

Poole Quays Forum

Poole Quays Forum Neighbourhood Development Plan

A Report to the Borough of Poole of the Independent
Examination of the Poole Quays Forum Neighbourhood
Development Plan

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Overall Finding

This is the report of the Independent Examination of the Poole Quays Forum Neighbourhood Development Plan. The plan area is the entire Poole Quays Forum area that includes Poole Quay, Poole High Street, and East Hamworthy. The Plan period ends in 2026. The Neighbourhood Plan includes policies relating to the development and use of land.

The report finds that subject to specified modifications the Neighbourhood Plan meets the basic conditions and other requirements to proceed to a local referendum within the Neighbourhood Area.

Neighbourhood Planning

1. The Localism Act 2011 empowers local communities to take responsibility for the preparation of elements of planning policy for their area through a neighbourhood development plan. The National Planning Policy Framework (the Framework) states that “*neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.*”¹
2. Following satisfactory completion of the necessary preparation process neighbourhood development plans have statutory weight. Decision-makers are obliged to make decisions on planning applications for the area that are in line with the neighbourhood development plan, unless material considerations indicate otherwise.
3. The Poole Quays Forum Neighbourhood Development Plan (the Neighbourhood Plan) has been prepared by Poole Quays Forum (the Forum), a qualifying body approved by the Borough of Poole on 9 July 2013. The Forum is reported on the Borough of Poole website to include over 220 members who either live or work in the area. The Forum is able to prepare a neighbourhood plan, in respect of the Poole Quays Forum Neighbourhood Area which was formally designated by the Borough of Poole on 9 July 2013. Plan preparation has been progressed through a Steering Group (the Steering Group) that includes eight people supported by five technical advisors.
4. The submission draft of the Neighbourhood Plan, along with the Consultation Statement and the Basic Conditions Statement, has been approved by the Forum for submission of the plan and accompanying documents to the Borough of Poole. The Borough of Poole has submitted the Neighbourhood Plan to me for independent examination.

Independent Examination

5. This report sets out the findings of the independent examination into the Neighbourhood Plan.² The report makes recommendations to the Borough of Poole including a recommendation as to whether or not the Neighbourhood Plan should proceed to a local referendum. The Borough of Poole will decide what action to take in response to the recommendations in this report.

¹ Paragraph 183 National Planning Policy Framework (2012)

² Paragraph 10 Schedule 4B Town and Country Planning Act 1990

6. The Borough of Poole will decide whether the Neighbourhood Plan should proceed to referendum, and if so whether the referendum area should be extended, and what modifications, if any, should be made to the submission version plan. Should the Neighbourhood Plan proceed to local referendum and achieve more than half of votes cast in favour, then the Neighbourhood Plan will be 'made' by the Borough of Poole. If 'made' the Neighbourhood Plan will come into force and subsequently be used in the determination of planning applications and decisions on planning appeals in the plan area.
7. I have been appointed by the Borough of Poole with the consent of the Forum, to undertake the examination of the Neighbourhood Plan and prepare this report of the independent examination. I am independent of the Forum and the Borough of Poole. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I hold appropriate qualifications and have appropriate experience. I am an experienced Independent Examiner of Neighbourhood Plans. I am a Member of the Royal Town Planning Institute; a Member of the Institute of Economic Development; a Member of the Chartered Management Institute; and a Member of the Institute of Historic Building Conservation. I have forty years professional planning experience and have held national positions and local authority Chief Planning Officer posts.
8. As independent examiner I am required to produce this report and must recommend either:
 - that the Neighbourhood Plan is submitted to a referendum, or
 - that modifications are made and that the modified Neighbourhood Plan is submitted to a referendum, or
 - that the Neighbourhood Plan does not proceed to a referendum on the basis it does not meet the necessary legal requirements.
9. I make my recommendation in this respect and in respect to any extension to the referendum area,³ in the concluding section of this report. It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings.⁴
10. The general rule is that examination of the issues is undertaken by the examiner through consideration of written representations.⁵ The

³ Paragraph 8(1)(d) Schedule 4B Town and Country Planning Act 1990

⁴ Paragraph 10(6) Schedule 4B Town and Country Planning Act 1990

⁵ Paragraph 9(1) Schedule 4B Town and Country Planning Act 1990

Guidance states “*it is expected that the examination of a draft Neighbourhood Plan will not include a public hearing.*”

11. The examiner has the ability to call a hearing for the purposes of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure adequate examination of the issue, or a person has a fair chance to put a case. All parties have had opportunity to state their case. As I did not consider a hearing necessary I proceeded on the basis of written representations.

