

BOURTON - DORSET NEIGHBOURHOOD PLAN 2016-2031

Submission Consultation (24 February to 7 April 2017) – Summary of Representations

Rep #	Respondent	Summary
BOURTON01A BOURTON01B BOURTON01C BOURTON01D	Andrew Sturt Heritage Property Group	<p>Objection to the formation of the Bourton Neighbourhood Plan Group (BPNG) in 2012. Formation contrary to the principles of openness, transparency and good practice.</p> <p>The Chairman of the BPNG was appointed by Bourton Parish Council with members of the BPNG apparently drawn principally from volunteers previously involved in the exercise to produce the Village Design Statement (VDS).</p> <p>Reservations and concerns raised at the time and subsequently by local residents on the lack of openness in appointing and the failure to have representation from across the community were dismissed by the Parish Council, leaving an impression that the group had the outward appearance of a closed shop” with membership being a matter of personal selection by the Chairman of the BPNG. The regular formal and minuted meetings of the BPNG were not open to the public as at the Blandford where public participation in their neighbourhood plan meetings has been noted. From an examination of the minutes of the BNPG there appears to be no record of correspondence addressed to the chairman by members of the public, nor of any discussions on any matters so raised.</p> <p>The processes and procedures under which the BPNG operates and the conduct of members are governed by the same legislation and guidance that applies to the Parish Council. The non-disclosure of in the recorded minutes of the BPNG by the chairman of a perceived pecuniary interest in respect of the potential site adjoining his home at Sandways Farm under consideration by the group in the site selection exercise for a new village hall is disturbing and calls into question the fairness of that process. In respect of the site selection the reported direct involvement of the chairman in the selection and weighting of criteria against which the various sites under consideration were judged would appear to be in conflict with Nolan principles. The chairman has consistently maintained opposition to the Sandways site throughout the plan</p>

		<p>process having previously objected in 2011, on the basis of potential loss in value of his home. In 2012, the chairman put forward the Jubilee Field site for consideration as an alternative to the Sandways site. Concerns first raised over this matter with the Parish Council in 2012 and subsequently have been to no avail.</p> <p>That the possible development of the Sandways site could reasonably have been perceived as warranting a disclosure of pecuniary interest by the chairman up at all times up to the sale of Sandways Farm in late summer 2016 can be deduced from the letter written by new owners of Sandways Farm objecting to a planning application for a new hall and enabling residential dated 28 September 2016 (NDDC planning application reference No 2/2016/1227/OUT).</p> <p>It would be unsafe, unfair and unreasonable to allow this draft plan to progress given the situation outlined above. At the very least a fresh, transparent, rigorous and objective review of alternative village hall sites and of the Village Design Statement are clearly required before a plan could safely be taken forward. The lack of any meaningful housing needs survey is a material omission that should be redressed.</p>
BOURTON2	Cranborne Chase Area of Outstanding Natural Beauty	<p>Thank you for notifying this AONB that the Bourton Neighbourhood Plan has been received for examination.</p> <p>This AONB is not making further comments at this stage.</p>
BOURTON03A BOURTON03B BOURTON03C BOURTON03D BOURTON03E BOURTON03F	Brimble, Lea and Partners	<p>Section 3 (How the Plan was Prepared), 6.25 (New Village Hall), Policy 5(New Village Hall)</p> <p>As the agent acting for the owners of the Sandways Farm (proposed allocation) site we have already made objection to the pre-submission consultation document. We continue to be concerned at the initial site assessment process and how the consultation process has been reported. Our main concern has been that we believe the assessment of alternatives sites for the new village hall has been a flawed process. In particular, we consider that the process has failed to properly and professionally assess the significant harmful visual impact that development of the Jubilee Field site would have and how the proposed allocation of this site ~(as one of two alternatives) runs directly counter to other information submitted in support of the neighbourhood plan including the importance of certain views and the desirability of giving consideration to the Chaffeymoor area being designated as a Conservation Area.</p> <p>In support of these concerns please see a document (BOURTON03D available via: https://www.dorsetforyou.gov.uk/article/424844/Proposed-Bourton-Neighbourhood-Plan) entitled Bourton Neighbourhood Plan Objection to the submission draft prepared by Richard Payne, a chartered Landscape Architect. This has reviewed the draft plan and supporting documentation and concluded that the proposed site at Jubilee Field will have a significantly harmful visual impact upon the landscape character and appearance of this part of the village.</p>

The inclusion of the Jubilee Field site is considered all the more surprising as it is understood that this site was firmly rejected as a potential site when 14 potential sites were discussed with Senior Officers of the Local Planning Authority and a site visit undertaken to view all of them.

It is understood that the advice provided by the LPA at that juncture was that the search for site should commence in the centre of the village and that with respect of the Chaffeymoor Farm site, the visual intrusion and potential impact was considered unacceptable. It is further understood that at this early stage the Chaffeymoor Farm site was rejected but that the LPAs representative considered the Sandways Farm site to be the most suitable location of all options for a new hall. There does not appear to be any reference to this meeting/consultation or its outcome. This further underlines how the assessment process has been flawed and why there should be only one site identified/allocated for the new village hall i.e. the land adjoining Sandways Farm.

