



North Dorset Local Plan Examination

Issue 1: Duty to Co-operate, Legal Requirements and the Council's Broad Strategy. Tuesday 10 March 2015 at 10.00am.
The Crown Estate (ref: 2986)

Question 1.4: Is LP1 based on a sound process of sustainability appraisal and testing of reasonable alternatives, and does it represent the most appropriate strategy in the circumstances? Has the strategic site selection process been objective and based on appropriate criteria? Is there clear evidence demonstrating how and why the preferred strategy was selected?

What Part of Local Plan Part 1 is unsound

- 1.1 The Crown Estate considers the testing of reasonable alternatives and the Sustainability Appraisal (SA) to support the Focussed Changes (reference SUD007¹ and SUD008²) in August 2014 with regard to the deletion of the allocation of land at West Blandford (Crown Meadows) to be unsound.

Which soundness criterion does it fail

- 1.2 It is considered that the testing of reasonable alternatives and SA process to support the Focussed Changes is not consistent with national planning policy and is not justified.

Why it fails

- 1.3 The Crown Estate considered the Council's initial approach to the SA to support Local Plan Part 1 up to the Pre-submission stage (November 2013) to be sound. The Council's strategy and site selection process up to this point was based on a sound site selection process giving a more balanced consideration to well-located and accessible locations to the town centre such as West Blandford and West Blandford St Mary.
- 1.4 This emphasis on accessible and central locations was demonstrated by the Pre-submission Plan published in November 2013 (reference SUD001b³). This stated at paragraph 8.11 that the key spatial aspects of development at Blandford will be (inter alia);

"Focusing housing in accessible locations, particularly locations accessible to the town centre" (emphasis added).

Paragraph 8.24 continues:

"The Council's preferred approach is to develop land west of Blandford Forum and west of Blandford St Mary. Development in these locations would be more accessible to facilities and services and would have less impact on the landscape than the other options. These issues are discussed in more detail in the Market Towns: Site Selection Background Paper" (emphasis added).

¹ LP 2011 to 2026 Part 1 Focused Changes Pre submission document – August 2014

² LP 2011 to 2026 Part 1 Focused Changes Supplement to the Final SA report – August 2014

³ Local Plan Part 1 Pre-submission Documents

- 1.5 The Council's strategy up to this point was guided by a sound testing of options and SA process. The Council's evidence base studies balanced accessibility criteria with other sustainable development criteria (including ecology, landscape and heritage) as summarised in the Council's market towns background paper which concluded that West Blandford was a suitable housing site (reference MTC001)⁴. The Council's transport study (reference INF009)⁵ also identified West Blandford as the most sustainable greenfield option in the town. Being within close proximity to the town centre and directly adjacent to the town's secondary school and a primary school, the site offers the best opportunity to deliver sustainable development. The Crown Estate has held numerous discussions with Dorset County Highways who remain supportive of development at this site and recognise the benefits of locating new homes adjacent to the town centre as part of a sustainable development strategy.
- 1.6 The Crown Estate is however concerned that the Council's revised site selection process and SA process to support the Focussed Changes consultation in August 2014 (reference SUD007)⁶ is flawed and is therefore unsound. This proposed the deletion of housing growth at West Blandford and its replacement with a site at the A350/A354 junction south east of Blandford St Mary.
- 1.7 The Council's sustainability objectives and the focus on accessible sites to the town centre has been diminished by changes to the Plan. Consequential changes to Policy 16 have also been made to fit/justify the revised strategy. For example, change reference CON/16/1 amends paragraph 8.11 (outlined above) stating that housing will be located in accessible locations, particularly those close to the town centre and 'other facilities'.
- 1.8 The Crown Estate submitted an objection to the proposed changes and the deletion of housing growth at West Blandford outlining concerns that the proposed changes are not fully justified or meet the tests of soundness set out in NPPF. In summary:
- The deletion of West Blandford is not justified on heritage grounds: We question the conclusions of the Council's assessment. This assessment was based on a specific scheme that was not necessarily being allocated in Local Plan Part 1 but was instead to be allocated in Local Plan Part 2. It has not been adequately demonstrated that development at West Blandford would result in change that would meet the 'high test' of substantial harm as set out in NPPF. The Council's assessment is inconsistent in its approach. Whilst the baseline describes the area in which the site is located as an urban fringe, being one of medium sensitivity, the assessment incorrectly considers it as comprising an area of open and undeveloped landscape and being highly sensitive. These inconsistencies undermine the conclusions of the report as it fails to demonstrate that significant harm would be caused to heritage assets.
 - There has been no consideration of reasonable alternatives: Paragraph 12 of the Planning Practice Guidance outlines that the "*Sustainability Appraisal plays an important part in demonstrating that the Local Plan reflects sustainability objectives and has considered reasonable alternatives*" (*emphasis added*). It is not considered that the Council has adequately considered other reasonable alternatives on the West Blandford site to mitigate any impact on built heritage.
- For instance the Council could have considered including a smaller scale of development and a design response to mitigate heritage impacts. The Council's own evidence base identifies that a smaller scale of development could be accommodated on the site if development were