Basic conditions and other statutory requirements

12. An independent examiner must consider whether a neighbourhood plan meets the “Basic Conditions”.⁶ A neighbourhood plan meets the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan,
- the making of the neighbourhood plan contributes to the achievement of sustainable development,
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations, and
- the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.⁷

13. An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention rights.⁸ All of these matters are considered in the later sections of this report titled ‘The Neighbourhood Plan taken as a whole’ and ‘The Neighbourhood Plan policies’.

⁶ Paragraph 8(2) Schedule 4B Town and Country Planning Act 1990

⁷ Prescribed for the purposes of paragraph 8(2) (g) of Schedule 4B to the 1990 Act by Regulation 32 The Neighbourhood Planning (General) Regulations 2012 and defined in the Conservation of Habitats and Species Regulations 2010 and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

⁸ The Convention rights has the same meaning as in the Human Rights Act 1998

14. In addition to the basic conditions and Convention rights, I am also required to consider whether the Neighbourhood Plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.⁹ I am satisfied the Neighbourhood Plan has been prepared in accordance with the requirements of those sections, in particular in respect to the Neighbourhood Planning (General) Regulations 2012 which are made pursuant to the powers given in those sections.
15. The Neighbourhood Plan relates to the whole of the Poole Quays Forum boundary. That area was designated by the Borough of Poole as a neighbourhood area on 9 July 2013. A map of the Poole Quays Forum Neighbourhood Plan Area is included as Fig 1 of the Submission Draft Plan. The Neighbourhood Plan does not relate to more than one neighbourhood area,¹⁰ and no other neighbourhood development plan has been made for the neighbourhood area.¹¹ All requirements relating to the plan area have been met.
16. I am also required to check whether the Neighbourhood Plan sets out policies for the development and use of land in the whole or part of a designated neighbourhood area;¹² and the Neighbourhood Plan does not include provision about excluded development.¹³ I am able to confirm that I am satisfied that each of these requirements has been met.
17. A neighbourhood plan must also meet the requirement to specify the period to which it has effect.¹⁴ Section 3.7 of the Submission Version Plan states the plan period is 2015 to 2026.
18. The role of an independent examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans.¹⁵ It is not within my role to examine or produce an alternative plan, or a potentially more sustainable plan. I have been appointed to examine whether the submitted Neighbourhood Plan meets the basic conditions and Convention rights, and the other statutory requirements.

⁹ In sections 38A and 38B themselves; in Schedule 4B to the 1990 Act (introduced by section 38A (3)); and in the 2012 Regulations (made under sections 38A (7) and 38B (4)).

¹⁰ Section 38B (1)(c) Planning and Compulsory Purchase Act 2004

¹¹ Section 38B (2) Planning and Compulsory Purchase Act 2004

¹² Section 38A (2) Planning and Compulsory Purchase Act 2004

¹³ Principally minerals, waste disposal, and nationally significant infrastructure projects - Section 38B(1)(b) Planning and Compulsory Purchase Act 2004

¹⁴ Section 38B (1)(a) Planning and Compulsory Purchase Act 2004

¹⁵ Under section 20 of the Planning and Compulsory Purchase Act 2004 and in respect of which guidance is given in paragraph 182 of the Framework

19. A neighbourhood plan can be narrow or broad in scope. There is no requirement for a neighbourhood plan to be holistic, or to include policies dealing with particular land uses or development types, and there is no requirement for a neighbourhood plan to be formulated as, or perform the role of, a comprehensive local plan. The nature of neighbourhood plans varies according to local requirements.
20. Neighbourhood plans are developed by local people in the localities they understand and as a result each plan will have its own character. It is not within my role to re-interpret, restructure, or re-write a plan to conform to a standard approach or terminology. Indeed, it is important that neighbourhood plans are a reflection of thinking and aspiration within the local community. They should be a local product and have particular meaning and significance to people living and working in the area.
21. Apart from minor corrections and consequential adjustment of text (referred to in the Annex to this report) I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the basic conditions and the other requirements I have identified.¹⁶

Documents

22. I have given consideration to each of the following documents in so far as they have assisted me in considering whether the Neighbourhood Plan meets the basic conditions and other requirements:
- Poole Quays Forum Neighbourhood Plan Regulation 15 Submission Amended 2 May 2016 [*In this report referred to as the Neighbourhood Plan*]
 - Poole Quays Forum Neighbourhood Plan Regulation 15 Submission Amended 2 May 2016 Appendices 1-6
 - Poole Quays Forum Neighbourhood Plan Basic Conditions Statement 2 May 2016 [*In this report referred to as the Basic Conditions Statement*]
 - Poole Quays Forum Neighbourhood Plan Regulation 14 Consultation Statement September 2015 [*In this report referred to as the Consultation Statement*]
 - Poole Quays Forum Neighbourhood Plan Regulation 14 Consultation Statement September 2015 Appendices

