Fontmell Magna Neighbourhood Plan Review

Responses to the Regulation 16 consultation

14 October 2024

The Regulation 16 consultation was held between 30 August and 11 October 2024 (6 weeks). Eight responses were received during this time, as detailed in the table below.

No.	Name	Organisation	Date submitted
1	Richard Burden	Cranborne Chase National Landscape	17 Sept 2024
2	Gaynor Gallacher	National Highways	1 Oct 2024
3	Bob Sherrard	Environment Agency	7 Oct 2024
4		Sport England	8 Oct 2024
5	Sally Wintle	Natural England	9 Oct 2024
6	David Stuart	Historic England	11 Oct 2024
7	John Knight		26 Sept 2024
8	Philip Reese	Dorset Council	11 Oct 2024

From: Richard Burden, Principal Landscape & Planning Officer

Organisation: Cranborne Chase National Landscape

Submitted: 17 September 2024

Method of submission: Email

Comments:-

Thank you for consulting CCNL on the review of Fontmell Magna Neighbourhood Plan.

We welcome the 'tweaks' to the dark night skies and good lighting sections, and agree that the proposed modifications are not so great as to change the nature of the Plan.

From: Gaynor Gallacher, Assistant Spatial Planner

Organisation: National Highways

Submitted: 1 October 2024

Method of submission: Online portal

Comments:-

Thank you for providing National Highways with the opportunity to comment on the proposed modifications resulting from the review of the Fontmell Magna Neighbourhood Plan. As you are aware, we are the strategic highway authority responsible for operating, maintaining and improving the strategic road network (SRN) which in this case comprises the A303 and A35/A31 corridors which pass some distance to the north and south respectively of the plan area.

Although the Parish is bisected by the A350 which provides direct connections to the SRN, given that the Parish is located some distance from the SRN junctions we consider that the Plan's proposed policies are unlikely to lead to a scale of development which would adversely impact on the safe and efficient operation of our network. We therefore have no comments to make.

However, this does not prejudice any future responses National Highways may make on site specific applications as they come forward through the planning process, which will be considered by us on their merits under the prevailing policy at the time.

From: Bob Sherrard, Planning Advisor

Organisation: Environment Agency

Submitted: 7 October 2024

Method of submission: Email

Comments:-

We have reviewed the modified Fontmell Magna Neighbourhood Plan and support the First Review (draft July 2024). We have no additional comments to make.

From: Planning Technical Team

Organisation: Sport England

Submitted: 8 October 2024

Method of submission: Email

Comments:-

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306) and, therefore, Sport England has not provided a detailed response in this case but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can be found on our website:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications

If the proposal involves the **loss of any sports facility**, then full consideration should be given to whether the proposal meets Par. 103 of National Planning Policy Framework (NPPF), is in accordance with local policies to protect social infrastructure, and meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a **new sports facility,** then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:

http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/

If the proposal involves the provision of additional **housing** then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities

PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing

Sport England's Active Design Guidance: https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-quidance/active-design

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

From: Sally Wintle, Consultations Team

Organisation: Natural England

Submitted: 9 October 2024

Method of submission: Email

Comments:-

Natural England does not have any specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan and to the following information.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in Natural England's Standing Advice on protected species.

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If an Strategic Environmental Assessment is required, Natural England must be consulted at the scoping and environmental report stages.

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From: David Stuart, Historic Places Adviser

Organisation: Historic England

Submitted: 11 October 2024

Method of submission: Email

Comments:-

Thank you for your Regulation 16 consultation on the Fontmell Magna Neighbourhood Plan – First Review.

Our response to the Regulation 14 consultation focused on policies and proposals relating to the allocation of sites for development (see attached). We highlighted the desirability of liaison with your authority's conservation officers and archaeologists to ensure aspirations would meet with the requirements of overarching local and national planning policy for the protection and enhancement of the historic environment.

We see from the Consultation Statement dated July 2024 that this advice was noted though the manner in which it might have been acted upon is not clear. We would therefore request that relevant heritage officers within your authority confirm the suitability of site allocations as proposed if this has not already taken place.

We are also pleased to note the deletion of sections 9.31 – 9.34 and Table 6 of the Regulation 14 draft Plan in response to our advice to address the ambiguity associated with identified exception sites.

