



West Dorset Weymouth and Portland Local Plan

Examination in Public: Matter 9 Peripheral Weymouth Localities

Hearing Statement on behalf of C G Fry & Son Ltd - ID 526

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1.0 Introduction

- 1.1.1 This hearing statement has been prepared on behalf of C G Fry & Son Ltd (C G Fry) in connection with the examination in public of the submitted West Dorset Weymouth and Portland Local Plan (draft LP).
- 1.1.2 C G Fry controls land to the north of Chickerell (Bank and Ridge Farms) that is subject to an allocation under Policy CHIC 2 - Chickerell Urban Extension in the draft LP, hereafter referred to as "the site". C G Fry has submitted representations in respect of Policy CHIC 2 at each stage of plan preparation. C G Fry supports the principle of Policy CHIC 2, but objects to some elements of it.
- 1.1.3 This statement addresses Inspector's questions 9.3 and 9.4 in respect of the site.

2.0 Examination Matter 9: Peripheral Weymouth Localities

2.1 Question 9.3 "How serious are the constraints identified by various parties to development at Chickerell?"

What constraints have been identified and by whom?

- 2.1.1 Question 9.3 refers to "...constraints identified by various parties..." but does not define who these parties are. The Council, C G Fry and Persimmon Homes have prepared objective evidence in connection with the Policy CHIC 2 sites.
- 2.1.2 The Council undertook a series of assessments of the potential, in environmental and financial viability terms, of the entire Policy CHIC 2 site to be allocated for housing development. These assessments were subject to full public scrutiny at relevant stages of plan preparation. The Council's principal assessments are the Urban Extension Study - Halcrow, 2008 (CD/SUS6) which was followed by the Sustainability Appraisal (CD/SA4), the Conservation Regulations Assessment (CD/SA6) and the Habitat Regulations Assessment (CD/SA7).
- 2.1.3 C G Fry has also commissioned technical assessments of its sites constraints and opportunities. This work will form the basis for the preparation of a masterplan for the site and the submission of an outline planning application. As noted above, it is understood that Persimmon Homes has undertaken a similar process for the land to the east of Chickerell.



2.1.4 The outputs of the EIA screening process undertaken by C G Fry (which culminated in a direction made by the Secretary of State dated 15 July 2014 confirming that the proposed development would **not** be EIA development) also provide independent clarification of the nature of site constraints and specific requirements for a planning application.

2.1.5 A number of representations on the draft LP were made by third parties, including Chickerell Town Council and local residents. Noting that several parties supported CHIC 2, the comments of those who objected can be summarised as:

- There are more sustainable settlements to accommodate development
- Impact on character of Chickerell arising from 850 new homes
- Impact on infrastructure/infrastructure delivery
- Landscape impact
- Loss of greenfield/agricultural land
- Surface water flooding on land to the east of Chickerell
- Woodland Way and Mariners Way unsuitable to provide access
- Impact on bio-diversity
- Loss of agricultural land.

2.1.6 Chickerell Town Council supported the selection of both Policy CHIC 2 sites, subject to comments on matters such as proper masterplanning and infrastructure provision. In respect of Policy CHIC 2, the Town Council considered that the proximity of Granby Road Industrial Estate meant that the inclusion of employment should not be mandatory. It also considered that the C G Fry land is not best suited to accommodating the school or a convenience store.

2.1.7 The evidence relating to the site's constraints and opportunities prepared by the Council and C G Fry is considered below.

The Council's Evidence

2.1.8 **CD/SUS6 Urban Extension Study - Halcrow, 2008** undertook a site search around settlements including Chickerell to assess the suitability of land for development. It also obtained technical



inputs/responses from statutory undertakers and other parties. A Criteria Matrix was prepared based on an assessment of each site against a variety of environmental and other constraints. The C G Fry land (parcel C) was selected as being potentially suitable for development as an urban extension (Figure 3.11 and paragraph 3.6.2 h)).

2.1.9 Paragraph 5.3.2 concluded that for Chickerell, "*...the key constraint identified was the impact that development could have on the sensitive environmental areas at The Fleet and Chesil beach.*" No significant infrastructure issues were identified and Halcrow considered that the extension would integrate well with the existing settlement.

2.1.10 The Council then set up a series of area-based working group meetings during autumn 2011 involving a variety of stakeholders including politicians, district and county council officers and developers. The CHIC 2 allocation was conceived during these sessions and subsequently had its environmental credentials tested as follows.

2.1.11 **CD/SA6 Conservation Regulations Assessment (June 2012)** undertakes an assessment of land at Chickerell (Option N). No strong negative impacts were identified. The other impacts identified were:

- Strong Positive Impact: The delivery of housing
- Positive impact: Climate change mitigation; climate change vulnerability; quality of life; and economy
- Negative impact: Landscape, townscape and seascape; soil and water quality; bio-diversity, geo-diversity & habitats
- Neutral or negligible impact: Historic and cultural features.

2.1.12 The assessment of Littlemoor and Chickerell noted that the loss of habitat or agricultural land is considered not to be significantly adverse due to the quality of the habitats/agricultural land, the nature of the surrounding areas and its ability to absorb the effects of development. The provision of a network of green open spaces is considered to further reduce the loss of habitat and the permanent loss of productive agricultural land.