As previously advised in earlier consultation, policy 5 (and supporting text) should be amended to refer to the allocation of a single site for the village hall and associated development i.e. on land adjoin Sandways Farm.

Consultation Summary

The consultation statement fails to refer to significant meetings undertaken with Senior Representatives of the LPA in 2012 which assessed 14 possible sites for a new village hall. Of crucial significance is that this process identified the Chaffeymoor Site as being unacceptable. The same process recognised the land adjoining Sandways Farm to be the most suitable location of all options for a new hall.

The consultation summary has failed to properly detail the objection made to the pre-submission plan on behalf of the owners of the land adjoining Sandways Farm. Not only did this identify that the assessment process was flawed it also pointed out significant inconsistencies between the findings of earlier supporting documentation(e.g. the Village Design Statement) and the subsequent proposed allocation of the Chaffeymoor Farm (Jubilee Field) site. No reference is made to observations about potential impact on heritage assets of developing the Jubilee Field site.

Unfortunately, the document does not refer to or draw from the important discussions undertaken with the LPA at an early stage. On this basis, the document is incomplete and the subsequent chain of events in terms of consultation process has ignored advice from Senior Officers at the LPA.

Basic Conditions Statement

It is considered that the Neighbourhood Plan fails to meet the relevant 'basic conditions' required under the Neighbourhood Plan Regulations.

With the assessment process (and reporting of consultation) being flawed it is clearly inappropriate to

		<p>make the Neighbourhood Plan (as proposed).</p> <p>The plan cannot be considered to contribute to the achievement of sustainable development as the proposed identification of the Jubilee Field site as a potential allocation within Policy 5 would have an unacceptable visual impact and be harmful to the character of the area (see document BOURTON03D, which sets out an objection, accessible via the following link; https://www.dorsetforyou.gov.uk/media/221330/Brimble-Lea-D/pdf/Brimble_Lea_D_Redacted.pdf). In the circumstances, it is clear that this aspect of the plan fails to satisfy the environmental requirements of sustainable development.</p> <p>The plan should be amended to exclude the Jubilee Field site or the Landscape and Visual Impact Assessment undertaken in support of the plan be re-undertaken by a qualified Landscape Architect.</p>
BOURTON04A BOURTON04B BOURTON04C	Environment Agency	<p>We can confirm that we have been consulted on the preparation of this document and the associated Strategic Environmental Assessment process. We can offer the following advice.</p> <p>We can confirm that we have no objections or concerns with the sites and policies in the document and we are satisfied that they accord with the principles of the National Planning Policy Framework (NPPF) and your Local Plan in regards to flooding and environmental impacts.</p> <p>Flood Risk</p> <p>We are satisfied that the proposed sites for development are suitably located outside of the flood map for planning therefore pass the NPPF flood risk Sequential Test. We have highlighted in early consultations that they may also wish to consider information in your Authority's Strategic Flood Risk Assessment and the flood map for surface water flooding to understand if there are other risks that may affect the proposed sites.</p> <p>Biodiversity</p> <p>We support that the plan includes policies to maintain and enhance the local biodiversity.</p>
BOURTON05A BOURTON05B	Gladman Developments Limited	<p>The response received from Gladman sets out the basic conditions that a neighbourhood plan must meet before it can proceed to referendum. Furthermore, it refers to the National Planning Policy Framework (NPPF) and the Government's Planning Practice Guidance (PPG) in terms of requirements relating to the preparation of neighbourhood plans.</p> <p>Specific reference is made to the fact that the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is regarding this, Gladman has reservations regarding Bourton Neighbourhood's Plan (BNP's) ability to meet basic condition (a) (Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.)</p>

Bourton Neighbourhood Plan

Gladman raises concerns with several of the policies currently detailed in the plan and submits that in its current form the BNP does not meet the basic conditions of neighbourhood plans. A number of the policies are deemed to be worded in a restrictive manner, rather than reflecting paragraph 184 of the Framework which states:

‘Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan... Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them.’

As a further general note, Gladman would like to draw attention to PPG which states that ‘Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention or rationale of the policies in the draft plan...’ Gladman is concerned that several policies are reliant upon the Village Design Statement, adopted in 2011, as justification for the BNP’s policy approaches. It is not considered to be sufficient, proportionate and robust evidence and more evidence base work is needed to complement the VDS as forming a robust proportionate evidence base for the BNP.

Policy 1: Landscape Setting

Aspect (a) of this policy is deemed restrictive in only allowing development within the existing settlement boundary or on allocated sites. The plan does not allocate sites other than a small amount of housing to allow for the development of a new village hall. This policy is overly restrictive and not in accordance with the Framework. As currently written the policy would not allow for any development to come forward beyond the settlement boundary at all, conflicting with the Framework’s approach of supporting a prosperous rural economy, which would allow for development to support rural businesses. This policy also conflicts with paragraph 55 of the Framework which seeks to promote sustainable development in rural areas to enhance or maintain the vitality of rural communities setting out the circumstances upon which development in the countryside would be appropriate.

