

Cabinet of 18 May 2021

Public Questions and Statements

1. Questions from Giles Watts on behalf of Dorset Climate Action Network (DCAN)

Question 1. The council has not yet published any of the submissions or feedback from the consultation exercise on the draft Local Plan. When will this data be released?

Response from the Portfolio Holder for Planning

The council will be publishing all the consultation responses but before we do, we need to read them all, remove personal details, and make sure that there is no offensive material in them which would prevent them being publishable. It is likely that they will all be published in July.

Question 2. There appear to be significant differences of professional opinion as regards the basis for the housing numbers in the draft Local Plan. This is especially true with regards to the application of “exceptional circumstances” and the fact that national housing needs have changed dramatically post Brexit and post pandemic. Dorset Climate Action Group which represents over 20 concerned organisations in Dorset would like to engage in a professional and cooperative discussion with Dorset Council about these differences before any amendments are made to the draft Local Plan. We recognise that, up to now this has been difficult during the lockdown but, now this is easing, would the Dorset Council Planning Department be prepared to host such a meeting?

Response from the Portfolio Holder for Planning

We welcome professional and cooperative discussions of the type described by Mr Watts. Although we are not currently holding face to face meetings, I am happy to ask officers to meet Dorset Climate Action Group online and to hear what you have to say.

2. Question from Sheila Bourton

With regard to WMC8, Land north of Wimborne Road, Wimborne, East Dorset

How can the Council even consider new housing development in this area when it is part of the Strategic Greenbelt Gap between Wimborne and Colehill ?

One of the purposes of Greenbelt is to prevent neighbouring towns from merging into one another and any further erosion of this important Greenbelt Gap would be catastrophic.

Parts of WMC8 has a very high water table and water drains regularly southwards and eastwards to a drainage channel . This channel NEVER dries up and in periods of heavy rain the southern part of the site floods as do the neighbouring gardens.

How can the Council even consider allowing development on any part of WMC8 which would result in flooding of existing houses from any new development and infrastructure such as roads?

The Government Inspector in her report on the Local Plan 2014, commented on “the congested network and poor road and rail links out of the region “(page 6 Item 24).

Wimborne Traffic Model Testing Report May 2012 predicted traffic increase and congestion and (I quote) “ there is little capacity available on main routes during peak periods and significant increases in capacity are not feasible”

Nothing has changed in the meantime and even more traffic will be generated from developments still in progress even before any new housing developments take place.

The hamburger Junction at Canford Bottom has not benefitted local traffic and long queues of traffic builds up at peak times. This can only get worse once the current housing developments are completed and if any new housing developments should take place particularly off Leigh Road/ Wimborne Road

In my opinion, WMC8 should not be considered for housing development and I ask that this site be eliminated from Dorset Local Plan.

I would also like to state my dismay at the Council’s plan to offer housing sites for other council areas i.e. Bournemouth, Christchurch & Poole and possibly the New Forest.

This has a further strain on maintaining and safeguarding our irreplaceable Greenbelt areas.

Response from the Portfolio Holder for Planning

We have had a large number of responses to the local plan consultation and will be considering them all carefully before making any decisions about the sites and policies to be included in the next stage of plan preparation.

There is a Duty to Cooperate in national planning legislation, which means, amongst other things, that we must consider meeting any unmet housing need from neighbouring council areas. But we will continue to work with neighbouring councils to understand the extent of any unmet need, and to assess whether we have the capacity to take all or some of it.

3. Question from Mike Allen

In the context of the draft Local Plan, Cllr Walsh has said Dorset not only needs to meet its own Government housing target of over 30,000 homes, but intends to help BCP meet their target too by planning another 9,000 homes. As a consequence, hundreds of hectares of Dorset’s Greenbelt land may need to be released to developers.

Taking a very different approach the newly re-elected West Midlands Mayor has pledged to preserve his local Greenbelt and challenged the 2014 Standard Method. In response, the Office for Statistics Regulation said this month:

*“The Ministry of Housing, Communities and Local Government (MHCLG) made a policy decision to specify that Local Authorities use 2014 household projections as part of the standard method for calculating housing need, rather than the more recent 2018 household projections produced by ONS. This means any methodological changes made by ONS to improve the population estimates since 2014 are not reflected in the statistics which inform housing need. **For some Local Authorities, this means the over-estimation of population in certain age groups is driving policy targets in a different direction to local priorities.**”*

One notes that BCP’s 2018 household projection has fallen from the 2014 version by over 60% (using 2021 to 2031), suggesting that the 2014 Standard Method gives a target for BCP which is far too high. Using 2018 figures in the Standard Method would remove the need for those 9,000 BCP homes altogether and open the way for BCP to help Dorset instead.