There are no other matters associated with the Plan upon which we wish to comment.

From: Mr John Knight, resident of Fontmell Magna and architect

Submitted: 26 Sept 2024

Method of submission: Postal

Comments:-

In general I support the Plans' objectives and requirements but I am seriously concerned about the lack of emphasis in FM8 and FM9 upon the quality of individual building design and streetscape. It must be remembered that once poorly designed houses and other buildings are granted Consent the Community must live with the result for probably more than 100 years! The Planning Officers and Committee must surely insist upon much higher quality design of the exterior of new builds and this should also apply to extensions.

New development on 'greenfield' sites is always going to generate concern and 'Nimbyism' but given that a need for additional housing exists within the Neighbourhood Boundary the strength and quantity of objection would surely be mitigated if the standard of exterior design of each house or building and the layout of the Estate were to be radically improved. To achieve this it is incumbent upon the Planning Department to require much higher quality of exterior design than is currently evident before any Consent is granted, and this needs also to apply to single storey house extensions.

There really needs to be much greater attention to external design and if Developers choose not to employ Architects or competent designers then the Planning department must demand a much higher standard before Consent is granted. That surely is an obligation within a Conservation Area.

The recent Developments to the South of the Village clearly illustrate the visual damage ill considered exterior design and 'scattergun' Estate layout brings to the Village. In my opinion the granting of Consent to the Development of Site 20 clearly fails to satisfy the objectives of NPPF182, NPPF 135/clause 6 and NPPF 139.

P26 Clauses 3.12-3.21 are particularly important, and it is to be hoped that the Planning Officers will ensure that Applicants designs demonstrate strict adherence to the objectives of these Clauses. I particularly endorse clause 3.9 on P26. It is also important to note that 90% of Residents that responded to the May 2016 Questionnaire consider that works to new and non Listed buildings merit scrutiny to ensure that such works harmonise with the Character of the area, this surely applies to small extensions but under Permitted

Development Rights how can the Planning Department ensure that proposed designs do not damage the built environment?

With regard to individual building design I believe that truly modern Architect designed buildings can and should be permitted on appropriate sites which probably will be found on the periphery of the Conservation Area. I also consider that carefully considered exterior design of 'traditional' housing need not add much, or at all, to the construction cost. For example within and adjacent to the Conservation Area the design minimum of 40 degrees will mean that first floor windows will cut through the eaves but the lower eaves will help maintain the low scale typical of so many houses within the Conservation area. The steeper roof pitch will improve the volume of the first floor rooms and lowering of the eaves will also reduce the height of the external walls which may compensate for the extra cost of the steeper roof pitch. Steeper roof pitches are much to be preferred on bungalows and very shallow roof pitches or flat roofs are best restricted to very modem designs. Ensuring that the proportions of windows and their subdivision by mullions transoms and glazing bars are well considered should not cost any extra. Too often window cills are too high and window heads are too low. The design and location of Entrance Porches within the front elevation need particular attention and are much better for being constructed with natural materials....UPVC doors really are best avoided! If possible always encourage the use of natural materials for walls and roofing or perhaps, to mitigate the extra cost of natural materials, consider part rendered, timber cladding, or clay tile hanging for use above first floor level on front and rear elevations or entirely on gable walls

Finally, with reference to the sketches on P30 the sketches in the bottom left comer were intended to illustrate how simple features can add interest i.e. the decorative ridge and the Apex post above the dormer and gable end. The point of the sketch in the bottom right corner was to illustrate how a simple decorative 'barge board can add real interest, whilst on P31 the second sketch on the lower row illustrates the point made in the preceding paragraph concerning P26 item 3.12.

Inconclusion, I submit that if developers seek the privilege of building in a Conservation Area then they should expect the Planning Department to demand well considered sensitive architectural designs. It is not sufficient to hope that in years to come landscaping will soften or screen ill conceived designs.

From: Philip Reese, Senior Planning Policy Officer

Organisation: Dorset Council

Submitted: 11 October 2024

Comments:-

Dorset Council welcomes progress of the Fontmell Manga neighbourhood plan review, and supports its vision and objectives. We have commented on earlier versions, including the Regulation 14 version (as evidenced by the submitted Consultation Report). Our comments at this stage are limited, and in many cases we are simply noting and supporting proposed changes. We hope that these comments help to finalise the plan.