¹⁶ See 10(1) and 10(3) of Schedule 4B to the Town and Country Planning Act 1990

- Poole Quays Forum Neighbourhood Plan Strategic Environmental Assessment and Habitats Regulation Assessment Screening Report 14 April 2016
- Poole Quays Forum Neighbourhood Plan Movement and Place Background Paper 30 November 2015
- The Borough of Poole List of Relevant Strategic Planning Policies provided 20 July 2016
- Representations received during the Regulation 16 publicity period
- Poole Core Strategy (2009)
- Poole Site Specific Allocations and Development Management Policies DPD Adopted April 2012
- Borough of Poole Delivering Poole's Infrastructure DPD Adopted April 2012
- Poole Local Plan First Alteration Saved Policies (March 2004)
- Borough of Poole Proposals Map and Inset 1: Poole Central Area (April 2012)
- National Planning Policy Framework (27 March 2012) [*In this report referred to as the Framework*]
- Department for Communities and Local Government Permitted development for householders' technical guidance (April 2016) [*In this report referred to as the Permitted Development Guidance*]
- Department for Communities and Local Government Planning Practice Guidance web-based resource (first fully launched 6 March 2014) [*In this report referred to as the Guidance*]
- The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014
- The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015
- Town and Country Planning Act 1990 (as amended)
- Planning and Compulsory Purchase Act 2004 (as amended)
- Localism Act 2011
- Neighbourhood Planning (General) Regulations 2012 (as amended) [*In this report referred to as the Regulations*]

Consultation

23. The submitted Neighbourhood Plan includes at Section 6 a summary of community engagement that has been undertaken, and the Consultation Statement and appendices provide further detail. It is evident consultation has been extensive and thorough.

24. Pre-submission consultation in accordance with Regulation 14 was undertaken in the period 2 February to 16 March 2015 and involved distribution of 4800 leaflets, media and social media coverage, organising workshops and fun days, and arranging an exhibition and

drop-in facility. This consultation resulted in completion of 148 questionnaires, 16 written responses, and a record of input from the workshops, fun days and other events. Responses resulted in adjustment of the Draft Neighbourhood Plan prior to approval by the Forum and submission to the Borough of Poole.

25. The Submission Version of the Neighbourhood Plan has been the subject of a Regulation 16 publicity period between 2 March and 14 June 2016. A total of 33 representations were submitted during the publicity period which I have taken into consideration in preparing this report, even though they may not be referred to in whole, or in part.

26. The Environment Agency states flood risk issues have not been sufficiently referenced and the Poole Harbour Commissioners state the Plan does not seem to recognise the seriousness of statutory flood defence responsibilities. The Framework states *“New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure.”* Paragraph 4.15 of the Neighbourhood Plan states *“Policies in this Plan, in particular those which relate to Poole Quay, anticipate the increased risk of flooding in accordance with Section 10 of the NPPF.”* Where appropriate I have recommended modification of policies to provide greater clarity in this respect.

27. Another representation states the plan should recognise policies may need to be applied flexibly where viability dictates. The Framework states careful attention should be given to *“viability and costs in both plan making and decision-taking”*. There is no need to repeat this advice in each relevant policy although I have where appropriate recommended a modification of policies to clarify obligations should be appropriate to the scale of a proposal. The representation also states the Neighbourhood Plan should include a policy supporting higher density and taller buildings on previously developed regeneration sites. It is beyond my role to recommend inclusion of additional policies in the Neighbourhood Plan.

28. A representation states the land use of a site shown on Figure 7 should be updated in the light of a planning application recently submitted. Figure 7 shows land uses at the time of preparation of the Figure, that is 10 September 2015. Updating of the Figure is not necessary to meet the basic conditions. Sport England has offered

general advice on the content of neighbourhood plans. Historic England resubmitted observations sent in March 2015 but these do not require modification of the Neighbourhood Plan to meet the basic conditions. Bournemouth Water confirms no observations.