⁴ North Dorset District Council (November 2013) Market Towns Site Selection Background Paper.

⁵ Burro Happold (March 2010) North and North East Dorset Transport Study

⁶ The North Dorset Local Plan - 2011 to 2026 Part 1: Pre-Submission Focused Changes (August 2014)

limited to the more 'urban fringe' northern part of the site⁷. AMEC has prepared a smaller option which addresses the Council's heritage concerns. This could assist the Council in meeting development needs (see our response to issue 4) whilst also respecting historic environment considerations. The revised option is included in **Appendix A**.

- Concern about revised SA to support the changes: The assessment is solely based on heritage factors. Wider sustainability factors of the West Blandford site (as identified above up to the pre-submission stage) need to be balanced against the heritage considerations in undertaking the SA. Factors such as sustainability, transport and accessibility, support for the town centre should be weighed in favour of the site during the SA/site selection process. As part of our submissions we provided a re-worked SA (see **Appendix B**). This identified where we feel the Council's SA score does not reflect the evidence and have suggested alternative scoring where appropriate which better reflects evidence based work and comments from statutory consultees.
- No Balancing act: NPPF makes it clear that the sustainable development merits of a plan should be assessed against the policies in the Framework taken as a whole. With the evidence being weighted on heritage issues and little reference to other sustainable development criteria, there is not sufficient evidence to suggest that the proposed change provides a holistic approach to meet the tests of soundness set out in NPPF.

How can Local Plan Part 1 be made sound

- 1.9 It is considered that in order to meet the tests of soundness set out in NPPF particularly justified and consistency with national policy, that the Council should consider other reasonable alternatives through the SA process. This should include reinstating West Blandford or smaller options which address heritage impacts such as that presented in **Appendix A**. It is noted that sites are to be defined through Local Plan Part 2 and alternatives could have been considered at this stage.
- 1.10 As noted in our response to Issue 4, the Council will need to identify further greenfield sites at Blandford Forum to assist in meeting the objectively assessed needs over a longer plan period. A reinstated option at West Blandford can therefore make an important contribution to meeting housing needs in a highly sustainable manner.

Question 1.5: Is the Council's core spatial strategy (policy 2) justified and compatible with the principles referred to in paragraphs 17 and 55 of the NPPF? Will the policies and proposals in LP1 contribute to the sustainable growth of the District?

- 1.11 The Crown Estate considers the spatial strategy to be sound and justified, including the identification of Blandford Forum as a main town. This is essential to give sufficient policy weight in the Local Plan to enable an appropriate level of development to respond to the challenges that the town faces.
- 1.12 The North and North East Dorset Transport study⁸ identifies Blandford as the joint most self-contained settlement in the District. In addition, Blandford Forum is the largest and most sustainable settlement in the whole of the southern part of the District. The approach therefore supports the principles of NPPF (paragraph 17) which seeks to manage patterns of growth and focus development on locations which are or can be made sustainable (see our response to question 7.4). Further development at Blandford is therefore essential to enable it to fulfil its role as a service centre serving a larger rural hinterland.

⁷ North Dorset District Council (November 2013) Market Towns Site Selection Background Paper – paragraph 5.20.

