

## **Cabinet 8 December 2020**

### **Public Questions and Statements**

#### **1. Question from Andy Matthews**

##### **Re Agenda Item 9 - Local Plan Consultation Documents Central Functional Area – Portland**

Section 26 of the document which deals with the Central Functional Area sets out a narrative around the future development for Portland. It is welcomed that a number of proposals support the Neighbourhood Plan but some, as currently described, are at odds with the Local Planning Authorities position which was agreed earlier this year with the Neighbourhood Plan's Examiner. Specific examples are in regard to Key Employment sites and some aspects of the Development boundaries scheduled particularly the exclusion of the Albion Stone employment policy area as well as Southwell Business Park area. Providing certainty and flexibility to these employment areas at a time of change is an important element to the Economic Vision which runs in tandem with the Neighbourhood Plan.

As you are aware the Neighbourhood Plan is currently held because of the COVID pandemic and the earliest the referendum can be held is May 2021. It is intended that the Local Plan consultation will commence during the early part of 2021.

Meanwhile policies in the Neighbourhood Plan can carry material weight in planning decisions.

There is a risk that unless the base data is aligned that this could undermine the basis to any referendum.

Would Cabinet please clarify the position?

#### **Response from the Portfolio Holder for Planning**

The policies within the Neighbourhood Plan will continue to carry weight. There is a difference between what constitutes a Key employment site when considering all sites across Dorset and what constitutes a Key site in a more local context. Where sites are important to the local economy they can be protected through the Neighbourhood Plan.

The draft local plan is proposed for consultation and feedback on issues such as this are welcomed as the starting point for further discussion on these issues.

#### **2. Question from David Moss**

##### **Re Agenda item 9 - Dorset Council Local Plan, Consultations**

1. In 2008 a financial appraisal of possible development north of Dorchester was undertaken by the Halcrow Group on behalf of WDDC. It found that after a notional development period of fourteen years it would have a negative value of - £174 million. It also concluded that the necessary road works to serve such a development would cost £113 million. The only upto date information on the viability of development North of Dorchester on the Council's website are two

paragraphs which refer to the Council's recent experience of the Gillingham Extension highlighting the need to understand the cost implications of the infrastructure requirements on large scale schemes.

In May 2020 a Planning Inspectors report into the North Essex Authorities Shared Strategy (Section 1) Plan found in respect of three proposed 'garden communities', that two of the three proposed 'garden communities' were financially unsound and therefore not deliverable. Therefore, the draft plan failed the key test of whether it was sound or not. What is of particular importance in the Inspector's analysis of the financial viability of the proposals is his criticism of the unrealistic assumptions being made on behalf of both the Councils involved and the promoters of the 'garden communities'. In particular he specifically refers to unrealistic assumptions regarding build-out rates and the need to account for 'optimism bias' in considering the cost of the infrastructure requirements.

In the absence of an upto date financial appraisal which both takes into account the Halcrow Group conclusion of 2008 and the Inspectors Report of May 2020 is it appropriate to submit to the public for public consultation a major development proposal North of Dorchester when its financial viability and therefore deliverability is at the very least in grave doubt?

2. Given all that is known about the 'Climate Emergency' and the need for sustainability is it appropriate that North of Dorchester can only be built if a new link road between the A35 and A37 is built? The route of such a link road because of topography and cost will of necessity be driven through the middle of what is supposed to be a 'garden community'.

### **Response from the Portfolio Holder for Planning**

The 2008 Halcrow report was produced under a very different economic context and further work is needed to assess current viability.

Early work to start a more detailed viability assessment for the whole local plan is being undertaken. More detailed viability work will take place over coming months to fully understand the viability implications of the policies within the local plan for development across Dorset.

The Garden Community programme includes a range of support for local authorities to evaluate proposals for large scale developments. This includes support for evidence studies to evaluate a site's deliverability including viability through to support across government bodies to help unblock issues that arise.

The movement strategy proposed within the plan seeks to maximise walking and cycling opportunities alongside the provision of facilities within the development. This will help to minimise the reliance on car travel and make everyday trips shorter and more sustainable. It should also be noted that the road link now proposed is not the full bypass being considered in the Halcrow report, but a link road of an appropriate scale to run through a residential area.

