

**DORSET COUNCIL
BLANDFORD FORUM TOWN COUNCIL, BLANDFORD ST MARY
AND BRYANSTON PARISH COUNCILS**

**BLANDFORD + NEIGHBOURHOOD PLAN 2011 - 2033
SUBMISSION VERSION**

**Hearing to be held at 9.00am on Tuesday 12 November 2019
at The Badgers Sett Large Meeting Room, The Crown Hotel,
West Street, Blandford Forum, Dorset, DT11 7AJ.**

AGENDA

1. Examiner's Brief Opening

1.1 Formal opening of hearing and brief introduction.

2. Site Visit (Leave at 9.30am)

2.1 Leave Hearing Venue and proceed to site visits.
(Those identified on Itinerary previously published as set out in addendum to this agenda).

3. Examiner's introduction and Further Opening Announcements
(Expected to be at 2pm, and not before)

3.1 Introductions and welcome

3.2 Hearing procedure (See Examiner's Procedure Note below)

3.3 Any questions regarding procedural matters

4. The Matters to be discussed

4.1 **Policies B2 and B3c.** I will invite Dorset Council (DC) to begin by outlining the reasons for supporting Blandford+ Neighbourhood Plan (B+NP) and the circumstances that have changed since the previous Examination. It would be helpful if DC provides me with a copy of this statement (copied to other participants) by Friday 8 November at the latest. This will be followed by a discussion that I will lead, which will reflect on what was seen on the site visit tour of viewpoints in the morning and what conclusions might be drawn, together with considerations that I set out in my Discussion Notes below.

4.2 On behalf of the landowners, Savills have suggested changes to the wording of Policy B3c. These I consider can be dealt with orally reasonably quickly, and more efficiently than in writing.

4.3 Similarly, on behalf of Wyatt Homes and landowners, Barton Willmore suggest a small number of amendments (at their paragraph 2.14, and 2.15). I need to clarify the meaning of paragraphs 2.18, 2.19 and 2.20.

4.4 I will want to discuss the description given in criterion i. of Policy B2 in relation to clarity about dwelling numbers.

- 4.5 On behalf of Wates Developments Limited, which has land interests north of Black Lane, Genesis Town Planning contend that this land should have been included in the consultation process and that the site represents an opportunity to boost the supply of housing in the area. I wish to hear the reaction of DC and the B+ Qualifying Body to this representation. It appears that the site was not put forward in the 'call for sites' and has not been considered in the Site Selection Background Paper, updated January 2019, or in the Sustainability Appraisal. Nor has it been considered in the consultation process for the Plan. In the absence of such inclusion I am unclear about the scope for considering the site at this stage.
- 4.6 **Policy B1** – This establishes a Settlement Boundary for Blandford Forum and Blandford St Mary, which encompasses the allocated sites. In principle this seems to me to be the correct approach, but self evidently would need to be amended if there is to be any change in the extent of the allocations.
- 4.7 **Policy B8** – Clemdell Limited makes a number of criticisms of this policy and suggests amendments. We will discuss these suggestions.
- 4.8 Detailed matters are set out in Examination document BLAN 12 - North Dorset District Council's Regulation 16 Consultation Response. This document sets out suggested corrections, additions, etc. It would be helpful if the B+ Qualifying Body provides me with a response to these suggestions (copied to other participants) by Friday 8 November at the latest.
- 4.9 There are a small number of matters to which I wish to draw attention. Assuming that time permits, I consider that it will be efficient to deal with these orally rather than by exchange of written questions and answers. These are mostly minor matters relating to the content of the NP. These include the Constraints Plan, the presentation of LPP1 Policy 16, Community Infrastructure Levy and the duty under section 19(1A) of the Planning and Compulsory Purchase Act 2004 to ensure that climate change mitigation and adaptation are core objectives integrated across all local planning policy.
5. **Any other matter?** Anything of relevance that has not been dealt with above.

Close of Hearing

Terrence Kemmann-Lane JP DipTP FRTPI MCIM

Attachments to Agenda

Examiner's Discussion Notes

Addendum - List of Those Attending Site Visit and Itinerary

Examiner's Note on Procedure

EXAMINER'S DISCUSSION NOTES

1 These notes will be used to focus the discussion on the matters set out in the agenda.

2 **Please Note:** My main objective is to complete the discussion on Policies B2 and B3c. My hope is that we will be able to complete the remaining agenda, as my experience is that it is more efficient to cover the respective arguments in a manner that helps reach a reasoned conclusion by oral discussion rather than asking questions and receiving responses in writing, given the need to circulate submissions to those concerned. However, time will be at a premium and if it runs short, I will deal with the unfinished agenda in writing.

