
NORTH DORSET LOCAL PLAN

Christine Self ~ Programme Officer

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Enclosed with this letter are:

- Procedural Guidance Notes from the Inspector explaining the Examination process;
- A List of the Inspector's Issues & Questions;

If you are participating in the hearings (which will take the form of round table discussions) please read all documents carefully and having done so ...

- Check your appearance dates and times on the programme.
- Contact me immediately if you decide not to appear at any or all of the sessions.
- If, having considered the Inspector's Issues and Questions, you feel you would like to make a further written statement but not participate in the Hearing Sessions you may do so, but let me know if this is your decision as soon as possible because I will need to amend the programme.
- Crown Meadows: The Crown Meadows site has been withdrawn so if your original objection was in this regard please let me know if your original objection does not now stand.

If you are sending a further statement (see Inspector's note on content, format and timing) I must receive the **THREE** hard copies **and** the **electronic copy** by **12 noon on the Friday 20 February 2015**. Don't leave the preparation until the last minute!

All the Hearings are open to the public and you may wish to attend to listen to the proceedings even if you are not participating.

If I can be of further help, please do not hesitate to contact me either by email or by phone as above.

Christine Self

Programme Officer

30 January 2015

Please Note: This is my last communication except to those who are appearing in person. Details about the progress of the Hearings and any changes to the Draft Programme can be found in the Local Plan Examination section on NDDC's website.

**INDEPENDENT EXAMINATION OF
THE NORTH DORSET LOCAL PLAN PART 1
2011- 2026 (LP1)
ISSUES AND QUESTIONS
INCLUDING DRAFT TIMETABLE**

Venue: The hearing sessions will be held in the Council Chamber, Nordon, Salisbury Road, Blandford Forum DT11 7LL, commencing on Tuesday 10th March 2015 at 10.00am.

Council: North Dorset District Council will be participating in all hearing sessions.

Statement deadlines:

All Statements, for the Hearing Sessions must be sent to the Programme Officer by **midday on Friday 20th February**. This deadline relates to the receipt of the both **paper and electronic copies**.

Statements:

The Inspector requests written responses from the Council to all the matters raised.

Written Statements from Representors are not compulsory but if Representors feel a Statement is warranted they should seek only to answer the Inspector's Questions as far as they relate to their original representations.

The examination starts from the assumption that the Council has submitted what it considers to be a sound Plan and that the Council has fulfilled its legal duty with regard to the Duty to Co-operate. The hearings will be concerned only with considerations relating to the soundness of the document and the legality of the process followed, and all submissions should address those issues as appropriate.

The Guidance Notes provided set out the requirements for the presentation of all Statements. Its provisions should be thoroughly read and implemented as otherwise Statements could be returned. Please note the 3,000 word limit.

In the Statements from respondents it would be very helpful for the Inspector to have a brief concluding section stating:

- what part of the LP1 is unsound;
- which soundness criterion it fails;
- why it fails (point to the key parts of your original representations);
- how the LP1 can be made sound; and
- the precise change and/or wording that you are seeking.

The Inspector will give equal weight to views put orally or in writing.

**If you have any queries – please contact the Programme Officer at
ac.self@blueyonder.co.uk**

ISSUES AND QUESTIONS

Preamble

If the Inspector is satisfied that an Issue or question has been satisfactorily addressed in the submitted Statements it is possible that it may not be included in the final Agenda. Consequently the timetable and lists of participants may be subject to change, so please contact the Programme Officer or view the programme on the Examination page of the Council's web-site.

Tuesday 10th March - 10.00

Introduction by the Inspector

Opening Statement by the Council

Issue 1 : The Duty to Co-operate, Legal Requirements and the Council's Broad Strategy (policies 1 and 2)

Potential Participants:-

North Dorset District Council

Taylor Wimpey

Welbeck Strategic Land Ltd

Barratt David Wilson Homes

Charborough Estate

Blandford St Mary Homes Limited

Mr Jason McGuinness (HABCO Ltd)

The Crown Estate

Lightwood Strategic Land

Okeford Fitzpaine Village Hall

Charles Church Developments

Sherborne School and Cancer Research UK

Okeford Fitzpaine Parish Council & DAPTC

National Home Builders Federation

Clemdell Ltd

South Gillingham Consortium

Mr P Dance

Hall and Woodhouse Ltd

Dorset County Council

Shaftesbury LVA LLP

Messrs Drake

Gleeson Strategic Land

Mr Vernon Knapper

Mr Michael Miller

C G Fry & Son

Persimmon Homes (South West)

