



The Planning Inspectorate

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# **Report to Christchurch and East Dorset Councils**

**by Sue Turner**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Date 21 March 2014**

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

## **REPORT ON THE EXAMINATION INTO THE CHRISTCHURCH AND EAST DORSET CORE STRATEGY LOCAL PLAN**

Document submitted for examination on 14 March 2013

Examination hearings held between 10 and 26 September 2013

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## **Abbreviations Used in this Report**

AA	Appropriate Assessment
AMR	Annual Monitoring Report
CUE	Christchurch Urban Extension
CIL	Community Infrastructure Levy
DCC	Dorset County Council
DHPFSPD	South East Dorset Heathlands Planning Framework SPD
DPD	Development Plan Document
ELR	Employment Land Review
FZ	Flood Zone
GTTPDP	Gypsy, Traveller and Travelling Showpeople sites DPD
IDP	Infrastructure Delivery Plan
LDS	Local Development Scheme
MM	Main Modification
NATS	National Air Traffic Service
NPPF	National Planning Policy Framework
OMP	East Dorset Housing Options Masterplan Report
RSS	Regional Spatial Strategy
SA	Sustainability Appraisal
SANG	Suitable Alternative Natural Greenspace
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SED	South East Dorset Strategy 2005
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SNCI	Site of Nature Conservation Interest
SSCT	Strategic Significant City and Town
WS	Workspace Study
WSDP	Workspace Study Delivery Plan

## **Non-Technical Summary**

This report concludes that the Christchurch and East Dorset Core Strategy Local Plan is sound and provides an appropriate basis for the planning of the Area over the next 15 years providing a number of modifications are made to the plan. The Councils have specifically requested me to recommend any modifications necessary to enable the plan to be adopted. All of the modifications to address this were proposed by the Councils but where necessary I have amended detailed wording and I have recommended their inclusion after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- Add plans to illustrate the exact Green Belt boundary changes that the Councils are proposing;
- Update and correct references to the transportation projects that will support delivery of the Plan to reflect the updated IDP and the Local Transport Plan;
- Update the housing target to properly reflect the SHMA;
- Add a housing trajectory to demonstrate a five year supply of housing and illustrate how housing delivery will be managed across the Plan period;
- Allocate housing site VTSW5 to boost housing delivery;
- Update housing numbers on individual sites to reflect new evidence taking account of environmental constraints and masterplanning work;
- Clarify the Plan's approach to the provision of SANG and other infrastructure in relation to the CIL regulations;
- Amend policies for protecting historic heritage, designated Heathlands and protected landscapes to ensure consistency with national and international policy;
- Clarify and update policies to ensure that the Plan is clear, effective and consistent with national policy.

## Introduction

1. This report contains my assessment of the Christchurch and East Dorset Core Strategy Local Plan (the Plan) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (NPPF) (paragraph 182) makes clear that to be sound a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the consolidated version of the submitted draft plan (March 2013). This document combines the Core Strategy Pre-Submission Consultation Document (April 2012) with the Schedule of Proposed Changes to the Core Strategy Pre Submission Document, November 2012.
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The main modifications that are necessary for soundness all relate to matters that were discussed at the Examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications and carried out sustainability appraisal and this schedule has been subject to public consultation for six weeks. I have taken account of the consultation responses in coming to my conclusions in this report.

### *Public Consultation*

5. The Statement of Community Involvement (SCI) was adopted in 2006 by both Councils. It was prepared in the context of the Town and Country Planning (Local Development) (England) Regulations 2004 (the 2004 Regulations). The 2004 Regulations required a Development Plan Document (DPD) to be subject to public participation at pre-submission stage (under regulation 26), whilst Regulation 28 required it to be made available for further inspection when it was submitted to the Secretary of State. Regulation 29 allowed representations to be made on the submission version of the DPD.
6. The Councils' SCI reflects the stages in the 2004 regulations but separates the Regulation 28 consultation into two stages which are identified as "Submission Consultation" and "Alternative Site Consultation."
7. The 2004 Regulations have been superseded by the Town and Country Planning (Local Planning) (England) Regulations 2012 (the 2012 Regulations). Local Planning Authorities must now consult on a local plan before it is submitted to the Secretary of State (regulations 19 and 20). Regulation 22

requires the local plan to be submitted together with, amongst other things, a summary of the representations made pursuant to regulation 20.

8. The Plan has been subject to two stages of consultation, as referred to in paragraph 2 above. The pre submission consultation resulted in 3,822 representations and led to a significant number of changes. The Councils then undertook an additional consultation exercise before submitting the plan. This consultation, on the "Schedule of Proposed Changes to the Core Strategy," resulted in a further 482 representations. All of these representations were submitted for examination with the Plan and have been considered through the examination process.
9. It is argued that the Plan has not been subject to consultation in accordance with the adopted SCI because the second stage of regulation 28 consultation, referred to as "Alternative Site Consultation," has not taken place. The 2004 Regulations make no reference to alternative site consultation and the requirements in regulation 28 imply a single stage of consultation. It is therefore unclear exactly what purpose the proposed two stage submission (Regulation 28) consultation set out in the SCI is intended to serve. However from my reading of the documentation it is evident that alternative sites have been considered throughout the development of the Plan, including at the Regulation 28 consultation (Pre submission consultation) and at the consultation on the schedule of proposed changes.
10. It is unfortunate that the Councils have not updated the SCI to reflect the requirements of the 2012 Regulations. However the two stages of consultation that precede submission are in accordance with the 2012 regulations. Consultation on the Schedule of Proposed Changes (November 2012) provided a further opportunity for participation that was broader than the restricted "Alternative Site" consultation envisaged in the SCI.
11. In these circumstances I am satisfied that public consultation on the Plan has been in accordance with the most up to date legislation, the 2012 Regulations, and that it has been broadly consistent with the SCI. For the avoidance of any further confusion I recommend that the SCI is updated as soon as possible.

## **Assessment of Duty to Co-operate**

12. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
13. The Councils have liaised with the relevant prescribed bodies and local authorities. Early work on the strategic priorities and evidence base for the draft Regional Spatial Strategy (RSS) was carried out with other Dorset local authorities, Hampshire and Wiltshire authorities, Natural England and the Environment Agency. Some of this work has been carried forward to inform the preparation of the Plan, including work on the strategic review of the Green Belt (GB).
14. The Councils have continued to work on a number of policies and strategies with the County Council, Dorset Councils and, where appropriate, the Highways Agency, Natural England and the Environment Agency. These include the Local Transport Plan, Bournemouth Christchurch, East Dorset and

Salisbury Strategic Flood Risk Assessment, strategies for minerals and waste, green infrastructure, shoreline management, renewable energy, and meeting the needs of Gypsy, Traveller and Travelling Showpeople. Collaborative working with adjacent authorities also underpins the Plan's approach to economic development. The sub regional workspace strategy for the Bournemouth, Dorset and Poole area includes employment land projections to 2031. A similar approach has been taken to retail forecasting through a Joint Retail Assessment.

15. The Plan area falls within the Bournemouth, Dorset and Poole Strategic Housing Market Area (SHMA) and the Councils have worked jointly with other Dorset Councils to prepare the 2008 SHMA Assessment and the 2012 update. This group has also established an agreed methodology for the preparation of the Strategic Housing Land Availability Assessments (SHLAAs) in the SHMA.
16. The councils in the SHMA area have worked together to interpret and update the Dorset County Council household projections. Bournemouth, Poole, Purbeck and New Forest District Councils all have adopted Core Strategies and in some cases these require early review to address shortages in housing land supply. North Dorset and New Forest, which adjoins the Plan area but is not in the SHMA, are both meeting their objectively assessed housing needs. There is no requirement identified in the SHMA for the Plan area to meet any unmet need from neighbouring authorities and none of the relevant districts have argued to this effect.
17. The Councils have collaborated with the relevant neighbouring authorities to address the impact of housing growth on the Dorset Heathlands. This has resulted in a joint evidence base which has informed a draft Dorset Heathlands DPD (not now proceeding) and the Dorset Heathlands Planning Framework Supplementary Planning Document (DHPFSPD).
18. The Councils have worked together with a range of stakeholders, including neighbouring authorities and Manchester Airports Group, to prepare a bid for the Bournemouth and Poole City Region - City Deal. The expression of interest was approved by the government early in February 2013. Work on the policy for Bournemouth Airport and Business Park has been informed by the Airport Advisory Group, which included New Forest District Council and New Forest National Park Authority, Bournemouth and Poole Councils, Manchester Airports Group and Natural England.
19. Community engagement in preparation of the Plan and preparation of the Sustainable Community Strategy for each area has been progressed through the Christchurch Community Partnership and the East Dorset Community Partnership. In the later stages of plan preparation work has been undertaken with the Local Enterprise Partnership which was formed in 2012.
20. Evidence for the new neighbourhoods, including Christchurch Urban Extension (CUE) was prepared in co-operation with stakeholders in the local community as well as the Highways Agency, Natural England, Environment Agency, water utilities providers, Dorset County Council, adjacent local authorities and New Forest National Park Authority. The Plan as a whole, and especially the Strategic Allocations, is underpinned by the Infrastructure Delivery Plan (IDP), which has been prepared in collaboration with stakeholders, including key