Meeting the Basic Conditions

3 My examination of the Blandford + Neighbourhood Plan 2011 - 2033 (B+NP) is concerned with whether the Basic Conditions have been met. These are: i) the need to have regard to national policy and advice issued by the Secretary of State; ii) whether the plan contributes to the achievement of sustainable development; iii) whether the plan is in general conformity with the strategic policies in the development plan for the area; and iv) the Plan must not breach, and must be otherwise compatible, with EU obligations, including human rights requirements, and must not breach the requirements of chapter 8 of part 6 of the Conservation of Habitats and Species Regulations 2017(d). There are other matters that I must be satisfied about, but these do not require discussion at this hearing.

4 Below I have set out a number of issues that relate to the requirement to meet the Basic Conditions. I will lead a discussion on the basis of the contents of this Note.

Policies B2 and B3c

5 The B+NP follows from an earlier version, covering the period 2015 - 2031 (NPv1), which was examined in 2017. That examination resulted in 2 major recommendations, one of which was to delete the principal allocation covered by Policy 1 of that Plan. Policy 1 of NPv1 was titled Land North & East of Blandford Forum: it covered the same area of land as Policies B2 and B3c in the current B+NP proposing essentially the same uses. My Examination will necessarily concentrate primarily on the question of whether Policies B2 and B3c meet the Basic Conditions (to be considered in the context that it is the whole Plan that must meet the basic conditions).

6 Since the previous Examiner's report dated 18 July 2017 there have been some important changes in circumstances that have to be addressed. With the recent memory of views observed during the morning's site visits, the following matters will form the basis of the hearing discussion.

7 I place considerable weight on the 2019 National Planning Policy Framework (the Framework)¹ since the current version was published in February of this year and since the local Development Plan must be considered out of date.

8 How do these proposals stand when judged against paragraph 11 of the

¹ At the time of the Examination of the NPv1, it was the 2012 Framework that was current. However, the thrust of that version continues in the 2019 version.

Framework, which states as follows:

*"11. Plans and decisions should apply a presumption in favour of sustainable development.
For plan-making this means that:
a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas⁵, unless:
i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁶; or
ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."*

Footnote 6 states (as applicable here)

"The policies referred to are those in this Framework (rather than those in development plans) relating to: (among others) an Area of Outstanding Natural Beauty."

Chapter 15 of the Framework 'Conserving and enhancing the natural Environment' states in the following paragraphs: (as most applicable here)

"170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

*a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland."*

171. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework⁵³; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries."

172. Great weight should be given to conserving and enhancing 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 these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks

9 In considering Policies B2 and B3c, I draw attention to Framework paragraph 11bii above ("as a minimum, provide for objectively assessed needs for housing and other uses") unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

10 In addition, section 8 of the Framework is of relevance: 8. 'Promoting healthy and safe communities'. Within this section, paragraph 94 states:

"94. It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted."

11 In addition to the policies of the Framework, the policies of the development plan are an important consideration. In this connection the extant development plan is the North Dorset District Council (NDDC) Local Plan Part 1 (LPP1) (as well as saved policies from the District-Wide Local Plan adopted in 2003). It is Policy 16 'Blandford' (set out in full on pages 18, 19 and 20 of B+NP) which guides development in the NP area covering the period 2011 – 2031, although Policies 2 'Core Spatial Strategy', 6 'Housing Distribution', 11 'The Economy' and 14 'Social Infrastructure' of LPP1 must also be taken into account.

12 At the time of the previous Examination, NDDC was progressing work on its Local Plan Review, with the aim of publishing an Issues and Options consultation document. This document was published in November 2017. However, with the formation of Dorset Council (DC) on 1 April 2019 - taking in NDDC and adjoining Districts - the decision has been made to abandon the NDDC Local Plan Review and begin work on a new local plan covering the whole of the area of the new Council.

13 Also at the time of the previous Examination, NDDC raised objections to NPv1 Policy 1, but DC is now supporting Policies B2 and B3c of B+NP. In part this is because, at the time of the delivery of the previous Examination report, the NDDC found itself unable to demonstrate that it could identify a 5 year supply of deliverable housing land. I have asked DC for a paper outlining the reasons for supporting B+NP and the circumstances that have changed since the previous Examination explaining its support for Policies B2 and B3c. Examination document BLAN 12 - NDDC's Regulation 16 Consultation Response only dealt with corrections and additions to the text of the NP.