The table below covers our comments on the proposed changes to the neighbourhood plan.

Dorset Council's Modification Statement, as required by Regulation 17(e)(ii), is provided as a separate document.

For reference, Dorset Council has used the Draftable website in order to view a side-by-side comparison of the made neighbourhood plan (November 2018) with the proposed revised neighbourhood plan (submission version, July 2024). The URL for this service is: https://draftable.com/compare/vhGDyMOdbRhB

Section	DC comments
Para 1.3	Just to clarify, the Fontmell Down is part of the larger Fontmell and Melbury Downs, which is both SSSI and SAC. The two designations cover exactly the same area, and includes land on the eastern side of Fontmell Magna parish, as well as land in neighbouring Compton Abbas and Melbury Abbas parishes.
Policy FM1	Policy not changed. National policy (NPPF para 105) states that Local Green Spaces should be capable of enduring beyond the end of the plan period. Therefore, this policy still seems appropriate.
Policy FM2	The first sentence is long and the grammar and punctuation makes it difficult to understand. We suggest it can be made clearer by adjusting a couple of words, as follows:

Section	DC comments
	All new development should: have due regard for the network of local wildlife corridors and sites of nature conservation interest identified on Map 4; takinge into account national policy to safeguard local wildlife-rich habitats and wider ecological networks, wildlife corridors and stepping stones that connect them; and to-provide net gains in biodiversity where required. The second sentence requires a couple of commas: "The wildlife corridors should, where possible, be:" Otherwise, we support the amended policy which takes into account the recent introduction of mandatory biodiversity net gain.
Policies FM3 & FM4	Policies not changed apart from the change of references from AONB to CCNL (Cranborne Chase National Landscape). Note that the final bullet point of Policy FM3 still refers to the AONB.
Policy FM5	We note the small change from "footpaths" to "footways". Change supported.
Para 2.26	Final line – "after 11pm [there should be] no light either visible outside the lit area or trespassing onto buildings." I'm not entirely sure what is meant by the last bit that I've underlined. At a guess it relates to the amenity of occupants of neighbouring properties, as discussed in para 2.27.
Para 2.27	The second and third sentences have been added to this paragraph, whereas the first and fourth sentences are unchanged. The fourth sentence, which uses "its", originally referred to all external lighting (the topic of the first sentence), but with the additions of sentences 2 and 3, it now appears to refer more narrowly to floodlighting (the topic of sentences 2 and 3). To retain clarity, it might be better to move the sentences referring to floodlights to towards the end of the paragraph.

Section	DC comments
Policy FM6	Amendments noted and supported.
	We suggest that the final word of the policy, "Lux", is not needed. Neither the <u>Cranborne Chase developers' guide</u> or the Wikipedia page on <u>colour temperature</u> make reference to <u>lux</u> (which is a unit of illuminance). We therefore suggest it should be deleted.
Para 3.3	We note that the Conservation Area Appraisal is described as being "annexed to the Neighbourhood Plan". While it was submitted as a supporting document to the original 2018 neighbourhood plan, it was not submitted at the regulation 15 stage of the NP review. Given that the CAA seems to form an integral role in the implementation of Policy FM7, it might make sense if it was included as an Appendix to the Neighbourhood Plan Review to ensure that it is always available to the reader. Suggest that for ease of reading the second sentence is amended to: "But ilt is to should be used in conjunction with the Neighbourhood Plan"
Policy FM7	To avoid confusion, the use of "q.v." on the second to last bullet point can probably be omitted as I'm unsure that it adds anything meaningful (I had to look up what it meant). Otherwise, this policy still seems appropriate.
Policy FM8	Policy has been amended to include the addition of a sentence regarding orientation of roof slopes to maximise opportunities for renewables. This seems like a positive addition and should hopefully still provide developers with sufficient flexibility. To improve the readability, consider amending it to: "The orientation of the buildings should also look to ideally provide roof slopes within 30_degrees of south in order to maximise opportunities for solar energy through roof-mounted photovoltaics."