Questions

- 1.1 Has co-operation between North Dorset District Council and other nearby local planning authorities been a continuous process of engagement from initial thinking? What evidence is there of effective co-operation (NPPF paragraph 181) and of joint working on areas of common interest being diligently undertaken for the mutual benefit of neighbouring authorities (NPPF paragraph 178)? Is there a long-term commitment to co-operation?
- 1.2 Have any cross-boundary strategic priorities or issues been identified? If so are they clearly reflected in LP1 (NPPF paragraph 179)?
- 1.3 Has LP1 been prepared in accordance with the Council's Statement of Community Involvement?
- 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?
- 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?
 - 1.6 Paragraph 1.8 of the Sustainability Appraisal (SUD003a) refers to 'five market towns which act as hubs serving their rural hinterland'. Is Stalbridge the 'fifth' market town? The town is referred to as an individual settlement throughout LP1 (rather than included generically as a village). Is this an indication that it displays different characteristics to other small settlements in the District and as such are the policies being applied to it justified?
 - 1.7 Restrictive countryside policies will apply to settlements where settlement boundaries are proposed to be removed. Bearing in mind that only 230 dwellings (as a minimum) are proposed outside the 4 main towns, will housing need (including for affordable housing) and LP1 objectives 4 and 5 (page 23) in these locations be met? What is the justification for only proposing about 230 dwellings (6% of total provision) in smaller settlements? Why has the Council placed little weight on the 2010 SHLAA (MHN007) which identified 19 smaller settlements (page 47) suitable for some market and affordable housing? Are there any significant opportunities for sustainable residential or economic development in these settlements? (see also question 6.1)
 - 1.8 Planning Practice Guidance (PPG) on Rural Housing (paragraph 001) advises that rural housing is essential to ensure viable use of local facilities and that blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence. What is the robust evidence for the Council's approach? Is there a risk that the Council's approach, which includes the removal of all settlement boundaries (except for the four main towns), will lead to uncertainty and act as an impediment to sustainable development in these locations?
 - 1.9 Local Planning Authorities should boost significantly the supply of housing, including through the promotion of sustainable development in rural areas (NPPF paragraph 55). Does the Council's option of 'opting in' to the Local Plan Part 2, or the reliance on the adoption of Neighbourhood Plans (pages 36 and 37) provide the appropriate framework for ensuring that local needs for housing and employment in rural areas will be met?
 - 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?
 - 1.11 Is the relationship between LP1 and any future Neighbourhood Plans (as outlined in Chapter 1) sufficiently clear? Do the strategic policies of LP1 provide sufficient and appropriate 'hooks' on which to 'hang' neighbourhood plans?
 - 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)?
 - 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?

- 1.14 Although not necessarily a matter of soundness, LP1 is over 400 pages long. Planning Practice Guidance (paragraph 010 under Local Plans) advises that 'local plans should be as focused, concise and accessible as possible'. Are there any opportunities which the Council could take to streamline the document?

Wednesday 11th March - 10.00

Issue 2: Climate Change and the Natural Environment (policies 3 & 4), including Renewable and Low Carbon Energy (policy 22)

Potential Participants:-

North Dorset District Council

Taylor Wimpey

South Gillingham Consortium

Welbeck Strategic Land

CPRE North Dorset Branch

Barratt David Wilson Homes

Dorset Wildlife Trust

C G Fry and Son Ltd

Charborough Estate

Hall and Woodhouse Ltd

Questions

- 2.1 Are the requirements of policy 3: Climate Change sufficiently clear and flexible – are they deliverable and viable in relation to all types of development proposal? Are any of the requirements at risk of becoming outdated in a short timescale? Is the issue of flood risk adequately covered? What are the national targets referred to in policy 3(c)?
- 2.2 Is the Council's approach to the protection of the AONBs (as revised) satisfactory and justified (policy 4)? Should the Council be seeking to identify and protect areas of tranquillity (NPPF paragraph 123)?
- 2.3 Should policy 22 provide more encouragement for renewable and low carbon energy schemes – is it sufficiently positive (NPPF para 97)?
- 2.4 Policy 4c refers to development that may have consequences for the Dorset Heathlands and paragraph 4.82 refers to development in the southern parts of the District. Firstly, is it sufficiently clear exactly what type of development (and at which locations) would be expected to contribute towards management and/or mitigation measures? And secondly how would a prospective developer know the scale of contribution that would be requested and to what project the contribution would be made?
- 2.5 What is the status of 'Important Open and Wooded Areas' – should they be referred to in LP1?
- 2.6 What does the term 'local green space' encompass (in paragraph 4.105)? Should it be included in the Glossary of Terms?

Wednesday 11th March - 14.00

Issue 3: Supporting Economic Development, including retail and leisure (policies 11 and 12)

Potential Participants:-

North Dorset District Council

Hall and Woodhouse Ltd

Clemdell Ltd

D W Taylor and Son Ltd

Neals Yard Remedies

Dorset County Council

South Gillingham Consortium

CPRE North Dorset Branch

Mr Jason McGuinness (HABCO Ltd)

Hopkins Developments Ltd

Questions

- 3.1 The NPPF confirms the importance that is to be attached to building a strong competitive economy, including support for a prosperous rural economy (e.g. paragraphs 19 and 28). Has the Council attached sufficient weight to achieving these objectives? If not what more should be done?
- 3.2 Does the Plan do sufficient to encourage the regeneration and enhancement of the main town centres (NPPF paragraph 23)?
- 3.3 Are the employment and mixed use sites listed in policy 11 justified and available? Has consideration been given by the Council to allowing a residential use in appropriate circumstances?
- 3.4 The sites listed in policy 11 are measured in hectares but the overall target is for 3,630 new jobs. What is the correlation between hectares and job provision and should it be made clearer, particularly for ease of monitoring?