14 The B+NP is supported by a Sustainability Appraisal Report, dated January 2019. It seems to me that this is a more complete, better assessed and presented report than the one that supported NPv1. The analysis and appraisal supports the chosen sites under Policies B2 and B3c ('Option 1'), albeit that it is stated that Option 1 assesses marginally better than others, and that the decision to proceed with Option 1 is a matter of 'planning judgement'.

15 Dorset Council has produced an up-dated (at June 2019) 'Blandford Town Pupil Place Planning Statement'. This includes new material compared to the previous edition submitted at the time of the previous Examination. There are contrary views presented to those expressed in this document that can be addressed during the hearing.

16 There are other matters raised in the consultation responses that can be raised, or contrary points put, as the hearing progresses.

Blandford+ Neighbourhood Plan 2011 – 2033 Examination Public Hearing

Tuesday 12 November 2019

Large Meeting Room (The Badgers Sett), The Crown Hotel, West Street,
Blandford Forum, Dorset, DT11 7AJ

SITE VISIT & HEARING SESSION ITINERARY

<u>Site Visit Attendees:</u>	<u>Organisation / Position</u>
Mr. Terrence Kemmann-Lane	Examiner
Cllr Roger Carter	Chair Blandford+
Jon Dowty	Blandford+ Consultant
Dave Chetwyn	Urban Vision Enterprise CIC
Ed Gerry	Dorset Council Planning
Ed Denham	Dorset Council Education
Cllr David Walsh	Dorset Council
Richard Burden	Cranborne Chase AONB
Ms Jo Witherden	Pimperne PC
Peter Slocombe	Pimperne PC
Brian Duckett	Landscape Consultant (Hankinson Duckett Associates, obo Wyatt)
Wyatt Homes Representative	Either Laraine Southwood or Robin Shepherd (Barton Willmore, obo Wyatt)
Barry Watson	Resident, 'Greenbanks', Salisbury Rd, Pimperne
Jeremy Farelly	Genesis Town Planning obo Wates Development
Cliff Lane	Savills. Representing Davis and Coats Families (Owners of land to NE Blandford)
Sally Gardner	Blandford+ / Meeting Notes
	Total 16

9.00 Hearing Convened. Opening Matters

9.30	Development Options Site Visit(s):	(See map overleaf)
9.45	1. Land to N of Bypass (Area A / 1a)	Including Waste Site (1b) / Sunrise Business Park
	2. View from Shaftesbury Lane / Jubilee Trail	North Dorset Landscape & Heritage Study
	3. View from footpath 16/10	Requested by Wyatt Homes
	4. View from track E390771 N108454	Requested by Pimperne PC
	5. View from 'Badgers', Letton Close	Invitation from Mr & Mrs J.J.Lawson, Resident via Pimperne PC
	6. View from 'GreenBanks' and/or 'Bolney'	Invitation from Barry Watson, Resident
	7. Land to NE of Bypass (Area B)	
	8. View from Black Lane	Across Pimperne Brook - Wates Proposed Dev't.
	9. View from Wimborne Road direction	North Dorset Landscape & Heritage Study

10. A350 corridor towards Charlton Marshall*

11. View from Wards Drove*

12. View from lay-by*

13. Dorchester Hill (Area F2)*

14. Fair Mile Road (Area F1)*

15. Tin Pot Lane (Area J)*

*** NOTE:** Site Visits may be curtailed if time is short.

If necessary, the examiner will make visits to viewpoints/sites 10 to 15 unaccompanied the following day.

13.00- Return / Lunch
14.00

Lunch not provided.