delivery agencies, town and parish councils and emergency services and utility providers. In particular planning for CUE has included cross boundary work with New Forest District Council to address matters such as transportation, Suitable Alternative Natural Greenspace (SANG) strategy and the provision for replacement allotments.

21. In conclusion I am satisfied that the Councils have undertaken effective cooperation with neighbouring authorities on strategic matters, including joint working on areas of common interest and have pursued a continuous process of engagement, which is more than consultation.

## **Assessment of Soundness**

### **Main Issues**

22. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified eleven main issues upon which the soundness of the Plan depends.

### **Issue 1 – Is the overall strategy justified and effective?**

23. Christchurch Borough Council and East Dorset District Council have worked in partnership since 2005 and have prepared a single Plan to cover the area of the two local authorities. The overall strategy and generic policies apply to the whole area. Strategic allocations and policies that set out a vision for town centres or a strategy for change in specific locations are grouped together in spatial groups.

*Does the Plan identify the strategic priorities for the area?*

24. The Plan identifies a complex range of interconnected challenges for the area. It is part of the South East Dorset conurbation, one of the south coast's major urban centres, and has a broadly based economy which is well served by Bournemouth Airport and the port of Poole. However this is in the context of a congested transport network and poor road and rail links out of the region.
25. There is a high demand for housing, with in migration contributing to an almost limitless housing demand, but the Plan also recognises that the high proportion of the population over retirement age has implications not only for housing, but for economic growth, health and community facilities.
26. These issues have had to be addressed in the context of a number of historic towns and villages and a high quality natural environment, with extensive areas covered by internationally protected designations. In particular the Dorset Heathlands are under significant pressure from residential development. The Plan has also had to take account of additional constraints presented by flood zones, the South East Dorset Green Belt (GB) and landscape designations.

*Do the Plan's vision and objectives identify clear and sustainable goals to address the strategic priorities?*

27. The Plan sets out seven objectives to address the challenges faced by the area. The need for economic growth, vibrant retail centres, affordable housing

and improved transport choices are balanced against the need to protect and manage the natural and built environment and adapt to the challenges of climate change.

28. Subject to the insertion of the Key Diagram into the Plan (**MM4**) the vision and objectives set out clear and sustainable goals which balance conflicting pressures.

*Are the Councils' proposals for strategic release of land from the Green Belt justified by exceptional circumstances?*

29. The most controversial issue that the Plan has had to address has been balancing the protection of the GB with the need for development. The NPPF requires local planning authorities to positively seek opportunities to meet the development needs of their area. The quantum of development required for housing and employment in the area is discussed in detail later in this report. However the Key Strategy includes, within Policy KS2, limited changes to GB boundaries to accommodate housing and employment development.
30. Understandably this part of the strategy has caused considerable concern. Local residents in particular have questioned not only the Councils' justification for the proposed loss of GB land but also whether the GB boundary changes can be made through the Plan.
31. The NPPF draws attention to the importance of GBs and sets out the five purposes which they serve. Paragraph 83 advises that once they have been defined, GB boundaries should only be altered in exceptional circumstances, through the preparation or review of the local plan. Thus, provided exceptional circumstances exist, it is clear that this Plan is an appropriate vehicle for making adjustments to GB boundaries.
32. The Councils have undertaken detailed assessments to establish the quantum of development that can be accommodated within the urban areas or on previously developed land. The SHLAAs provide a detailed analysis of the capacity of the urban areas to accommodate new housing, driving down to a level of detail which includes examination of very small sites. They demonstrate that there is a shortfall of over 3,000 dwellings which cannot be provided in the urban area. Similarly the Councils have shown through analysis of employment land supply that the urban areas cannot accommodate the full 80 hectares that is needed to provide for employment growth.
33. Therefore to address strategic priorities and plan positively for homes and jobs the Councils have had to consider the need to provide some housing and employment development on land currently in the GB. This represents the exceptional circumstances that justify a review of GB boundaries.
34. It has been suggested that the GB boundary review should provide some flexibility to allow for small housing sites that might come forward in future, including as rural exceptions. However the importance of the GB is such that only essential and justified changes can be considered as exceptional circumstances. There is no evidence to support anything other than the rigorous and tightly controlled approach to defining GB boundaries that the Councils have taken in preparing this Plan.



*Has the Council's review of GB boundaries been undertaken as a strategic exercise which takes account of the need to provide sustainable patterns of development?*

35. The review of GB boundaries has been carried out over a number of years. The process began in 2005 as part of the preparation for the South West RSS. The emerging RSS strategy was to concentrate growth on a number of Principal Urban Areas of which the Bournemouth/Poole Joint Study Area (JSA), which includes the Plan area, was one. Whilst the RSS was never adopted, work undertaken to examine growth prospects for Bournemouth/Poole has informed the Plan and the concept of focussing growth in this part of the region remains evident through initiatives such as the Bournemouth and Poole City Region Deal.
36. The 2005 South East Dorset Strategy (SED) includes a review of the South East Dorset GB. As well as identifying settlements whose separate identity is protected by the GB and key gaps in the GB, it also identifies those gaps which are narrow and where prevention of further erosion is critical. It considers the success of the GB in safeguarding the countryside from encroachment by mapping tranquil areas and light pollution and assesses the role that the GB plays in providing a countryside setting for historic towns, villages and settlements.
37. The process of GB review that began in 2005 has been taken forward through a number of housing options masterplan reports, which identify the best locations for housing in the areas of search which flow from the 2005 exercise. Housing sites that have been added to the Plan at a later stage in its development, such as the housing site at Burton which was identified during preparation of the Plan, have also been subject to an assessment of their impact on the GB. Furthermore in relation to employment sites, the 2005 review is carried forward through the 2010 East Dorset Employment Land Key Issue Paper.
38. The exceptional circumstances to justify changes to the GB at Bournemouth Airport, to support economic growth and flexibility for improving the airport's operational facilities, flow from early work on the RSS, the Bournemouth Airport Master Plan and ongoing work on the Bournemouth and Poole City Region – City Deal. Furthermore the removal of land at Bournemouth Airport from the GB is mitigated by a zoning approach which seeks to avoid adverse impact on the adjoining land in the GB. With regard to Bournemouth Airport, the Councils have proposed modifications to the explanatory text, **MM20** and **MM21**, which I agree should be made to provide a summary of the exceptional circumstances and to clarify the zoning approach.
39. The review of the GB has been a lengthy process and criticisms that the supporting evidence is fragmented and piecemeal are well founded. However this does not mean that the review has been inadequate or inconsistent with national guidance. Taken as a whole, the evidence demonstrates that the GB review is underpinned by analysis of the five GB purposes and by the need to promote sustainable patterns of development. Therefore I am satisfied that the Plan is supported by an appropriate strategic review of GB boundaries.

40. Paragraph 85 of the NPPF requires GB boundaries to be clearly defined, using physical features which are readily recognisable and likely to be permanent. However the allocation maps are largely indicative and do not provide certainty or re-assure those concerned at the loss of GB that it has been kept to the absolute minimum to allow the proposed development. For this reason the Plan should include more detailed maps to illustrate the exact GB boundary changes that are proposed. Amended allocation maps should therefore be added through **MM15, MM19, MM23, MM26, MM27, MM28, MM31, MM33, MM36, MM38, MM39, MM40, MM43** and **MM45**.
41. Subject to the above modifications the Councils' approach to the review of GB boundaries is justified and consistent with the NPPF.

