

EXAMINATION OF THE BOURNEMOUTH, CHRISTCHURCH AND POOLE LOCAL PLAN

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By email via the Programme Officer

Dear Mr Dring,

EXAMINATION OF THE BOURNEMOUTH, CHRISTCHURCH AND POOLE LOCAL PLAN

1. Further to your submission of the Bournemouth, Christchurch and Poole (BCP) Local Plan, we have commenced our initial reading of the plan, the supporting evidence and representations.
2. Based on what we have read so far, we have several initial questions and requests for further information and clarification which we set out below. The Council's responses to these will help to inform the matters, issues and questions (MIQ's) and the remaining timetable for the examination.

Duty to Cooperate

3. It is noted from the Duty to Cooperate Statement June 2024 (SD9) that several Statements of Common Ground are being prepared. Can the Council please advise when these will be available.
4. In respect of unmet housing need, we understand that the Council sent a letter on 11 June 2024 to Dorset Council and New Forest District Council, asking if they were able to accommodate any of BCP's unmet housing need. We understand the Council's position and explanation of why this was late in

the local plan preparation process. Nevertheless, the Council must demonstrate constructive and active cooperation on an ongoing basis.

5. Plan preparation commenced in 2019. It would be helpful if the Council could provide further evidence of discussions with adjoining authorities on the issue of housing need. This could be in the form of a table indicating dates of meetings, matters discussed, outcomes etc. Evidence such as agendas or minutes would be helpful.

Sustainability Appraisal (SA)

6. The SA (SD5) tested four strategic growth options. These included a range of housing requirements up to a maximum of 2,240 homes per year (option 4). This still falls somewhat short of the 2,806 homes identified by the Government Standard Method for the BCP area. Why was the decision taken not to test the provision of 2,806 homes per year as a reasonable option?
7. In summarising the findings of the SA in relation to the four different growth options, we note that options 3 and 4 are identified as having a slight adverse effect and high adverse effect respectively. The negative aspects that weighed against these options relate to adverse effects on the countryside, agricultural land and the relative sustainability of providing more houses in locations considered not to be sustainable (due to a lack of existing infrastructure, services and facilities). Does the Council feel that sufficient consideration was given to the positive social and economic considerations of providing a higher level of housing for both these options, along with the negative consequences (both social and economic) of not providing a higher level of housing such as that identified by the Government's Standard Method?

Habitat Regulations Assessment (HRA)

8. The Nutrient Neutrality Assessment within the HRA states that there is sufficient mitigation in the Poole Harbour catchment for around 5,000 homes. It further states that it is anticipated that the remaining housing allocations will achieve nutrient neutrality through the purchase of mitigation credits that will be generated in the catchment in subsequent years, or through the delivery of nutrient 'headroom' from the Poole Harbour Nutrient Management Scheme. Are mitigation credits available to purchase to allow developments to go ahead? Is it known whether 'headroom' will be available within the Poole Harbour Nutrient Management Scheme?
9. The Poole Harbour Recreation 2019-2024 Supplementary Planning Document runs to 2024. Is it intended to produce an update to this document? If so, when is this likely to be adopted?

10. The HRA Report (SD6a) for the BCP Local Plan states (at para 6.3.29) that *"further plan level assessment is recommended prior to adoption with the aim of confirming that the Local Plan will not lead to adverse effects upon Habitats sites due to changes in air quality"*. Is it intended to produce this further work, and if so, what is the timetable for its publication?

Public Sector Equality Duty (PSED)

11. Has the Council produced an Equality Impact Assessment? If one has not been prepared, please could the Council provide evidence to demonstrate whether the policies and allocations of the Plan would have any negative effects on people with protected characteristics in the Borough.

Plan Period

12. We note from SD12, Summarised Comments and Officers Responses, that the Council's intention is to revise the Plan period to reflect the proposed adoption date of 2025. Paragraph 22 of the National Planning Policy Framework (the NPPF) expects strategic policies to look ahead over a minimum 15-year period from adoption. It is assumed that the intended Plan period should therefore be 2025-2040. This will require consequential changes to the Plan to meet the growth needs of BCP over this amended period. Could the Council please outline how this will be addressed in the Plan.

Policies Maps

13. The Regulations¹ require that the adopted policies map must illustrate geographically the application of the policies in the adopted plan. The Plan includes an interactive Policies Map of the whole Plan area, Ward Policies Maps and a Key Diagram within Part 2 of the Local Plan for each ward. As they show different things, this can be confusing when a Policy states 'as shown on the Policies Map' to understand which Plan to refer to. Is it necessary to have both a Key Diagram and Policies Map for each Ward? Could the Council explain how the plans interrelate and their respective status please.
14. In addition, it would be very helpful to us if a paper version of the Interactive Policies Map could be prepared for the purposes of the Examination. We request that three copies be sent to us via the Programme Officer.

