

**Independent Examiner's Report of the
Blandford + Neighbourhood Development Plan**

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SECTION 2

Summary

As the Independent Examiner appointed by North Dorset District Council to examine the Blandford + Neighbourhood Development Plan, I can summarise my findings as follows:

- 1. I find the Blandford + Neighbourhood Plan and the policies within it, subject to the recommended modifications does meet the Basic Conditions. The modifications I recommend include the deletion of Policy 1.*
- 2. I am satisfied that the Referendum Area should be the same as the Plan Area, should the Blandford + Neighbourhood Development Plan go to Referendum.*
- 3. I have read the Blandford+ Consultation Statement and the representations made in connection with this subject. I consider that the consultation process was robust and that the Neighbourhood Development Plan and its policies reflects the outcome of the consultation process including recording representations and tracking the changes made as a result of those representations.*
- 4. I find that the Blandford + Neighbourhood Development Plan can, subject to the recommended modifications which includes the deletion of Policy 1 proceed to Referendum.*
- 5. At the time of my examination the adopted local plan was the North Dorset Local Plan Part 1 (NDLP1) adopted in January 2016 including saved policies of the North Dorset District-Wide Local Plan (2003).*

SECTION 3

Introduction

1. Neighbourhood Plan Examination.

My name is Deborah McCann and I am the Independent Examiner appointed to examine the Blandford + Neighbourhood Development Plan.

I am independent of the qualifying body, I do not have any interest in the land in the plan area, and I have appropriate qualifications and experience, including experience in public, private and community sectors.

My role is to consider whether the submitted Blandford + Neighbourhood Development Plan meets the Basic Conditions and has taken into account human rights; and to recommend whether the Blandford + Neighbourhood Development Plan should proceed to Referendum. My role is as set out in more detail below under the section covering the Examiner's Role. My recommendation is given in summary in Section 2 and in full under Section 5 of this document.

The Blandford + Neighbourhood Development Plan has to be independently examined following processes set out in the Town and County Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.

The expectation is that the examination of the issues by the Examiner is to take the form of the consideration of the written representations. However, there are two circumstances when an Examiner may consider it necessary to hold a Hearing. These are where the Examiner considers that it is necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case. Having read the plan and considered the representations I did require clarification on a number of issues. Initially these points were dealt with by written representations in a question and answer format. This additional information is publicly available on the North Dorset District Council website. I was not satisfied that the written responses adequately clarified the issues and I decided that it was necessary to hold a Hearing. This is dealt with in further detail later in my report.

2. The Role of Examiner including the examination process and legislative background.

The Examiner is required to check whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body*
- Has been prepared for an area that has been properly designated for such plan*

preparation

- *Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that*
- *Its policies relate to the development and use of land for a designated neighbourhood area.*

The Examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

As an independent Examiner, having examined the Plan, I am required to make one of the following recommendations:

- 1. The Plan can proceed to a Referendum*
- 2. The Plan with recommended modifications can proceed to a Referendum*
- 3. The Plan does not meet the legal requirements and cannot proceed to a Referendum*

3.1 I am also required to recommend whether the Referendum Area should be different from the Plan Area, should the Blandford + Neighbourhood Development Plan go to Referendum. I have received representation from Pimperne Parish Council relating to requesting that the Referendum area should be enlarged to include Pimperne Parish on the basis that the impact on Pimperne Parish of Policy 1 of the Blandford + Neighbourhood Plan would be significant. My decision is that without the deletion of Policy 1 and other policy modifications the Neighbourhood Plan will not meet the Basic Conditions and therefore cannot proceed to Referendum and on that basis there is no need to consider the enlargement of the Referendum area.

3.2 In examining the Plan, I am required to check, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether: - the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area are in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004:

- The Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 to specify the period for which it has effect - the Plan has been prepared for an area designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.

3.3 I am also required to determine whether the Plan complies with the Basic Conditions, which are that the proposed Neighbourhood Plan:

- *Has regard to national policies and advice contained in guidance issued by the Secretary of State;*
- *Contributes to the achievement of sustainable development; and*
- *Is in general conformity with the strategic policies contained in the Development Plan for the area?*

The Plan must also not breach, and otherwise be compatible with, EU obligations and Human Rights requirements.

North Dorset District Council will consider my report and decide whether it is satisfied with my recommendations. The Council will publicise its decision on whether or not the plan will be submitted to a Referendum, with or without modifications. If the Neighbourhood Plan is submitted to a Referendum, then 28 working days notice will be given of the Referendum procedure and Neighbourhood Plan details. If the Referendum results in more than half those voting (i.e. greater than 50%), voting in favour of the plan, then the District Council must “make” the Neighbourhood Plan a part of its Development Plan as soon as possible. If approved by a Referendum and then “made” by the local planning authority, the Neighbourhood Plan then forms part of the Development Plan.

SECTION 4

The Report

1. Appointment of the Independent Examiner

North Dorset District Council appointed me as the Independent Examiner for the Blandford + Neighbourhood Development Plan with the agreement of Blandford Forum Town Council.

2. Qualifying body

I am satisfied that the Blandford Forum Town Council is the Qualifying Body.

3. Neighbourhood Plan Area

The designated Blandford + Neighbourhood Plan Area covers Blandford Forum Town Council Area, Blandford St Mary Parish and Bryanston Parish. The Basic Conditions Statement submitted with the Blandford + Neighbourhood Development Plan confirms there are no other Neighbourhood Plans covering the Area of the Blandford + Neighbourhood Development Plan.

4. Plan Period

The Blandford + Neighbourhood Development Plan will cover the period 2015-2031.

5. North Dorset District Council Regulation 15 Assessment of the Plan.

Blandford Forum Town Council, the qualifying body for preparing the Blandford + Neighbourhood Development Plan, submitted it to North Dorset District Council for consideration. North Dorset District Council has made an initial assessment of the submitted Blandford + Neighbourhood Development Plan and the supporting documents and is satisfied that these comply with the specified criteria.

6. Site Visit and Hearing

I carried out an unaccompanied site visit on Sunday 9th of April 2017 to familiarise myself with the area generally and the policy areas in particular.

As the independent Examiner of the Blandford + Neighbourhood Development Plan, having read the plan, supporting documents and representations I considered that it was necessary to call a Hearing in order to fully consider certain of the issues raised in the representations on this plan under the provisions of Schedule 4B of the Town and Country Planning Act 1990, as amended by the Localism Act 2011.

As the Examiner I determined the issues to be considered at the Hearing. The scope of the Hearing was confined to the areas of the plan that I considered that it was necessary for me to hear oral representation to ensure adequate examination of the issues.

As the independent Examiner I decided:

- *The format and scope of the Hearing*
- *Who was invited to speak at a Hearing, in addition to the local planning authority and the qualifying body that submitted the neighbourhood plan or Order*
- *The questions to be asked at the Hearing.*

North Dorset District Council sent copies of the letter calling for a Hearing to Blandford Forum Town Council as the Qualifying Body, statutory consultees and to all who made representation on the plan in accordance with Regulation 16 and who asked to be notified. It was also posted on the Council and Neighbourhood Plan web site.

6.1 Public Hearing Details

Venue: Council offices Blandford Forum

Date: Monday 10th of April 2017

The Hearing was open to members of the public to attend but only invited representatives were permitted to take part in discussions.