Amidst another Standard Method controversy around the Knepp Estate aired in the Times recently, a MHCLG spokesperson said:

*“We’re overhauling the country’s outdated planning system to deliver the high-quality, sustainable homes communities need – our reforms will also protect our cherished countryside and green spaces. **The government doesn’t set housing targets.** The standard method for determining housing need is only the starting point in the process of planning for new homes.”*

So my careful question of the Cabinet is this:

In view of these controversies, how confident is the Council that adopting the 2014 Standard Method in the Local Plan, without question or modification, will lead to a sound plan that balances properly the local need for houses in the next decades against protection of Dorset’s “cherished countryside and green spaces”?

Response from the Portfolio Holder for Planning

Linking from the previous question, the council has consulted on a draft plan to help us understand everyone’s views, and we are very grateful for the large number of responses that we have received. We have not yet made any decisions about the approach that will be taken in the final plan, and will take all the comments into account, alongside the requirements set out in national policy, to ensure a sound plan.

4. Questions from Cllr Karen Tippins (East Ward, Shaftesbury Town Council)

Question 1

Why has Dorset Council released s106 funding to Shaftesbury Town Council for a 3G football pitch project without proof of a Council resolution and without proof that this s106 money was not needed to be spent on what was originally stated in the s106 agreement?

Response of the Portfolio Holder for Planning

Shaftesbury Town Council supported this project at the Full Council meeting held on 8 December 2020, and this was referred to in the Section 106 application submitted to Dorset Council by Shaftesbury Town Council.

There was flexibility built into a number of the Shaftesbury Section 106 agreements around 2010 & 2011, allowing the original purpose to be widened to enable funding to support projects which served the town. A paper went to Shaftesbury Town Council's Full Council meeting on 8 December setting this out. Notwithstanding this, the control and use of Section 106 is considered against a series of government regulations on a case by case basis. These considerations form part of a comprehensive appraisal process by Dorset Council.

Question 2

Most of the s106 money contributions for Shaftesbury relate to providing infrastructure and facility provisions for the new residents of East of Shaftesbury, based on the Town Council's current track record of being exclusive and neglecting the East of Shaftesbury, what measures is Dorset Council going to take to ensure that s106 money is spent accordingly and that the people of East of Shaftesbury receive the facilities that they were promised when they moved into this town?

Response of the Portfolio Holder for Planning

The report being considered by Cabinet sets out a protocol for planning obligation funding allocations for community schemes.

This becomes particularly important when there is more than one interested party involved in bidding for funds.

The protocol, if approved, will allow us to ensure awards are made in an objective and fair way following due diligence. Such an approach will provide Dorset Council and local communities with the necessary assurances that funds will be spent in accordance with the purposes for which they were collected. The proposed approach will apply to all future bids for Section 106 community funding allocations across the Dorset Council area and, as currently, it does not limit bids to town and parish councils.

This will ensure a consistent and robust approach that is fair to all parties and ensures that the most appropriate body delivers and maintains the infrastructure going forward.

5. Question from Geoffrey Chopping

The Boundary Commission for England are starting a review of the Parliamentary Constituencies. The first 8 week consultation should start on 8 June 2021.

Dorset Council is starting a Community Governance Review. In 2017, I presented a Community Governance Review Petition to East Dorset District Council for a Parish of Furzehill, which was to be Grouped with the Parish of Holt, having obtained a considerable majority in favour from the electorate. Unfortunately the proposed Parish was in two different Parliamentary Constituencies.

Neither this, nor the alternative proposal for enlarging the Parish of Holt by just adjusting the Parish boundaries, between the Parish of Holt and the Colehill West Ward of the Parish of Colehill, was accepted.

A significant issue was the fact that: *the Parish of Holt and the Colehill West Ward of the Parish of Colehill are in **different Parliamentary Constituencies***. Consequently Holt Parish Council would have required to have wards.

It is possible that the first draft of the Boundary Commission's consultation will have: *the Parish of Holt and the Colehill West Ward of the Parish of Colehill in the **same Parliamentary Constituency***. In which case I hope that Dorset Council will support that arrangement.

QUESTION

If however in the first draft the *the Parish of Holt and the Colehill West Ward of the Parish of Colehill are in **different Parliamentary Constituencies*** will Dorset Council be able to request, in the coming consultation, that the Boundary Commission for England consider placing: *the Parish of Holt and the Colehill West Ward of the Parish of Colehill in the **same Parliamentary Constituency***?

In either case I hope Dorset Council will permit this matter to be revisited during the Community Governance Review in parallel with the Boundary Commission for England Review.

Response from the Leader of the Council

It would be wrong of me to speculate about and pre-empt the outcome of either the Parliamentary Boundary Review or a local Community Governance Review.