29. The Society of Poole Men state: it is unclear how extra hotel accommodation will be facilitated to assist tourism in the interests of Poole as a whole; support a road system that avoids the need for people to live and work on traffic islands involving the A350; and suggest inclusion of the Port of Poole within the neighbourhood area may not be in the interests of Poole as a whole. Network Rail states there is little mention of the intention to close the level crossing on High Street, or of the impact or mitigation solutions. Other representations including that of the Poole Harbour Commissioners state no cognizance has been taken of the Poole Harbour Commissioners Master Plan; or of the aims of the Local Economic Partnership. Transportation Services of the Borough of Poole state the plan has not accommodated the adopted aims of the DLEP funded initiative to boost the economic activity and access to the Port of Poole and, *“ignored the Council’s adopted SPD which deals with the strategic function of parts of the transport network, the regeneration sites and the local issues and proposed an arrangement that deals with current local issues only.”* A representation states greater detail should be included in relation to modal shift. Yellow Buses welcome early consideration of public transport and identify the presence of the railway line as a boundary that deters public transport entering the Old Town area, and others make comments about road access. These representations do not necessitate modification of the Neighbourhood Plan to meet the basic conditions.

30. I have considered representations relating to the whole of the Submission Draft in the next section of my report titled ‘The Neighbourhood Plan taken as a whole’. Where representations relate to specific policies only I have considered the matters raised when examining the policies in question later in my report. I have noted comments of support have been made in respect of all policies.

31. The Regulations state that where a qualifying body submits a plan proposal to the local planning authority it must include amongst other items a consultation statement. The Regulations state a consultation statement means a document which –

- a) Contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
- b) Explains how they were consulted;

- c) Summarises the main issues and concerns raised by the persons consulted; and
- d) Describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.¹⁷

32. The Consultation Statement includes information in respect of each of the requirements set out in the Regulations. On this basis I am satisfied the requirements have been met.

The Neighbourhood Plan taken as a whole

33. This section of my report considers whether the Neighbourhood Plan taken as a whole meets EU obligations, habitats and human rights requirements; has regard to national policies and advice contained in guidance issued by the Secretary of State; whether the plan contributes to the achievement of sustainable development; and whether the plan is in general conformity with the strategic policies contained in the development plan for the area. Each of the plan policies is considered in turn in the section of my report that follows this.

Consideration of Convention rights; and whether the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and the making of the Neighbourhood Plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects

34. The Basic Conditions Statement, in Section 4, confirms awareness that the making of the Neighbourhood Plan should not breach, and is otherwise compatible with EU obligations and is compatible with the Convention Rights as defined by the Human Rights Act 1998. I have given consideration to the European Convention on Human Rights and in particular to Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property).¹⁸ I have seen nothing in the submission draft of the Neighbourhood Plan that indicates any breach of the Convention. Although no equalities impact assessment has been undertaken the submission draft of the Neighbourhood Plan

¹⁷ Regulation 15 The Neighbourhood Planning (General) Regulations 2012 SI 2012 No.637

¹⁸ The Human Rights Act 1998 which came into force in the UK in 2000 had the effect of codifying the protections in the European Convention on Human Rights into UK law.

would appear to have neutral or positive impacts on groups with protected characteristics.

35. The objective of EU Directive 2001/42¹⁹ is *“to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”* The Neighbourhood Plan falls within the definition of ‘plans and programmes’²⁰ as the Local Planning Authority is obliged to ‘make’ the plan following a positive referendum result.²¹
36. The Neighbourhood Planning (General) (Amendment) Regulations 2015 require the Forum to submit to the Borough of Poole either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environmental report is not required. A Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report has been issued by the Borough of Poole on 14 April 2016 to update a previous version of the report that had been issued on 7 April 2015. I have noted the Environment Agency has in a Regulation 16 representation confirmed agreement with the SEA and HRA Screening Report.
37. Several representations including those of Natural England, and the Borough of Poole Environmental Development and the Environmental and Consumer Protection Services teams state development in general, and a proposed cycle route shown on Figure 5 to the north and west of the former power station site in particular, must be designed so that there is no adverse impact on European Protected sites. Core Strategy Policy PCS 28 and Core Strategy Policy PCS 29 establish a requirement that development proposals must not have direct or indirect adverse effect upon the integrity of the Dorset Heathlands Special Protection Area, the Dorset Heaths Special Area of Conservation, Dorset Heathlands Ramsar site, Poole Harbour Special Protection Area, and Poole Harbour Ramsar site. There is no need to duplicate those policies within the Neighbourhood Plan.

¹⁹ Transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004

²⁰ Defined in Article 2(a) of Directive 2001/42

²¹ Judgement of the Court of Justice of the European Union (Fourth Chamber) 22 March 2012

38. The updated Screening Report concludes “*The screening for SEA has shown no significant environmental effects as a result of the Plan, as such it is concluded that the Neighbourhood Plan does not require a full SEA to be undertaken*” and “*It is concluded that (the) Neighbourhood Plan will not give rise to any likely significant effect on any European protected site either in isolation or in-combination with other plans and programmes.*” The final sentence of paragraph 4.21 of the Neighbourhood Plan conflates SEA and HRA clumsily, and paragraph 4.24 implies Sustainability Appraisal is a possible requirement when it is not. Section 4 of the Neighbourhood Plan does not adequately reflect the updated SEA and HRA Screening Report. I have recommended a modification that Section 4 should be amended accordingly.