Section	DC comments
Policy FM9	The policy makes reference to its "preamble". As there are several sub-sections above this policy, it might be considered ambiguous what exactly is meant by the preamble. Consider making this clearer, for example, stating "paras 3.8 to 3.29 plus Tables 3a and 3b."
	For improved readability, consider rephrasing the first sentence of paragraph 2 to: "The inclusion of eEnergy efficient measures that areon buildings, designed to be in keeping with the character of the area, such as frameless in-roof PV panels or air-source or groundsource heat pumps, areis encouraged."
	The second sentence – "Rain-water recovery systems should be used for toilets, washing machines and gardening/ outside taps" – is a requirement and contrasts with the previous sentence which simply encourages PV panels and heat pumps. The issue of rainwater harvesting is one of the questions we ask developers to consider in Dorset Council's Sustainability Checklist, so is something we encourage. While there is undoubtedly merit in this type of technology it appears to be less mainstream than solar panels and heat pumps. As such, the impact on viability and other practical considerations are much less certain. Paragraph 3.28 acknowledges that it will result in greater build costs, but doesn't provide an indication by how much. It then states that the technology will lead to lower running costs, which I think is much less certain given that there is a likelihood that anything mechanical is likely to require annual maintenance. While clearly there are questions over the capacity of the wastewater treatment works in Fontmell Magna, this is not necessarily any different from many other settlements. We therefore question whether it is appropriate to make this a requirement (albeit phrased as "should" rather than "must"). To ensure deliverability, we suggest that the requirement for rainwater recovery systems should be

Section	DC comments
Para 4.9	Typo: "One of the main tasks the Neighbourhood Plan took on was to identify a network of safe and pleasant pedestrian routes connecting difference area of the village"
Policy FM10, 1st para	In the first paragraph, we note the addition of references to West Street and Mill Street as shared spaces. Change supported.
Policy FM10, 2 nd para	At the end of the second paragraph we note the addition of "and links onto Fontmell Down". As noted in paragraph 1.3, this is a Special Area of Conservation (SAC) and is therefore afforded a high degree of legal protection. The habitat of the site is described as "Semi-natural dry grasslands and scrubland facies: on calcareous substrates" which is considered an important orchid rich site. The citation also states that the primary reason for its selection is that it is home to large populations of early gentian <i>Gentianella anglica</i> .
	The policy, as revised, has the potential to increase the recreational pressure on the SAC, and that has the potential to harm its reasons for designation.
	Dorset Council had previously screened the plan out of requiring a Habitat Regulations Assessment. We are now reconsidering this in light of the amendments; the likelihood is that we would now conclude that there would be a likely significant effect to the SAC.
	We can offer two possible solutions that the examiner and the qualifying body may wish to consider: (1) delete the addition of "and links onto Fontmell Down"; or (2) after "Fontmell Down" insert into the policy something along the lines of "subject to a Habitats Regulations Assessment concluding that the proposal would not result in additional recreational pressure on the Fontmell and Melbury Downs SAC that would result in an adverse effect upon the integrity of the European Site."

Section	DC comments
Map 8	We note that the indicative route to the village hall from Spring Meadows has changed. It is now further south and further away from the rear of existing properties.
Policy FM11	We note that the policy has been amended to include further technical detail regarding infiltration measures. Amendments noted and supported. Missing full stop at the end of the policy.
Policy FM12	We note that the policy has been amended to provide further clarity regarding restricting occupation of new development until the necessary upgrades to the WRC have taken place. Further, we note that this part of the policy now refers to all development, whereas previously it referred only to major development. Amendments noted and supported.
Policy FM13 and para 6.4	Clarification that the surgery/clinic is currently closed is noted.
Para 6.10	Adoption of the DCLP and the new CIL charging schedule now likely to be in 2027.
Policy FM14	We note that the policy refers to a "Shared footpath and cycle path to Village Hall from Gundels". This does not appear to be referred to anywhere else in the plan. I had to use Dorset Explorer to find that Gundels is a residential property on West Street. Is the intention for the shared footpath to be along West Street, or to the rear of properties on West Street? This proposal appears to be something which could be usefully shown on Map 8, although possibly another, more detailed map could be provided if available.
Policy FM15	Policy not changed. This policy still seems appropriate.

