sentence relating to ecological interests close to the site to also state 'and those in the wider area where relevant through HRA.'

**Policy 26:**

It is however noted that the policy could refer to impacts on the natural environment.

**From column 7 (Appropriate Assessment (AA) recommendations)****Policy 2:**

See AA chapter summary boxes to identify recommendations that still need to be put in place to enable conclusion of no AEIOI for the plan

**Policy 4:**

Additions to supporting text and policy should be made as recommended in the appropriate assessment, to ensure that this policy provides the protection measures required.

**Policy 6:**

See AA chapter summary boxes to identify recommendations that still need to be put in place to enable conclusion of no AEIOI for the plan

**Policy 11:**

The new AA reconsidered impacts of increased traffic and air pollution on the SACs. No AEIOI now concluded with considerable focus of the plan on traffic reductions and sustainable transport. However, there are further options to improve air quality within the immediate vicinity of the SACs which should be taken forward through relevant plans and strategies

**Policy 12:**

The new AA reconsidered impacts of increased traffic and air pollution on Rooksmoor SAC. No AEIOI now concluded with considerable focus of the plan on traffic reductions and sustainable transport. However, there are further options to improve air quality within the immediate vicinity of the SACs which should be taken forward through relevant plans and strategies

**Policy 13:**



The Appropriate Assessment has considered potential impacts on European sites arising from water resources and water quality issues. Whilst it appears that impacts will not occur or there are measures in place to address them, it is recommended that the plan needs a robust evidence base to support these conclusions. This should be obtained from Wessex Water and the Environment Agency

**Policy 15:**

Particularly need to consider the conclusions of the appropriate assessment relating to recreational impacts on the chalk grassland sites, and the role of greenspace at Shaftesbury

**Policy 16:**

Impacts of increased recreational pressure on Fontmell and Melbury Downs SAC is considered in the appropriate assessment and measures are recommended to strengthen text and put monitoring in place

**Policy 18:**

Impacts of increased recreational pressure on Fontmell and Melbury Downs SAC is considered in the appropriate assessment and measures are recommended to strengthen text and put monitoring in place

**Policy 19:**

The AA has considered updated information relating to the potential impact of increased traffic from new growth on Rooksmoor SAC and its management.

**Site specific additional recommendations from the Appropriate Assessment of the HRA  
Urban effects and the Dorset heaths (page 37)**

Supporting text could highlight the level of developer contributions expected from within the 5km zone and cross reference to the SPD (which gives details of mitigation measures). It could also mention the possibility for large developments within 5km of the Heaths (which are not likely to come forward) to provide their own mitigation.

**Impacts of recreation on chalk grassland sites (Fontmell and Melbury Downs SAC, Cerne and Sydling Downs SAC and Salisbury Plain SAC/SPA)(page 40)**

It is suggested that the Council liaise with Natural England and site managers (Dorset Wildlife Trust/National Trust) in order to ensure monitoring is in place and that – should any problems arise in the future relating to increased recreational pressure from local users – mechanisms are in place to resolve the problems.

**Impacts of increased recreational pressure on the New Forest (New Forest SAC/SPA/Ramsar)(page 43)**

We recommend that North Dorset District Council does maintain contact with neighbouring local authorities and Natural England regarding the New Forest. It may be that at some stage in the future some strategic measures or joint working will be required.

**Impacts relating to water resources and water quality (page 45)**

It is recommended that urgent discussions take place between the Council and the Environment Agency and Wessex Water to build the necessary evidence to support the conclusion that the proposed growth over the plan period will not contribute to any impacts on European sites in terms of water quality and water resources.

The plan needs to specifically refer to the Strategy for Managing Nitrogen for Poole Harbour and secure policy wording that commits development within the catchment area to adhering to the nitrogen neutral requirements, primarily within policy 4 but also in introductory sections describing overall growth for the plan period.

**Impacts on air quality as a result of new growth (Fontmell and Melbury Downs and Rooksmoor SACs) (page 48)**

It continues to be suggested that further traffic control measures should continue to be investigated for roads in close proximity to the SACs. Furthermore, the benefits of baseline information for assessing impacts and seeking appropriate mitigation measures continue to be emphasised and the Council should seek opportunities to work with relevant partners to develop more comprehensive baselines for the two sites.

**Long term management of Rooksmoor SAC in relation to roads and traffic (page 50)**

Prior to 2025 it will be necessary for the management at Lydlinch Common to be reviewed. The issues are therefore not entirely resolved and there may be implications for the Council to consider in the longer term.

#### Other comments

With particular reference to paragraph 3.34 of the HRA (relating to policy 13 of the Local Plan) we cannot agree with the HRA in relation to its conclusions with regards to water resource and quality. This is because no evidence has been provided to conclude there is unlikely to be any other water resource and water quality issues relating to European sites over and above the need to mitigate for the area known to discharge to Poole Harbour. We concur with the recommendation that North Dorset District Council should seek assurances from Wessex Water and the Environment Agency regarding water abstraction and discharge across the district. It is suggested that these discussions should be held prior to the Examination of the North Dorset Local Plan Part 1, in order to provide evidence to back up the assumptions being made.

#### Conclusion

Natural England will be in a position to agree with the conclusions of the HRA once we have been provided with the evidence that water quality and resource is not an issue, and that the above recommendations have been actioned and incorporated into the plan before final submission.

**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: Alison Appleby

Date: 24/1/14

*If submitting the form electronically, no signature is required.*