*Is the settlement hierarchy justified by robust evidence?*

42. Strategic Policy KS1 identifies settlement types and summarises the role they will play in accommodating development. It is based on a series of Area Profiles and transport studies which examine the character and functioning of the settlements, their accessibility and their relationship to adjacent settlements. The designation and function of some settlements has been questioned.
43. It has been argued that Burton should be designated as a rural service centre. However Burton is located close to the main settlement of Christchurch on which it relies for shops and services. It has an essentially village character and much of the village lies within a conservation area. On this basis Burton's designation as a village is justified and appropriate.
44. Wimborne and Colehill are neighbouring settlements and some local residents have suggested that they should be treated as a single main settlement. The Councils' Area Profile examines the two together and recognises their close relationship. However it also notes that each settlement has a distinct identity and draws attention to the important narrow GB gap that provides physical separation between them. The allocation of housing site WMC6, south of Leigh Road, extends Wimborne eastwards, but the redefined GB boundary retains sports pitches within the GB and maintains this gap. In these circumstances it is justified to retain the distinction as two separate settlements.
45. Concerns have been raised that development in hamlets is strictly restrained and does not allow for minor infill. The Council has clarified that settlements defined as hamlets are of such a small scale that they effectively form part of the open countryside, with many located in the GB and/or the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB). It is therefore clear that strictly restraining development in the hamlets is justified. In conclusion, therefore, the settlement hierarchy in Policy KS2 is soundly based on robust evidence.

**Issue 2 – Does the Plan seek to meet the full, objectively assessed need for housing?**

46. The Plan sets a target of approximately 8200 new homes to be provided across the area between 2013 and 2028.

*Is setting a combined target for the two Local Authority Areas justified and appropriate?*

47. Both Councils are part of the South East Dorset SHMA and the Plan proposes a combined target for the two authorities. This approach has been criticised for a number of reasons, including the view that separate targets are necessary to ensure that delivery does not come forward more within one district than the other and concerns regarding local accountability.
48. However the NPPF encourages co-operation and advises local planning authorities to work together to meet development requirements that cannot be met within their own area. Christchurch and East Dorset differ in character and this affects the nature of the housing supply in each area. For example the proportion of new housing that will be delivered through the strategic allocations, rather than in the urban area, is higher in East Dorset than in Christchurch. Should housing supply in one local authority area fall behind the trajectory, the combined target will allow the requirement for a five year housing land supply to be considered across both areas. This flexibility will help to ensure that managing development in both areas continues to be supported by an up to date local plan and thereby helps to avoid planning by appeal. On this basis the combined housing target is consistent with national planning policy and ensures that the Plan is robust and has flexibility to adapt to changing circumstances. Explanatory text, set out in **MM5(C)**, should be added to the Plan to clarify this approach and explain why a single target has been used.

*Does the Plan address the full objectively assessed need for market and affordable housing?*

49. The 2011 Bournemouth and Poole SHMA Update was published in 2012 and has been used to inform the evidence base for recently adopted plans in adjacent local authority areas. It tests three methodologies to assess households across the whole of Dorset for the period 2011-2031. The SHMA concludes that the soundest basis on which to base housing delivery is a projection based on the application of ONS/CLG population and household change rates from the 2008-based projections to updated baseline information for mid 2011. This methodology was selected because the 2008 based trends would have missed out on the impact of the economic downturn and would therefore provide a better basis for longer term projections.
50. The SHMA sets out projected household change for individual local authority areas in the Bournemouth and Poole Housing Market Area. The Christchurch and East Dorset projections combine to give an annual household growth of 555 dwellings, resulting in a figure for the 15 year plan period of 8325.
51. Paragraph 4.18 of the Plan refers to the Dorset County Council (DCC) household projections based on 2011 census data. These identify a need for 7500 new market and affordable homes in Christchurch and East Dorset between 2013 and 2028. However these projections should be treated with caution as they are lower than predicted due to short term factors and do not take account of suppressed demand. They represent a snapshot after a period of severe housing market volatility. For clarity and consistency this reference should be removed through modification **MM5(A)**.

52. Thus the target of 8,200 new homes, whilst exceeding the 2011 census based figures, is lower than the more robust SHMA projections. None of the evidence submitted provides good reasons why the housing target should not equate to the figure of 8,325 identified in the SHMA, together with a small allowance for vacant properties which the SHMA recommends in order to convert the figure into a housing requirement.
53. The SHMA recommends a vacancy allowance in the range of 2-3%. Whilst the Councils have provided evidence to show that vacancy rates average 1%, it has also been argued that some allowance should be made for second homes. Evidence based on Council Tax records shows an average of 1.6% of all dwellings as second homes, but this derives from significantly different rates with 3.1% in Christchurch and 0.7% in East Dorset. On balance I conclude that a pragmatic approach is appropriate, with an allowance of 2% to allow for vacancy and second homes. This leads to an overall target of 8491.5, which has been rounded to 8490 as set out in modification **MM6**.
54. The Councils are working with the other Dorset authorities to prepare a Gypsy, Travellers and Travelling Showpeople Sites Development Plan Document (GTDDPD). This will identify need and allocate sites across the county. However Policy LN5 lists criteria for the location of gypsy and traveller sites, creating some confusion about where the responsibility for allocating these sites lies. Modifications are needed to update the information relating to need, to ensure consistency with the emerging GTDDPD and to clarify that the criteria in Policy LN5 are for consideration of planning applications rather than for allocating sites. These changes, as set out in **MM58** and **MM59**, should be made to ensure that the Plan is clear and effective.
55. Subject to the above changes and to clarification that the RSS is now revoked and removal of reference to the 2012 household projections through modification **MM10**, I am satisfied that the Plan addresses the full objectively assessed need for housing and is consistent with national policies.

### **Issue 3 – Are the locations for the strategic housing allocations justified by robust evidence?**

56. Objective 5 of the Plan is to provide sufficient housing to reduce local needs. However this has to be achieved in the context of an area which is tightly constrained by a range of environmental factors. Consideration of the GB has been included in the search, with the GB boundary review taking account of designated landscapes, heritage assets, European and international nature conservation designations, landscape character and flood risk.
57. As discussed above in relation to the GB boundary review, the Plan has been informed by early work undertaken to accommodate the growth envisioned in the RSS. The SED identified sites in East Dorset and an urban extension at Roeshot Hill, Christchurch. These are taken forward in the Plan as New Neighbourhoods. Other sites have come forward during the development of the Plan through consultation and further review. It is clear that all have continued to be assessed in the light of the environmental constraints referred to above and all have been subject to consultation and sustainability appraisal.
58. In addition to the GB, the Councils have identified that potential major

"showstoppers" to delivering the level of housing required to meet identified need are flood risk and international nature conservation designations. Thus a more detailed examination of these factors is necessary in order to ensure that the strategic allocations for housing development are soundly based and deliverable.