### **3. Question from John Calvert**

#### **Re Item 9 Local Plan, Section 23.3.8 and Section 23.3.9 in Dorchester Town Centre Strategy**

As a Dorchester resident I would like reassurance that any plan involving changes to Trinity Street would not just look at the public car parks as an easy place to put retail enterprises but also look at the public transport issues relating to the lack of room for queues at the various bus stops and at the overall look of Trinity Street.

It needs major strategic changes rather than simply putting shops on the two car parks to the West of Trinity Street.

#### **Response from the Portfolio Holder for Planning**

Any changes to the Trinity Street area in Dorchester would need to include improvements to the built environment. Increasing footfall within the area would aid in creating a more vibrant and attractive area of the town.

The council will be looking in detail at how it can work alongside town councils across Dorset to help deliver regeneration including improved public realm.

### **4. Question from Peter Bowyer Chair of Dorset CPRE**

#### **Re item 9 Local Plan**

1. Dorset Local Plan. Can the Council outline how it plans to incorporate the recommendations from the research report commissioned by Dorset CPRE (Campaign to Protect Rural England) on Dorset Housing Evidence Needs into the emerging Dorset Local Plan? This report was sent to every member of Dorset Council and to its key officers. To date Dorset CPRE has received no comments or feedback from members and officials of the Council. This is particularly disappointing when considering the requests made at the September and October 2020 meetings of the Cabinet to have community input and engagement into a shared vision for the Dorset Local Plan. The report is particularly relevant to agenda item 9-Dorset Council Local Plan Consultation. The research findings and the substance of the report do not appear to feature at all in the Consultation planned for January 2021 and the associated information.

In the interests of public engagement and public confidence in the exercise of the planning function in Dorset, it would be helpful to know how Dorset Council intend to make use of this important report in the development of the Dorset Local Plan and what others form of engagement than the January 2021 Consultation the Council will be developing for the Dorset Local Plan.

2. Can the Council please explain why it has not included the SHLAA (Strategic Housing Land Availability Assessment ) in the background papers to agenda item 9-Dorset Council Local Plan? The SHLAA is an important document for residents .The provisional sites proposed by developers do not clearly show policy changes as expected. This is somewhat unusual and unexpected.

## **Response from the Portfolio Holder for Planning**

National policy states that the Government's standard methodology should be used to calculate housing needs, unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. It is important to make sure that our plan is likely to be found sound at examination, and to have an up to date plan in place as soon as possible, and this means that it needs to follow national policy.

The standard methodology is being revised, as proposed through recent government consultations, and so the numbers for our area will change during the course of plan preparation. The consultation draft of the local plan seeks to make provision for the housing required under the current standard methodology whilst also giving some flexibility to respond to changes in this methodology, to respond to the consultation and to respond to the delivery of sites over the plan period.

The SHLAA is evidence that supports the local plan consultation document, and is available online on the Dorset Council website.

### **5. Question from Sally Cooke Re Item 9 Local Plan**

The development envisaged in policy DOR13 of the draft Local Plan (the Garden Community proposal) will, if approved, greatly increase the number of people wanting outdoor recreation in the Dorchester area.

The Garden Community proposal intends to improve public access and nature conservation in the river valley. This habitat, however, is not the most robust to cope with large numbers of extra visitors.

The nearby public Local Nature Reserve at Thorncombe Woods is thought by local residents to be already at full stretch, and unable to cope with a big upsurge in visitor numbers. (This is an opinion which has been voiced during recent consultation on Stinsford's draft Neighbourhood Plan.)

**What ideas does Dorset Council have, in the context of policy DOR13, for creating new robust outdoor amenity space, such as extensive community woodland (larger in scale than the copses referred to in point VIII of policy DOR13), so that all residents close to Dorchester can continue to enjoy the same or better opportunities for countryside recreation as we enjoy now?**

## **Response from the Portfolio Holder for Planning**

The draft proposal for policy DOR13 does not currently refer to extensive community woodland, but such suggestions can be made as responses to the consultation. Opportunities exist within the area to deliver substantial areas of open space, some of which will be appropriate for informal recreation with linkages being made to the wider countryside. Other opportunities could involve community orchards or making greater use of Puddletown Forest for informal recreation. All proposals within the

proposed site boundary would need to be considered within the more detailed masterplanning for the development, taking account of the advice from biodiversity, landscape and heritage consultees.