Thursday 12th March - 10.00

Issue 4: Meeting Housing Needs, including affordable housing and the needs of gypsies, travellers and travelling showpeople (policies 6 to 10 and policy 26

Potential Participants:-

North Dorset District Council

National Homes Builders Federation

Okeford Fitzpaine Parish Council and DAPTC

Hall and Woodhouse Ltd

Taylor Wimpey

Clemdell Ltd

Persimmon Homes (South West)

Blandford St Mary Homes Limited

Shaftesbury LVA LLP

South Gillingham Consortium

The Crown Estate

Messrs Drake

Lightwood Strategic Ltd

Gleeson Strategic Limited

Barrett David Wilson Homes

Mr Vernon Knapper

Sherborne School and Cancer Research UK

Charles Church Developments

Messrs Keith, Clive and Stephen Alard

Dorset County Council

Mr Michael Miller

C G Fry and Son Ltd

Questions

- 4.1 Although not explicitly stated in LP1, I interpret the figure of 4,200 dwellings (280 dwgs a year) as being the Council's objectively assessed housing need for 2011 – 2026. Is this figure justified, bearing in mind it is lower than that proposed in the former Regional Strategy? What has been the role of household projections in estimating overall housing need (see PPG paragraph 015 under Housing and Economic Development Needs Assessments)?
- 4.2 NPPF paragraph 47 requires the supply of housing to be boosted significantly. Between 2001 and 2011, 370 dwellings per annum were built in the District. The figure now proposed is 280 dwellings a year. Is the Council's target justified and sufficiently aspirational, in light of past rates of housing provision, including in terms of affordable housing provision? (see also question 4.12 below)

- 4.3 Is the inclusion of North Dorset District within the boundary of the Bournemouth/Poole Housing Market Area (HMA) justified? What are the consequences of the use of the HMA boundary, particularly for the northern part of the District?
- 4.4 Is the Strategic Market Housing Assessment (SHMA) sufficiently up-to-date and does it reflect the guidance on SHMAs in the NPPF (paragraph 159) and Planning Practice Guidance? The 2011 SHMA Up-date concluded that overall need for housing in the District has reduced from 350 to 280 dwellings per annum since 2008 (paragraph 4.29 of MHN001), the reason given is the economic downturn. However there is evidence that the economy is recovering so can the up-dated SHMA (2012) be relied upon, bearing in mind the current economic context?
- 4.5 Is the Strategic Housing Land Availability Assessment (SHLAA) sufficiently up-to-date?
- 4.6 Can the Council demonstrate a 5 year supply of housing plus appropriate buffer; and locations for growth for years 6 to 10 and 11 to 15 (NPPF paragraph 47)?
- 4.7 Why is there no housing trajectory included within the plan or a clearly expressed housing implementation strategy (NPPF paragraph 47)?(see also question 12.1 on monitoring)
- 4.8 Is the Council's approach towards taking into account vacancy rates and second homes, in the overall housing figures, reasonable and justified?
- 4.9 Should the contribution that existing commitments and potential windfalls make to overall housing provision over the plan period be clarified?
- 4.10 Is the proposed housing distribution (policy 6) based on a sound assessment of land availability and delivery? Is there any evidence that the proposed distribution cannot be satisfactorily achieved?
- 4.11 Is the housing mix proposed in policy 7 justified? Is policy 7 too prescriptive? Should the reference in paragraph 5.34 be to bedroom numbers rather than size? Does the Council's approach meet the objectives of paragraph 50 of the NPPF, with regard to delivering a wide choice of family homes?
- 4.12 Bearing in mind the SHMA Up-date (MHN004) concludes in paragraph 5.7 that there is a need to provide an additional 387 units of affordable housing per annum (up to 2016), has the Council placed sufficient weight on meeting the District's affordable housing needs? Will the Council's policies deliver a reasonable amount of affordable housing and in the locations where need is greatest? Is the advice in paragraphs 173 and 174 of the NPPF sufficiently reflected in LP1? What is the justification for seeking a reduced provision in Gillingham?
- 4.13 Is the Affordable Housing threshold justified and would the requirements of policy 8 put at risk the financial viability of any housing schemes? Is the policy sufficiently flexible? Is there any evidence to support making a distinction between town centre and non town centre development? Is the reference to the involvement of the District Valuer appropriate?
- 4.14 Is the affordable rent/intermediate housing split justified and in line with current evidence and is it reasonable for the Council to seek the provision of social rented housing in some circumstances (paragraph 5.105)?
- 4.15 Are the requirements of policy 9 too restrictive and unduly onerous? How would the Council exercise its discretion regarding the provision of market homes?
- 4.16 How do the Council define 'in-filling' (policy 7)?
- 4.17 Has the Council properly addressed the housing needs of the elderly and people with disabilities?
- 4.18 Is the Council providing sufficient support for people wishing to build their own homes?

- 4.19 Has the Council satisfactorily considered the relationship between housing provision and employment trends (PPG paragraph 018 under Housing and Economic Development Needs Assessments)?
- 4.20 Is policy 26 on sites for gypsies and travellers clear and consistent with national guidance and does it establish appropriate and reasonable criteria?

Tuesday 17th March - 10.00

Issue 5: Infrastructure Provision (policies 13 to 15), including retention of community facilities (policy 27)