*Does the Plan's identification of strategic housing sites take account of flood risk?*

59. The site selection process has been informed by a level 1 Strategic Flood Risk Assessment (SFRA) which was carried out in 2008. In Christchurch, where many of the sites considered for housing were in Flood Zones (FZ) 2 and 3, a level 2 SFRA was prepared to inform the sequential approach to site selection. However in East Dorset the sequential test has been applied and the areas of search were focused on land in FZ 1. A level 2 SFRA was therefore not required for the East Dorset area.
60. In relation to the East Dorset New Neighbourhoods it is clear that flood risk has continued to be considered as demonstrated, for example, in the East Dorset Housing Options Masterplan Report (OMP) 2010. Concerns have been raised that the site allocation at West Parley (FWP7), particularly the proposed link road, would be subject to flood risk. Whilst the site lies within FZ 1, the associated link road would be immediately adjacent to the flood plain. However the Council has reported that this matter has been discussed with Environment Agency and is not considered to be a barrier to development. Furthermore Natural England has confirmed that locating the SANG outside FZ 1 is acceptable as the purpose of the SANG would not be undermined by flooding. These factors, together with the detail set out in the OMP which assesses surface water attenuation volumes, leads me to conclude that flood risk has been properly taken into account in the FWP7 allocation.
61. Some allocations in East Dorset, such as the Cuthbury Allotments site, include small areas which lie within FZs 2 and 3 and I note that local residents in particular are extremely concerned that development in some of the New Neighbourhoods could cause flooding or increase flooding in areas which have already suffered badly. However Policy ME6 sets out a robust strategy for flood management, mitigation and defence, requiring all developments to demonstrate that flood risk does not increase as a result of the development proposed and restricting of surface water run-off to pre development levels.
62. On this basis I am satisfied that the site allocations in East Dorset direct development away from areas at highest risk. Furthermore there is no evidence to indicate that the quantity of development proposed for the strategic allocations will be reduced as a result of any flood mitigation or defence which will be required through Policy ME6.
63. In Christchurch a level 2 SFRA was undertaken in 2009. This takes account of the impact of climate change and the extent of the floodplain as predicted in 2126. The 2010 Masterplan Context Report for the Christchurch Urban Extension (CUE) addresses flood risk and proposes locations for surface water storage. The 2011 Masterplan Report takes this forward, recognising that development on land in FZ2 is restricted to certain uses and identifying a small pocket of land in FZ3a which should remain undeveloped. It also identifies the need for a 15 metre buffer either side of the River Mude. Policy CN1 requires

land to be identified for surface water storage and I am satisfied that this, together with the requirements of Policy ME6, provides a robust framework for delivering this allocation without adding to flood risk in the surrounding area.

64. The housing allocation to the south of Burton village is part of a site identified through a sequential site search undertaken in 2010. The level 2 SFRA shows most of the site in FZ1 but with an area in FZ 3. The potential developer has undertaken a site specific flood risk assessment which establishes that the site can be developed subject to detailed design and the provision of flood compensation areas and drainage ditches. The number of dwellings has been reduced from the original 60 to the 45 dwellings now proposed to restrict dwellings to FZ1 and allow sufficient land for flood management.
65. I recognise that there are serious concerns regarding flooding in and around Burton and note that Stoney Lane has frequently flooded in recent years. However site access is proposed from Salisbury Road to avoid areas at risk of flooding. This, together with criteria set out in Policies CN2 and ME6 provides a satisfactory framework for the proposed allocation with regard to flood risk.
66. In conclusion, the strategic housing allocations are supported by appropriate SFRA and are based on a sequential, risk based approach to locating housing sites in order to avoid both flood risk and increased vulnerability from the impacts of climate change. It has been demonstrated that all of the allocations have the capacity to provide any necessary flood management and mitigation as part of the development.

*Do the locations for strategic housing allocations take account of the need to protect European and international nature conservation designations?*

67. Policy ME2 sets out the key criteria for protecting the Dorset Heathlands. It reflects Natural England's advice that no residential development should be permitted within 400 metres of European and internationally protected heathlands. It also sets out the requirement for mitigation measures where residential development is located between 400 metres and 5 kilometres of such areas. This policy, which is consistent with the South East Dorset Heathlands Planning Framework Supplementary Planning Document (DHPFSPD), has informed the location of the strategic housing allocations.
68. During the examination the capability of these allocations to provide SANG has been considered in detail. Where appropriate the maps which accompany the allocations illustrate the location of SANG and the deliverability and adequacy of the SANGs has been clarified through statements of common ground and tested to ensure land availability and deliverability. On this basis I am satisfied that the strategic residential allocations take account of the need to protect European and internationally designated Heathlands.
69. In conclusion, in addition to a strategic review of GB boundaries, the location of strategic housing allocations is based on a robust analysis of all the relevant environmental constraints, including detailed consideration of flood risk and the need to protect European and internationally designated sites.

**Issue 4 –Does the Plan provide for managed delivery of development to meet the housing target, including the identification of a five year supply of housing land?**

*Can the housing target be met through delivery of the New Neighbourhoods and sites identified in the SHLAAs?*

70. The Plan proposes that the housing target will be delivered by a combination of strategic allocations and sites identified in the SHLAAs. During the course of the examination the number of dwellings to be provided on some of the strategic allocations has been amended. As a result of further discussions with the developers during the examination the number of new dwellings to be provided on allocation FWP3: Holmwood House New Neighbourhood has increased from 110 to 150 and the number on allocation FWP4: Coppins New Neighbourhood has increased from 30 to 40. Modifications **MM30** and **MM32** are required to update the Plan in this respect.
71. However the anticipated number of dwellings that allocation FWP7: West of New Road West Parley New Neighbourhood can deliver should be reduced from 200 to 150 in order to take account of concerns that have been raised over the impact of development on Dudsbury Camp Ancient Monument. This change is made through modification **MM37** which also introduces requirements to control the construction of the associated link road to avoid harm to the Ancient Monument. English Heritage still has outstanding concerns about the location and impact of this road, but these can be addressed satisfactorily by additional modifications which are outside the scope of this report and through the planning application process. No further changes are needed to ensure that the Plan is sound in this respect and there is no compelling evidence to support a further reduction in the number of dwellings to be delivered on FWP7.
72. In Christchurch updating of masterplanning and delivery information has led to phasing for the CUE being extended from 9 years to 10 and this is indicated on the housing trajectory. Changes **MM13**, **MM14** and **MM16** are required to correct the period of development, ensuring accuracy and consistency.
73. The methodology used in the Councils' SHLAAs has been agreed across South East Dorset. The SHLAAs are thorough documents which drive down to a level of detail to include assessment of very small sites, providing a high level of certainty and reducing the likelihood that unidentified windfalls will come forward. The updating and review of the SHLAA sites has resulted in an increase in the number of homes expected to come forward in the urban area. Updated figures for the number of dwellings to be delivered on sites in the urban area should be added to paragraph 4.19 and 6.10 of the Plan through modifications **MM5(B)** and **MM11**.
74. Based on this updated information the Councils recalculated the housing supply during the examination. A revised supply of 8,386 dwellings was identified (set out in the Councils document *FD1.1: Combined Housing Supply as updated September 2013 v2*). This falls short of the amended housing target of 8490 dwellings and leads to the question of whether any further sites are capable of contributing to the housing supply.

*Could any of the omission sites make a sustainable contribution to the housing supply?*

75. A number of alternative sites for housing development have been put forward

by representors and were discussed during the examination. The majority of these sites had already been considered by the Councils during preparation of the Plan but had been omitted for reasons including their effect on the GB, on landscape character or gaps between settlements, the inability to provide adequate SANG or failure to demonstrate that they would represent sustainable forms of development. I have carefully considered the merits of each of these sites but in all but one case have found no evidence to outweigh the Councils' view that their inclusion in the Plan would not be soundly based.

76. However there are strong reasons to include in the Plan a single site, VTSW5: North Eastern Verwood. This allocation was included in the 2012 Core Strategy Pre-Submission Consultation but removed from the submitted Plan because adequate SANG could not be delivered. Shortly before the Plan was submitted for examination the issue of SANG was resolved, but the Council decided to leave the decision as to whether to re-insert this site into the Plan to be considered at the examination.
77. This site was assessed after being put forward during public consultation on the emerging Plan in January 2011. A 2012 baseline report drew attention to the fact that whilst it was in the GB the woodland to the north of the site would make a defensible GB boundary and an edge to the urban area. The site is in FZ1, access can be provided from Ringwood Road and it has now been demonstrated that appropriate SANG can be provided within the site. It has been subject to sustainability appraisal and consultation.
78. A number of concerns have been raised in relation to this allocation, especially with regard to access and flood risk. The Councils have made it clear that a new, safe access together with speed management measures is currently being negotiated through the development management process in relation to an outline planning application for the site. The site's location in FZ1 means that it is at low risk of flooding. However Policy ME6 provides a robust framework to ensure that the development does not increase flood risk or an increase in surface water run-off. This matter can be satisfactorily addressed through the development management process.
79. Concerns have been raised by the potential developer regarding the site layout, proportion of open space and the percentage of affordable housing required through new Policy VTSW5 and other policies in the Plan. However the allocation is sufficiently flexible to allow negotiation of design and layout through the development management process. The Plan requires up to 50% affordable housing to be provided on all greenfield sites. Affordable housing is discussed in detail later in this report, but I can find no justification to make an exception for this particular site. In these circumstances, having regard to the fact that the site can boost housing delivery by contributing 65 dwellings to the housing supply in the early years of the Plan period and that the Councils' sole reason for removing it from the submitted Plan is now resolved, this site should be added to the Plan as set out in **MM41** and **MM42**.