The areas of the Blandford + Neighbourhood Plan I felt it was essential to hear oral representation on were:

- *Policy 1*
- *Local Green Space*
- *The Referendum area.*

Notes taken at the Hearing are available to be viewed on the North Dorset District Council website.

The Hearing dealt with the subjects I felt it necessary to have oral representation on. The details relevant to each policy are referred to in Section 4 of my report.

6.2 Areas of discussion and conclusion

6.2.1 Policy 1

Topic 1: Policy 1 Land North & East of Blandford Forum

The discussions on Policy 1 were wide ranging, including:

- **Context of Policy 1 within North Dorset LPP1 adopted 15th of January 2016, particularly Policy 16.**

- *Does Policy 1 compliment and update Policy 16 and respond to new market evidence?*
- *Context of Policy 1 within the NPPF.*

North Dorset District Council explained that the current housing requirement, as set out in the North Dorset Local Plan Part 1 (LPP1), is 285 dwellings per annum. It was outlined that the Eastern Dorset 2015 Strategic Housing Market Assessment (SHMA) has now been published and it details that the housing need in North Dorset is 330 dwellings per annum.

In response to questioning how the higher need figure would be met North Dorset District Council explained that work on its Local Plan Review is being progressed and it currently aims to publish an issues and options consultation document by the end of the year. The review process will consider whether the higher need figure could be met taking into account the environmental constraints that exist across the District and as part of the review process a 'Call for Sites' consultation had been undertaken.

With regards to the strategic policies in the LPP1, Policy 16 sets out the strategy regarding how housing needs will be met at Blandford.

In respect of the Local Plan it was explained that the Inspector who examined the LPP1 requested that the Council should carry out an early review of the Local Plan, which should be all encompassing in terms of its content (i.e. it should consider matters of strategy and detail).

The issue of whether or not Policy 1 could be considered to be in general conformity with the strategic policies of the Development Plan was considered at length.

The representative from Savills stated that the neighbourhood plan follows on from the LPP1. It was also pointed out that the Inspector who examined LPP1 only found it sound on the basis of a number of modifications.

It was confirmed that North Dorset District Council has a five year housing land supply.

The Qualifying Body explained that the provision of infrastructure is a significant problem in Blandford rather than the provision of housing and that the proposals in the neighbourhood plan complement what North Dorset District Council proposes by putting forward another possible site. A representative from the neighbourhood plan group detailed that there is a deficit of infrastructure in Blandford including a primary school, doctors' surgery, shops etc.

The Qualifying Body also stated that the strategy of the District Council for the last 20 years has been to grow the town to the south. It was suggested that this has created

problems and that there has been too much development to the south of the town. There was also reference to the modifications that were made to the LPP1 in respect of the supporting text relating to Policy 16 of the plan, which is concerned, with Blandford.

North Dorset District Council reiterated the view that what was proposed in Policy 1 is contrary to the policies in LPP1 and in particular Policy 16, which outlines the spatial strategy for Blandford up to 2031.

The Qualifying Body stated that what was proposed in Policy 1 of the neighbourhood plan was complementary to the spatial strategy in LPP1 and it was not an alternative strategy.

On the basis that national guidance allows neighbourhood plans to identify sites in excess of what is set out in a Local Plan consideration was given as to why Policy 1 couldn't be included in the neighbourhood plan.

The NDDC position was that there is nothing set out in national policy or guidance stating what should be considered strategic growth and therefore a judgment has to be made but due to the size of the site and the quantum of development proposed Policy 1 would equate to strategic growth.

It was queried that if the proposals in Policy 1 are in addition to the growth areas set out in LPP1 why are they in conflict with LPP1.

The NDDC position was that Policy 16 in LPP1 clearly identifies those areas of land for proposed development up to 2031 and those areas of land that should be subject to countryside policies and thus should be protected from development.

It was queried whether it was the specific location of the development that meant NDDC consider that Policy 1 does not meet the basic conditions tests or whether the Council was concerned about the impact of development proposed by Policy 1.

NDDC explained that these were two separate issues. Firstly, the neighbourhood plan did not meet the Basic Conditions, as Policy 1 was not in general conformity with the strategic policies of the LPP1 in terms of the location of the proposed development. Secondly, there were issues in terms of the impact of any potential development e.g. landscape impact.

The question of whether Policy 1 is an alternative option to the spatial strategy outlined in the LPP1 or complementary to it was discussed. It was pointed out that the Local Plan Part 2 is due to identify the strategy on allocating further sites. A representative from Bryanston RFE Ltd considered that the Neighbourhood Plan is pre-empting this process.

The representative of Savills stated that the LPP1 allows the Local Plan Part 2 or neighbourhood plans to bring forward specific allocations

The Qualifying Body detailed the need for infrastructure at Blandford, including a school, and the problems with implementing Policy 14 in the LPP1.

It was confirmed that DCC was looking for a site for a school at Blandford and that discussions had taken place with Savills and the Blandford + Neighbourhood Plan Group regarding the location of the school.

As Examiner I raised concerns regarding the Sustainability Appraisal and the fact that the only options that were looked at in the Sustainability Appraisal were essentially further growth related to Policy 16 in the LPP1 and growth related to Policy 1 in the neighbourhood plan. Additionally, I was concerned that the cumulative impacts of growth relating to Policy 16 in LPP1 and Policy 1 in the neighbourhood plan had not been considered.

NDDC also raised concerns regarding the Sustainability Appraisal. In addition to the matter regarding cumulative impacts relating to Policy 16 and Policy 1 the representative from NDDC stated that alternative sites should have been considered and the neighbourhood plan was narrowly focused in its consideration of alternatives.

The Qualifying Body stated that if it was deemed necessary there should be a pause in proceedings to allow further work to be undertaken in relation to the Sustainability Appraisal.

Area of Policy 1 designation is Policy 1 reliant for delivery on land outside the NP area (Framework Masterplan).

Discussion took place regarding the masterplan, including phase 1 and phase 2 of development, Policy 1 and the relationship with land within Pimperne Parish.

NDDC set out that the proposals within the neighbourhood plan would impact on the residents of Pimperne Parish particularly given phase 2 of the masterplan is in Pimperne Parish and that residents of Pimperne should have an opportunity to vote in any potential Referendum.

As Examiner I queried that if the neighbourhood plan was not about housing supply what viability work had been done to assess the level of development needed to provide for the infrastructure required. The Qualifying Body confirmed that no viability work had been done on this matter and viability was not an issue. The issue was that the neighbourhood plan allows the release of land to provide the infrastructure needed. The land would not be released without the housing.

NDDC suggested that the figure of 400 dwellings in the supporting text to the policy seems a conservative figure given the total area of land that is allocated for residential use. The Qualifying Body explained that the estimated figure for the number of dwellings took into account the sensitivity of the site and the fact that significant landscape mitigation would be required.

In terms of the provision of a school DCC confirmed that there had been discussions with Savills over a long period of time and there was a need for a school and it was proposed in the right place and confirmed that the school was needed now.

NDDC commented that the school does not need to be in the neighbourhood plan to proceed and could be granted planning permission as an exception to policy.

Discussion took place regarding the Landscape & Visual Appraisal in support of Policy 1.

As Examiner, I asked how the impacts that will result from the proposals have been assessed. The representative of Savills (for the land owner) referred to the supporting documents that have been produced and stated that all relevant matters had been taken into account.