⁸ Buro Happold, North and North East Dorset Transport Study 'Working towards a Transport Strategy' (March 2010).



- 1.13 It is essential that sufficient housing allocations are made in Blandford to strengthen its role as the second largest town in the District and as a service centre in the south of the District. We consider that The Crown Estate's sites in Blandford Forum and Blandford St. Mary are well placed to assist in housing delivery (refer to our response on question 7.1) as part of a long term sustainable growth strategy.

Question 1.10: What is the justification for the removal of the settlement boundaries now (with the exception of the four main towns)? What options were considered by the Council? Policy 9 refers to affordable housing schemes 'adjoining the built-up area' of Stalbridge and the villages. How would a decision maker know how to react to such a scheme when the built-up area is not defined? If the Council's approach is not sound (i.e. justified), what is the appropriate way forward?

What Part of Local Plan Part 1 is unsound

- 1.14 The Crown Estate considers the reliance on the settlement boundaries around the four main towns as identified in the previous Local Plan adopted in 2003 to be unsound.

Which soundness criterion does it fail

- 1.15 The current settlement boundaries around the four main towns (and their proposed retention) are unsound because the approach is not consistent with national planning policy, is not positively prepared, justified or effective.

Why it fails

- 1.16 In our submissions to the Pre-submission Plan, we raised concerns that the proposed development boundaries of towns such as Blandford are based on the 2003 Local Plan and do not currently include the proposed housing or employment allocations. We therefore welcome the inclusion of additional wording to Policy 2 which states that whilst existing boundaries will continue to be used, exceptions could be made in the case of growth locations (identified in Policy 16, 17, 18, 19 and 21).
- 1.17 Although Local Plan Part 1 (SUD017a and SUD017b⁹) has amended Policy 2 in paragraph 3.55 to state that the settlement boundaries will apply in conjunction with the draft allocations, Policy 16 and paragraph 8.25 state these are broad locations to be defined in Local Plan Part 2. This is also in conflict with Policy 20. The Council's current approach is ambiguous. Many of the draft allocations identified through this Plan are included within the Council's five year supply. The current approach could lead to unnecessary delays in bringing allocated sites forward given they are outside the settlement boundary. This could impact on the Council's ability to maintain a deliverable five year supply of housing land. Furthermore, as noted in our response to question 1.12 and issue 4, it is considered the plan period needs extending and housing numbers also need increasing to meet full objectively assessed needs. The current settlement boundaries would prevent the Council from making further allocations to meet its substantial housing need. The approach would not accord with the emphasis of NPPF to provide a positive strategy and boost significantly the supply of housing.
- 1.18 It is therefore recommended to meet the tests of soundness set out in NPPF (particularly justified, positively prepared and effective) that settlement boundaries should be removed to provide a more positive strategy to deliver the District's development needs. In considering the soundness of the Wiltshire Core Strategy the Inspector set out a number of concerns including on the Council's approach to using dated settlement boundaries (December 2013). He was concerned that a review

⁹ North Dorset Local Plan 2011 to 2026 Part 1 - Tracked Changes Version of Pre-submission Document – November 2014

of settlement boundaries through a later plan could potentially stymie development and was not therefore sound. The same circumstances apply in this case.

How can Local Plan Part 1 be made sound

- 1.19 Accordingly, this approach is not justified and all settlement boundaries should be removed (not just from rural settlements). This would enable the Council to allocate draft allocations now and allocate further land to assist in meeting development needs. This would enable the Council to meet needs throughout the plan period in a responsive and efficient manner to effectively maintain a supply of housing. This will provide a more flexible, positive and justified planning policy basis in line with the principles of NPPF rather than relying on settlement boundaries which are over a decade old.

Question 1.12: What is the justification for progressing with a plan that once adopted would only have a lifespan of about 11 years? Paragraphs 2.45 and 2.46 refer to the vision for 15 years time, so why is the plan period not 15 years from submission or likely adoption (as referred to in paragraph 157 of the NPPF)?

What Part of Local Plan Part 1 is unsound

- 1.20 The Crown Estate considers the current time horizon of the Local Plan (2011 to 2026) to be unsound.

Which soundness criterion does it fail

- 1.21 The time horizon for Local Plan Part 1 is considered unsound because the approach is not consistent with national planning policy, is not positively prepared, justified or effective.