Recommended Modification 1:

Section 4 should be redrafted to reflect the EU legislative requirements and the conclusions of the SEA and HRA Screening Report dated 14 April 2016

39. Despite the need for this identified presentational adjustment I am satisfied that the requirements in respect of Strategic Environmental Assessment have been met. I also conclude the requirements of the EU Habitats Regulations have been met. I have not seen anything that suggests the Neighbourhood Plan will have a significant effect on a European offshore marine site.

40. There are a number of other EU obligations that can be relevant to land use planning including the Water Framework Directive, the Waste Framework Directive, and the Air Quality Directive but none appear to be relevant in respect of this independent examination.

41. I conclude that the Neighbourhood Plan:

- is compatible with the Convention rights
- does not breach, and is otherwise compatible with, EU obligations
- is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects

42. The Guidance²² states it is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a draft neighbourhood plan submitted to it have been met in order for the draft neighbourhood plan to progress. The local

²² National Planning Policy Guidance paragraph 031 reference ID:11-031-20150209

planning authority must decide whether the draft neighbourhood plan is compatible with EU obligations (including obligations under the Strategic Environmental Assessment Directive):

- when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
- when it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force).

Consideration whether having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan; and whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development

43. I refer initially to the basic condition “*having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans²³ which requires plans to be “*consistent with national policy*”.

44. Lord Goldsmith has provided guidance²⁴ that ‘*have regard to*’ means “*such matters should be considered.*” The Guidance assists in understanding “*appropriate*”. In answer to the question “*What does having regard to national policy mean?*” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”

45. The Basic Conditions Statement seeks to demonstrate that the Neighbourhood Plan has been prepared with regard to national policies as set out in the Framework.

46. The Neighbourhood Plan includes a positive Vision seeking to encourage high quality, sustainable regeneration of the area. The Vision is supported by six aims and objectives. The aims and objectives of the Neighbourhood Plan are consistent with the core

²³ Under section 20 of the Planning and Compulsory Purchase Act 2004 and in respect of which guidance is given in paragraph 182 of the Framework

²⁴ The Attorney General, (Her Majesty’s Principal Secretary of State for Justice) Lord Goldsmith, at a meeting of the Lord’s Grand Committee on 6 February 2006 to consider the Company Law Reform Bill (Column GC272 of Lords Hansard, 6 February 2006) and included in guidance in England’s Statutory Landscape Designations: a practical guide to your duty of regard, Natural England 2010 (an Agency of another Secretary of State)

planning principles of the Framework. The Policies of the Neighbourhood Plan are presented in the context of six themes that flow from the identified aims and objectives. A representation states the policies of the Plan have been carefully crafted and meet the needs of the southern part of Poole town centre and Hamworthy East, and also states *“the plan sets out a vision which will help guide development in an area that will experience a considerable amount of change in the near future”*. Several other representations commend the vision, and aims and objectives. The Neighbourhood Plan taken as a whole seeks to shape and direct development. This is precisely the role national policy envisages for a neighbourhood plan.

47. Apart from those elements of policy of the Neighbourhood Plan in respect of which I have recommended a modification to the plan I am satisfied that need to *‘have regard to’* national policies and advice contained in guidance issued by the Secretary of State has, in plan preparation, been exercised in substance in such a way that it has influenced the final decision on the form and nature of the plan. This consideration supports the conclusion that with the exception of those matters in respect of which I have recommended a modification of the plan, the Neighbourhood Plan meets the basic condition *“having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan.”*

48. At the heart of the Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision-taking.²⁵ The Guidance states, *“This basic condition is consistent with the planning principle that all plan-making and decision-taking should help to achieve sustainable development. A qualifying body must demonstrate how its plan or order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures). In order to demonstrate that a draft neighbourhood plan or order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or order guides development to sustainable solutions”*²⁶.

49. The Basic Conditions require my consideration whether the making of the Neighbourhood Plan contributes to the achievement of sustainable

²⁵ Paragraph 14 National Planning Policy Framework 2012

²⁶ National Planning Policy Guidance (Ref ID:41-072-20140306)

development. There is no requirement as to the nature or extent of that contribution, nor a need to assess whether or not the plan makes a particular contribution. The requirement is that there should be a contribution. There is no requirement to consider whether some alternative plan would make a greater contribution to sustainable development.