¹ 4 Regulation 9(1) of The Town and Country Planning (Local Planning) (England) Regulations 2012

Strategic Flood Risk Assessment (SRFA)

15. The Plan states in paragraph 5.40 that a Level 2 SRFA is being prepared for the Poole and Hamworthy area and also the Christchurch Stony Lane area. When will this work be completed?
16. We also note in Strategic Policy P10 d) and e) that two sites are allocated for housing but that these allocations are subject to the completion of the above Level 2 SRFA, together with the Christchurch Bay and Harbour FCERM Strategy and a corresponding funding plan to resolve flood risk issues. Having regard to Planning Practice Guidance, is it appropriate to make such allocations before completion of this work and without funding strategies for any necessary improvements being agreed?

The Natural Environment

17. Policy NE4 makes reference to several documents, one of which, the BCP Urban Greening Design Guide does not appear in the evidence base. Please can it be made available.

Housing Land Supply / Trajectory

18. Is it intended to update the housing land supply evidence to a base-date of 1st April 2024? If so, when will this update be available?
19. Figure 8.3 of the submitted Local Plan sets out a housing trajectory from 2023/24 to 2038/39. Is a trajectory available that shows the annualised delivery assumptions for all sites (both proposed allocations and sites with planning permission) and windfalls across the Local Plan period? If not, please could one be produced.
20. The HELAA provides only limited commentary on site deliverability and developability. It does not set out whether proposed allocations are available, whether they are controlled by a housebuilder, are being actively promoted for development, have planning permission, whether permission has expired, whether delivery timescales have been agreed with the landowner/developer, etc. Is this information set out in the evidence base? If not, it would be helpful if the Council could provide this information for each site allocation.
21. What definition of a windfall site is being used? Is this simply a site that was not allocated for housing development in a previous Local Plan?
22. In which years of the plan period is a windfall contribution assumed?
23. The HELAA (HOM3a) states at para 3.28 that "*It should be noted that windfall figures appear within the draft Local Plan, these have been adjusted*

from the figures above as some wards have constraints such as flood risk which could limit future windfall and other wards have more opportunities due their sustainable nature or physical characteristics, while adjustments have been made the total windfall remains at 8,390". Where in the evidence base are those adjustments set out?

24. Has an assessment of the size of historic windfall sites been undertaken e.g. the proportion of dwellings approved on windfall sites of less than 10 dwellings, and those on sites of more than 10 dwellings?
25. Policy P5 Bournemouth Central allocates Lansdowne area (BC.4) and ASDA St Paul's Road and surrounds (BC.18) for mixed use development including housing. The supporting text refers to a design code that the Council are preparing which will include an urban design framework. What stage has this reached, when will it be available? Are any other design codes being prepared or planned?

Self and Custom Build

26. Policy H9 concerns Self and Custom Build Housing. Please could the Council provide an updated version of Table 11.1 in its Housing Needs Assessment (HOM1a). This currently provides data up to 2019-20 only, and we would like to see the data for subsequent years (where this is available). In addition, could the Council clarify whether any further analysis has been undertaken to determine the likely future need for this type of housing?
27. Is there evidence to show that the policy requirement for sites over 50 houses to provide 5% of plots for self build and custom build, will be effective in meeting the identified need of 49 plots per annum over the Plan period?

Gypsies and Travellers

28. Planning Policy for Traveller Sites (PPTS) in paragraph 9 states that local planning authorities should set pitch targets for Gypsies and Travellers. Paragraph 10 goes on to require authorities to identify a supply of specific sites sufficient to provide 5 years' worth of sites against their locally set target and also a supply of specific, developable sites or broad locations for growth for years 6-10 and where possible for years 11-15. Where is this set out in the Plan policies?
29. The 2022 Gypsy and Traveller Accommodation Assessment (GTAA) (HOM2) identifies a need for 21 pitches arising from those who met the then planning definition, and a need for a further 8 pitches arising from those who did not meet that definition. Having regard to the Smith judgement²

² Lisa Smith V SSHLC [2022] EWCA Civ 1391

and the subsequent changes to the planning definition in PPTS (December 2023), which post-date the GTAA, should the identified need be 29 pitches? We note the intention to allocate a site at Branksome Triangle for 15 pitches meeting the need from 2022-2026. How will the Plan provide for the remaining need over the Plan period?

Residential Densities

30. What evidence is there to support the indicative densities set out in Policy S2?

Employment Land

31. In Figure 9.1 on page 61 of the Plan, the figure for 'Other Completions' is to be confirmed? Is this figure available? If so, should the Table be revised to take the figure into account?
32. What evidence is there to support the inclusion of redevelopment sites in existing employment areas (windfall sites) in the supply of employment land? On what basis has a figure of 8.5 hectares been calculated?
33. In respect to the four Strategic Employment sites allocated in Policies E3, 4, 5, and 6, it would be helpful if the Council prepared a Topic Paper to set out the background to the allocations, their planning history, what if anything has been developed so far, land ownership, availability and deliverability, any constraints to development, justification for the development criteria included in the policies and any other information that the Council thinks would be helpful to us. Detailed individual site plans would also be of assistance. The Council may, in addition, wish to consider the preparation of SoCG with the respective site promoters.
34. Bournemouth Airport – paragraph 9.17 of the supporting text refers to figure 9.2 showing development within the curtilage of the airport. It appears to be missing as figure 9.2 relates to Talbot Village. Can it be provided for reference please. Is there a need for it to be included in the Plan as a main modification in the interest of clarity?
35. Policy E10 refers to a Seafront Strategy. This does not appear in the evidence base. Can it be added please.