Further, Gladman oppose the use of settlement boundaries if these would preclude otherwise sustainable development from coming forward. The Framework is clear that development which is sustainable should go ahead without delay. The use of settlement limits to arbitrarily restrict sustainable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework.

The issue was dealt with in the Adlingbourne Neighbourhood Plan Examiner’s report where text was added to the policy to reference which circumstances development beyond the settlement boundary would be permitted, to bring the policy into accordance with National Policy. Gladman submit the following policy wording for the Council’s consideration:

‘When considering development proposals, the Bourton Neighbourhood Plan will take a positive approach

to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Applications that accord with the policies of the Development Plan and the Bourton Neighbourhood Plan will be supported particularly where:

- Providing new homes including market and affordable housing; or

- Opportunities for new business facilities through new or expanded premises; or

- Infrastructure to ensure the continued vitality and viability of the neighbourhood area.

Development adjacent to the existing settlement will be permitted provided that any adverse impacts do not significantly and demonstrably outweigh the benefits of development.'

Gladman suggests that the evidence to support aspect (b) of this policy is not sufficient. Nearly all views within the Parish are deemed to be important and protected by this policy. This is effectively a blanket protection from development within the Parish, relying upon photographs from the VDS with no justification or explanation. It is contended that further work is necessary to support this policy and demonstrate why these views are important to the local community and need for them to be protected. Gladman suggest a Landscape Character Assessment would be appropriate and until this has been undertaken this policy does not comply with basic conditions (a) and (d) and should be deleted.

Further, Gladman contends development can often be located in areas without eroding the loss of openness, landscape character or views considered to be important to the local community. In such circumstances development proposals, can be appropriately designed to take into consideration the wider landscape features of the surrounding area. The policy provides no clarity on how the Council will interpret this policy in a consistent manner through the development management process. Opinions on landscape are highly subjective, therefore without further clarity about how these views are considered special to the local community, this policy is likely to lead to inconsistencies in the decision-making process.

As a final point, aspect (c) of this policy is covered further in the plan with its own policy and therefore should be deleted.

Policy 5: New Village Hall

Gladman recognises the aspirations of the neighbourhood community to develop a new village hall however question the level of housing in the proposed development areas for enabling housing and whether a viability assessment has been undertaken to deem whether the level of housing will be sufficient to provide a willing landowner a competitive return. Paragraph 173 of the Framework states:

'Plans should be deliverable. Therefore, the sites and the scale of development in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is

		<p><i>threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.</i></p> <p>Therefore, it is considered that the development of a new village hall and the significant amount of amenity space as proposed may not be done so viably and sustainably and therefore will not be delivered. This policy is contrary to basic conditions (a) and (d).</p> <p>Policy 10: Green Fingers</p> <p>This policy seeks to preserve the ‘Green Fingers’ from development. It is noted that several of these areas are extensive areas between the settlement boundaries constituting what is more accurately described as a strategic gap. This is effectively a strategic policy beyond the remit of neighbourhood plans and as these have not been identified as areas needing protection in the Local Plan these should be deleted.</p> <p>Further, it is also considered an overly restrictive policy that does not accord with the positive approach of the Framework. The policy lacks clarity about how a decision maker should apply it. The policy reads as an aspiration rather than defining the circumstances upon which development would be acceptable or refused.</p> <p>Conclusions</p> <p>Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman have sought to clarify the relation of the BNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.</p> <p>Gladman are concerned that the plan in its current form does not fully comply with basic condition (a) as the plan is considered not to follow national policy and guidance as the plan contains several policies without the necessary proportionate, robust evidence to do so. It is also not clear how some of the policies included within the plan could be applied predictably and with confidence by a decision maker.</p>
BOURTON06	Highways England	<p>Thank you for providing Highways England with the opportunity to comment on the submission draft of the Neighbourhood Plan for Bourton Parish. Although Bourton is in fairly close proximity to the A303 we are satisfied that none of the proposed policies are likely to impact upon the strategic road network (SRN).</p> <p>We have however noted the comments in Appendix 1 at paragraph 7.1.5 regarding traffic noise from the A303, although this matter falls outside of the scope of the neighbourhood plan process. We recognise that this is a subject of local concern and continue to liaise with the Parish Council. We hope however that our ongoing resurfacing programme will help address this</p>