Evidence base supporting Policy 1 area particularly in relation to the AONB Landscape mitigation and agricultural land classification

Response to Historic England's comment that there is a lack of evidence in the heritage statement to show how heritage assets have been identified and their significance assessed?

As Examiner, I questioned how agricultural land classification matters had been taken into account in terms of identifying land for development in Policy 1. The Qualifying Body stated that the matter of agricultural land classification was not considered.

As Examiner, I referred to heritage matters and the fact that Historic England suggested that insufficient evidence had been put forward to show how heritage assets had been identified and their significance assessed.

The representative of Savills outlined that a Heritage Assessment had been submitted and was part of the evidence base. Further discussion took place regarding the Heritage Assessment. It was concluded that Historic England's comments on the submitted version of the neighbourhood plan did not take into account the Heritage SEA Statement produced by Savills.

***National Planning Policy Framework Paragraph 116 – exceptional circumstances
Landscape mitigation and agricultural land classification***

As Examiner, I led a conversation regarding paragraph 116 of the NPPF and the issue of 'exceptional circumstances'. Paragraph 115 of the NPPF states that 'Great weight should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty.' The discussion covered the impact that the proposals would have on the Cranborne Chase and West Wiltshire Downs AONB (AONB).

The Qualifying Body confirmed that there would be a landscape impact resulting from the proposals but suggested it would be limited and that there is a need to balance landscape impacts against the benefits that the proposal would bring.

The Representative of the Cranborne Chase & West Wiltshire Downs AONB Partnership raised numerous fears regarding the negative landscape impacts that would result from the proposals relating to Policy 1 in the neighbourhood plan. He also raised concerns relating to the Landscape & Visual Appraisal carried out in support of Policy 1.

There was a conversation regarding the A350 and how it is a barrier in landscape terms. Additionally, there was dialogue regarding why part of the area covered by Policy 1 is in the AONB and part of it is not and how sensitive, in landscape terms, the proposed sites are to development.

Does Policy 1 promote sustainable development?

Discourse occurred regarding the sustainability of the proposals contained in Policy 1 including in terms of highways/transport, noise and air quality etc.

As Examiner I queried how the proposals would integrate visually with the existing settlement. The Qualifying Body stated that good designers would ensure that the proposals integrated with the existing settlement.

Concern was raised in terms of the sustainability of the proposals and in particular their accessibility to the town centre. It was outlined, amongst other things that the residents of any future development would be largely reliant on private transport to access the town centre and this would result in an increase in the volume of traffic in the town centre. Consideration was given to alternative sites that were in better proximity to the town centre.

Waste Transfer Site

There was a discussion regarding the fact that the supporting text in the plan makes reference to a waste transfer site. It was explained that DCC was progressing a Waste Plan, which was considering a site for a waste facility at Blandford.

The Qualifying Body sought to assure that the references to the waste facility in the supporting text did not compromise the neighbourhood plan given that waste matters are considered to be 'excluded development' in the relevant legislation.

The representative of the Cranborne Chase & West Wiltshire Downs AONB Partnership commented that the AONB Partnership objected in principle to the provision of a waste facility in the AONB.

6.2.2 Local Green Space - Crown Meadows

Crown Meadows confirm the size and discuss merit for designation.

There was a discussion about the size of the site. It was confirmed that the size of the site was 6.4 hectares. Representatives of the Qualifying Body explained the rationale for the local green space designation. It was confirmed that there is no public access to Crown Meadows.

The history of the land at Crown Meadows was considered through the LPP1 and it was considered to be a sustainable site close to the town centre; only being deleted from the plan at a late stage in the process due to heritage concerns. Concern was raised regarding the apparently arbitrary nature of the designation.

A representative for the owner of the Crown Meadows clarified that the objection to the designation covered the area in its entirety.

6.2.3 Referendum area

Impact of Policy 1 on Pimperne Parish, delivery of Policy 1 and relation to land within Pimperne Parish

The Hearing discussion covered why Pimperne Parish Council had made representation that due to the impact of Policy 1 on Pimperne Parish the Parish Council consider that the Referendum Area should be extended to cover Pimperne Parish to allow the residents of the Parish to take part in the Referendum on the Plan.

As Examiner, I heard representation that the phase 1 proposals would set a precedent for phase 2 in the masterplan which is on land that falls within Pimperne Parish. Pimperne Parish Council also had concerns regarding the impact of the proposals on the gap that exists between Blandford and Pimperne and the impact that the proposals would have on the highways network. Additionally, children from Blandford attend Pimperne School at present. The proposals, including the new primary school, could impact on this situation.

However, it was accepted by the Parish Council that extending the Referendum area to include the residents of Pimperne was unlikely to have a significant impact on the Referendum result given the small population of Pimperne relative to Blandford.

Conclusion

As Examiner, I concluded that the examination process should be paused whilst the Qualifying Body revisited the Sustainability Appraisal to ensure that it adequately covered the issues of:

- Cumulative impact of Policy 16 and Policy 1***
- Alternative sites considered***
- Air Quality***
- Agricultural Land Classification***

The revised Sustainability Appraisal and other accompanying information has been published on the NDDC website and I have received further representations in connection with this. All representations are available to view on the NDDC website.

Following the Hearing the Qualifying Body also decided to revise the Boundary of the Crown Meadows Local Green Space proposal. In order to assess the impact of this proposed change in area/boundary I conducted an accompanied site visit on 1st of June 2017. I was accompanied by representatives of North Dorset District Council, The Qualifying Body and the landowner. Information relating to this site visit was publicised on the NDDC website and I have received further representations in connection with this matter. All representations are available to view on the NDDC website.

7. The Consultation Process

The Blandford + Neighbourhood Development Plan has been submitted for examination with a Consultation Statement which sets out the consultation process that has led to the production of the plan, as set out in the regulations in the Neighbourhood Planning (General) Regulations 2012.

The Statement describes the approach to consultation, the stages undertaken and explains how the Plan has been amended in relation to comments received. It is set out according to the requirements in Regulation 15.1.b of the Neighbourhood Planning (General) Regulations 2012):

(a) It contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;

(b) It explains how they were consulted;

(c) It summarises the main issues and concerns raised by the persons consulted; and

(d) It describes how these issues and concerns were considered and, where relevant, addressed in the proposed neighbourhood development plan.

Examination of the documents and representations submitted in connection with this matter have lead me to conclude that the consultation process was thorough, well conducted and recorded.

A list of statutory bodies consulted is included in the Consultation Statement.

8. Regulation 16 consultation by North Dorset District Council and record of responses.

The District Council placed the Blandford + Neighbourhood Development Plan out for consultation under Regulation 16 from the 12th of August 2016 to the 30th September 2016.

A large number of detailed representations were received during the consultation period and these were supplied by the District Council as part of the supporting information for the examination process. I considered the representations, have taken them into account in my examination of the plan and made reference to them where appropriate. It was as a result of a number of the representations made and the lack of clarity around some issues (detailed in other parts of the report) that I decided that it was necessary to hold a Hearing. With regard to the other representations received which did not directly relate to the issues covered by the Hearing I determined that I had adequate information and have taken the representations made into account in reaching my conclusions.