Transport

36. The following section sets out questions on transport. In addition to answering these questions we would like to request the Council prepare a Topic Paper on transport. This should set out the impacts of planned growth on the highway network (including in neighbouring Council areas where relevant), mitigation measures needed and how they will be funded. Where

mitigation measures would require joint working with other organisations (such as National Highways or neighbouring Councils) the paper should set out what work has been undertaken to date to ensure that the planned delivery of any measures will be successful. Where any projects rely on regional or national funding from other organisations (such as National Highways or the Department for Transport) then the paper should identify if such funding has been committed and the timescales for the availability of that funding.

37. The paper should also set out further evidence to support the Transport Infrastructure Improvements set out in Policy T4 (Appendix 2). This should include the reasons why such improvements have been identified, when during the Plan period they will be required and how they will be funded.
38. The Local Transport Plan submitted with the Core Documents is dated 2011. Is there a more up to date version available? How have transport issues been assessed as part of the ongoing Plan preparation process?
39. We note a reference to outstanding review work over cross boundary data flow with Hampshire County Council (HCC) arising from an updated 2022 SATURN model. HCC have stated that they are currently unable to identify the precise impacts on specific junctions and sections of the highway network. The Council has stated that a SoCG will be prepared with the County Council and submitted before the Examination. When will this be published? What if the SoCG identifies further work that needs to be undertaken or additional mitigation / infrastructure improvements necessary? How will these matters be addressed in the Plan?
40. Has sufficient modelling work been undertaken to understand and identify any transport impacts occurring within the Dorset Council area arising from the levels of planned growth set out in the Plan? Please explain what work has been undertaken to date to support the BCP Plan and what additional work is planned in the future (including timescales for completion). How have any cross-boundary issues identified been taken account in the preparation of the Plan? If further work identifies impacts how will these be taken account of?
41. How have relevant policies in the Plan taken account of the routing of Freight via the A31 and the surrounding road network to the Port of Poole? What analysis of existing freight levels has been undertaken? Are any mitigation measures likely to be required to support levels of planned growth identified in the Plan? How will these be funded, and will they be sufficient to mitigate any impacts identified?

42. Have transport infrastructure improvements along the A338 been discussed and agreed with neighbouring Councils and National Highways?
43. The Council have referred to a Parking Study that is due to be published. When will this document be available? How will any relevant recommendations or findings be addressed in the Plan?

Infrastructure

44. The Stour Valley Park project is a significant piece of cross boundary Green Infrastructure identified in the Plan. What joint working has been undertaken with Dorset Council regarding the project? Have the boundaries of the project referred to in the Plan been identified and agreed with Dorset Council? If they have not been agreed, should the Plan reflect this?

Superseded Policies

45. The Regulations³ require that where a local plan contains a policy that is intended to supersede a policy in the adopted development plan, it must state this and identify the superseded policy. The submitted plan is currently deficient in this respect. An additional appendix should be added to address this omission. This can form a main modification to the plan.

Main Modifications Schedule

46. In SD12 Summarised Comments and Officers Responses, the Council has indicated potential changes to the Plan, in response to representations made on the Regulation 19 pre-submission consultation. Does the Council wish us to consider these under Section 20(7C) of the Planning and Compulsory Purchase Act 2004 as modifications necessary to make the Plan legally compliant and/or sound? If so, we would be grateful if the Council would submit the suggested wording for these changes in the form of a draft schedule of Main Modifications (MMs), to which other MMs can be added as the Examination progresses.

Reforms to the NPPF

47. The Council will be aware that the Government published a consultation on 'Proposed reforms to the NPPF' on 30 July 2024. In addition, a Written Ministerial Statement 'Building the homes we need' was published on the same day. We ask the Council to consider the implications of these documents for the soundness of the Plan.

³ Regulation 8(5) of The Town and Country Planning (Local Planning) (England) Regulations 2012

Next steps

48. We would be grateful for an initial response to this letter by 3 September 2024. We appreciate that this letter covers a wide range of matters. If further work needs to be undertaken to enable the Council to respond fully to any of the questions or requests for further evidence, please provide a timetable for its completion.
49. Please upload this letter on to the website as an examination document.
50. If you have any queries, please contact us through the Programme Officer.

Yours sincerely,

Helen Hockenhull and Thomas Hatfield

INSPECTORS