		<p>situation. One minor amendment we would suggest is that the reference to the Highways Agency be amended to Highways England.</p> <p>This response does not prejudice any future responses Highways England may make on site specific applications as they come forward through the planning process, and which will be considered by us on their merits under the appropriate policy at the time.</p>
BOURTON07A BOURTON07B BOURTON07C	Historic England	<p>In our response to the Regulation 14 consultation we highlighted the need to ensure that Policy 5 relating to a new Village Hall was suitably informed by an understanding of the significance of relevant designated heritage assets in accordance with the historic environment provisions of the National Planning Policy Framework. This followed up initial comments on this theme made to your authority in response to the consultation on the SEA Scoping consultation.</p> <p>In specific terms we indicated, inter alia, that development of the Sandways Farm site option could have an impact on the setting of the Grade II Listed Sandways Farmhouse. The Consultation Responses Report of November 2016 states as its response that this had already been taken into account in the Site Appraisal and selection Report. While this may be true, our previous comments highlighted the lack of specificity in this regard, hence why we drew attention to it.</p> <p>But we also suggested that, in the circumstances, one option to address this issue might be to add a heritage qualification to criterion d) of the policy, which the Submission version of the Plan has done. This of course presumes by its wording that development of some description can be achieved without causing harm and that the policy is therefore deliverable in principle.</p> <p>On that basis I can confirm that there are no outstanding or other issues upon which we would wish to comment.</p>
BOURTON08	Natural England	<p>Thank you for consulting Natural England on the Bourton Neighbourhood Plan. Natural England has no further comment on the proposals.</p>
BOURTON09	North Dorset District Council	<p>The draft Plan appropriately seeks to deal with issues of a local nature including the built and natural environment, green infrastructure, health and wellbeing, the local economy, and crucially the site for a new village hall. The draft Plan does not extend to allocating sites for development.</p> <p>Section 6. Development in Bourton 6.1.2. Housing.</p> <p>The draft Plan has not evidenced its approach to housing. The Basic Conditions refer to the need to help achieve sustainable development (Paragraph: 072 Reference ID: 41-072-20140306). Planning Practice Guidance sets out that <i>In order to demonstrate that a draft neighbourhood plan or Order contributes to</i></p>

sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan ... guides development to sustainable solutions'.

To determine whether a neighbourhood plan should allocate land for housing a local housing needs assessment would need to be carried out in order to understand what the housing pressures are at the local level. PAS has produced some guidance for this

<http://www.pas.gov.uk/documents/332612/0/PASNP/5cd2a9da-dc5e-4c5c-a982-e2f4a23d3fcc> .

6.2.1 Policy 1

c) The “Green Fingers” referred to in this policy and as identified on Map 6 are not protected by the Policy 20: Countryside of North Dorset District Council’s Local Plan Part 1, as suggested in the text of Policy 1 c). This text should be replaced with policy text that sets out that the “Green Fingers” identified will be protected by the neighbourhood plan.

6.2.3 Building Design and Form.

Policy 3

Criterion e) sets out that *aerials and satellite dishes shall be placed out of sight or as unobtrusively as possible.*

As this text which relates to the finer grain of development appears in a general policy and is not specific to a designation such as a conservation area, it is not considered enforceable, particularly as much of this type of development can be carried out under permitted development rights.

Recommend that the sentence be removed from the primary policy box and transferred to the supporting text as advisory note.

6.2.4. Traffic and Parking

Policy 4

The justification is insufficiently specific as to which part of the supporting documents it relies. The referencing should be more explicit.

6.2.5. New Village Hall

Policy 5.

To ensure the text that appears in criterion b) is more technically correct, the word *chosen* should be replaced with ‘permitted’, and the word *allocated* should be replaced with ‘apportioned’.

Criterion c) should be amended to shift the requirement on the correct procedure within the planning system. Currently criterion c) requires a process outside of the control of the planning system to be complete prior to approval of a planning permission. However, this poses a potential risk of challenge of non-determination of a planning application if the requirement isn’t met in accordance with the text as currently written.

Recommend that the text be amended to bring the requirement required by the draft Plan policy within the control of the planning system, such as:

c) The land for the village hall and amenity space, as specified in criterion b) above, shall be made over to the

		<p>Parish Council as part of a S106 agreement and this process will be subject to an open table discussion between the Local Planning Authority, the Parish Council and the applicant.</p> <p>Criterion e) provides the requirement for development proposals to include measures that protect heritage assets and their setting, thereby provides the opportunity to assess such proposals accordingly.</p> <p>To ensure the text that appears in criterion f) is more technically correct, the word <i>wishes</i> should be replaced with 'planning reasons'.</p> <p>6.2.5 Justification</p> <p>The text that appears in the final paragraph sets out that the effects of construction may be mitigated. Construction is a phase of development, and so it is recommended that the word <i>construction</i> be replaced with 'development'.</p>
BOURTON10	South Somerset District Council	<p>Thank you for consulting South Somerset District Council in relation to the Bourton Neighbourhood Plan. Having read and duly considered the content of the plan, the district council wish to make no comment.</p>
BOURTON11A BOURTON11B BOURTON11C BOURTON11D BOURTON11E BOURTON11F BOURTON11G	Hall & Woodhouse Ltd	<p>The Neighbourhood Plan: A Critique</p> <p>Draft Bourton Neighbourhood Plan (Section 2 of Planning Statement)</p> <p>Section 3.2 of the draft Bourton Neighbourhood Plan sets out what it aims to achieve.</p> <p>The Neighbourhood Plan response to some of these aims is essentially set out at paragraph 6.1.2 b) which states:</p> <p><i>'NDLP calls for the provision of 825 new dwellings in Stalbridge and the larger villages of which Bourton is one. There are currently consents for 50 dwellings in the NP area. NDLP also retains the Settlement boundary from the previous Local Plan. It is considered that the current extant permissions and limited infill development should meet any future specific allocations for Bourton within the life of this NP, and therefore no housing allocations are made in this Plan. It is understood that the housing targets may be adjusted during the current review.'</i></p> <p>As a result of this conclusion the Neighbourhood Plan seeks to retain the existing settlement boundary as set out in the 2003 North Dorset District-wide Local Plan and Policy 1 of the Neighbourhood Plan and seeks to restrict development within the existing settlement boundary or to allocated sites. The only allocations relate under Policy 5 to two alternative sites which are promoted for a new village hall with an allowance for 0.3 hectares of land for housing development to make the release of the land viable for the use of a village hall and associated amenity space.</p> <p>There is however in the Plan as well as in the supporting documentation no detailed analysis of the future needs of Bourton in terms of housing over the life of the Plan and how the extant permissions might provide <i>for people who currently find it difficult to secure appropriate accommodation in Bourton e.g.</i></p>