*Does the Plan provide a sound basis for managing and monitoring housing delivery?*

80. The Plan provides no clear strategy for managing housing delivery and the housing trajectory has been superseded by work carried out during the



examination. Consequently the Plan should be amended to include up to date and detailed information to demonstrate how the housing target will be met. The Councils propose modification **MM66** to introduce a new Appendix which will illustrate predicted housing delivery through the Plan period.

81. Paragraph 47 of the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites to provide five years housing, with a buffer of 5% to provide choice and competition in the market for land. In areas where there has been persistent under delivery this buffer is increased to 20%.
82. In this case Annual Monitoring Reports demonstrate that both Councils have delivered more housing than the target in the 1994 – 2011 Structure Plan. On this basis the Councils have planned appropriately with a 5% buffer. Table 1 of the new Appendix identifies the sites that are capable of delivering housing in the first five years of the Plan, whilst Table 2 sets out predicted annual delivery through the Plan period and feeds into the Housing Trajectory. The addition of this information illustrates the rate of housing delivery throughout the Plan period, demonstrates the composition of the supply and identifies a five year supply of housing sites. It provides a robust basis for monitoring and ensures that the Plan is effective.

### **Issue 5 – Is the Plan's strategy for securing affordable housing sound?**

*Are the percentages set out in Policy LN3 justified?*

83. The Plan recognises that affordable housing need exceeds the total housing supply and Strategic Objective 4 aspires to deliver an overall percentage of 35% of all new housing as affordable in order to make some contribution to meeting this need. Policy LN3 sets out requirements of up to 50% of affordable housing on greenfield sites and up to 40% on all other residential development.
84. These percentages flow from viability studies undertaken in 2010, based on the Three Dragons methodology. These studies found that a 50% affordable housing requirement would be viable in the higher value areas of both East Dorset and Christchurch. In seeking to optimise the delivery of affordable housing the Councils have based the policy on this study. The 50% requirement is tempered by the fact that there is flexibility in the wording (which states "up to") and that it will be supported by clear negotiation and viability assessment procedures to be set out in the emerging Housing and Affordable Housing Supplementary Planning Document (SPD). This SPD has been the subject of consultation and is expected to be adopted after the adoption of this Plan.
85. Several developers have challenged this in relation to the East Dorset sites, on the basis of their own calculations, arguments that the market was stronger when the 2010 study was undertaken and that it took account of grant funding which is no longer available. Reference is also made to later viability studies carried out in 2012 and 2013. I have carefully considered all of these arguments, as well as the suggestion that percentages should reflect property market areas rather than set a greenfield/ brownfield differential.
86. The 2012 and 2013 studies appear to conflate assessment of affordable

housing with assumptions that there will be a lower percentage of affordable housing in East Dorset and/ or a CIL charge of £100 per square metre. The 2012 Viability Overview Report for East Dorset New Neighbourhoods (the Whiteleaf Study) applies an assumption of 40% affordable housing whilst the 2013 CIL Viability Testing for East Dorset assumes 30% affordable housing.

87. The Councils proposed CIL rate has not yet been the subject of an examination and so the assumed level of £100 per square metre is not confirmed. The Government's Community Infrastructure Levy Guidance, dated April 2013, states at paragraph 29 that in proposing a levy rate charging authorities should take into account other development costs, including taking account of planning obligations in the relevant Plan, **in particular those for affordable housing** (my emphasis). This makes it clear that it is not appropriate to undertake a balancing act between CIL and affordable housing, as appears to have taken place in the Whiteleaf Study, and that the CIL should be assessed on the basis of the level of affordable housing in the local plan.
88. The greenfield/ brownfield differential is based not only on the capacity of most greenfield sites to deliver more affordable housing due to lower site development costs, but also that in general the release of greenfield land, which is in many cases GB land, is linked with providing sustainable mixed communities. Maximising delivery of affordable housing on these sites is therefore key to balancing the tension between Objectives 1 and 5 of the Plan.
89. The Council's reasoning to support the 50% requirement is based on robust evidence in the 2010 studies and allows for flexibility with a process for assessment and negotiation set out in the SPD. On this basis the target for 50% affordable housing is justified and consistent with the evidence of need and with paragraph 47 of the NPPF.
90. Viability assessment for the CUE has been undertaken as part of the master planning work for this site. It takes account of exceptional infrastructure costs associated with delivering this site and demonstrates that 35% affordable housing can be supported. However Policy CN1 retains a reference to the need to maximise affordable housing provision in accordance with Policy LN3. This approach is justified by the viability evidence and provides an effective framework for delivering affordable housing through the CUE.

*Does the requirement for all sites, including very small sites to make provision for affordable housing present a potential risk to housing delivery?*

91. The Delivery Requirements of Policy LN3 make it clear that all residential development must contribute to the provision of affordable housing, but allows for financial contributions in lieu of on site provision on sites for 1-4 dwellings and in some cases those for 5-14 dwellings. Small sites made a significant contribution to housing delivery in recent years and this is expected to continue. Contributions from these sites therefore play a significant role in providing affordable housing. Furthermore it is recognised that a threshold below which no contribution is required sets an artificial barrier which can allow affordable housing policies to be circumnavigated.
92. I have taken account of the views submitted by those involved in bringing forward small sites, especially the argument that this policy could drive

development across local authority borders. However I note that several local authorities in Dorset and Hampshire have imposed lower thresholds to address the high level of housing need and large numbers of small scale developments, whilst some have set zero thresholds similar to Policy LN3. When taken together with the provision for individual site viability adjustments to be made I am satisfied that the requirements of Policy LN3 are justified and effective.

**Issue 6 – Does the economic strategy plan positively to meet the employment needs of the area?**

*Is the strategy for delivering employment land based on robust evidence?*

93. The Plan area falls within the Bournemouth and Poole Strategically Significant City and Town (SSCT), where Bournemouth and Poole provide the focus for office development and Poole is the sub market area for industrial development. The Plan's approach to economic development is based on the shared evidence base in the 2012 Bournemouth, Dorset and Poole Workspace Study (WS), which examines the need for employment land in the SSCT in the period 2011 -2031. It updates the findings of the earlier Bournemouth Dorset Poole Workspace Strategy and Delivery Plan (2008) (WSDP).
94. Both of these studies examine the wider sub region of which Christchurch and East Dorset forms a part and the WS follows the broad methodology used by the WSDP. The WS reflects a number of changes to bring the evidence base up to date. In particular it considers allowances of 10% and 20% to provide flexibility for changing economic circumstances across the period. It includes updated employment and economic projections and updated employment densities and takes account of changes to industrial sectors and definitions in the 2007 Standard Industrial Classification codes.
95. The WS expects that whilst the level of employment land supply may not be met in a single district or borough, it will be met across the whole SSCT area. The Plan therefore seeks to provide a supporting role in delivering industrial development and a proportion of office development. Policy KS5 proposes to identify 80 hectares of employment land, to take account of a shortage of employment land in Bournemouth.
96. It is argued that although the WS represents a Stage 1 Employment Land Review (ELR), Stages 2 and 3 of the ELR, as set out in the Government's ELR Guidance Note 2004, have not been undertaken. This guidance note was cancelled on the launch of the Government's Planning Practice Guidance (PPG) on 6 March 2014, but it has informed preparation of the Plan.
97. The evidence on employment land is fragmented and in some areas incomplete, making it difficult to follow a logical progression that leads to Policy KS5. Furthermore much of the evidence is based on cross boundary working and covers an area much wider than the area covered by this Plan. However paragraph 2.37 of the ELR Guidance points out that the three stage approach formalises what in practice is likely to be an iterative approach to reviewing the need for allocation of land for employment purposes.
98. In this case the background evidence taken as a whole addresses the three stages of ELR. For example the WSDP includes a review of existing employment land forecasts and a summary of district level demand and

supply. It also includes a detailed assessment of key sites and recommends that larger scale office developments be focussed on the town centres of Bournemouth and Poole.