Why it fails

- 1.22 The Crown Estate questions whether the current time horizon of 2011-2026 (as stated in Policy 6) provides an appropriate timeframe for the Local Plan on the basis of policy set out in NPPF. The Council's proposed time horizon was based on the assumption that the Council would have an adopted Local Plan by 2011. However, delays to the programme have meant that the Council is not likely to have an adopted Plan until late 2015 at the very earliest.
- 1.23 The Council's current approach is contrary to guidance in NPPF. Paragraph 157 states that "Crucially Local Plans should:be drawn up of over an appropriate timescale, preferably a 15 year time horizon, take account of longer term requirements and be kept up to date" (emphasis added). NPPF (paragraph 47) also requires local planning authorities to identify a specific supply of developable sites or broad locations for years 6-10 and, where possible, for years 11-15 and update this annually.

How can Local Plan Part 1 be made sound

- 1.24 The Crown Estate considers that the time horizon of the Plan needs extending by four years to ensure a period of 15 years following the adoption of the Plan is covered (assuming the Plan is adopted later in 2015). This would mean that the plan period is 2011-2030.
- 1.25 In line with our response to Policy 6 the Council will also need to identify additional allocations to ensure the housing needs for the whole plan period are met.



Question 1.13: The Planning Practice Guidance (paragraph 012 under Local Plans) confirms that while additional local plans can be produced, for example a separate site allocations document, there should be a clear justification for doing so. What is the clear justification in this case?

1.26 The Crown Estate considers that there is no justification for the production of an additional Local Plan in the context of paragraph 12 of the Planning Practice Guidance. This advises that:

“The National Planning Policy Framework makes clear that the Government’s preferred approach is for each local planning authority to prepare a single Local Plan for its area (or a joint document with neighbouring areas). While additional Local Plans can be produced, for example a separate site allocations document or Area Action Plan, there should be a clear justification for doing so” (emphasis added).

1.27 The Council’s approach is also contrary to paragraph 153 of NPPF. This states that:

“Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified.”

1.28 It is considered that there is no justification for the production of a separate Local Plan part 2 for the following reasons:

- The strategic sites around the four main towns have been subject to significant testing through the Local Plan Part 1 process and their identification is supported by an extensive evidence base produced by the Council and promoters of the strategic sites. Accordingly, the Council has sufficient evidence to allocate sites now.
- As noted in our response to question 1.10 and issue 4, it is considered the current approach could lead to unnecessary delays in bringing allocated sites forward. Allocating sites in Local Plan Part 1 will provide a more positive and justified planning policy basis in line with the principles of NPPF.

WORD COUNT: 2,686



Appendix Contents:

Appendix A – Alternative options for West Blandford

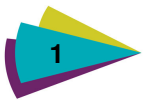
Appendix B – A re-worked sustainability appraisal submitted as part of the Focussed Changes consultation (2014).



Appendix A

Alternative options for West Blandford





West Blandford Forum: Appendix A

Alternative development options (February 2015)

Introduction

- 1.1 Land owned by The Crown Estate at West Blandford has been identified throughout various stages of the North Dorset Local Plan preparation to deliver housing development. The site has consistently been identified in the Council's evidence base as one of the most sustainable locations to provide additional housing in Blandford and the District. The West Blandford site was initially identified in the early stages of the Plan as being suitable for a development of 200 homes but was subsequently reduced to 150 (refs COD009¹ and COD001²).
- 1.2 However, following concerns raised by English Heritage on the Pre-submission Plan (November 2013) the Council consulted on focussed changes in August 2014 (reference SUD007)³ proposing the deletion of housing growth at West Blandford and its replacement with a site at the A350/A354 junction south east of Blandford St Mary.
- 1.3 AMEC submitted an objection to this consultation and the deletion of West Blandford on behalf of The Crown Estate, including that the proposed change was not justified on heritage grounds. In addition, it was not felt that the Council had adequately considered other reasonable alternatives on the West Blandford site to mitigate any impact on built heritage, including for instance a smaller scale of development and a design response to mitigate heritage impacts. The Council's assessment was based on a specific scheme that was not necessarily being allocated in Local Plan Part 1 but was instead to be allocated in Local Plan Part 2. The scheme on 5ha of land with capacity for around 150 units is presented in **Annex 1**.
- 1.4 The purpose of this note is therefore to present an alternative smaller option which addresses the Council's heritage concerns and could assist the Council in meeting development needs in a highly sustainable manner. The revised concept and explanation about how the development mitigates heritage impacts are introduced in the remainder of this note.