9. Compliance with the Basic Conditions

The Blandford + Neighbourhood Development Plan Working Group produced a Basic Conditions Statement on behalf of Blandford Forum Town Council. The purpose of this statement is for the Neighbourhood Plan Working Group to set out in some detail why they believe the Neighbourhood Plan as submitted meets the Basic Conditions. It is the Examiner's role to take this document into consideration but also make take an independent view as to whether or not the assessment as submitted is correct.

I have to determine whether the Blandford + Neighbourhood Development Plan:

- 1. Has regard to national policies and advice*
- 2. Contributes to sustainable development*
- 3. Is in general conformity with the strategic policies in the appropriate Development Plan*

4. *Is not in breach of, and is otherwise compatible with, EU obligations and Human Rights requirements.*

Documents brought to my attention by the District Council for my examination include:

(a) The Blandford + Neighbourhood Development Plan: This is the main document, which includes the policies developed by the community.

(b) The Consultation Statement: This is a statement setting out how the community and other stakeholders have been involved in the preparation of the Blandford + Neighbourhood Development Plan and is supported by an evidence base which arose from the consultation.

(c) Basic Conditions Statement: This is a statement setting out how Blandford Forum Town Council considers that the Neighbourhood Plan meets the Basic Conditions.

(d) Sustainability Appraisal and revised Sustainability Appraisal: This is an appraisal of how well the Blandford + Neighbourhood Development Plan policies contribute to achieving sustainable development objectives. These reports also cover the Strategic Environmental Assessment and Habitat Regulations Assessment requirements for the Blandford + Neighbourhood Development Plan.

Comment on Documents submitted

I am satisfied having regard to these documents and other relevant documents, policies and legislation that the Blandford + Neighbourhood Development Plan does, subject to the recommended modifications, meet the Basic Conditions.

10.Planning Policy

10.1. National Planning Policy

National Policy guidance is in the National Planning Policy Framework (NPPF) 2012.

To meet the Basic Conditions, the Plan must have “regard to national policy and advice”. In addition, the NPPF requires that a Neighbourhood Plan “must be in general conformity with the strategic policies of the local plan”. Paragraph 16 states that neighbourhoods should “develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan”.

The Blandford + Neighbourhood Development Plan does not need to repeat these national policies but to demonstrate it has taken them into account.

Due to the implications of Policy 1, and the designation relating to Crown Meadows in Policy 10, of the Neighbourhood Plan I have paid particular attention to the National Policy and Guidance relating to development impacting upon AONBs and the designation of Local Green spaces.

Section 11 of the NPPF: Conserving and enhancing the natural environment paragraphs 109-116.

“109. The planning system should contribute to and enhance the natural and local environment by:

- ***protecting and enhancing valued landscapes, geological conservation interests and soils;***

- *recognising the wider benefits of ecosystem services;*

- *minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government’s commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*

- *preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and*

- *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

*110. In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. **Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework.***

111. Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brown field land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brown field land.

112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

113. Local planning authorities should set criteria based policies against which proposals for

any development on or affecting protected wildlife or geodiversity sites or landscape areas will be judged. Distinctions should be made between the hierarchy of international, national and locally designated sites, 24 so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.

115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- **the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;**
- **the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and**
- **any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.**

Local Green Space.

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- **where the green space is in reasonably close proximity to the community it serves;**
- **where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and**
- **where the green area concerned is local in character and is not an extensive tract of land.**

I have looked closely at the implications of the implications of the National Planning Policy Framework detailed above for the Blandford + Neighbourhood Development Plan and consider that in order to be considered as having “regard for National Policy and Advice”

modifications to policies in the plan must be made. My reasoning for this conclusion is detailed in my comments on Policy 1 and Policy 10.

10.2. Local Planning Policy - The Development Plan

The Blandford + Neighbourhood Plan area is within the area covered by North Dorset District Council. The relevant development plan is the North Dorset Local Plan Part 1 (NDLP1) adopted in January 2016 but also with some saved policies of the North Dorset District-Wide Local Plan (2003).

I have reviewed the strategic policies of the Development Plan in detail, particularly in relation as to whether or not Policy 1 of the Neighbourhood Plan can be considered to be in general conformity with them. My conclusion is that without modification I cannot find the plan to be in general conformity with the strategic policies of the development Plan. My reasoning for this conclusion is detailed in my comments on Policy 1 and Policy 10.

11. Other Relevant Policy Considerations

11.1 European Convention on Human Rights (ECMR) and other European Union Obligations

As a 'local plan', the Neighbourhood Development Plan is required to take cognisance of the EU Strategic Environmental Assessment (SEA) Directive 2001/42/EC Office.

A Strategic Environmental Assessment (SEA) screening opinion was sought as required from the following organisations during the formal consultation period:

- *Natural England*
- *Historic England*
- *Environment Agency*
- *North Dorset District Council*

The Neighbourhood Plan was submitted under the Neighbourhood Planning (General) Regulations 2012 to North Dorset District Council (NDDC). The District Council issued a screening opinion on the 23rd October 2015 requiring a Strategic Environmental Assessment (SEA) and the Qualifying Body chose to meet this obligation by preparing a Sustainability Appraisal (SA) under the Environmental Assessment of Plans & Programmes Regulations 2004.

NDDC also concluded that there was no requirement for a Habitats Regulations Assessment (HRA) under the Habitats Directive (92/43/EEC) due to the distance between the plan area and areas of land that are subject to international nature conservation designations.

11.2 Sustainable development

The Blandford + Neighbourhood Development Plan has been assessed by means of a Sustainability Appraisal and the conclusion of this process was that the principles of Sustainable Development required in the NPPF have been taken into account in the development of the plan and its policies and where issues have been identified they were addressed by revisions to the document prior to submission. I was not satisfied that the Sustainability Appraisal adequately addressed the impact of the policies of the Neighbourhood Plan, in particularly Policy 1. This issue was explored at the Hearing and the Qualifying Body produced a revised Sustainability Appraisal following the Hearing. The intention of the revision was to address the following issues:

- **Cumulative impact of Policy 16 and Policy 1**
- **Alternative sites considered**
- **Air Quality**
- **Agricultural Land Classification**

Paragraph 7.20 of the revised SA states:

“ However, the policy has the potential for some significant negative effects, which will not be possible to entirely mitigate, notably in respect of its landscape, best/most versatile agricultural land and biodiversity effects. All of the land lies within the Cranborne Chase AONB or it’s setting. Although never highlighted by the AONB Partnership as a specific problem in successive Management Plans, some landscape character assessments of 2008 (and the additional evidence provided by the District Council to the examination of the Local Plan Part 1 in 2015) have indicated that this edge of the AONB is sensitive to encroaching development. There is no later evidence to dispute those findings and it is understood that the Councils fully acknowledge there will be negative landscape effects of their preferred option.”

However the conclusion of the SA is that this is balanced by the benefit of delivering a school, employment and other community facilities on the site and this that this would provide the exceptional circumstances required by paragraph 116 of the NPPF.

I still have reservations regarding some elements of the revised SA, for example in relation to the scoring of the options in the table on page 29. The scoring does not seem to reflect the analysis of the options on subsequent pages. I refer in particular to paragraph 7.28 for option 2:

“7.28. This option would deliver the same positive housing effects as Option 1 by increasing the size of Blandford St. Mary to become a larger village. The land is around the same distance from the town centre of Blandford Forum as Option 1 and its location alongside the A354 may be attractive to economic development investors to deliver some positive employment effects. This direct access to the A354 and proximity to approx. 1,200 new homes on the edges of Blandford St. Mary in the plan period may make delivering a new primary school plausible and may have some positive community facility effects.”