99. When considered in the context of the latest guidance, it is clear that the background evidence is broadly in alignment with the scope and methodology for assessing economic development and the need to forecast quantitative and qualitative need, as set out in the newly launched PPG.

*Are the strategic employment allocations justified and deliverable?*

100. Attention has been drawn to the 2007 Christchurch and East Dorset Employment Land Review Stage 1 Report (2007 ELR) which refers to a shortage of employment land in the Plan area to meet demand. In particular it refers to uncertainty or delay of delivery at Bournemouth Airport and Blunts Farm and it has been argued that these allocations cannot therefore be relied upon to deliver employment growth. However a significant amount of work has been carried out since the 2007 ELR was undertaken. Not only does the up to date evidence broaden the study to the wider SSCT, but evidence has been updated through the WS and added to support the deliverability of these sites.
101. The three East Dorset employment land allocations at Blunts Farm, Woolsbridge Industrial Estate and Bailie Gate all lie adjacent to existing employment sites and are in sustainable and accessible locations. It has been suggested that Blunts Farm is not capable of delivering the anticipated 30 hectares of employment land due to the presence of a Site of Nature Conservation Interest (SNCI) at the northern tip of the site and other constraints, including the site's awkward shape. Furthermore it has been pointed out that in the WS the phasing of development on Blunts Farm is shown as extending beyond the Plan period.
102. The Councils recognise the need to protect the SNCI and exclude it from the area to be developed and accept that the site may very well provide less than the 30 hectares hoped for. However they expect Blunts Farm to come forward within 5 years. Furthermore they have demonstrated that there is an identified supply of 86.3 hectares in the Plan area within the SSCT, which would exceed the Plan's target of 80 hectares and a supply of 184 hectares across the whole of the SSCT, exceeding the demand of 173.2 hectares. In these circumstances it is clear that the needs of the SSCT as a whole will be met and therefore there is room for some flexibility in this Plan. The likelihood that the Plan and those of adjacent authorities will fail to deliver adequate quantity or quality of employment land is remote and certainly does not justify further incursion into the GB at this stage.
103. The Plan includes two maps to illustrate the distribution of employment sites in the Plan area. A modification (**MM7**) is required to ensure accuracy by updating the distribution of employment land in Christchurch.
104. Policy PC1 of the Plan seeks to influence the location of employment uses across the Plan area. The Council proposes a modification to add two sites to the list of "Other Higher Quality Sites" category and I agree that this change, **MM61**, should be made to ensure that the Plan is up to date and effective.

105. Subject to these changes the strategic employment sites are sustainable, deliverable and together with the identified sites in the urban area and the employment hierarchy in Policy PC1 are sufficient to meet the quantitative and qualitative need for employment land.

*Is the strategy for the operational airport and the strategic employment allocation at Bournemouth Airport soundly justified and effective?*

106. In proposing the removal of land from the GB at Bournemouth Airport the Plan sets out a zoning approach. The largest zone, which includes the runways and taxiways, would remain largely free from development. Policy BA2 sets out the types of development which will be permitted on the operational airport and on the 30 hectares of new employment development which is planned across the north west and north east business parks during the Plan period.

107. It has been argued that the inclusion of financial and business services in the list of sectors which may come forward on the business parks could affect vitality and viability of office development and the wider economy in Bournemouth and Poole. However this represents one of a wide range of uses proposed in Policy BA2 and is likely to be ancillary to a larger industrial use. It is clear that the scale of office use is likely to be modest and certainly not one that would undermine office development in Poole and Bournemouth centres.

108. Access to the airport is from Parley Lane and the Master Plan acknowledges congestion related problems. Policy KS10 of the Plan identifies improvements which are needed to address congestion and support growth of the airport and the business parks. The Councils have provided information to illustrate the sources of funding including the Dorset Local Transport Body Local Growth Fund, DCC corporate funding and developer contributions already committed by the Airport and through employment land development at Aviation Business Park. There is also potential to bid for City Deal Funding, Government Maintenance Funding (under which a bid could be made to fund A338 improvements) and funding in association with future development on the airport business parks which will come through Section 38 and Section 106 agreements and through CIL. Thus, whilst it has been argued that the expansion of the airport relies on highway improvements which are not deliverable due to a lack of funding, the Councils have demonstrated that necessary transport improvements can be delivered over the plan period.

109. Attention has been drawn to a site owned by National Air Traffic Services (NATS) which, whilst currently in the GB, lies in the area which is proposed as Zone B in Policy BA3. The zoning approach will restrict any development on this site to operational airport uses. The site is a brownfield site which is now vacant and therefore available for alternative uses. However it is physically associated with the airport, adjacent to airport buildings and remote from the business park where there is a supply of employment land to last beyond the Plan period. In these circumstances there is no justification for excluding it from the Zone B criteria.

110. It has been argued that 30 hectares of land situated to the east of the airport access road and the main terminal building and to the north of Parley Lane should also be allocated for employment and airport related uses. Part of this land, which is used for airport parking, is proposed to be removed from the GB

and classed as Zone A, which Policy BA3 restricts to car parking, in order to retain the predominantly open aspect. The remainder of the area is in agricultural use and in the GB. However there is no evidence to demonstrate a need for additional employment or operational airport land to demonstrate exceptional circumstances to justify removal of this land from the GB.

111. It has been suggested that this land could also accommodate the transport hub which is set out in the Local Transport Plan and could facilitate highway improvements. However information provided by the Highway Authority confirms that the hub can be provided on land within the airport.

112. In these circumstances the vision and proposals for employment and airport growth as set out in Policies BA1 and BA2 are justified and effective.

*Is there justification for the inclusion of additional employment allocations in the Plan?*

113. I have carefully considered additional sites that have been proposed for employment use at Stourbank Nurseries and Little Canford Depot. These sites lie in an area of open countryside and do not adjoin the urban area but are within the GB gap between Wimborne and the Bournemouth and Poole conurbation to the south. Site analysis in the Councils' 2010 East Dorset Employment Land Key Issues paper found that development here would have a significant effect on the openness of the area. I agree and consider that allocating these sites would be harmful to the character of the area and inconsistent with national planning guidance.

114. I have carefully considered all the proposed alternative sites but find no justification for their allocation as strategic allocations.

*Does the Plan provide an appropriate strategy for economic growth in the rural area?*

115. The Plan recognises that the rural economy makes an important contribution to the economy of the Plan area, particularly in East Dorset. Policy PC3, whilst stating that economic development will be strictly controlled in the open countryside, states that it will be encouraged in or on the edge of existing settlements where it can be closely related to housing, services and other facilities. The policy lists a number of villages, which gives the impression that the policy relates to the named villages rather than any settlements that meet the criteria of the policy. To address this issue the Council has suggested removing reference to named locations and I agree that this change, in **MM62**, is needed to clarify the policy and make sure that it is effective.

## **Issue 7 – Does the Plan set out an effective strategy for protecting the natural environment?**

116. Section 13 of the Plan sets out policies for managing the natural environment and paragraph 13.8 lists the evidence that underpins these policies. Modification **MM46** is required to ensure that the purpose and title of the DHPFSPD is referred to accurately.

*Is the approach to safeguarding biodiversity and geodiversity effective?*

117. It has been argued that the criteria to be addressed when development is proposed, as set out in Policy ME1: Safeguarding biodiversity and geodiversity are incomplete as they omit a definitive requirement for mitigation. I agree that to ensure that the policy is effective it should include light pollution within the criterion seeking to avoid harm to existing priority habitats and species, and the requirement for mitigation or compensation where harm is identified should be strengthened. These changes should be made through **MM47**.

*Does Policy ME2 provide a robust basis for the protection of the Dorset Heathlands?*

118. Natural England has advised that residential development should not be permitted within 400 metres of designated Heathlands and this is clearly stated in Policy ME2: Protection of Dorset Heathlands. In dealing with development which lies between 400 metres and 5 kilometres of designated Heathlands, the South East Dorset Authorities together with Natural England have prepared the DHPFSPD, a joint framework for Heathland mitigation which includes the provision of SANG. Modifications **MM48** and **MM63** are required to clarify the background to Policy ME2, correct cross reference to the DHPFSPD and to explain the status of SANG. A further modification (**MM2**) should be made to ensure that Objective 1 of the Plan, which addresses the natural environment, is accurate in its reference to mitigating the effects of residential development on designated Heathland.