Potential Participants:-

North Dorset District Council

Taylor Wimpey

Welbeck Strategic Land

South Gillingham Consortium

Dorset Road Group

Barratt David Wilson Homes

CPRE North Dorset Branch

The Shaftesbury Practice

Hall and Woodhouse Ltd

Questions

- 5.1 What assessment has been undertaken regarding the impact of the proposed development on existing infrastructure, for example roads, schools, community facilities (including sports pitches), health services, utilities and drainage?
- 5.2 Is it sufficiently clear what infrastructure is required, who is going to fund it and how it relates to the anticipated rate and phasing of development (PPG paragraph 018 under Local Plans)?
- 5.3 Is sufficient advice provided on drainage and flood prevention and does policy 13 achieve the correct balance between detail and flexibility and does it reflect the advice within the Written Ministerial Statement on sustainable drainage systems dated 18th December 2014? Is the threshold of two dwellings (under Drainage and Flood Prevention) justified? Is there a word missing at the start of criteria (a) and (b)?
- 5.4 Are all the components of policy 14 justified?
- 5.5 Are the components of 'green infrastructure' (Figure 7.1) appropriately identified?
- 5.6 Is it appropriate to refer to the Green Infrastructure Strategy in policy 15 when it has not yet been prepared?
- 5.7 Are all the components of policy 15 justified and is it sufficiently clear what developments would be expected to deliver requirements (i) to (m) and where? Are these requirements reasonable?
- 5.8 Are the requirements of policy 27 too onerous? How would the Council determine 'the importance of the facility to the local community'?
- 5.9 How will the Council ensure that appropriate new facilities for recreation and sport will be provided and existing facilities retained? Is it sufficiently clear to a decision-maker what outdoor sports and play space standards should be applied and to which parts of the District?
- 5.10 How will the Council ensure that sufficient land is provided for cemeteries and burial grounds (policy 14)?
- 5.11 Is the Council's approach to allotment provision sufficiently flexible (paragraph 7.139)? Is this supporting text a policy?

Tuesday 17th March – 14.00

Issue 6: The Countryside (policy 20) – including policies 28 to 33

Potential Participants:-

<i>North Dorset District Council</i>	<i>Symonds and Sampson</i>
<i>Okeford Fitzpaine Parish Council and DAPTC</i>	<i>Hall and Woodhouse Ltd</i>
<i>Mr Jason McGuinness (HABCO Ltd)</i>	<i>Messrs Drake</i>
<i>Mr Michael Miller</i>	<i>Charborough Estate</i>

Questions

- 6.1 Is sufficient support given to sustainable economic growth in the countryside (NPPF paragraph 28)?
- 6.2 Bearing in mind policy 20 is applicable to Stalbridge and other rural communities, is the policy too prescriptive? If it is, how should it be changed? Does the policy adequately support thriving rural communities (NPPF paragraph 17)?
- 6.3 Is policy 28 (existing dwellings in the countryside) justified? If not, how should it be changed?
- 6.4 Is policy 29 (re-use of countryside buildings) justified? If not, how should it be changed?
- 6.5 Is the advice in paragraph 10.200 (prevention of mixed use or residential schemes at existing countryside employment sites) too prescriptive? Is this supporting text a policy?
- 6.6 Is policy 31 justified? If not, how should it be changed? Should more support be given to sustainable tourism and leisure developments in the countryside, in line with advice in paragraph 28 of the NPPF?
- 6.7 Are all the requirements of policy 32 justified? If not, how should they be changed?
- 6.8 Are all the requirements of policy 33 justified? Why are temporary dwellings for rural workers (other than in agriculture) not referred to?
- 6.9 What is the justification for the threshold of 500 sqm referred to in paragraph 10.169?

Wednesday 18th March – 10.00

Issues 7 to 11: The Market Towns

Issue 7: Blandford (policy 16)

Potential Participants:-

<i>North Dorset District Council</i>	<i>Mr Richard Bugg</i>
<i>Davis and Coats Families</i>	<i>Blandford Forum Town Council</i>
<i>Clemdell Ltd</i>	<i>Mrs J Miller</i>
<i>Blandford St Mary Homes Limited</i>	<i>Persimmon Homes (South West)</i>
<i>Bryanston Park Preservation Group</i>	<i>D W Taylor and Son</i>
<i>Dorset County Council</i>	<i>Mr R Jones</i>
<i>Blandford St Mary Parish Council</i>	<i>The Crown Estate</i>
<i>CPRE North Dorset Branch</i>	<i>Blandford+</i>
<i>Charles Church Developments</i>	<i>Gladman Developments</i>
	<i>Messrs Keith, Clive and Stephen Allard</i>

Questions

- 7.1 Is there any evidence that the proposed residential development sites at Blandford Forum, including the development of land to the south-east and west of Blandford St Mary, is not available, sustainable or deliverable? If such evidence exists what alternatives are available and have they been satisfactorily considered by the Council?
- 7.2 Can development at Blandford St Mary be satisfactorily assimilated into the existing settlement and the wider setting, including the AONB?
- 7.3 Is there any evidence that the proposed economic development sites in Blandford Forum are not available, sustainable or deliverable? If such evidence exists what alternatives are available to the Council?
- 7.4 Can it be demonstrated that the proposed development in Blandford Forum and Blandford St Mary would not have a significant adverse effect on highway safety or on the ability of other infrastructure to satisfactorily accommodate the growth?
- 7.5 Are all the infrastructure requirements listed in policy 16 justified and deliverable?
- 7.6 Should Figure 8.1 show the safeguarded route for the Spetisbury and Charlton Marshall by-pass?
- 7.7 Figure 8.1 identifies land at Black Lane (No 7) for housing growth but this is not referred to in policy 16. Why not?
- 7.8 Is the Council's delivery strategy, as summarised in paragraph 8.12, justified bearing in mind the presumption in favour of sustainable development?