families, older people and first time buyers seeking good quality sustainable housing. There is therefore no analysis of how the Neighbourhood Plan intends to meet its own aims.

The suggestion from the Plan and also from some of the supporting evidence, including the Strategic Environment Assessment for the Bourton Neighbourhood Plan: Environmental Report (SEA) undertaken by AECOM is that Bourton has taken its fair share of the 825 houses which Policy 6 of the North Dorset Local Plan Part 1 directs towards Stalbridge and the larger villages of which Bourton is one such settlement. The SEA indicates that on a pro-rata basis this would require the provision of 35 houses over the period of the Local Plan and that as there is some 43 housing with planning consent, the District Council would be unlikely to allocate any further housing to Bourton.

It is strongly argued that this approach is plainly wrong and does not accord with Policy 6 of the North Dorset Local Plan Part 1. First of all, that policy figure is specifically set out as a minimum number. Secondly, there is no suggestion in the policy or the supporting text that the housing figures are intended to be divided out on a pro-rata basis. It is necessary that each settlement either through its Neighbourhood Plan or through the District's next stages of its Local Plan (now proposed as a full Review rather than a Part 2 Plan) assesses carefully its capacity and need for additional housing. It is strongly argued that this has not been done in this case.

An analysis has been undertaken in the preparation of this objection of the extant permissions which the Neighbourhood Plan has referred to in its assessment that there are permissions for some 50 dwellings in Bourton. (The SEA refers to 43). From a review of North Dorset District Council's Annual Monitoring Report 2016, (relevant page attached at Appendix 2) these appear to comprise:

- Bourton Mill Ref: 2/2016/0610/REM planning permission for 35 units
- Land at Rugby Cottage 2/2014/0755/OUT planning permission for 10 units
- Various permissions for 1 house around the village – 3 permissions in total (2/2013/0387/PLNG: Land adjacent Forge Cottage; 2/2015/0512/FUL Glencote New Road; 2/2015/0651/FUL River View, Bridge Street)

In respect of the Bourton Mill permission it is understood that there remains ongoing work to clear conditions relating to this permission and a start on site has not been made. Moreover, it is understood that although the outline permission included a requirement for 6 affordable housing units on site, due to the specifics of this development and in particular the dam management arrangements, the Section 106 Agreement include a cascade and that the affordable housing provision is now to be dealt with by way of an off-site contribution in lieu of on-site provision.

The original outline permission for Rugby Cottage under reference 2014/0755/OUT appeared to provide for 4 affordable dwellings, but with the change in the government's requirements, a fresh permission was secured under 2/2015/1827/OUT still for 10 dwellings but it would appear with no affordable housing

content. The reserved matters are being discharged pursuant to this later permission. The permissions for individual dwellings, as is to be expected, are not restricted in their tenure. Similarly it is expected that the dwellings which may come forward as part of a village hall proposal would be market driven as the reason for including housing is specifically to support bringing forward the required land for the provision of the village hall.

It therefore appears that none of the extant permissions will directly provide any affordable housing within the settlement of Bourton. Moreover the policies in the Neighbourhood Plan do not appear to provide for a full range of housing, including affordable housing, on the basis that such further housing that is to be provided is restricted to infill sites, which by their very nature are unlikely to provide large enough sites to require the provision of affordable housing.

Moreover, if small infill sites do come forward there is very limited opportunity to influence the form and type of housing; the houses are more likely to be market driven and the statistics from North Dorset District Council as well as the 2011 Census already demonstrate that the housing stock in Bourton shows a higher than average (compared with Dorset and nationally) proportion of large and detached dwellings and at a higher value. There is no evidence to indicate or confidence to suggest that the future housing on such sites would meet the aims of the Neighbourhood Plan to make provision *for people who currently find it difficult to secure appropriate accommodation in Bourton, e.g. families, older people and first time buyers seeking good quality accommodation.*

This is the fundamental concern which leads to the objection to the Plan; that the Neighbourhood Plan has not undertaken a detailed and proper analysis of its housing needs and how it should meet those identified needs. In this way alone it fails the Basic Conditions Tests. The preparation of the Neighbourhood Plan appears to have relied largely on two questionnaires to the local community, one in early 2013 and the second in April to May 2014. It is acknowledged that such questionnaires are an essential part of a neighbourhood plan preparation process but it is strongly contended that this process needs to be cross referenced to independent factual and other relevant available evidence.