119. Additional information about the approach to SANG had been provided by the Dorset Heathlands Joint DPD, but the South East Dorset authorities have decided not to progress this document. The Councils therefore proposed to provide further detail about their approach to mitigation in the forthcoming Site Specific Allocations DPD. This approach is clarified in modification **MM49A**. Policy ME2 also refers to the types of mitigation that can be provided. To avoid confusion this should be modified to clarify that SANG can be delivered either on or off site and distinguish between SANG and other appropriate avoidance/ mitigation. These changes, in **MM49B**, are needed to prevent confusion and to ensure that this section is effective and consistent with the rest of the Policy as discussed in the following paragraph.

120. The strategy for securing Heathland mitigation as set out in the last three paragraphs of Policy ME2 is currently vague and unclear. The reference to proposals of approximately 50 dwellings is confusing, whilst there is a risk of developers having to contribute twice through the provision of on site mitigation and payments through CIL, part of which will be directed to as yet unidentified mitigation projects. These are valid concerns and the Councils have proposed amended wording. Modification **MM49C** is needed to remove reference to proposals of about 50 dwellings and to clarify that the delivery of Heathland mitigation measures will be set out in the Councils' Regulation 123 list. This will ensure that Heathland mitigation is not treated as a generic item which would have prevented the funding of any site specific mitigation through section 106 contributions. The Councils have stated that Heathland mitigation will be the first priority on the CIL regulation 123 list and that this will cover enabling strategic sites as well as mitigating small sites.

121. These changes do not in themselves resolve the situation where developers who provide on site mitigation in the form of SANG will also have to pay CIL

which will also fund mitigation projects. However they provide transparency so that developers can see the extent to which they will be contributing to mitigation projects and allow scope for management and maintenance of on site SANG to be funded from CIL. This will provide a basis for developers to negotiate, provides for clear definition between the different funding sources and ensures clarity and consistency with the CIL Regulations.

*Are the local requirements and standards set out in Policies ME4, ME5 and ME8 justified and consistent with national guidance?*

122. Policy ME4 sets out sustainable standards for new development whilst Policy ME5 seeks to encourage renewable energy provision for all new development. The Plan makes it clear that these are flexible policies which seek to encourage sustainable forms of development and they are supported by a robust local and national evidence base. Changes are required to both policies to ensure that they are consistent with national policy, to add reference to soil carbon issues to Policy ME4 and to clarify the proposed use of CIL in relation to Policy ME5. Subject to these changes, in **MM50** and **MM51**, both policies are soundly based and consistent with paragraph 95 of the NPPF.

123. Policy ME8 encourages the generation of energy from renewable and low carbon sources and sets out a number of criteria for proposals for renewable energy apparatus. Some changes are necessary to ensure that the policy refers accurately to the AONB, is cross referenced to Policy ME1 and addresses the need for the cumulative impacts on the landscape, visual amenity and biodiversity to be considered. Subject to these changes, set out in **MM52**, the policy is effective and consistent with national policy.

**Issue 8 - Is the Plan underpinned by a robust framework for delivering the infrastructure that is necessary to support the strategy and does it include a robust framework for monitoring?**

*Is the Plan supported by up to date infrastructure planning?*

124. The submitted Plan was accompanied by a draft Infrastructure Delivery Plan (IDP) which, whilst listing a number of projects, did not make it clear which policies in the Plan they would support, contained sparse information on funding sources and did not address the issues of risk or contingency.

125. During the examination the Councils have updated and expanded the IDP and the December 2013 IDP addresses deficiencies in the draft version. It includes updated information on costings and delivery partners, addresses risk and includes contingency measures where appropriate. It demonstrates that the Councils have worked across local authority boundaries and with infrastructure providers to plan and secure funding for the infrastructure needed to support the Plan's overall strategy. It demonstrates that there is a reasonable prospect that the required infrastructure will be delivered in a timely fashion. Clarification of the updated transportation projects that have emerged from further work on infrastructure provision are required to ensure that the Plan is effective. These should be made through modifications **MM3**, **MM8** and **MM9**.

126. The strategic allocations have inevitably generated concerns about the capacity of the highway network to cope with additional traffic. The Plan acknowledges that the proposed development will increase journeys in and



around Christchurch and East Dorset, but states that there is little capacity available on main routes during peak periods and significant increases in capacity are not feasible. However both the IDP and the Local Transport Plan include a range of projects that will mitigate the impact of additional traffic which the strategic site allocations will generate.

127. The LTP includes proposals to improve public transport and walking and cycling routes, whilst the IDP includes local and strategic schemes which are programmed to support development. It is clear that Dorset County Council (DCC) has been involved in transport planning for the new neighbourhoods and the Council has worked with DCC in preparing the transport modelling for the allocations at Parley Cross and Wimborne. In Christchurch the focus has been on improving junctions to the A35 and planning bus services to run through the proposed urban extension. Development of proposals for the CUE has included dialogue with DCC and modelling, which was based on the original allocation of 900 dwellings but which has been recalculated to take account of the updated 950 dwellings. In considering the impact of the CUE all movements in the Plan area and Bournemouth have been taken into account, including those relating to gravel extraction.

128. The Core Strategy Vision refers to the objective of securing a by pass for Christchurch as a solution to the town's traffic problems. However attention has been drawn to environmental constraints which have not been explored and to the absence of Habitats Regulation Assessment for such a scheme. The Council has therefore proposed a more flexible wording, as well as updating reference to the A31 improvements. These changes, set out in **MM1**, are required for the Plan's effectiveness.

*Does the Plan provide a clear framework for monitoring delivery of its policies?*

129. The submitted Plan deals with monitoring in a broad brush and inconsistent way, with no defined targets and heavy reliance on the AMRs. To make the Plan effective the Councils have prepared a monitoring framework which sets out clear indicators, targets and methodologies. This should be added, through **MM64**, as an appendix to the Plan.

### **Issue 9 – Does the Plan include effective policies for managing the historic and natural environment and for providing community facilities and services?**

*Are Policies HE1 and HE3, which set out the approach to protecting the historic environment and landscape quality, consistent with national guidance?*

130. Concerns have been raised relating to a range of issues in Policy HE1, including detailed wording, the need to refer to specific heritage assets, to include reference to buildings at risk and the need to introduce a commitment to ensure that infrastructure and public realm works will protect and enhance the historic environment. I agree that changes to address all of these matters, as set out in **MM53**, should be made to ensure that the Plan is effective and consistent with national policies.

131. The detailed wording of Policy HE3 should be amended to set out a more robust requirement for protection of the AONB and its setting. This change, **MM54**, should be made to ensure that the policy is effective.

*Are Policies HE4 and LN6 consistent with the CIL Regulations?*

132. These policies set out the Plan's strategy for providing open space and community facilities. In both cases wording regarding the use of CIL is unclear and Policy HE4 refers to standards set out in an appendix which will be superseded by the CIL strategy. To provide a clear and effective strategy for securing these facilities, changes **MM55**, **MM60** and **MM65** should be made.

**Issue 10 – Whether in all other respects the Plan's site allocations are justified and effective?**

133. Throughout the examination concerns have been raised about specific site allocations. Many of these matters have been dealt with in the above sections where they relate to the overall strategic approach, for example to housing, flood risk, GB or the provision of SANG. Furthermore I have carefully considered local residents' concerns regarding the capacity of community infrastructure, such as health and education, and I consider that these are satisfactorily addressed through the Plan and its supporting documents such as the IDP. However some site specific issues remain to be considered in the following paragraphs:

*CN1: Christchurch Urban Extension – is the level of housing proposed justified and are there any barriers to delivery?*

134. Understandably the increase in the number of dwellings to be delivered on the CUE from 600 in the RSS to the 950 now proposed has raised questions and concerns. However the evidence submitted by the Councils explains the way in which the level of housing that can be delivered on the site has been assessed over several years, through the issues and options stage of the Plan and through masterplanning. This demonstrates that the quantum of development proposed on this site is justified. The explanatory text to Policy CN1 incorrectly refers to 850 dwellings on this site and this should be amended, through **MM12**, to ensure accuracy.