## **6. Question from Stinsford Neighbourhood Plan group c/o Stinsford Parish Council**

Draft Local Plan Policy DOR13 proposes that “Land to the north of Dorchester will be developed in accordance with a masterplan produced for the site, which will reflect garden community principles.”

In paragraph 12 of the government’s Garden Communities Prospectus, 2018, we read that *“Proposals should set out how the local community is being, or will be, engaged and involved at an early stage, and strategies for continued community engagement and involvement. We are clear that local communities – both current and future residents – must have a meaningful say in developing the proposal from design to delivery.”*

If the development proposed in DOR13 goes ahead, what mechanism will Dorset Council put in place to ensure that this principle of Garden Communities is followed?

## **Response from the Portfolio Holder for Planning**

The original West Dorset District Council submission to the Garden Communities programme made a commitment to involving key stakeholders from the local community in the production of a masterplan for the site, with this masterplan being adopted as a supplementary planning document.

The council is currently considering formal governance arrangements and which approach would be most effective in steering the masterplan. The formation of a steering group with community, council and developer representation is likely to be the favoured approach. There would also be wider public consultation on the masterplan.

## **7. Questions from Roy Phillips MBE**

Question one for Cllr Ray Bryan " At the cabinet meeting on 6th October it was minuted that Cllr Bryan would respond to all statements and questions submitted in relation to proposed major road works in Dinah's Hollow, Melbury Abbas. After 2 months no response has been received by stakeholders, Melbury Abbas & Cann Parish Council or residents. When will this be actioned ?"

Question two for Cllr Flower " Why were the stake holders and residents not given reasonable time between issue of the papers and reports and the closing date for submissions (in some cases only 2 days) to seek opinion on the reports and prepare

a detailed submission on Dinah's Hollow proposed works. Why was the substance of the submissions received after the closing date not made available to the cabinet as required by the 1974 Local Government Act. “

### **Response from the Portfolio Holder for Highways, Travel and Environment**

‘As promised at Cabinet on 6<sup>th</sup> October, we have read and considered all the views received both before and after the Cabinet deadline regarding the proposed slope stabilisation works at Dinah's Hollow.

The correspondence we have received regarding Dinah's Hollow is a reflection of the many demands we need to meet. The concerns highlight the impact the proposed slope stabilisation works might have on the vegetation, drainage, climate change, historic nature of the Hollow and the safe flow of traffic.

Dorset Council has a duty under the Highways Act to maintain safe passage as far as is reasonably practical. The proposed work at Dinah's Hollow is prompted by the safety concerns raised by bank instability and the risk of injury, possibly death, posed to users of the highway.

Let me once again reassure everyone that the environmental issues in the Hollow will guide our work here. Before any scheme proceeds, new ecological, tree and landscape surveys will be undertaken. The use of soil nails is currently seen as a measured and proportionate response to the threat posed, but of course geotechnical design will need to be reviewed against current best practice and site conditions that may have changed.

The current proposed design is the result of detailed appraisal of the ground conditions, the ecology and visual environment which minimises the extent of the soil nailing. We do not plan to remove all the trees from the hollow. A selection of mature trees will be retained and planting holes created for replacement trees on the slopes. This would allow more daylight into the hollow and the growth of new plants and saplings through the mesh to create a more varied habitat. Ecology will govern the time of year that construction and maintenance operations take place to minimise the impact.

Please be assured that there are no plans to change the traffic management within Melbury Abbas. If the proposals are adopted and funding is allocated, the traffic signals limiting traffic flow to a single lane at the lower end of the hollow will remain. The temporary concrete barriers will no longer be required. The advice given to HGV traffic will not change and retention of the signals will not make the route more attractive for traffic in general.

To conclude, Dorset Council has difficult decisions to make balancing conflicting demands of social health and well-being, the climate emergency, highway safety and ensuring a sustainable economy. Whatever the outcome, the decision will not be taken lightly and will be made in the best interest of Dorset as a whole.’