Wednesday 18th March – 14.00

Issue 8: Gillingham, including Gillingham Southern Extension (policies 17 & 21)

Potential Participants:-

North Dorset District Council

Mr P Maddock

Persimmon Homes (South West)

Mr H J Kelliher

Neals Yard Remedies

Hopkins Developments Ltd

Sherborne School and Cancer Research UK

South Gillingham Consortium

Welbeck Strategic Land Ltd

Taylor Wimpey

Lagan Farms (Dorset) Ltd

C G Fry and Son Ltd

Gillingham Town (Policy 17)

Questions

- 8.1 Is there any evidence that the proposed residential development sites in Gillingham, including the development of land east and south of Ham; Station Road; and south and south-west of Bay, are not available, sustainable or deliverable? If such evidence exists what alternatives are available and have they been satisfactorily considered by the Council?
- 8.2 Is there any evidence that the proposed economic development sites in Gillingham, including in Station Road; south of Brickfields Business Park; at Kingsmead Business Park; and at Neal's Yard Remedies, Peacemarsh; are not available, sustainable or deliverable? If such evidence exists what alternatives are available to the Council?
- 8.3 Can the proposed development be satisfactorily assimilated into the town without significant detriment to the character of the environment and the living conditions of nearby residents?

- 8.4 Are all the infrastructure requirements listed in policy 16 justified and deliverable?
- 8.5 Is the development of land at Neal's Yard Remedies, Peacemarsh, for high value business use justified (criterion m)?
- 8.6 Is the Council's approach to retail development in Gillingham justified and will it result in appropriate regeneration of the town centre?

Gillingham Strategic Site Allocation (SSA) (Policy 21)

Questions

- 8.7 Is there any evidence that the proposed Gillingham Strategic Site (or any part of it) is not available, sustainable or deliverable? If such evidence exists what alternatives are available to the Council? Is the proposed boundary of the SSA justified?
- 8.8 Are all the infrastructure requirements related to the southern extension (as set out in policy 21) justified, viable and deliverable? For example the off-site highway improvements; other off-site measures and the improvements relating to social infrastructure, including the proposed local centre. Is it sufficiently clear how a decision maker should re-act to a proposal – the 'what, where, when and how'¹.
- 8.9 Are the proposals identified on the Concept Plan (Fig 9.3) justified and sufficient to ensure the provision of a sustainable development?
- 8.10 Are the contents of the Concept Statement (Fig 9.2) and the Design Principles (Fig 9.4) justified?
- 8.11 What are the risks to the delivery of the southern extension at Gillingham and does the Council's approach ensure that they are, as far as possible, minimised? What is the trajectory for the provision of the housing and what is the Council's fall-back position should the southern extension not deliver housing at the rate currently anticipated?
- 8.12 What is the relationship between LP1, the Neighbourhood Plan (paragraph 9.7) and the Master Plan Framework? Should it be made clearer?
- 8.13 Are the requirements set out in paragraph 9.20 (including a Habitats Regulations Assessment), and in paragraph 9.57 (alternative use for the local centre site) justified?

Thursday 19th March – 10.00

Issue 9: Shaftesbury (policy 18)

Potential Participants:-

North Dorset District Council

Dorset County Council

Gleeson Strategic Land

Barratt David Wilson Homes

Questions

- 9.1 Is there any evidence that the proposed residential development sites in Shaftesbury, including the development of land to the east of the town; to the south-east of Wincombe Business Park; and to the west of the A350 are not available, sustainable or deliverable? If such evidence exists what alternatives are available and have they been satisfactorily considered by the Council?
- 9.2 Is there any evidence that the proposed economic development sites in Shaftesbury, including the development of land to the south of the A30; are not available, sustainable or deliverable? If such evidence exists what alternatives are available to the Council?

¹ Planning Practice Guidance Para 10 under Local Plan

- 9.3 Can the proposed development be satisfactorily assimilated into the town without significant detriment to the character of the environment and the living conditions of nearby residents?
- 9.4 Are all the infrastructure requirements listed in policy 18 justified and deliverable?
- 9.5 Should there be a reference to the Minerals Safeguarding Area? (see rep 2783)

Issue 10: Sturminster Newton (policy 19)

Potential Participants

North Dorset District Council

Hall and Woodhouse Ltd

Taylor Wimpey

Questions

- 10.1 Is there any evidence that the proposed residential development sites in Sturminster Newton, including to the north of the former livestock market; to the north of Northfields; and to the east of the former creamery site; are not available, sustainable or deliverable? If such evidence exists what alternatives are available and have they been satisfactorily considered by the Council?
- 10.2 Is there any evidence that the proposed economic development sites in Sturminster Newton, including at the North Dorset Business Park, are not available, sustainable or deliverable? If such evidence exists what alternatives are available to the Council?
- 10.3 Can the proposed development be satisfactorily assimilated into the town without significant detriment to the character of the environment and the living conditions of nearby residents?
- 10.4 Are all the infrastructure requirements listed in policy 19 justified and deliverable?
- 10.5 Is the reference to 'the existing built-up area' in criterion (a) appropriate? Why is the reference not to the settlement boundary?

Thursday 19th March - 14.00

Issue 11: Development Management Policies

- **parking standards (policy 23)**
- **design (policy 24)**
- **amenity (policy 25)**

Potential Participants:-

North Dorset District Council

Clemdell Ltd

Taylor Wimpey

South Gillingham Consortium

Barratt David Wilson Homes

Questions

- 11.1 Does policy 24 (Design) satisfactorily encapsulate the requirements of NPPF paragraph 58? Would a decision-maker know how to re-act to a proposal in terms of design (NPPF paragraph 154)?
- 11.2 Are the Council's parking standards adequately justified?
- 11.3 Is the Council's approach to the size of garages justified (para 10.46)? Is this supporting text a policy?
- 11.4 What is the status of the Dorset Waste Partnership Guidelines (paragraph 10.55)?