And paragraph 7.37 for option 3:

“7.37. This option would deliver the same positive housing effects as Options 1 and 2 by increasing the size of Blandford St. Mary to become a larger village. The land is around the same distance from the town centre of Blandford Forum as those options and its location alongside the A350 may be attractive to economic development investors to deliver some positive employment effects. This direct access to the A350 and proximity to approx. 1,200 new homes on the edges of Blandford St. Mary in the plan period may make delivering a new primary school plausible and may have some positive community facility effects.”

The paragraphs state that both options could plausibly deliver a new primary school and other community benefits, but this is not reflected in the scoring of the sites.

The Cranborne Chase AONB representation of 17th May 2017 states:

“The AONB is concerned that this revised SEA still does not give due weight to the significance and importance of landscape and AONB matters, and that the analysis is skewed in favour of the sites identified in Policy 1.”

NDDC have also expressed reservations with regard to the revised SA.

Despite my concerns as highlighted above, subject to the recommended modifications including the deletion of Policy 1 I am satisfied that the Blandford + Neighbourhood Development Plan addresses the sustainability issues adequately.

The Neighbourhood Development Plan is required to take cognisance of the European Convention of Human Rights and to comply with the Human Rights Act 1998.

I am satisfied that the Blandford + Neighbourhood Development Plan has done so.

I am therefore satisfied that the Blandford + Neighbourhood Development Plan subject to modification meets the basic conditions on EU obligations.

11.3 Excluded development

There was mention in the justification for Policy 1 that the proposed site could also accommodate a waste transfer site, development that is specifically excluded for the purposes of a Neighbourhood Plan. However, I accept that the Qualifying Body's reference to this was not intended to form part of the proposals or justification for the policy but was merely part of the background information. I am therefore satisfied that the Blandford + Neighbourhood Development Plan does not cover County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.

11.4 Development and use of land

I am satisfied that the Blandford + Neighbourhood Development Plan covers development and land use matters.

11.5 The Neighbourhood Plan Strategic Aims and Policies

The Blandford + Neighbourhood Development Plan Vision

2.5 The Neighbourhood Plan vision for 2031 comprises:

Growing our Communities Sustainably

Maintaining our Special Heritage and Landscape Character and Addressing the Challenges of Climate Change

Meeting Local Housing Needs

Creating and Supporting Jobs and Cherishing our Town Centre Employment needs in the town

Improving Vital Community Infrastructure

I consider that the policies follow from the stated vision and objectives and are consistent with achieving those stated objectives.

12. Blandford + Neighbourhood Development Plan Policies

Policy 1 – Land North & East of Blandford Forum

The Neighbourhood Plan allocates land to the North and East of Blandford Forum (as shown on the policies map) for a mix of uses comprising:

- i. Open market, starter, self-build and affordable rented homes;*
- ii. New business uses as an extension to the Sunrise Business Park;*
- iii. A new two form entry primary school;*
- iv. A community hub comprising a new general practice surgery, a community centre and a small number of convenience food and similar uses to serve the locality;*
- v. Safe and convenient cycle and pedestrian connections across the A350 bypass to the retail and employment uses on Shaftesbury Lane, to the recreation ground at Larksmead, and to Pimperne Brook/Black Lane;*
- vi. Improvements to the existing bus services connecting the land to the town centre, Blandford School, the Sunrise Business Park and Blandford Heights Industrial Estate;*
- vii. Public open space including informal open spaces and an equipped children's play space;*

and

viii. The relocation of Lamperd's Field Allotments to the north of their existing position.

Proposals must be made as part of a comprehensive outline planning application for the whole site and should include:

ix. An illustrative masterplan that defines the land uses and key development principles for access, layout and design, and principles of phasing and implementation;

x. A landscape strategy to demonstrate how any effects on the AONB and its setting will be satisfactorily moderated;

xi. A dark skies strategy to demonstrate how light spill into the AONB will be minimised;

xii. An ecology, green infrastructure and boundary treatment strategy to demonstrate how existing environmental assets will be protected and enhanced and green space will be integrated into the built environment;

xiii. A flood risk assessment and sustainable drainage strategy to demonstrate how the scheme will not increase surface water or fluvial flood risk on any adjoining land;

xiv. A transport strategy to demonstrate how the scheme will manage its traffic effects on the road network and how it will encourage and enable walking and cycling to community facilities and employment areas in the town;

xv. Typical details of appearance and elevation of buildings to illustrate the response to the setting of the AONB; and

xvi. a planning obligation to secure the release of all land necessary for the supporting infrastructure, the 2FE primary school and other community facilities following outline planning consent for the phase 1 scheme within the Blandford + neighbourhood area and prior to the commencement of that scheme, with no dependency of the land release for the Phase 1 Scheme on the Phase 2 scheme which lies outside the neighbourhood plan boundary within the adjacent parish of Pimperne.

COMMENT

I have considered the evidence presented and representations made in connection with this policy. My role as Neighbourhood Plan Examiner is to determine whether or not this policy meets the Basic Conditions, in particular having regard for National Policy and Guidance and being in general conformity with the Strategic Policies of the Development Plan.

j) Does Policy 1 have regard for National Policy and Guidance?

In order to assist in coming to my conclusion on this issue I have considered:

- 1. The impact of Policy 1 on the Cranborne Chase and West Wiltshire Downs AONB and its setting***
- 2. Do the exceptional circumstances necessary to consider major development within the AONB exist?***
- 3. Would the allocation of this site contribute to the achievement of sustainable development?***

1. The site lies either within the Cranborne Chase and West Wiltshire Downs AONB or immediately adjacent to it and as such I must consider the impact of any proposed development on the AONB, for the land within the AONB and the setting of the AONB for the area of the land outside it. Paragraph 7.20 of the revised SA states”

“ However, the policy has the potential for some significant negative effects, which will not be possible to entirely mitigate, notably in respect of its landscape, best/most versatile agricultural land and biodiversity effects. All of the land lies within the Cranborne Chase AONB or it’s setting. Although never highlighted by the AONB Partnership as a specific problem in successive Management Plans, some landscape character assessments of 2008 (and the additional evidence provided by the District Council to the examination of the Local Plan Part 1 in 2015) have indicated that this edge of the AONB is sensitive to encroaching development. There is no later evidence to dispute those findings and it is understood that the Councils fully acknowledge there will be negative landscape effects of their preferred option.”

Having examined the evidence, written representations and the oral representations at the Hearing I conclude that the development of the area included in Policy 1 would have a harmful impact upon the AONB. There is insufficient detail before me to measure that harm but I am satisfied that the level of harm would be in conflict with the NPPF requirements in paragraphs 109 - 116. This harm is acknowledged within the revised Sustainability Appraisal submitted following the Hearing (paragraph 7.20 above).

2. The Qualifying Body has made it clear the allocation of development in Policy 1 is predicated upon the expressed need to provide a site for a 2-entry form primary school (and other community infrastructure), that this provides the “exceptional circumstances” necessary to meet the requirements of Paragraph 116 of the NPPF.