50. The Framework states there are three dimensions to sustainable development: economic, social and environmental. The Basic Conditions Statement sets out in Section 2 a Table that demonstrates how each of the Plan policies contributes to sustainable development.

51. I conclude that the Neighbourhood Plan, by guiding development to sustainable solutions, contributes to the achievement of sustainable development. Broadly, the Neighbourhood Plan seeks to contribute to sustainable development by seeking to establish appropriate development principles so that new development safeguards aspects of the built and natural environment that are highly valued by residents, and people working in, or visiting, the area. In particular, I consider the Neighbourhood Plan contributes to the achievement of sustainable development in that it seeks to:

- encourage non-car based movement by improving opportunities for walking, cycling and use of public transport;
- improve the appearance of the public realm;
- ensure new development is of high quality design;
- increase the presence of green infrastructure and biodiversity;
- provide opportunities for economic diversification and development, including regeneration of vacant sites;
- strengthen the social and economic function, and environmental appearance of the High Street, Hamworthy Centre and Blandford Road, and Poole Quay.

52. I have found the Neighbourhood Plan to be ambitious in character and carefully crafted so as to effectively address key success issues relating to the development and use of land that will contribute to the positive transformation of the area over the Plan period. Subject to my recommended modifications of the Submission Plan including those relating to specific policies, as set out later in this report, I find it is appropriate that the Neighbourhood Plan should be 'made' having regard to national policies and advice contained in guidance issued by the Secretary of State. I have also found the Neighbourhood Plan contributes to the achievement of sustainable development.

Consideration whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

53. The Framework states that the ambition of a neighbourhood plan should “*support the strategic development needs set out in Local Plans*”.²⁷ “*Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies*”.²⁸

54. The Guidance states, “*A local planning authority should set out clearly its strategic policies in accordance with paragraph 184 of the National Planning Policy Framework and provide details of these to a qualifying body and to the independent examiner.*”²⁹ In this independent examination I am required to consider whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

55. The Borough of Poole has informed me that the Development Plan applying in the Poole Quays Forum Neighbourhood Area and relevant to the Neighbourhood Plan is:

- Poole Core Strategy (2009)
- Poole Site Specific Allocations and Development Management Policies DPD Adopted April 2012
- Borough of Poole Delivering Poole’s Infrastructure DPD Adopted April 2012
- Poole Local Plan First Alteration Saved Policies (March 2004)
- Borough of Poole Proposals Map and Inset 1: Poole Central Area (April 2012)

The Borough of Poole has on 20 July 2016 provided me with a list of Planning Policies that are considered to be strategic.

56. In order to satisfy the basic conditions, the Neighbourhood Plan must be in general conformity with the strategic policies of the Development Plan. There is no requirement for a neighbourhood plan to include particular types of development and land use policies, nor is there any

²⁷ Paragraph 16 National Planning Policy Framework 2012

²⁸ Paragraph 184 National Planning Policy Framework 2012

²⁹ National Planning Policy Guidance (ID: 41-04720 140306)

requirement for a neighbourhood plan to deal with any particular development and land use issues.

57. In considering a now repealed provision that “a local plan shall be in general conformity with the structure plan” the Court of Appeal stated “the adjective ‘general’ is there, “to introduce a degree of flexibility.”³⁰ The use of ‘general’ allows for the possibility of conflict. Obviously there must at least be broad consistency, but this gives considerable room for manoeuvre. Flexibility is however not unlimited. The test for neighbourhood plans refers to the strategic policies of the development plan rather than the development plan as a whole.

58. The Guidance states, “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with
- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy
- whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy
- the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”³¹

59. My approach to the examination of the Neighbourhood Plan policies has been in accordance with this guidance. If there were to be a conflict between a policy in a neighbourhood plan and a policy in a local plan the conflict must be resolved in favour of the policy contained in the last of those plans to become part of the Development Plan.³²

60. Consideration as to whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area) has been addressed through examination of the plan as a whole and each of the plan policies below. Subject to the modifications I have recommended I have concluded the Neighbourhood Plan is in general

³⁰ Persimmon Homes v. Stevenage BC the Court of Appeal [2006] 1 P &CR 31

³¹ National Planning Policy Guidance (ID ref: 41-074 201 40306)

³² Section 38(5) Planning and Compulsory Purchase Act 2004

conformity with the strategic policies contained in the Development Plan.