135. There are very strong feelings in the local community about need to relocate Roeshot Hill Allotments in order to deliver development on this site. However the allotments are protected by legislation which will ensure their relocation. The Councils have engaged with the allotments association and negotiations are ongoing to discuss suitable alternatives. Furthermore it has been confirmed that the developer has control of all the potential new allotment sites. The Plan currently states that replacement allotments will be delivered north of the railway line but in order to provide flexibility this restriction should be removed through modification **MM17**. Subject to this change the Plan provides for positive planning to secure appropriate replacement allotments.

136. Several other concerns relating to the deliverability of this allocation, including the need to provide SANG and the need to fund undergrounding of power lines, have been assessed in detail through the examination hearings and in written evidence. It is clear that the Councils are working with all the relevant stakeholders, including the community, the developer and adjacent local authorities to plan positively for the CUE. Having carefully considered all of the matters raised I am satisfied that there are no insurmountable barriers to delivering this allocation,

*CN2: Land South of Burton Village – Is this allocation justified? Does it take appropriate account of heritage assets and the natural environment?*

137. This allocation extends the village envelope and is adjacent to Burton Conservation Area. It strikes a balance between providing additional housing in Burton and retaining a substantial GB gap between the village and the edge of Christchurch urban area. The expanded version of this site that is proposed by the potential developers, whilst providing more housing and increasing potential for infrastructure provision, would make a more significant intrusion into the GB and would harm its openness. The alternative site adjacent to the railway, which has been suggested by the Parish Council, is separated from the village by an open area of GB and would not be a sustainable extension.

138. The allocated site includes a listed barn which is not referred to in the policy and Natural England has drawn attention to the need for an ecological survey to be undertaken prior to development. Both of these matters should be addressed through modification **MM18** in order to ensure that the policy is effective and consistent with national policy. For clarity, this modification also removes a now superfluous reference to phasing of development which is better addressed through the housing trajectory.

*WMC3: Cuthbury allotments – does the policy provide a flexible strategy to allow for changing circumstances?*

139. This site includes an area which is reserved for an extension to Victoria Hospital. The Councils have suggested that the policy should be amended to clarify that if the hospital does not require this land it may be used for housing. Concerns have been raised that this could mean housing development would take precedence over the extension of the hospital. However this is not the case as this area of the site is allocated for hospital use and only if not required by the hospital will it be considered for housing. For this reason and to ensure flexibility I agree that **MM22** should be made.

*WMC4: Stone Lane – does the policy provide for appropriate flood prevention and protection for the River Allen?*

140. At the moment this policy omits a requirement for a sustainable drainage scheme which is needed to prevent flooding and protect the quality of the adjacent river. As suggested by the Councils this should be added through modification **MM24** to ensure that the Plan is effective.

*WMC5: Cranborne Road – Is the transport and access section of this policy up to date and consistent with highway authority advice?*

141. The Council has suggested that this policy should be amended to reflect up to date advice from DCC and these changes, in **MM25**, should be made to ensure effectiveness.

## **Issue 11 - Consideration of other matters**

*Are other minor changes to the GB boundaries justified and consistent with national policy?*

142. In addition to GB boundary changes that the Councils propose to allow

delivery of the strategic allocations, the Plan includes a number of minor alterations to GB boundaries. Most of these relate to modest parcels of land which, whilst not in the GB, were safeguarded from development in the local plan. Due to changed circumstances, such as the need to protect designated Heathland or evolving landscape character, they are no longer suitable for development. One is a small open area which, whilst not safeguarded, is an important open space in recreational use which is linked to the GB. All of these changes are justified and making them as part of the local plan process is consistent with guidance in the NPPF.

143. In addition to areas of land to be added to the GB, Policy VTSW8 (Blackfield Farm) proposes removing the safeguarding notation for this site and placing it within the urban area. This site could not now be developed for housing as it lies within 400 metres of protected Heathland. Concerns have been raised at the absence of information about wildlife on the site and it is argued that the site is re-growing and could be restored as Heathland. However including this site in the urban area will allow flexibility for potential development other than residential to take place in a sustainable location adjacent to the built up area. In the event of a planning application the biodiversity and landscape character of the site would be satisfactorily protected through policies to manage the natural environment

*FWP1: Ferndown Town Centre Vision and FWP5: West Parley Village Centre Enhancement Scheme – are the policies up to date and consistent with advice from the highway authority?*

144. The Council has suggested changes to these policies to ensure that they reflect the representations made by DCC and include up to date information on transport proposals. I agree that these changes, as set out in **MM29**, **MM34** and **MM35** are needed for accuracy.

*VTSW7: St Leonards Hospital – does the policy provide adequate protection for priority habitats and species?*

145. Concerns have been raised that the policy fails to address the need to protect priority habitats and species and I agree that the Councils' proposed change, **MM44**, should be made to address this matter and ensure consistency with national policy.

*RA2: Furzehill Village Envelope – is the extension of the village envelope justified?*

146. Furzehill, which is washed over by the GB, has a village envelope which is tightly drawn around the predominantly linear development along the main street. The proposed vacation of the existing Council Offices, which lie outside the village envelope, means that they will be available for redevelopment in the early part of the Plan period.

147. It has been argued that this extension is not justified and that it is inconsistent with the approach taken in other parts of the rural area. However the policy provides for changing circumstances and allows a strategy for planned and appropriate development to take place on the site, having in mind that it will remain within the GB. In these circumstances I am satisfied that the policy is justified and consistent with national policy.

*Policy LN1: The size and type of new dwellings – is the inclusion of local space standards justified?*

148. This policy seeks to link the size and type of housing delivered to projected need identified in the latest SHMA and future AMRs. Particular concerns relate to space standards in very small buildings and conversions. Some developers are sceptical about its capability to influence housing delivery to meet housing need in such a detailed way and have raised concerns about possible impact on viability.

149. The objectives of the policy are clear and consistent with the NPPF which urges local authorities to reflect local demand. However the forthcoming SPD which the Councils will produce to set out detailed requirements may be overtaken by the Government's review of housing standards. The Council has proposed changes to take account of this, in **MM56** and to clarify that Homes and Community Agency Housing Quality Indicators will be applied in advance of the SPD (**MM57**). Subject to both of these changes the policy is justified and consistent with national policy.

*Policy CH1 Christchurch Town Centre Vision – should reference to a new community facility be included in the Plan?*

150. Early versions of the Plan included the development of a new Druitt Hall and subsequent iterations supported the provision of a new community facility in Christchurch town centre. However the submitted Plan makes no reference to a town centre community facility. The Council has explained that this reflects the up to date position that it can no longer offer funding or financial support for such a facility.

151. Understandably this is very disappointing for the Druitt Hall Association Ltd and others who wish to see a community facility on the existing Druitt Hall site. However it is clear that the community is continuing to plan for a replacement hall and outline permission for such a proposal was granted in 2013. There is nothing in the Plan as submitted to prevent such a proposal progressing and indeed Policy LN6 sets out how new community facilities will be supported and that they should be concentrated in a number of listed settlements, of which Christchurch is the first.

152. In these circumstances it is clear that it would not be realistic or justified for the Plan to indicate that the Councils will initiate or fund a new community facility in Christchurch. However Policy LN6 is effective, consistent with the NPPF and plans positively for the provision of community services. On this basis there is no justification to refer specifically to the Druitt Hall site.

## **Assessment of Legal Compliance**

153. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The Core Strategy Local Plan is identified within the approved Christchurch LDS December 2012 and the approved East Dorset LDS January 2013 which both set out an expected adoption date of December 2013. The Plan's content is compliant with the LDSs and the timing is not significantly delayed.
Statement of Community Involvement (SCI) and relevant regulations	The SCIs were adopted in July and August 2006 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	AA carried out in February 2012, November 2012 and December 2013 has found that no adverse effect on the integrity of all European sites within and around the Plan area will occur from the Plan's policies.
National Policy	The Plan complies with national policy except where indicated and modifications are recommended.
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCSs.
2004 Act (as amended) and 2012 Regulations.	The Core Strategy complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

154. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

155. The Councils have requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Christchurch and East Dorset Core Strategy Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Sue Turner*

Inspector

This report is accompanied by the Appendix which contains the Main Modifications