The residents were asked a series of questions (first questionnaire) regarding their preferences on a number of matters and it is not the purpose of this report to analyse all the questions and responses. However, attention is drawn to the following. Question 2.02/2.03 asked whether they considered that there was a need for new housing in addition to that proposed at Bourton Mill to which some 25.3% replied 'yes', 58.2% 'no' and 16.5% had no opinion. This increased to 69.4% answering 'yes' if the Bourton Mill development did not proceed, and reducing to 27% who answered 'no' and some 3.6% who did not have an opinion. In the 2014 questionnaire, the answer to the question (HSG 1) as to whether the Neighbourhood Plan should provide for further housing growth in addition to that already permitted was 27.31% in favour, and 59.24% against with 13.45% answering 'don't know'.

In respect of question 2.06 (first questionnaire) regarding the type of housing development to be provided if new homes were to be built, the majority were in favour of small family homes (217), followed by affordable

homes (housing association) (140), affordable homes for the elderly (140) and homes for single people (132). The returns for large family homes were 77 and for private retirement properties for sale 54. Some 33 households indicated in response to question 2.11 (first questionnaire) that their household was likely to need affordable housing in Bourton in the next fifteen years. Whilst this compares with 215 who answered 'no' to this question, and some 49 answered 'don't know' it is a significant number who clearly expressed a need for affordable housing during the life time of the Plan.

A very recent request of North Dorset District Council for its Housing Need Figures showed the results as set out below for April 2017. This is obviously a snapshot in time but is indicative that there is a clear need which is not being met in Bourton and is unlikely to be met if the Neighbourhood Plan is adopted as drafted. This reflects the current stated position of those actively seeking housing and the answers to the Neighbourhood Plan questionnaire suggest that there is actually a higher housing need for affordable housing over the life time of the Plan.

Applicant	Count
Couple requiring studios or 1 bedroom	2
Family requiring 2 bedrooms	3
Family requiring 3 bedrooms	1
Family requiring 4 bedrooms	2
Single person requiring studios or 1 bedroom	4
(blank)	
Grand Total	12

Whilst it is fully acknowledged that a fundamental objective of the neighbourhood plan process is to enable local communities to secure the future of their own settlements, there is an obligation on the Parish and the community to ensure that the Neighbourhood Plan is drawn up to ensure that their full needs have been assessed and provided for. The resultant Neighbourhood Plan, whilst perhaps reflecting many residents' wishes, does not appear to have provided for the needs of the community which are apparent from the questionnaires and the available factual evidence.

Whilst the views of the local residents are fully acknowledged and are of significant importance in the preparation of the Neighbourhood Plan, it is strongly argued that the Neighbourhood Plan should not be allowed to proceed as currently drafted as it fails to meet the Basic Conditions Tests and in particular because it has not properly addressed its current and potential future housing needs and set out policies and proposals to ensure that these can be met. The Plan does not demonstrate that their policies and approach will meet their housing need. Fundamentally, it fails to meet its own aims to provide *for people who currently find it difficult to secure appropriate accommodation in Bourton e.g. families, older people*

and first time buyers seeking good quality sustainable accommodation.

The following sections (Sections 3-5) set out why it is considered that the Neighbourhood Plan as drafted fails three of the basic conditions tests.

Strategic Environmental Assessment (SEA)

Reference is made to section 2.3 of the SEA report which sets out key issues and the SEA Framework. It includes 2 particular issues of relevance to this objection.

Issue 1 – Intergenerational imbalance

Issue 3 – Affordability of housing

These issues are agreed as key issues to be addressed in the Neighbourhood Plan. However, the assessment undertaken plainly fails to address these issues. In respect of the intergenerational balance, the assessment simply states at 4.3:

‘The development of the village hall would also facilitate the delivery of a small number of small family dwellings, which would help increase the availability of this type of housing in the village which is accessible for a wider range of age groups.’

This conclusion is not agreed and cannot be regarded as a response and satisfactory resolution to the issue identified. A similar response is again provided in respect of Housing and once again is not accepted and suggests a complete disregard for the seriousness of the issue. The SEA only serves to show the weakness of the Neighbourhood Plan in addressing its identified aims of including provision *for people who currently find it difficult to secure appropriate accommodation in Bourton e.g. families, older people and first time buyers seeking good quality sustainable housing.*

Basic Conditions – National Policies and Advice (Section 3 of Planning Statement)

The National Planning Practice Guidance states that having regard to national policy means that a Neighbourhood Plan must not constrain the delivery of important national planning policy objectives. It specifically refers to the National Planning Policy Framework (NPPF) as the main document setting out the government’s planning policies for England and how these are expected to be applied.

Section 6 of the NPPF seeks to ‘Deliver a wide choice of high quality homes’ and paragraph 47 seeks to boost significantly the supply of housing. Paragraph 50 further develops this objective.

