



Dorset CPRE

Patron: Her Majesty The Queen

Please reply to:

Edward Gerry
Community Planning Manager
Planning and Community Services
Dorset Council

Mr Rupert Hardy
Chairman
North Dorset CPRE

3rd July 2020

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Consultation on the Blandford + Neighbourhood Plan 2011- 2033 Draft Decision Statement: Supplementary Response

Edward Gerry
Community Planning Manager
Planning and Community Services
Dorset Council

By email: ed.gerry@dorsetcouncil.gov.uk

Copy to: planningpolicy@dorsetcouncil.gov.uk

Dear Mr Gerry

Further to my consultation response dispatched to you on 27th February, Dorset CPRE has now received the legal advice on the issue. Dorset Council already has a full copy of the advice from Pimperne Parish Council so I will not duplicate that.

You will see that it concludes:

SUMMARY

32. I appreciate that North Dorset District Council found itself in a difficult position with regard to its housing land supply. However, in my view it could not, and Dorset Council cannot, seek to address this by re-writing strategic policy through the mechanism of a neighbourhood plan.

33. The First Examiner considered the allocations to be strategic and the first version of the neighbourhood plan to not be in general accordance with the Local Plan. 19

If my understanding of the position on the emerging Local Plan is correct, then I cannot see that anything material has changed in that respect and therefore I consider that the Second Examiner's approach to these matters is not in accordance with basic conditions (a) and (e) or relevant national policy and guidance.

34. I recognise the flexible approach that the courts have applied to the requirement for general conformity in this context. However, in my view, it is strongly arguable that the allocations in the BPNP take such flexibility too far so as to be unlawful. In essence, the BPNP is usurping the Local Plan process and allocating strategic development which conflicts with the strategy of the Local Plan for Blandford and the surrounding countryside.

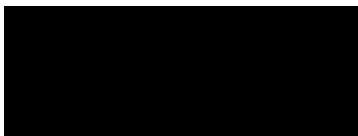
35. This is best demonstrated by North Dorset DC's objections to the first version of the BPNP and the First Examiner's support for those concerns.

36. I also consider that the BPNP cannot lawfully or properly refer to Phase 2 of the proposed developed in Pimperne parish.

This legal advice supplements our earlier consultation response, and Dorset CPRE concludes that Dorset Council would be acting unlawfully if it were to accept the Blandford + Neighbourhood Plan 2 as being fit to progress to a local referendum.

Dorset CPRE therefore maintains its **objection** to the Draft Decision Notice and the proposal to proceed to a local referendum.

Yours sincerely,

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pp. Rupert Hardy (North Dorset CPRE)

Finally, please note that while we have taken every effort to present accurate information for your consideration, as we are not a decision maker or statutory consultee, we cannot accept any responsibility for unintentional errors or omissions and you should satisfy yourselves on any facts before reaching any decision.