- 11.5 Is it sufficiently clear in policy 25 exactly what the expectations of the Council are in terms of open space provision; light availability; unacceptable levels of noise/vibration; and exposure to unpleasant emissions? If not how could those expectations be clarified? Would a criteria-based policy be clearer?

Issue 12: Implementation, Viability and Monitoring

(Hearing Session unlikely to be Required)

Potential Participants:-

North Dorset District Council

Questions

- 12.1 In order for the plan to be found sound it must be effective. In order to test its effectiveness over the course of the plan period it must be capable of appropriate monitoring. The monitoring section confirms that a Monitoring Report will be prepared at least annually but it is not clear if this relates to all policies; to whom the Report would be presented; or what actions may be taken if the expected outcomes of the policies are not being achieved. Some of the targets in Figure 11.1 are very loose, for example 'minimise', 'reduce' and 'increase' and there are no time-related targets (e.g. dwellings built each year). Are these matters capable of more detailed appropriate measurement? How will the Council take action, to address any problems that arise, in a timely fashion.
- 12.2 What are the main risks to delivery; does the Council have an appropriate fall-back position; and is there sufficient flexibility to accommodate any unforeseen circumstances? What are the triggers for a review of the document?

CLOSING STATEMENT BY COUNCIL

CLOSING REMARKS BY INSPECTOR

NORTH DORSET LOCAL PLAN PART 1

GUIDANCE NOTE FROM THE INSPECTOR

January 2015

Introduction

The hearing sessions in relation to the Examination into the North Dorset Local Plan Part 1 (LP1) will open on Tuesday 10th March 2015 at 10.00am in the Council Chamber, Nordon, Salisbury Road, Blandford Forum DT11 7LL. In this regard, I have prepared a schedule of the **Issues and Questions** which are enclosed with this note together with a draft programme.

The Inspector's Role

1. It is sometimes necessary for a Pre Hearing Meeting (PHM) to be held at which I would explain the purpose of the Examination; the procedures to be followed; the format of further Statements to be submitted; the timetable; and other administrative matters. However, in the interests of efficiency I have decided not to hold a PHM but to provide advice and information through this written note.
2. My task is **to consider the soundness of LP1** based on the soundness criteria set out in paragraph 182 of the National Planning Policy Framework (the NPPF) published in March 2012. The relevant soundness criteria are whether the LP1 is:
 - 1) *positively prepared* (based on a strategy that seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development);
 - 2) *justified* (the most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence);
 - 3) *effective* (deliverable over its period and based on effective joint working on cross-boundary strategic priorities); and
 - 4) *consistent with national policy* (enabling the delivery of sustainable development in accordance with the policies in the Framework).
3. I will consider whether the legal requirements have been met. Appendix A contains a list of useful publications and web sites for advice.
4. I shall aim to work collaboratively with the Council and the Examination participants in a proactive, pragmatic and solution-orientated manner. I cannot recommend as 'main modifications' changes that are merely 'improvements' to the plan which do not affect the soundness of the LP1. The Council is free to make minor changes because they do not affect the soundness of the LP1. Nevertheless I shall consider whether any minor changes proposed by the Council are in fact 'main modifications' that must be published for consultation and be referred to in my report.
5. Following the close of the hearings (and any consultation on Main Modifications if required), I shall prepare a report for the Council with my conclusions and recommendations. If possible I shall announce the expected date for completion of my report at the last hearing session. The report will deal with broad issues and not with each individual representation. I can only make a recommendation that Main Modifications should be made for the LP1 to become sound if the Council requests me to do so in accordance with s20(7C) of the Planning and Compulsory Purchase Act 2004 as amended. Whether that request should be made is something to be discussed

during the final hearing session and the Council is urged not to make the request until after that discussion has taken place.

6. If Main Modifications are to be recommended by me, I will need to be satisfied that they have been subject to both appropriate consultation and, if necessary, Sustainability Appraisal.

The Programme Officer

7. The Programme Officer (the PO) for the Examination is Mrs Christine Self. She is not a Council employee and works under my direction. Mrs Self can be contacted on 01225 872654 or by e-mail at ac.self@blueyonder.co.uk or by post at Homefield House, Homefield Road, Saltford, Bristol BS31 3EG.
8. The main tasks of the PO are to act as a channel of communication between myself and all parties; to liaise with all parties to ensure the smooth running of the Examination; to ensure that all documents received are recorded and distributed; and to keep the Examination Library. Copies of the Examination documents are mainly on the Council's web site (see below). Anyone interested in viewing any of the documents should contact Mrs Self beforehand to arrange an appointment.
9. During the Examination the PO will be able to tell you how closely the hearing sessions are following the circulated programme. Alternatively, you will be able to view a regularly-updated programme on the web site at:
<https://www.dorsetforyou.com/planning/north-dorset/planning-policy>
10. Any participant who has a disability that could affect their contribution to the Examination should contact the PO as soon as possible so that any necessary assistance can be provided. Any other procedural questions or other matters that you wish to raise with me prior to the hearings should be made through the PO.

The Council's Team

11. The Council's team is likely to include:
 - Trevor Warrick: Acting Policy Manager
 - Ian Smith
 - Nicola Laszlo
 - Terry Sneller
 - Sarah Jenning
 - Nick Cardmell

Number of representations

12. 2,012 representations were received on the pre-submission LP1 from 1,510 respondents. A further 126 representations from 65 representors were received as a result of the 'focussed changes' consultation. I have full copies of all representations made during the consultation periods and they will be taken into account by me in the examination of the LP1 but only insofar as they relate to my consideration of soundness.