Dorset county council have submitted evidence for my consideration regarding the need for a new primary school and that this need is urgent. Referring specifically to the information provided in June 2017 I note that the search for sites has comprised of expanding existing school sites and considering two other sites within the bypass. I have not been provided with any evidence as to the consideration of other sites, other than it had been agreed locally that there were no other sites. Therefore from the

evidence before me, I am not convinced that all alternative sites for the new school have been considered. In addition, I have received representation that the provision of a new school on this site could negatively impact upon the school within Pimperne Parish.

Of great concern is the fact that I do not have any convincing evidence that there is any certainty that the school will be delivered on this site. I am surprised that with the level of need expressed and the urgency with which the new school is required I have not been supplied with any information regarding a program for the funding and delivery of the school. I refer to paragraph 177 of the NPPF. The landowner/developer has made it clear that it is only their intention to release the land for the school but without any commitment to the timing of this release. It has also been made clear that they will not make any financial contribution towards its construction. At the Hearing, the Qualifying Body made it clear that no evidence had been prepared as part of the Neighbourhood Plan process regarding the viability or deliverability of the site.

There is insufficient certainty around whether this is the only site for the school and its deliverability to satisfy me that the acknowledged harm to the AONB can be justified and that the “exceptional circumstances” test of paragraph 116 can be satisfied:

“116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”*

3.I have considered representations as to whether or not Policy 1 would contribute to the achievement of sustainable development. Due to its location on the other side of the bypass its development would have challenges in terms of creating a connected community and it is acknowledged that it is likely to increase the use of the private car in the town centre. However, I conclude that these are secondary considerations to the principle considerations on Policy 1.

ii) Is Policy 1 in general conformity with the strategic policies in the Development Plan?

In order to assist in coming to my conclusion on this issue I have considered in particular:

1. Policy 16: Blandford

I have considered carefully the written representations and oral evidence I have received in regard to this issue. I have noted that the Local Plan Inspector modified Policy 16 specifically to acknowledge that there could be development beyond the bypass at some time in the future. However, this is to be later in the plan period and there is no specific reference to this site.

The sections of policy 16 supporting text most relevant are as follows:

8.12 The strategy for the town will see the building out of sites already allocated for development or with planning permission in the early part of the plan period, with additional greenfield sites beyond the bypass being brought forward after that date. New development will be supported by the necessary grey, social and green infrastructure, both to meet the overall needs of the town and the more local needs associated with each new development area.

8.13 Blandford Town Council together with Blandford St Mary and Bryanston Parish Councils have established a single neighbourhood area to cover all three parish areas. The three local councils are working together, under the name Blandford +, to produce a single neighbourhood plan. This will deal with non-strategic matters to supplement the policies contained in this Local Plan, which can include additional greenfield sites beyond the bypass.

8.18 The Cranborne Chase and West Wiltshire Downs AONB lies to the north and east of Blandford and the Dorset AONB lies to the southwest. Small parts of the existing built-up area of Blandford lie within both AONBs. Any development will need to consider the potential impacts on the AONBs and, in particular, the views into and out of the designated areas. A landscape impact assessment of potential housing sites at Blandford and Shaftesbury was undertaken in 2010, which considered potential impacts on AONB landscapes.

8.23 Nevertheless, additional greenfield land will be required for housing development but there are a limited number of potential options for further growth due to environmental constraints. Much of the land around Blandford is constrained by the Dorset AONB, the Cranborne Chase and West Wiltshire Downs AONB and the floodplain of the River Stour. Within these constraints, there are three main options for further growth, which are:

- land to the west of Blandford St Mary and west of Blandford Forum, largely*

- outside the Dorset AONB (with capacity for about 500 dwellings);*
- land to the south-east of Blandford St Mary, outside both AONBs (with capacity for about 300 dwellings); and*
 - land to the northeast of Blandford Forum beyond the bypass outside, but surrounded by the Cranborne Chase and West Wiltshire Downs AONB (with capacity for about 800 dwellings).*

8.24 The Council's preferred approach is to develop land to the south-east and to the west of Blandford St Mary. Development in these locations would be more accessible to facilities and services and would have less impact on the natural and historic environment than the other option. These issues are discussed in more detail in the Market Towns: Site Selection Background Paper.

8.25 Specific sites to take forward housing growth in Blandford will be identified in the Local Plan Part 2. The allocation of specific sites will need to be supported by site-based studies including Site Level Flood Risk Assessments and Transport Assessments. Further sites may come forward through the preparation of neighbourhood plans.

Paragraph 8.12 refers to "sites beyond the bypass" but paragraph 8.13 makes it clear that although there is acknowledged potential for the Neighbourhood Plan to identify sites beyond the bypass it is clear that it was intended that any sites identified through the Neighbourhood Plan would not be strategic. I have weighed the representations made in this connection and concluded that, due to its scale Policy 1 is a strategic allocation. The LP1 clearly anticipates that strategic allocations will take place through the LP2 process, which is currently in progress.

Despite references to potential future growth beyond the bypass it is evident that the strategic direction of Policy 16 is that development should be directed to the south-east and to the west of Blandford St Mary. "Development in these locations would be more accessible to facilities and services and would have less impact on the natural environment".

Finally, I consider that the delivery of a new school to meet identified need is a strategic issue which would be more properly addressed through phase 2 of the Local Plan as the issues go beyond the boundary of the Blandford + Neighbourhood Plan. The Qualifying Body have expressed concern over the potential delay associated with this approach however it should be noted that even if I had concluded that the building of a school on the Policy 1 site justified the impact on the AONB it would not be available immediately.

CONCLUSION

In order to meet the Basic Conditions Policy 1 must be in general conformity with the strategic policies of the Development Plan. I accept that there can be circumstances where a Neighbourhood Plan may be considered to be in general conformity with the strategic policies of a Development Plan when taken as a whole even though there may be specific policies where there is an apparent conflict. However, even across strategic policies there will be some that have more weight and relevance than others and in considering Policy 1 of the Plan I conclude that general conformity with Policy 16 should be given great weight.

NDDC have made representation that Policy 1 is not in general conformity with the strategic policies of the Development Plan and I have reached the same conclusion.

On balance, having considered in great detail the relevant policy documents, the written representations received and the oral representations at the Hearing I consider that Policy 1 does not meet the Basic Conditions for the following reasons:

- 1. It does not have regard to National Planning Policy and Guidance in that it fails to have regard for paragraphs 115 and 116 of the NPPF.*
- 2. It is not in general conformity with the Strategic Policies of the Development Plan. In addition, I consider Policy 1 to be a strategic allocation, which should be more appropriately considered in Part 2 of the Local Plan process.*

On the basis it does not meet the Basic Conditions and the policy should be deleted.

Policy 2 – Land at Shaftesbury Lane, Blandford Forum

The Neighbourhood Plan allocates land at Shaftesbury Lane, Blandford Forum, as shown on the Policies Map, for a mix of A1 retail, B1/B2/B8 business uses and C1 Hotel.