A sensitive design response

- 1.5 The Council's heritage assessment to support the focussed changes to the Plan states that development within the West Blandford site would result in substantial harm to a number of designated heritage assets in Blandford:
 - Bryanston Cottage;
 - WWII listed structures; and
 - Conservation Area.

¹ The New Plan for North Dorset - The Draft Core Strategy and Development Management Policies DPD – March 2010

² The New Plan for North Dorset Public Consultation on Key Issues for the Revision of the Draft Document - October 2012

³ The North Dorset Local Plan - 2011 to 2026 Part 1: Pre-Submission Focused Changes (August 2014)

- 1.6 The Crown Estate has shared a significant amount of technical work with the Council to demonstrate that the site at West Blandford is deliverable. This has included work on heritage implications and protecting the landscape setting of the town. This has been used to inform a smaller development option provided in **Annex 2** which addresses the points above. The illustrative masterplan shows a reduced land take which can still deliver up to around 100 homes on land in a highly central and sustainable location, whilst also responding to heritage concerns.

Bryanston Cottage

- 1.7 The Council's assessment concluded substantial harm would result on the setting of the Grade II listed Bryanston Cottage to the east of the site as a result of changes to the setting. The initial concept drawing already sought to protect the setting of Bryanston Cottage by maintaining an open aspect adjacent to the curtilage with Crown Meadows. Nevertheless, the latest iteration removes the arm of development which runs parallel to the anti-tank defence ditch in its entirety thereby further protecting the setting. The building is already seen alongside later twentieth century residential development on the adjacent Parklands development. With no development proposed in the vicinity of the property, it cannot be concluded development would result in significant harm on its setting.

WWII listed structures

- 1.8 An anti-tank ditch with pill-box to the rear of Parklands and Bryanston Street runs parallel to a parcel of land previously included on the area proposed for allocation. The Council's assessment concludes that there would be substantial harm to these defences. With the removal of the arm of development completely in the latest iteration, the setting of this listed structure would also be protected. The open aspect in front of the ditch means that the setting, integrity and original purpose would not be compromised. Furthermore, the layout has further sought to protect the setting of the anti-tank defence ditch by locating an area of open space in the south east site corner, adjacent to the ditch. The ditch in this location has already been compromised through infilling. Nevertheless, the open space provides a buffer to built form, thereby protecting its setting which has also been comprised by the 1960/70s development and telecommunications infrastructure.

Conservation Area

- 1.9 The Council's heritage assessment raised concerns that development would result in a noticeable urban encroachment towards the river, infilling around the existing urban fringe within an impact on the openness of the area. The smaller development option at West Blandford provides further opportunities to mitigate impacts in the following respects.
- 1.10 In terms of built form, the smaller scale of development at West Blandford would infill a section of the already damaged settlement edge. The Plan provided in **Annex 2** illustrates how development in this location would effectively 'finish off' the settlement edge on the western side of the town whilst also integrating into the existing settlement pattern without harming the quality and character of the area. Development would infill the gap between Blandford School to the north, 60s/70s development at Parklands to the south and White Cliff Mill Street to the east. Development would be contained within the visual envelope of the settlement. Given that development would protrude no further than adjacent development, the site would not erode the openness of the river corridor.
- 1.11 In considering development options on this site, The Crown Estate has been sensitive to the impact a development at this location may have on the historic views of the town and has sought to test and protect important views within and out of the Conservation Area. For example, we have sought to minimise any impact on iconic views from Blandford Bridge through testing and designing initial plans that protect these views. We have prepared verified photomontages which demonstrate even the



previous larger 200 to 150 schemes (6ha and 5ha in area respectively) would not harm views from the bridge (see **Annex 3**).