Progressing your Representations

13. The starting point for the Examination is that the Council has submitted what it considers to be a sound plan. Those seeking changes should demonstrate why the LP1 is unsound by reference to one or more of the soundness criteria set out in paragraph 2 above.
14. Respondents may either wish their views to be dealt with in written form (in which case they need take no further action) or they may have requested to come and discuss them

orally at a hearing session. **Both methods will carry the same weight and I shall have equal regard to views put at a hearing or in writing. Attendance at a hearing session will only be useful and helpful to me if you wish and need to participate in a discussion. There is normally no opportunity for participants to read out previously prepared statements.** Only those parties who have asked to attend and are seeking specific changes to the LP1 are entitled to participate at the hearing sessions.

15. The hearing sessions will discuss the issues and questions that I have raised. If you consider that there are important matters that have not been identified for discussion please let the PO know by midday on Friday 6th February. Contributions at the hearing sessions should bear directly on the Issues scheduled for discussion and must show clearly both how the LP1 is unsound and spell out the changes necessary to make it sound.
16. I stress the need for all sides to work together during the Examination process on changes that could be made to the LP1 whilst avoiding producing so many alterations that they together might render the LP1 unsound.

The Hearing Sessions

17. A number of different topics will be discussed at the hearings and an Agenda for each session will be circulated beforehand. Each topic or Issue will be the subject of a separate session. The format will provide a relaxed and informal setting for a discussion led by me.
18. The hearings will concentrate on my Issues and Questions. If necessary, you may submit supplementary information (restricted in scope to the subject matter of your original related representation) in advance of the hearings – see paragraphs 29-31 below. However, I would normally expect your case to be covered in the representation that you have already made – indeed it is these and my own reading of LP1 that has led to the framing of the Issues and Questions in the first place. I have a copy of all the representations made. There will be no need to repeat those representations at the hearings.
19. I will draw those present into the discussion in such a way as to enable me to gain the information necessary to come to a firm conclusion on the matters before me. All statements should have been read beforehand by all participants and I will proceed on the assumption that they have been; there will therefore be no formal presentation of evidence. There will be an opportunity within the discussion to ask questions of the other participants. The Programme Officer will provide name boards for each participant, which should be up-ended to indicate a wish to speak. In that way I can invite contributions without overlooking anyone with a point to make. **No more evidence can be submitted once the hearing session has closed unless I expressly invite it. Any that is submitted will almost certainly be returned by the PO.**
20. The hearings will be inquisitorial rather than adversarial. I shall endeavour to progress them in an effective and efficient manner. As part of that process, it is my aim to minimise the amount of material necessary to come to informed conclusions on the issues of soundness. In that way I will conduct a short, focussed series of hearings and, in turn, produce a short, focussed report. **In order to run efficient sessions I will not permit repetition of points at hearings or accept new evidence unless it has been agreed in advance.**
21. Participants may bring professional representatives with them but there is no need for participants to bring advocates/legal representatives but, if they do, they may take part as a member of the team, rather than as a traditional advocate, and there will be no formal presentation of evidence/cross-examination. Supporters of LP1 would not

normally be expected to participate in the hearing sessions. Participants will be grouped together according to the issues being considered. **If several interested parties have the same viewpoint they should appoint one or two spokespersons** to represent them at a hearing session. Generally only one seat will be available at the table for each respondent.

The Hearing Programme

22. A draft timetable for the hearings, putting dates and times to the Issues and Questions, accompanies this Guidance Note. If you have any queries, please raise them with the PO as soon as possible.
23. Should changes be required to the Programme it will be updated on the Council's web site (see paragraph 9 for details). The PO will also be able to provide information on any changes. However, it will be for individual participants to check on the progress of the hearings, either on the web site or with the PO, and to ensure that they are present at the right time.
24. Hearing sessions will start at 10.00am and 2.00pm each day. No new session will begin before its stated start time but a later start may be unavoidable if a previous session has overrun. A short break will be taken mid-morning and mid-afternoon. Lunch will be taken at around 1.00pm.
25. Following the completion of the hearing sessions and if necessary the consultation on Main Modifications, I will prepare a report to the Council with my conclusions on legal compliance and soundness.

The Evidence Base and Examination Library

26. The Council has made its evidence base available in the Examination Library. Most of the documents in the library are also available on the Council's web site, which will be regularly updated. Accordingly, parties should not attach extracts of these documents to their Statements as they are already Examination documents. However, where reference is made to an Examination document the reference number should be given as should the section or paragraph where the point referred to can be found. This will allow other participants to see for themselves the context in which the point is made.

Statements of Common Ground

27. Statements of Common Ground (SoCG) are invited where these would be helpful in identifying points in dispute or not in dispute thereby assisting the hearings to concentrate on the key issues that truly need public discussion. They could for example include agreed wording of a suggested change to a policy criterion, agreed factual information or areas or points of disagreement.
28. **Work on such statements should commence now with the aim of completing them in time to feed into the relevant hearing Statement.** However, as a last resort, agreed SoCG will still be accepted if submitted at least 2 weeks before the relevant hearing session.