2.1.13 **CD/SA7 Habitats Regulations Assessment (June 2013)** concluded that Policy CHIC 2 would be unlikely to have any significant negative influence on European or Ramsar sites.



2.1.14 **CD/SA4 Sustainability Appraisal (June 2013)** undertook a rigorous assessment of Policy CHIC 2 (Option N) at Figure 7.2. The outcome was identical to that in CD/SA6 above and the conclusions for Chickerell were similar. Figure 8.9 considered the short, medium and long term impacts of the allocations including Policy CHIC2. The impacts in each case were neutral/negligible, positive or strongly positive.

2.1.15 **CD/WPCLBP** (pages 19 - 22) summarises previous technical assessment and public consultation outcomes. Paragraph 4.31 concludes that many of the concerns can be addressed through the masterplan process.

C G Fry's Evidence

2.1.16 The Local Plan Examination Document Library for Weymouth, Portland, Chickerell and Littlemoor contains the following documents submitted previously by C G Fry, which form the basis of masterplan work undertaken to date:

- **AD/WDPCL3:** Development Framework Document
- **AD/WPCL4:** Transport Strategy
- **AD/WPCL5:** Extended Phase 1 Habitat Survey and Ecological Assessment
- **AD/WPCL6:** Rapid Archaeological Appraisal
- **AD/WPCL7:** Site Drainage Strategy.

2.1.17 C G Fry also commissioned three further studies that were not submitted to the Council and as such do not appear on its website:

- Landscape and Visual Appraisal (Environs, July 2009)
- Utility Infrastructure Appraisal Draft (SLR, August 2010)
- Protected Species Survey Report Final Draft (SLR, January 2012)

Two of these documents are draft, but all three documents can be made available to the Inspector on request.

2.1.18 More recently, C G Fry has commissioned the following additional technical input:



- NEW Masterplanning - masterplanners
- TPA - drainage
- Fabrik - landscape and visual
- TPA - traffic and transportation
- SLR Consulting - ecology
- WYG Planning and Design - town planning consultants.

2.1.19 These commissions have resulted in more detailed work being undertaken on all fronts as part of the preparation of an updated masterplan and corresponding technical assessments that will form the basis of an outline planning application to be submitted in early 2015.

2.1.20 It is considered that the above evidence demonstrates conclusively that while the site is subject to a series constraints and opportunities, these are not serious and will not affect delivery. In addition to the above environmental evidence, the following comments are noteworthy:

2.1.21 ACCESS: A link can be delivered between School Hill in the east and B3157 Chickerell Hill in the west through the recently completed Chesil gate development (a C G Fry development), in accordance with Highway Authority requirements. This will provide access to the site. There are no over-riding local transport or highway network issues or limitations that would prejudice delivery, taking into account the allocated and permitted sites in and around Chickerell. Detailed junction and access arrangements will need to be co-ordinated with the other part of the Policy CHIC 2 site through direct engagement and via the Highway Authority.

2.1.22 ECOLOGY: Protected species are present on site. The extensive survey work undertaken to date demonstrates that the scheme can be designed and implemented so that it will result in no net loss in biodiversity (in line with the NPPF) and therefore would not contribute to any potential adverse cumulative impacts from other consented or proposed developments.

2.1.23 CD/SA7 found that Policy CHIC 2 would be unlikely to have any significant negative influence on European or Ramsar sites. It did not identify any possible cumulative effects with respect to the CHIC 1 AND CHIC 2 allocations.

2.1.24 LANDSCAPE AND DESIGN: The CHIC 2 sites are defined as being of Local Landscape Importance and are outside the AONB (West Dorset Urban Extensions Study, Halcrow December 2008 Figure



E3). A landscape and visual appraisal has been undertaken to inform the emerging masterplan and a full landscape and visual assessment will be prepared in connection with the planning application.

- 2.1.25 HERITAGE: The site does not contain any designated or non-designated heritage assets.
- 2.1.26 FLOOD RISK AND DRAINAGE: The site is in Flood Zone 1, the lowest risk of flooding and is outside any groundwater protection zone. Surface water will be attenuated by sustainable drainage methods to a level below that of its current rate, representing a net benefit compared to the existing position.
- 2.1.27 INFRASTRUCTURE: Infrastructure provision will be subject to further discussions with the relevant authorities and the community. Delivery can be considered through the masterplan process and secured by S106/planning condition.

EIA Screening Process

- 2.1.28 WYG submitted a EIA screening request to the Council on 07.04.14. This was followed up by the submission of an Addendum report by email on 23.04.14. The Council confirmed by letter dated 03.06.14 that in its view, the proposal is EIA development. WYG submitted a screening direction request to the Secretary of State (SoS) by letter dated 12.06.14. The SoS issued a direction that the proposal would not be likely to have significant effects on the environment (and as such is not EIA development) by letter dated 15.07.14. An extract from this letter is helpful:

He notes that the site lies outside of the Area of Outstanding Natural Beauty and abuts the north edge of Chickerell. He has given great weight to the comments of West Dorset District Council who do not consider that significant impacts on the landscape and the AONB are likely and he sees no reason to disagree with this conclusion. On the potential impacts on European protected species and the nearby European sites, the Secretary of State has had regard to the comments provided by Natural England. They conclude that the application site is not likely to have a significant impact on any of the designated sites. Having had due regard to the evidence and the views of the statutory and other parties on these issues he has concluded that the proposal is unlikely to have such a significant impact as to warrant the preparation of an Environmental Impact Assessment.