In preparing the Neighbourhood Plan Bourton has a duty to address and respond to these issues and it is argued that it has not properly assessed these matters and planned to deliver a wide choice of quality homes to meet the needs of different groups in the community, including the provision of affordable housing.

The Basics Conditions Statement (Nov 2016) prepared to accompany the draft Neighbourhood Plan

suggests that Policy 5 of the Plan relating to the provision of the New Village Hall conforms with Policy 50 of the NPPF. However, the acceptance in principle of a small amount of housing as a means of trying to bring forward an improved community facility falls considerably short of being in conformity with Paragraph 50 of the NPPF. The Neighbourhood Plan does not otherwise address any of the Section within the NPPF dealing with 'Delivering a wide choice of quality homes'. This is a telling omission which further points to the failure of the Neighbourhood Plan to accord with national policies and advice. It therefore fails this Basic Conditions Test as currently drafted.

Basic Conditions Test – Sustainable Development (Section 4 of Planning Statement)

Paragraph 7 of the Framework states that there are three dimensions to sustainable development: economic, social and environmental.

It is strongly argued that the Neighbourhood Plan fails to accord with the social role of sustainable development as defined at paragraph 7 of the NPPF.

The National Planning Practice Guidance states that a qualifying body must demonstrate how its plan will contribute to improvements in environmental, economic and social conditions. The Neighbourhood Plan has not demonstrated that it has planned for a strong vibrant and healthy community which will meet the needs of present and future generations. In this way it fails this Basic Conditions Test.

The Basics Conditions Statement (Nov 2016) prepared to accompany the draft Neighbourhood Plan suggests that its policies comply with the three dimensions of sustainable development but it is strongly contended that in failing to assess its local housing needs and requirements it cannot be regarded as meeting the social role of sustainable development.

Basic Conditions Test – Strategic Policies (Section 5 of Planning Statement)

The strategic policies for North Dorset are set out in the North Dorset Local Plan Part 1 adopted in January 2016. The National Planning Practice Guidance sets out what should be considered when considering whether a policy is in general conformity with the relevant strategic policies of a plan.

On the basis of the advice at Paragraph 156 of the NPPF Policy 1 (Presumption in Favour of Sustainable Development), Policy 2 (Core Spatial Strategy), Policy 6 (Housing Distribution) and Policy 7 (Delivering Homes) are regarded as strategic policies in the North Dorset Local Plan Part 1 (and of particular relevance to this objection).

It appears that the Neighbourhood Plan has looked at the housing total for Stalbridge and the larger villages and divided this by the number of settlements to derive a pro-rata number per village. Furthermore it has chosen to consider the number as a maximum, rather than a minimum which is the basis of the policy figure. On this limited basis it has then deduced that it has met its 'quota' and does not need to provide any specific allocations. Any further housing is assumed to come through from infilling within the settlement boundary and potentially small scale development associated with bringing forward the village

hall.

It is contended that this approach does not support and uphold the general principle that the strategic housing policy is concerned with, namely to meet its objectively housing need for both market and affordable housing. Except for questionnaires to its community, which has elicited some important responses, there is no evidence of any detailed analysis undertaken to assess the local needs for the settlement of Bourton and the rural area it serves.

There is further no evidence of the detailed requirements of particular sectors of the local community and how the permitted housing would meet their needs. Finally there appears to be no assessment of affordable housing needs and how the permitted developments would meet those needs.

The Basics Conditions Statement (Nov 2016) prepared to accompany the draft Neighbourhood Plan does not even refer to any of the above policies when seeking to set out how the Plan is in general conformity with the strategic policies of the development plan. This is further evidence of the failure of the Neighbourhood Plan to consider seriously the local housing issues and how it should tackle those critical issues.

It is therefore argued that the neighbourhood plan as drafted does not meet the basic conditions test with regard to general conformity with the strategic policies of the Local Plan Part 1.

Suggested Modifications to the Neighbourhood Plan (Section 6 of Planning Statement)

A more thorough exercise requires to be undertaken to assess more comprehensively the housing requirements and needs of Bourton. It is likely that, as a result, the existing settlement boundary requires to be re-assessed to ensure that sufficient land is included which could meet the needs of the community over the Plan period.

The land to the rear of Old Pound Court is promoted as suitable, available and deliverable land which could assist towards meeting Bourton's housing needs (Please see the site plan included at Appendix 1 as part of BOURTON11E accessible via the following link:

https://www.dorsetforyou.gov.uk/media/221354/Southern-Planning-Practice-E/pdf/Southern_Planning_Practice_E_Redacted.pdf

). The site extends to 0.72 hectares and is generally centrally located in relation to the settlement's facilities and access is in existence and provided by Old Pound Court. The land is already enclosed to the north with an attractive woodland backdrop and there is an existing tree and hedge screen to the west which could be further enhanced as part of any future development strategy.

The land is not identified as a local green space or as a green finger and development of this land could accord with the other relevant policies in the Neighbourhood Plan. It would be capable of providing a high quality development without harming the distinctive rural atmosphere of Bourton whilst at the same time helping to provide the much needed housing which is required for those who have identified a need for housing in Bourton.