Development proposals will be supported provided:

- i. The retail use comprises land of no more than 1.6 ha to accommodate a building of a gross internal area of approximately 2,750 square metres and a total of 174 car parking spaces including at least 15% disabled and parent and child spaces;*
- ii. The business land comprises land of approximately 1.85 ha to accommodate buildings of a total gross floor area of approximately 5,000 square metres.*
- iii. The proposals include a landscape buffer to the A350 Blandford Forum Bypass and to the residential area to the east, and limit light pollution into the AONB;*
- iv. One or both schemes make provision for a footpath and cycleways link from the site to the footbridge over the A350 Blandford Forum Bypass; and*

v. Proposals include a flood risk assessment and sustainable drainage strategy that demonstrates the scheme will not increase surface water or fluvial flood risk on any adjoining land.

COMMENT

I have no comment on this policy

Policy 3 – Land at Salisbury Road, Blandford Forum

The Neighbourhood Plan allocates land for housing development at Land at Salisbury Road, Blandford Forum, as shown on the Policies Map. Development proposals will be supported provided:

- i. the scheme retains and refurbishes for a change of use to dwellings of the main office building as a heritage asset;*
- ii. there is no unnecessary loss of any mature trees;*
- iii. there is a provision for a continuing community use of the site comprising a community hub to retain the community service currently provided on site;*
- iv. the scheme design sustains and enhances the character of the Blandford Forum Conservation Area and adheres to the other policies of the neighbourhood plan; and*
- v. Proposals include a flood risk assessment and sustainable drainage strategy that demonstrates the scheme will not increase surface water or fluvial flood risk on any adjoining land.*

COMMENT

I have no comment on this policy

Policy 4 – Land at Hunt Road, Blandford Forum

The Neighbourhood Plan allocates land at Hunt Road, as shown on the Policies Map, for a childcare (D1) use.

Development proposals will be supported, provided they can demonstrate they can effectively manage car parking for staff and car movements for drop off and collection that minimise disruption for local residents.

COMMENT

I have no comment on this policy

Policy 5 – East Street/Langton Road, Blandford Forum

The Neighbourhood Plan allocates land at East Street/Langton Road, Blandford Forum, as shown on the Policies Map, for a mixed use development scheme.

Proposals for visitor centre (D2/A1/A3), retail (A1) and childcare (D1) uses will be supported, provided:

- i. There is no loss in the total number of existing car parking spaces;*
- ii. The scheme design sustains and enhances the character of the Blandford Forum Conservation Area and adheres to the other policies of the neighbourhood plan;*
- iii. A flood risk assessment demonstrates the proposals will manage this risk effectively;*
- iv. The scheme layout provides for pedestrian access to East Street and Stour Meadows/Trailway; and*
- v. Any proposed additional retail use is to be ancillary to the visitor centre.*

COMMENT

I have no comment on this policy

Policy 6 – West Street, Blandford Forum

The Neighbourhood Plan allocates land at West Street, Blandford Forum, as shown on the Policies Map, for a mixed-use scheme comprising a ground floor commercial (A1-A5) unit or a community use (D2) with one or more dwellings (C3) on the upper floors.

Proposals will be supported, provided:

- i. the scheme will sustain and enhance the character of the Conservation Area and the setting of nearby Listed Buildings;*
- ii. special attention should be paid to maintaining the dominant building line on West Street; and,*
- iii. A flood risk assessment demonstrates the proposals will manage this risk effectively;*

COMMENT

I have no comment on this policy.

Policy 7 – Community Facilities

The Neighbourhood Plan defines the following properties as community facilities:

- i. The Corn Exchange, The Market Place, Blandford Forum, DT11 7AF*
- ii. The Leisure Centre, Milldown Road, Blandford Forum, DT11 7DB*
- iii. Woodhouse Gardens and Pavilion, The Tabernacle, Blandford Forum, DT11 7UN*
- iv. The Bowling Club, Milldown Road, Blandford Forum, DT11 7DD*
- v. The Football Pavilion, Milldown Road, Blandford Forum, DT11 7DD*
- vi. The Cricket Pavilion, Milldown Road, Blandford Forum, DT11 7DD*
- vii. Larksmead Pavilion, Larksmead, Blandford Forum DT11 7LU*
- viii. The Skate Park, Stour Park, Blandford St Mary, DT11 9LQ*
- ix. Bryanston Estate Club, Hillside, Blandford Forum, Dorset DT11 0PR*

Proposals that will result in either the loss of, or cause significant harm to a defined facility will be resisted, unless it can be clearly demonstrated that the operation of the facility, or the on-going delivery of the community value of the facility, is no longer financially viable.

Development proposals to sustain or extend the viable use of existing community facilities and the development of new facilities will be supported.

COMMENT

I have no comment on this policy.

Policy 8 – Blandford Forum Town Centre

The Neighbourhood Plan defines the Town Centre Area and the Primary and Secondary Shopping Frontages in the Area, as shown on the Policies Map, for the purpose of managing proposals for retail, leisure and other commercial developments in accordance with the development plan.

Proposals that will result in the net loss of public car parking spaces in the Town Centre Area will be refused unless the community benefit outweighs the net loss of public car parking spaces.

COMMENT

I have no comment on this policy.

Policy 9 – Green Infrastructure Network

The Neighbourhood Plan designates a Green Infrastructure Network, as shown on the Policies Map, for the purpose of promoting sustainable movement and ecological connectivity through the town and neighbouring parishes. The Network comprises Local Green Spaces, informal open spaces, allotments, playing fields, off-street footpaths/cycleways; children’s play areas, woodland and land of biodiversity value.

Development proposals that lie within or adjoining the Network are required to have full regard maintaining and improving the Network in the design of their layouts, landscaping schemes and public open space provisions. Proposals that will lead to the loss of land lying within the Network and that will undermine its integrity will be resisted

Development proposals that will lead to the extension of the Network will be supported provided they are consistent with all other relevant policies of the development plan.

COMMENT

I have no comment on this policy

Policy 10 – Local Green Spaces

The Neighbourhood Plan designates Local Green Spaces in the locations shown on the Policies Map.

Proposals for development in a Local Green Space that will undermine its essential open character will be resisted, unless they can demonstrate exceptional circumstances.

Blandford Forum

- 1. Diamond Way Amenity Area*
- 2. Westbury Way*
- 3. Davies Gardens*
- 4. Crown Meadows*
- 5. Badbury Heights Open Spaces*
- 6. Land adjacent the Leisure Centre*
- 7. The Trailway*

Blandford St Mary

8. Coppice and Badger Sett

9. Bryanston Hills

COMMENT

Having looked closely at the sites intended to be allocated as Local Green Spaces I consider all but one meets the tests set out in Paragraph 77 of the National Planning Policy Framework for the allocation of Local Green Spaces.

My concern relates to designation 4: Crown Meadows.

The area of Crown Meadows originally identified for designation was 6.4 hectares. Following the Hearing the Qualifying Body decided to reduce the size of the proposed Local Green Space to 3.6 hectares. Following the change in allocation I carried out an accompanied site visit on the 1st of June 2017.

The area of the Crown Meadows originally identified was comparable with the area of proposed development considered for inclusion within the North Dorset Local Plan. This proposed designation was deleted following representations from Historic England in relation to important Heritage assets located within and just outside the area namely Second World War defensive structures which are to be found weaving in and out of the existing developed boundary to Crown Meadows. Following the Hearing the Qualifying Body reduced the area to be considered as a Local Green Space to 3.6 hectares.