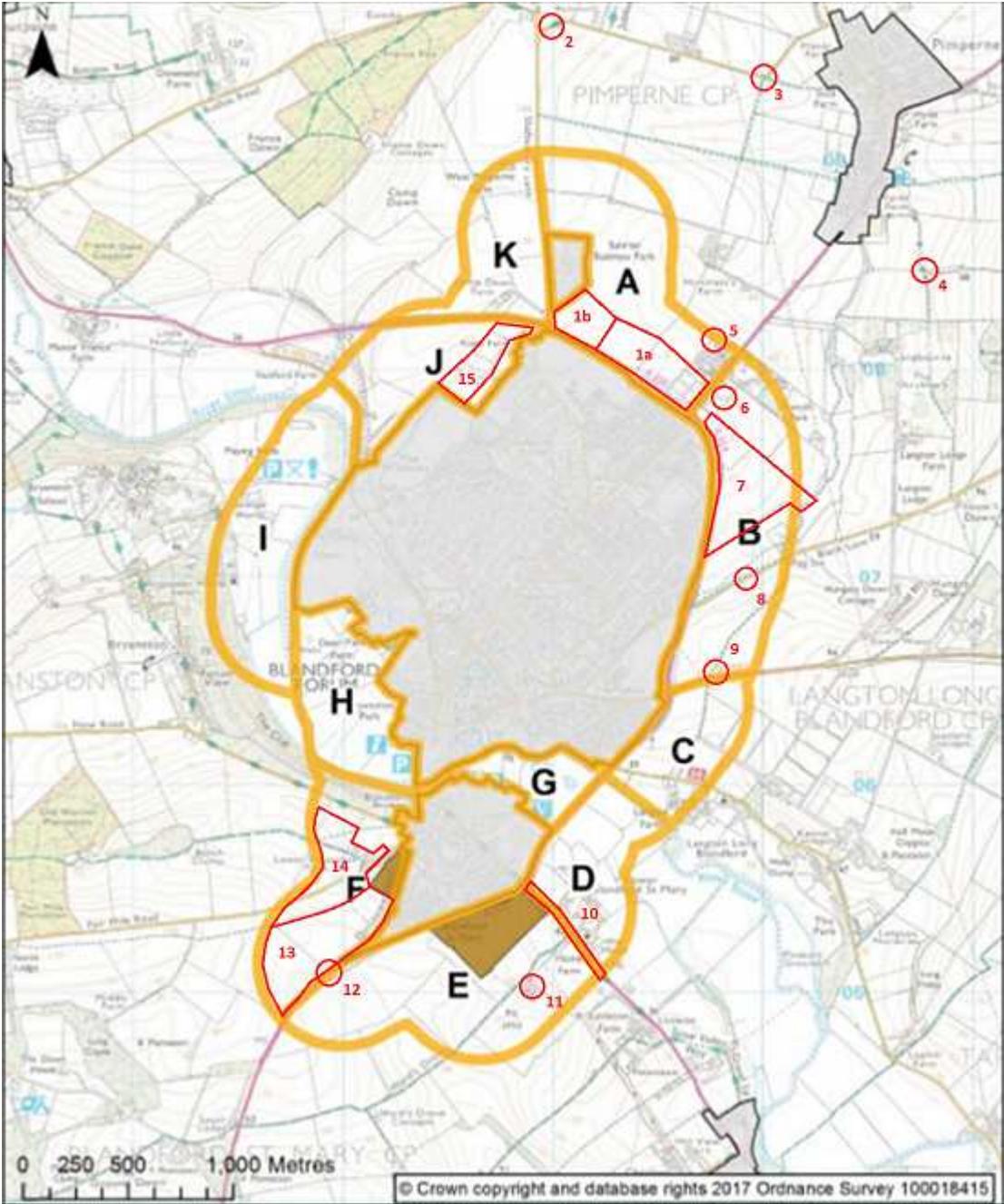
14.00 Hearing Re-Convened.

17.30 Hearing Closed

Transport:

A 16 seater minibus has been booked from 9.30am to 2.00pm.

Map of areas / viewpoints to be visited during site visit:
(Based on the North Dorset District Council Local Plan –
Issues & Options Consultation Map)



EXAMINER'S NOTE ON PROCEDURE

For the benefit of participants who may not be familiar with this type of hearing, I set out a guide that I hope will be helpful.

There are no procedural rules that govern hearings that are part of the examination of a neighbourhood plan, but as in the case where there are rules, for example the Planning Inspectorate's guidance for local plan examinations, it is for the Examiner to determine the procedure, who should participate and how long is spent on any particular topic. The hearing is essentially 'inquisitorial' rather than 'adversarial'. That means that there will be no cross-examination, although I will use my discretion to allow questions to be raised across the table. Therefore I will lead the discussion that will be around a table and run with a reasonable degree of informality, subject to me ensuring that the purpose of the hearing is observed. Naturally I will observe the rules of natural justice to ensure that each party gets a fair opportunity to make the points that are important to them.

I will, of course, explain procedure at the beginning of the hearing and will answer any questions that may arise.