- 2.1.29 The SoS confirmed that a Landscape and Visual Impact Assessment (LVIA) would be required. Work on LVIA scoping is underway.

Conclusions on Question 9.3

- 2.1.30 The evidence prepared by the Council and C G Fry confirms that the land to the north of Chickerell is



not subject to any serious constraints that are likely to cause significant environmental effects. This has been corroborated independently by the SoS. The scale and layout of development proposed can respond positively to landscape character considerations and this can be demonstrated through an acceptable masterplan. The evidence confirms that in all other respects, impacts arising from development can be mitigated within the site. Mitigation can be delivered either as part of the scheme or secured by planning condition/legal agreement.

- 2.1.31 The site is well integrated with the centre of Chickerell and is sustainable; it will also deliver the link between School Hill and the B3157.
- 2.1.32 The issues raised by local residents can be addressed at the masterplanning and planning application stages.
- 2.1.33 The Policy CHIC 2 allocation provides a gilt-edged opportunity to deliver much needed market and affordable housing together with other infrastructure that will not only assist in meeting identified needs but will also benefit Chickerell as a whole.

2.2 Question 9.4 "How will a masterplan for the area be developed and taken forward?"

- 2.2.1 Question 9.4 has two parts: First, how has the masterplan been developed? And secondly how will it be taken forward? These are considered in turn below.

How has the masterplan been developed?

- 2.2.2 As noted above, C G Fry is at an advanced stage in the pre-application planning process for the site. Specifically, it has/is:
 - Engaged with stakeholders at the workshops organised by the Council during the early stages of plan preparation
 - Engaging with Persimmon Homes, the developer of the land to the east of Chickerell that is also proposed to be allocated under Policy CHIC 2
 - Developed a positive relationship with Chickerell Town Council through formal and informal updates



- Prepared a robust and comprehensive evidence base that is currently being refined and updated
- Undertaken pre-application discussions with West Dorset District Council officers and other stakeholders (including Dorset County Highways). This included presenting a draft masterplan
- Secured confirmation that the proposal is not EIA development.

2.2.3 A draft masterplan has been prepared by C G Fry, notwithstanding the statement in the pre-submission version of Policy CHIC 2 that the masterplan is to be prepared by the Council. C G Fry is therefore proceeding on the basis that it will prepare the masterplan collaboratively with stakeholders including the authorities, Persimmon Homes and the community.

2.2.4 This masterplan develops the themes and concepts in the Development Framework Document (**AD/WDPCL3**). It continues to be refined to take account of emerging technical considerations including the relationship between new development and the ridgeline, drainage and access.

2.2.5 Throughout the preparation of the masterplan, C G Fry has, as noted above, engaged positively with Persimmon Homes. It is recognised that the respective masterplans require careful co-ordination to ensure they will result in a comprehensively-planned development that meets the requirements of Policy CHIC 2. This is notwithstanding that the sites are physically separate and are capable of independent delivery.

How will the masterplan be taken forward?

2.2.6 Future stages are envisaged to be "more of the same". The intention is to continue developing the masterplan collaboratively with key stakeholders. At the appropriate time, the masterplan will be presented to planning and highways officers for detailed comment at a further pre-application meeting. Stakeholder engagement will also be scoped. In parallel, it will be shared with Persimmon Homes to ensure a comprehensive and co-ordinated approach. This will involve on-going dialogue between technical advisers eg traffic and transport that will extend throughout the planning process.

2.2.7 Planning and highway authority officers will establish an "overview" on the basis of engagement with Persimmon and C G Fry on their respective masterplans. This will ensure that these masterplans are genuinely comprehensive and co-ordinated, noting that the sites are separate and are capable of independent delivery.



- 2.2.8 It is envisaged that once the masterplan has been further refined, it will be presented to Chickerell Town Council and the ward member. A phase of formal public consultation will follow, scope to be agreed.
- 2.2.9 Although a draft masterplan has been presented to Council officers, it would not be appropriate to release it into the public domain until it has been further refined and the Town Council and ward member have had an opportunity to view it. However, it can be made available to the Inspector if this would assist.
- 2.2.10 Matters such as phasing can be established at the planning application stage by planning condition.

3.0 Conclusions

- 3.1.1 The Council has undertaken full environmental testing of the Policy CHIC 2 allocation. The outcomes support the retention of the allocation.
- 3.1.2 C G Fry has prepared a robust and comprehensive body of evidence in respect of land to the north of Chickerell that has helped shape a draft masterplan for the site. The masterplan will be developed collaboratively with Persimmon Homes, the relevant authorities and stakeholders such as Chickerell Town Council and the local community.