6. Question from Trevor Clements

The Department of Transport Road Investment Strategy 2 2020-2025 (RIS2) states that local authorities including Dorset have suggested that there is a strategic case for adopting an alternative corridor – the A350 - as the main strategic route for linking the M4 with the Dorset Coast. The consequence of such a study, if adopted, would require

the trunking of the A350 along with associated dualling as is the case with the A350 in Wiltshire. Such a suggestion by Dorset Council would appear to contravene the findings and strategies contained in the:

- Western Gateway Strategic Transport Plan 2020-2025
- Bournemouth, Poole and Dorset Local Transport Plan 3 2011-2026
- Local Enterprise Partnership Strategic Economic Plan

Each of the above documents recognise the environmental sensitivity of the area surrounding the entire A350 in Dorset and the Cranborne Chase AONB. Dorset Council are members of each of the organisations who have produced the above documents. The Local Enterprise Partnership Strategic Economic Plan was signed off by three Dorset MPs. Could the councillor provide an explanation as to

1. How such an instruction was given to Highways England in contravention of the written strategies
2. What measures are now planned to consult the residents of the towns and villages along the A350 and all other interest groups including the National Trust and CPRE on the Dorset Council plans.

Response from the Portfolio Holder for Highways, Travel and Environment

Dorset Council, along with our partners, asked government to undertake a strategic study in the RIS2 period (2020-2025) to investigate the improvement of strategic road routes north/south through Dorset to help inform plans for RIS3. We are keeping an open mind and we're now working with The Department for Transport (DfT), Highways England, other authorities and stakeholders on the study to look into all options. These include A37, A350, A338 and A34 improvements, as well as potential new routes. The environmental issues across Dorset are well known by the council, DfT and Highways England. The value for money and ability to deliver improvements will be an important consideration in the development of any strategy.

Dorset Council is also working with Western Gateway Sub-national Transport Body (STB) partners on road and rail corridor improvement studies across the region – east to west and north to south to identify improvements that the STB can bid to government to for funding.

Consultation timetables for each study will be set by Highways England and the Western Gateway STB accordingly.

7. Question from directors of 'The Mampitts Lane Community Land Trust CIC' in Shaftesbury. (Cllr P Yeo, Mr T Reeve, Mr J Butcher, Mr J Hart, Mr J Catling, Mr J Simpson)

We are a Community Land Trust and a Community Interest Company that formed in July 2020 so that we can take control of some undeveloped Persimmon Homes owned s106 community land and its associated s106 funds.

We did this to guarantee to deliver the long overdue planning obligations of a Community Hall and a play park at Mampitts Lane in the centre of the large Persimmon Homes estate in East Shaftesbury, as per the estate master plan and the

2007 s106 agreement. Some residents have been waiting over ten years for these much-needed Community facilities. We six Trust Directors are all estate residents too.

In July 2020 we proposed to Dorset Council that we become the nominated s106 'third party body' and in November 2020 we submitted two s106 funding bids with our bid proposal brochure. We just need to be nominated by Dorset Council so that we can take ownership of this land from Persimmon Homes and make these planning obligations a reality.

In October 2020 we also submitted the verified signatures of nearly 600 estate and local residents who support our Trust's bid and for us to be the nominated 'third party body' to take ownership of this Community land and its funding to deliver and manage these facilities in perpetuity. Persimmon Homes also support our bid.

Our Community Interest Company is totally 'not for profit' and has six permanently unpaid Director trustees with excellent project management and general business management ability, who all live within 150 metres of this site. The Trust also has other suitably qualified professionals to assist in ensuring the guaranteed delivery of the obligations.

We trustees hereby petition The Cabinet to vote to ensure that community land trusts and community interest companies are given equal consideration and equal rights to Town and Parish Councils, when Dorset Council's policy for allocating s106 land and s106 funds is resolved, thereby enabling the planning obligations on the East Shaftesbury Estate to be fulfilled.

This equal inclusion of Community Organisations is particularly vital in Shaftesbury as our Community Land Trust is the only 'third party body' who are guaranteeing to deliver these much-needed planning obligation Community facilities on this site, thereby ensuring s106 funds are spent on their intended locations and purposes. We are very content to enter into an agreement with Dorset Council that will hold us accountable and to fulfil these s106 obligations.

As you know, Dorset council has a responsibility to ensure that S106 Planning Obligations are fulfilled, so please ensure a policy is created to enable the transfer of s106 land as well as s106 funds.

Having read the current proposed policy, it does not seem to mention the ability of s106 land to be transferred to Community Land Trusts, it only mentions s106 funding. Can you please clarify this point and also include s106 land transfers?

Response from the Portfolio Holder for Planning

Yes – the protocol applies to any obligation within a Section 106 agreement as appropriate, so it would apply to the transfer of land or other assets as well as funds.