The area of meadows between the developed boundary of the town and the river Stour makes an important contribution to the setting and character of Blandford Forum. In addition, the Crown Meadows sits within the Blandford, Blandford St Mary and Bryanston Conservation Area and is bounded by a number of Listed Buildings and other more modern development including the secondary school and its outdoor pitch provision with associated flood lighting.

I am aware of and understand the strength of community feeling relating to the designation of the Crown Meadows as a Local Green Space and I have received many representations relating to this matter, which I have taken into consideration in my determination.

As a Neighbourhood Plan Examiner my role must be focused on whether or not the Neighbourhood Plan and its policies meet the Basic Conditions. In this case having regard to National Policy and Guidance. Therefore, my assessment of the suitability of the revised Crown Meadow proposal is focused upon the tests set out in the NPPF. The tests set out in the NPPF are as follows:

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;*
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquility or richness of its wildlife; and*
- where the green area concerned is local in character and is not an extensive tract of land.*

In order for any proposed Local Green Space to be successful it is necessary for all of these tests to be passed. Having considered carefully all the evidence and representations before me I have decided that the Crown Meadows (revised allocation) does not meet the tests set out in Paragraph 77 of the National Planning Policy Framework for the following reasons:

Although I accept that the Crown Meadows when viewed as a whole is special to the local community and holds a particular local significance I consider this is in terms of the landscape setting for the town. My concern relates to the choice of boundary. I have received representation that “The Qualifying Body has not satisfactorily justified the proposed boundaries.....nor does it have its own sense of enclosure or distinguishable boundaries” and I am minded to agree. I have not been provided with a convincing rationale for the selection of either the original boundary or the revised one. I have not been provided with any rationale or evidence to set this section of the whole Crown Meadows apart from other areas. With no public access to the area selected and with limited views into it I cannot conclude that it can be designated as a Local Green Space. Certainly the original designation would in my opinion have been considered to be an extensive tract of land but it did not encompass the entirety of the Crown Meadows and so had no cohesiveness in terms of historic significance. The revised designation although smaller could still be considered an extensive tract of land without any justification for its size.

Finally, I have considered the impact of the existing Conservation Area (which extends from the town centre to the River Stour) designation on the proposed Local Green Space. Paragraph: 011 Reference ID: 37-011-20140306 of the Local Green Space Guidance states “If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space”. Although conservation area status does not

provide the same level of protection as that afforded by a Local Green Space designation it does provide a protective framework for the consideration of any development proposals.

My conclusion is that the area of the crown meadows proposed, as a Local Green Space does not meet the tests set out in the NPPF for the reasons given above.

In order for Policy 10 to meet the Basic Conditions proposed Local Green Space 4. Crown Meadows must be deleted. I understand that this is likely to be disappointing to the community who has so strongly supported this proposed Local Green Space.

Policy 11 – Design Management: Blandford Forum

Proposals within or affecting the setting of the conservation area, as shown on the Policies Map, should preserve or enhance the character or appearance of the area and should demonstrate:

- i. consistently high standard of design and detailing reflecting the scale and character or appearance of the area, including the layout of the streets, development patterns, burgage plots, building lines and building form;*
- ii. the use of building materials and finishes, which are sympathetic to the area, in particular, the use of red brick in facades;*
- iii. no harmful impact on the townscape and roofscape of the Conservation Area;*
- iv. the retention and protection of trees, gardens, spaces between buildings, and other open areas which contribute to the character or appearance of the area, and the use of permeable surfaces to reduce surface water flooding;*
- v. where appropriate, the removal of unsightly and inappropriate features or details; and*
- vi. the retention and, where appropriate, the reinstatement of original features such as chimneys, chimney pots, gates, railings and shop fronts and small scale architectural details such as mouldings which individually or cumulatively contribute to the character or appearance of the area.*

Proposals including proposed changes of use that are likely to have an adverse impact on the character or appearance of the Conservation Area will not be supported.

COMMENT

I have no comment on this policy

Policy 12 – Design Management: Blandford St. Mary

Proposals including infill within or affecting the setting of the Conservation Area, as shown on the Policies Map, should preserve or enhance the character or appearance of the area and should demonstrate:

- i. a consistently high standard of design and detailing reflecting the scale and character or appearance of the area;*
- ii. the use of building materials and finishes, which are sympathetic to the area;*
- iii. the retention and protection of trees, front gardens, boundary hedges and other open areas, which contribute to the character or appearance of the area;*
- iv. the use of permeable surfaces to reduce surface water flooding; and*
- v. where appropriate, the removal of unsightly and inappropriate features or details.*

Proposals including proposed changes of use that are likely to have an adverse impact on the character or appearance of the conservation area will not be supported.

COMMENT

I have no comment on this policy

Policy 13 – Design Management: Bryanston

Development proposals will be supported, provided they have full regard to the design principles of Bryanston village as follows:

- i. a consistently high standard of design and detailing reflecting the scale and character or appearance of the area;*
- ii. the use of building materials and finishes which are sympathetic to the area, in particular the use of red brick or flint in facades and slate for roofs;*
- iii. the retention and protection of trees, front gardens, boundary hedges and other open areas, which contribute to the character or appearance of the area;*
- iv. the use of permeable surfaces to reduce surface water flooding;*
- v. where appropriate, the removal of unsightly and inappropriate features or details; and*
- vi. the retention and, where appropriate the reinstatement of original features such as chimneys, gates, railings and small architectural details which individually or cumulatively*

contribute to the character or appearance of the area.

Proposals including proposed changes of use that are likely to have an adverse impact on the character or appearance of the area will not be supported.

COMMENT

I have no comment on this policy

Policy 14 – Local Tourism

Proposals for the development of, or change of use to, a C1 bed and breakfast, hotel or hostel use within the defined Development Boundaries of Blandford Forum or within the observed built up area of Blandford St Mary and Bryanston village will be supported, provided the scheme has sufficient off- street car parking spaces and has regard to the amenities of adjoining residential properties.

Proposals that will result in the loss of an existing tourist use will be resisted, unless it can be demonstrated that its continued use is no longer viable. Proposals to expand an existing tourist use will be supported, providing they are located in or adjoin the defined Town Centre Area and any impact on local amenity can be satisfactorily mitigated.

COMMENT

I have no comment on this policy.

SECTION 5

Conclusion and Recommendations

1. *I find that the Blandford + Neighbourhood Development Plan has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the subsequent Neighbourhood Planning (General) Regulations 2012.*
2. *The Neighbourhood Plan does not deal with County matters (mineral extraction and waste development), nationally significant infrastructure such as highways and railways or other matters set out in Section 61K of the Town and Country Planning Act 1990.*
3. *The Blandford + Neighbourhood Development Plan does not relate to more than one Neighbourhood Area and there are no other Neighbourhood Development Plans in place within the Neighbourhood Area.*
4. *The revised Sustainability Appraisal, covering the Strategic Environmental Assessment, meets the EU Obligation.*
5. *The policies and plans in the Blandford + Neighbourhood Development Plan, subject to the recommended modifications would contribute to achieving sustainable development. They have regard to national policy and to guidance, and generally conform to the strategic policies of the North Dorset Local Plan Part 1 (NDLP1) adopted in January 2016 including some saved policies of the North Dorset District-Wide Local Plan (2003).*
6. *I therefore consider that the Blandford + Neighbourhood Development Plan subject to the recommended modifications can proceed to Referendum.*

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18th July 2017