- 1.12 New development in this location is appropriate to, and has significant potential to provide an enhancement to damage caused by adjacent development (see photographs in **Annex 4**). The site has been visually severed from the historic core of the town by insensitive development over recent decades. When viewed from The Cliff and Bryanston Church the site is seen within the context of the large utilitarian school buildings (including the recently approved all weather pitch with flood lighting, earthworks and fencing) and the less than sympathetic edge provided by development at Parklands. Views of the site from White Cliff Mill Street and Milldown Road are also restricted by existing development and the topography of the land. With the site being lower than the level of public roads to the north, views of the Cliff would be maintained and there would be no discernible loss of openness. Many of these points are accepted in the Council's own assessment. With a smaller development, the impact on any views would be even less significant.

Summary

- 1.13 This note has presented an alternative smaller option which addresses the Council's heritage concerns and could assist the Council in meeting development needs in a highly sustainable manner. The site is considered to be suitable for development and the landowner is still willing to bring the site forward to help meet development needs. It must be stressed that whilst the concept presented is considered to have considerable coherence and much practical detail has been considered, the plan is not fixed, and remains as an illustration of one way that development could take place.
- 1.14 Policy 2 of the pre-submission Local Plan Part 1 makes it clear that the settlement boundaries of the main towns (save for Gillingham) will not be amended until the Local Plan Part 2. This therefore gives the Council ability to test further options, such as those presented in this document, through the Local Plan Part 2. The Crown Estate would happy to discuss this further with North Dorset District Council and English Heritage.



Annex contents

1. 5ha (150 homes) option used in Council's heritage assessment
2. Revised development option
3. Photomontages of previous options
4. Photographs of site and surroundings



Annex 1 – 5ha (150 homes) option used in Council's heritage assessment





0 m 200 m
Scale 1:4,000 @ A3



West Blandford Forum

Indicative Layout
5ha Option

November 2011
24523-L53b.dwg RattD





Annex 2 - Revised development option





0 m  200 m
Scale 1:4,000 @ A3

THE CROWN ESTATE

West Blandford Forum

Indicative Layout

February 2015
24523-L53d.dwg RattD





Annex 3 - photomontages of previous options

Photomontage of 5ha scheme from Blandford Bridge



Photomontage of 6ha scheme from Blandford Bridge





Annex 4 - photographs of site and surroundings



1. View looking north from the Cliff towards the site (before sports pitch construction)



2. View from Bryanston Church looking north towards site (before sports pitch construction)



3. Rear of properties on Parklands looking over Crown Meadows



4. View from within the site looking north towards properties on White Cliff Mill Street



5. View of newly constructed all-weather pitch looking north west to Bryanston Church



6. View of newly constructed all-weather pitch from within the site

Appendix B

A re-worked SA submitted in response to focused changes consultation August 2014

Sustainability Objective		NDDC's revised score West Blandford	Proposed score West Blandford	NDDC's revised score Land at A340/ A354	Proposed score Land at A340/ A354
1	Provide housing that meets the needs of the community.	++	++	++	++
2	Create balanced communities where employment, housing and community needs are delivered to meet needs, improving access to essential services.	+	++	-	-
3	Improve the health and wellbeing of the population through reducing poverty and encouraging healthy lifestyles.	+	+	?	0
4	Reduce barriers to individuals participating in their community	+	+	-	-
5	Improve quality of life through well designed inclusive developments.	-	0	0	0
6	Reduce the impact of climate change, including flood risk and make best use of the opportunities that arise	-	+	0	0
7	Protect and where opportunities arise, enhance habitats and biodiversity	--	0	+	0
8	Improve the quality of the built environment and protect the District's heritage	--	-	-	+
9	Recognise the importance of the district's distinct rural landscape.	--	-	-	-
10	Reduce impacts on the environment	-	-	-	-
11	Reduce pressure on the district's natural resources	-	-	-	-
12	Promote energy and resource efficiency	+	+	+	+
13	Improve the competitiveness of the District's economy	0	+	+	-
14	Enable local needs to be met locally and encourage sustainable forms of transport	+	++	+	0
15	Encourage a business environment	0	+	0	0
16	Improve skills and work opportunities.	+	+	+	+