Section	DC comments
Policy FM16	The requirement for 60% affordable homes to be 1-2 bed is consistent with North Dorset Local Plan Policy 7, which requires "about 60%".
	We note that the local connection test part of the policy still refers to "the rest of North Dorset." This policy was originally drawn up when North Dorset was the district authority. However, since the formation of Dorset Council in April 2019, North Dorset no longer exists as an administrative entity, and it is no longer possible to allocate affordable housing based on this area. As such, we suggest that this is amended to "the rest of Dorset."
	Other amendments to the policy noted. Allowing for increased flexibility based on evidence, particularly on house sizes based on the figures in the latest housing register, is welcomed.
	The final sentence of the policy states: "As the percentage of 4+ bedroom properties is already well above the figure for Dorset and the projected figure for future needs, any new applications to build 4+ bedroom properties should show evidence to support the need for their construction." The section underlined is policy justification rather than actual policy, and as such we recommend that it is moved to the supporting text. When the policy asks for evidence of "need" in this instance, we presume it means "local need" – if so, the policy could usefully be clarified in that respect.
Policy FM17	The start of the policy "This proposed site allocations" change "This" to "The". The final part of the policy has a slightly ambiguous word order: "or through the re-use of existing buildings in line with national and local plan policy where their existing use is no longer required." It sounds like national and local policy are no longer required. Suggest amending to: "or through the re-use of existing buildings where their existing use is no longer required, in line with national and local plan policy."

Section	DC comments
Policy FM18	The added reference to the local plan countryside policies is welcomed as it improves clarity.
Policy FM19 and para 9.18	We note that the site is now considered complete. The policy could be left in place for reference purposes, with a note saying that the site has been completed. It should be noted that as well as housing, the policy required an area for a public car park to assist with the village school, particularly at drop-off and collection times. It also includes a requirement that the layout provides a road and pedestrian connection to the neighbouring allocation (Land at Blandfords Farm, Policy 20). As this is a current matter of contention, we feel there is merit in leaving the policy in situ for the time being.
Para 9.21	Just to note that application P/OUT/2023/06625 (for 23 dwellings) was refused by Dorset Council on 25 July 2024.
Policy FM20	Second paragraph: "The total number of dwellings should not exceed 10 units, and the release of sites should be phased based on evidence of local need." It is not clear what is meant here. By "sites" presumably this means "plots", and refers to the site being delivered as self-build housing, which is no longer a requirement. We suggest that this part of the policy is unnecessary and would be too complicated to implement/enforce, and therefore we recommend it is deleted. For clarity, suggest amending the fourth paragraph into 2 separate sentences: "The layout and design should enable the retention of the tree belt along the southern boundary and hedgerow boundaries, except for access to site 20. and a landscape scheme should be agreed that reinforces the site's screening and enclosure as viewed from public rights of way." In the fifth paragraph it states "a biodiversity mitigation and enhancement plan will be required as stated in policy FM2" – however Policy FM2 has been amended and no longer requires a Biodiversity

Section	DC comments	
	superseded by Biodiversity Net Gain. The policy also refers to the	
	requirements of Policy FM11. Strictly speaking, these cross-	
	references to other policies shouldn't be necessary in a site allocation	
	policy. We suggest that they could be moved out of the policy and into the supporting text.	
	We note the amendments that try to strengthen the community's	
	position that they would prefer the vehicular link to be from Site 20	
	(Spring Meadows) – although Para 9.24 suggests this isn't the	
	preference of the residents of Spring Meadows. The policy uses the	
	phrase "best endeavours" which could be open to interpretation.	
	The policy also requires Site 22 to provide a pedestrian route to the	
	village hall / play area, which presumably would need to be an all-	
	weather path (possibly in line with Policy FM14, although it's not clear	
	how this relates to the aspiration for a link between Gundels and the	
	village hall). The developer is therefore set to incur a proportion of the	
	cost of building a link to West Street anyway. While we appreciate that	
	the community have concerns over the traffic impact on West Street,	
	realistically the traffic impact of 10 dwellings is likely to be negligible.	
Appendix 4	Row 1(c) refers to Policy 19, which as noted is proposed for deletion.	
	If the examiner agrees that Policy 19 should be deleted, then	
	reference to Policy 19 in this table should also be deleted.	
General	Comments from the Transport Planning Team	
	Secure cycle parking should be considered in site allocations to help	
	encourage cycling trips. NCN253 passes along West Street/Mill Street	
	which connects Fontmell Magna to the nearby towns of Shaftesbury,	
	Blandford Forum, and Gillingham by largely quiet lanes.	