Statements

29. All Statements, for both hearing and written representation matters, should be received by the PO by midday on **Friday 20th February**. This deadline relates to the receipt of both paper copies and electronic copies. The Statements should only address my Issues and Questions. Some of my questions purely seek to clarify what are the Council's intentions and so replies can be very short. The Council's Statements may also include responses to the matters in the original representations and should refer to any Council proposals for minor changes to the text or plans (see also paragraph 32 below). Statements will be placed on the Examination web site. If your Statement

refers to specific sites which are not identified in the Plan, **please attach a map showing the location.**

Form of Statements

30. Appendix B of this document sets out the requirements for the presentation of all Statements. Its provisions should be thoroughly read and implemented. Statements that do not comply with these requirements will be returned. Please note the 3,000 word limit.
31. **In the Statements from respondents it would be very helpful for me to have a brief concluding section stating:**
- What part of LP1 is unsound.
 - Which soundness criterion it fails.
 - Why it fails (point to the key parts of your original representations).
 - How LP1 can be made sound.
 - The precise change and/or wording that you are seeking.

From the Council I require answers to all the matters and issues that I have raised. The Council's response should take the form of a version of my Issues and Questions papers with answers following the related questions. **The word limit will not be strictly applied to the Council's Statements as it is important that full answers are given.**

Suggested Minor Amendments

32. I expect that the Council will suggest further minor changes as a result of the discussions that we will have. The Schedule of Proposed Minor Amendments will be an evolving document and updated regularly. These changes can be taken forward by the Council on adoption and need not form part of the Examination.

Site visits

33. Where necessary, I shall visit relevant sites and areas referred to in the representations before, during or after the hearings. If any participant feels that a site visit is essential they should advise the PO. I shall normally carry out site visits on my own.

Finally ...

34. I would like to emphasise:
- that I shall have equal regard to views put orally or in writing;
 - the need for succinctness, respecting the 3,000 word limit on any further submissions (with short appendices if necessary) - as set out in Appendix B;
 - that you must meet the target date for the submission of Statements; and
 - that your Statement should focus on my Issues and Questions document and the NPPF soundness criteria.

If there are any questions arising from this note they should be passed to me by way of the Programme Officer.

David Hogger
Inspector

Appendix A - List of relevant legislation and guidance

A. Legislation

These documents can be searched for and found on: <http://www.legislation.gov.uk/>

- Planning and Compulsory Purchase Act 2004
- The Town and Country Planning (Local Planning) (England) Regulations 2012
- The Localism Act 2011

B. Government Policy and Guidance

These can be found by using the search facility on:

<http://www.communities.gov.uk/>

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

C. Plan Making

The Planning Advisory Service web-site www.pas.gov.uk includes a number of documents relevant to plan making including The Principles of Plan-Making and Successful Plan-Making – Advice for Practitioners.

D. Guidance from the Planning Inspectorate

- Examining Local Plans Procedural Practice, December 2013

See: <http://www.planningportal.gov.uk/planning/planningsystem/localplans>

E. Examination and Evidence Base Documents

The Examination web site can be found at:

<https://www.dorsetforyou.com/planning/north-dorset/planning-policy>

Many of the above documents and most of the evidence base documents are available on-line on the Council's web site.

Appendix B - Format for statements

- A. Please send, where possible, e-mailed electronic versions of all Statements and Appendices to the PO (in Word or PDF format) for the Examination web site **as well as** the paper copies as detailed below. Please include the name of the representor, the respondent reference number and the hearing matter number, in the filename.
- B. I emphasise the need for succinct submissions with the avoidance of unnecessary detail and repetition of the original representation.
- C. It is the quality of the reasoning that carries weight not the bulk of the documents. There is no need for verbatim quotations from the NDCS or other sources of policy guidance. It is vital that the fundamental elements are set out clearly and succinctly – the hearing session is not the place for surprise contributions!
- D. None of the statements should be longer than 3,000 words. For the avoidance of doubt, this limit applies to the statement for the Issue as a whole, not for the individual Questions within an Issue. Any submissions longer than this will be returned by the PO for editing. Statements should be prepared on A4 paper, printed on both sides, and not bound but just stapled and hole punched. Any photographs should be submitted in A4 format and should be annotated (back or front).
- E. Supporting material in the form of appendices to statements should be limited to that which is essential and should not contain extracts from any publication that is already before the Examination, such as evidence base documents and nationally available Government guidance – a paragraph or page reference will suffice. Any appendices should have a contents page and be paginated throughout. Whilst the word limit does not include text in appendices, the aim of succinctness should be respected. Anyone submitting appendices should indicate in their statement which parts they are especially relying upon.
- F. Those submitting statements (or further written representations) should submit three hard copies to the PO (for the Inspector, Council, and PO).
- G. All statements should be clearly marked to indicate the name of the representor, the respondent reference, the hearing session to which the statement is directed and the question that is addressed.
- H. All participants should adhere to the timetable for submitting statements. Late submissions and additional material are unlikely to be accepted on the day of the relevant hearing session since this can cause disruption and result in unfairness and the adjournment of the hearing. If material is not received by the deadlines stated below, the PO will assume that you are relying on your original representation:
- Statements of Common Ground: in time to feed into Statements or (as a last resort) at least **2 weeks** before the relevant programmed hearing, if agreed.
 - All Statements: by **midday on Friday 20th February**.
 - **It is stressed that this last deadline refers to the receipt of both electronic *and* paper copies of statements. It is not sufficient to send an electronic copy by this deadline to be followed by paper copies at a later time.**
 - **All paper copies of statements should be addressed to the Programme Officer at the following address:**
Homefield House, Homefield Road, Saltford, Bristol BS31 3EG.