The additional housing would also help to support the local community facilities and services which are identified as important to the local community. Whilst it would be premature to make a firm proposal in this regard, it may also offer the opportunity to assist in the delivery of the village hall proposal. It is recognised that in order to provide a more positive framework which allows for additional development to meet the identified housing needs, at the very least, Policy 1 a would need to be changed to amend the settlement boundary and include a specific allocation of this land for development. However, with these amendments the Neighbourhood Plan would be able to meet the Basic Conditions Tests with specific reference to meeting its local housing needs and requirements.

Conclusion

The statement sets out the detailed case for why an objection is made to the draft Neighbourhood Plan for Bourton. This is set out at length at Section 2 in particular the objection is raised because it has not properly addressed its current and potential future housing needs and set out policies and proposals to ensure that these can be met. The Plan does not demonstrate that their policies and approach will meet their housing need. Fundamentally, it fails to meet its own aims to provide for people who currently find it difficult to secure appropriate accommodation in Bourton e.g. families, older people and first time buyers seeking good quality sustainable accommodation.

Sections 3 – 5 set out why the Plan as drafted fails three of the basic conditions tests. The National Planning Practice Guidance is clear that only a draft neighbourhood plan that meets each of a set of basic conditions can be put to a referendum and be made. It is therefore argued that without further consideration and modification the Plan should not be progressed as drafted.

Section 6 sets out the steps which are considered necessary to enable a modified Plan to meet the basic conditions test, including a more thorough and detailed examination of the housing needs of the Neighbourhood Plan area over the lifetime of the Plan. It is argued that the Neighbourhood Plan should make provision for more housing development and in this regard land is promoted to the north of Old Pound Court to help to meet this requirement.

		<p>The additional housing would also help to support the local community facilities and services which are identified as important to the local community. Whilst it would be premature to make a firm proposal in this regard, it may also offer the opportunity to assist in the delivery of the village hall proposal. It is recognised that in order to provide a more positive framework which allows for additional development to meet the identified housing needs, at the very least, Policy 1 a would need to be changed to amend the settlement boundary and include a specific allocation of this land for development. However, with these amendments the Neighbourhood Plan would be able to meet the Basic Conditions Tests with specific reference to meeting its local housing needs and requirements.</p> <p>Conclusion</p> <p>The statement sets out the detailed case for why an objection is made to the draft Neighbourhood Plan for Bourton. This is set out at length at Section 2 in particular the objection is raised because it has not properly addressed its current and potential future housing needs and set out policies and proposals to ensure that these can be met. The Plan does not demonstrate that their policies and approach will meet their housing need. Fundamentally, it fails to meet its own aims to provide for people who currently find it difficult to secure appropriate accommodation in Bourton e.g. families, older people and first time buyers seeking good quality sustainable accommodation.</p> <p>Sections 3 – 5 set out why the Plan as drafted fails three of the basic conditions tests. The National Planning Practice Guidance is clear that only a draft neighbourhood plan that meets each of a set of basic conditions can be put to a referendum and be made. It is therefore argued that without further consideration and modification the Plan should not be progressed as drafted.</p> <p>Section 6 sets out the steps which are considered necessary to enable a modified Plan to meet the basic conditions test, including a more thorough and detailed examination of the housing needs of the Neighbourhood Plan area over the lifetime of the Plan. It is argued that the Neighbourhood Plan should make provision for more housing development and in this regard land is promoted to the north of Old Pound Court to help to meet this requirement.</p>
BOURTON12	Mr Andrew Gillett	<p>Whilst this may have little bearing at this stage, one of the scores for the criterion “<i>Impact on heritage assets</i>” in the Bourton Village Hall Site Selection is incorrect.</p> <p>The factors considered for this criterion were set out as: “<i>Area Archaeological importance or Listed building and curtilage within 20m of site boundary = fair; on the boundary or within site = poor. Else good.</i>”</p> <p>Sandways Farm scored a 10, meaning the Listed Building and curtilage were assessed as being within 20m of the site boundary. However, the garden of Sandways Farm is within the curtilage and therefore directly abuts the proposed site. For this criterion then it should have scored 0.</p> <p>Historic England provides a definition of curtilage and it is clear that in this case the garden is included within the curtilage (https://historicengland.org.uk/advice/hpg/hpr-definitions/c/534830/).</p>

2) The Sandways Farm site was submitted for planning on 23 August 2016 and subsequently withdrawn reference: 2/2016/1227/OUT The Conservation Officer submitted a comprehensive comment on 10 November 2016 highlighting the potential for substantial harm to the setting of a historic asset. The link is set out below:

<http://planning.north-dorset.gov.uk/online-applications/applicationDetails.do?activeTab=consulteeComments&keyVal=OCD8AWLHFY800>

The curtilage of Sandways Farm is on the boundary to the proposed site. "Land adj Sandways Farm" is recorded as a 10, it should be a 0.

As a result, the correct total figures for each site:

1. Land adj Sandways Farm 142
2. Jubilee Field 160