The Neighbourhood Plan policies

61. The Neighbourhood Plan includes 12 policies:

PQF 1: Public Realm

PQF 2: Open Spaces

PQF 3: High Quality Design

PQF 4: Transport Network Investment and Sustainable Travel Choices

PQF 5: Walking, Cycling and Public Transport Improvements

PQF 6: Hamworthy Centre and Blandford Road

PQF 7: Hamworthy Centre Environmental Improvements

PQF 8: Creating a More Vibrant High Street During the Day and Evening

PQF 9: The Layout and Appearance of Poole High Street

PQF 10: Creating a More Vibrant Quay

PQF 11: The Layout and Appearance of Poole Quay

PQF 12: Partnership Working

62. The Framework states *“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan.” “Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area.”*³³

63. The Guidance states *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that*

³³ Paragraphs 184 and 185 National Planning Policy Framework 2012

a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”

64. *“While there are prescribed documents that must be submitted with a neighbourhood plan ... there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”.*

65. *“A neighbourhood plan must address the development and use of land. This is because if successful at examination and referendum the neighbourhood plan will become part of the statutory development plan once it has been made (brought into legal force) by the planning authority. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.”³⁴*

66. If to any extent a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Given that policies have this status, and if the Neighbourhood Plan is made they will be utilised in the determination of planning applications and appeals, I have examined each policy individually in turn.

67. Policy PQF12 and parts of other policies of the Neighbourhood Plan namely, Policy PQF 2, Policy PQF 4, Policy PQF 8, Policy PQF 9, and Policy PQF 11 relate to intended actions regarding partnership working of the Forum and other stakeholders, or other actions. There are three reasons why the Neighbourhood Plan must be modified in respect of these policies in order to meet the basic conditions:

1. Matters included in these actions (including creation of master plans; safeguarding of future routes for walking, cycling and public transport; review of town centre car parking arrangements and charging; using a master plan approach to identify priority areas for improvement; production of a design brief and masterplan; and establishment of effective delivery mechanisms) do not relate directly to the development and use

³⁴ See section 38(6) of the Planning and Compulsory Purchase Act 2004.

- of land and as such cannot serve a role in the determination of planning applications;
2. Names, or indeed relevant stakeholders themselves, may change over the plan period;
 3. It is inappropriate for a policy to rely on the actions of organisations where there is no certainty that they will be fulfilled throughout the Plan period.

68. The Neighbourhood Plan preparation process is however a convenient mechanism to surface and test local opinion on matters considered important in the local community. The intended actions and in particular partnership working are without doubt highly desirable and will be key success factors in the positive transformation of the Poole Quays Forum area over the Plan period. The Guidance states, "*Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex.*" I recommend a modification in accordance with the Guidance so that the actions in question are not included in policies but are contained solely in the Monitoring and Implementation Section of the Neighbourhood Plan. In this way these important actions are not lost sight of, but are appropriately presented.

Recommended modification 2:

Intended actions of the Forum and other stakeholders included in Plan policies should be transferred to the Monitoring and Implementation Section of the Neighbourhood Plan

69. Policies PQF2, PQF5 and PQF8 include the phrase "*will be permitted*" or "*planning permission will be granted.*" With regard to the issue of decision making the Framework states "*the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise*". This basis for decision making should be made clear. Policies should use the term "will be supported" in recognition that the basis of decision making is the development plan unless material considerations indicate otherwise. The material considerations at the time of determination of a future planning application are unknown and therefore cannot be dismissed through a policy that states development will be permitted or not permitted. I have recommended a modification to relevant policies so that the basis of decision making on planning applications should be clarified.

PQF 1: Public Realm

70. This policy seeks to establish principles and priorities for the public realm that development proposals and infrastructure should create or contribute to.
71. A representation states lighting should not add to light pollution. Another representation supports the policy and puts forward the view improvements should integrate well with the Dolphin Centre and not restrict development at that Centre. Inclusion of a policy approach to these matters is not necessary to meet the basic conditions.
72. A representation states Manual for Streets and Manual for Streets 2 should not be applied to strategic routes. A further representation states documents referred to in the policy may be superseded. I recommend a modification to delete reference to Manual for Streets and Manual for Streets 2 on the basis this guidance may be superseded during the lifetime of the Neighbourhood Plan and reference to entire documents does not provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
73. Another representation states contributions to public realm should be subject to the size and scale of a development. Paragraph 173 of the Framework refers to the need to ensure obligations and policy burdens do not threaten viability of schemes. I have recommended appropriate modification of the policy. I have earlier in my report referred to the need to acknowledge the requirement to meet flood risk obligations and have recommended a modification in this respect also.
74. Paragraph 7.2 of the Neighbourhood Plan states *“The public realm comprises the streets, spaces and movement corridors within the built and natural environment to which the public have access.”* Whilst it is stated the public realm is shown on Figure 2 and Figure 3 these Figures require some adjustment so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
75. The policy includes the term *“where they are proposed or required by other policies”* which is imprecise as to where policies are set out and unnecessary as each Neighbourhood Plan policy should individually be capable of application in decision making. The policy uses the term *“will be expected to”* on two occasions. The implication of these expectations not being met for decision taking is unclear. The policy uses the term *“that is well managed and cared for”* without assigning responsibility. Maximisation of new tree provision without guidance on

considerations is imprecise. Reclamation and reuse of materials, boundary treatments and street furniture to unspecified locations is imprecise. I have recommended modification in these respects so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework. An aspiration, rather than a requirement, for reclamation and reuse of materials, boundary treatments and street furniture, where retention in situ is not possible, could be included in the Monitoring and Implementation Section of the Neighbourhood Plan.

76. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with building a strong, competitive economy; ensuring the vitality of town centres; promoting sustainable transport; requiring good design; promoting healthy communities; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the basic conditions.

Recommended modification 3:

In Policy PQF1

- **after “create or” insert “, subject to the need to maintain viability,”**
- **delete “will be expected to contribute” and insert “must contribute”**
- **delete “will be expected to have” and insert “must demonstrate”**
- **delete “in accordance with principles set out in the Manual for Streets and Manual for Streets 2”**
- **delete “that is well managed and cared for”**
- **delete “Where they are proposed or required by other policies”**
- **after “integrate” insert “flood risk management measures including”**
- **after “trees” insert “wherever practicable having regard to building structure, highway and rail safety, and amenity considerations”**
- **delete “or, where this cannot feasibly be accomplished, reclaim and reuse them elsewhere in the public realm enhancement schemes”**

Figures 2 and 3 should be adjusted to more clearly identify the public realm to which the policy applies

PQF 2: Open Spaces

77. This policy seeks to establish the intention that master plans should be prepared in respect of open spaces; establish a percentage cap of CIL to be spent on improvements to the public realm and open spaces; and establish the open space basis of support for development schemes.
78. I have earlier in my report stated policies should use the term “will be supported” in recognition that the basis of decision making is the development plan unless material considerations indicate otherwise. I have recommended a modification to the policy so that the basis of decision making on planning applications should be clarified.
79. The policy refers to “*up to 25% of CIL*”. This establishes a cap on the percentage of receipts that can be used, but does not require any use of funds for improvements to open spaces. I have recommended a modification to clarify reference is being made to the neighbourhood funding element of CIL, which is subject to local control, and to accommodate any future national legislative adjustment of percentages. A representation refers to CIL obligations on property outside the plan area however this is not a matter for the Neighbourhood Plan to clarify.
80. Another representation questions whether the green link network referred to is the same as the green chain network shown on the proposals map. I have recommended a modification to clarify this matter. Another representation states Tuckers Field requires work to become a community space. The current condition of that green space is not a factor in my assessment whether or not the policy meets the basic conditions. I have earlier in my report referred to the need to acknowledge the requirement to meet flood risk obligations and have recommended a modification in this respect.
81. The reference in the policy to “*these open spaces*” and reference to PQF Proposals Map (Fig 2) means the policy is not self-contained. The policy also distinguishes between green open spaces and civic spaces. I recommend the 10 open spaces concerned are listed within the policy and that green open space and civic spaces are identified so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

82. I have earlier in my report recommended a modification in accordance with the Guidance so that actions are transferred to the Monitoring and Implementation Section of the Neighbourhood Plan. I recommend the policy is modified to only relate to land use and development matters so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
83. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with ensuring the vitality of town centres; requiring good design; promoting healthy communities; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the basic conditions.

**Recommended modification 4:
In Policy PQF2**

- **Delete the first sentence and insert “This policy applies to the 10 open spaces identified on the PQF Proposals Map (Fig 2), namely green open spaces at Barbers Piles; Green Road Play Area; Hamworthy Allotments; Hamworthy Recreation Ground; Hamworthy waterside path; and Tuckers Field, and civic spaces at Hunger Hill Burial Ground; Maypole Square; Poole Quay; and St James Churchyard.”**
- **Delete “Up to 25% of CIL raised in the PQF area should” and insert “The neighbourhood funding element of CIL will be available to”**
- **delete “permitted” and insert “supported”**
- **reconcile the term ‘green link’ with the term ‘green chain’ on Fig 2: PQF Proposals Map**
- **add point 5 “Supports the role of open spaces in flood risk management”**

PQF 3: High Quality Design

84. This policy seeks to establish requirements so that new development will deliver sustainable high quality design.

85. A representation does not agree with restriction on height of buildings. The policy is not prescriptive in this respect requiring a response only. Another representation states the policy should make provision for generation of green energy however this is not necessary to meet the basic conditions. A further representation supports the policy stating it is hoped it will improve the views from the Dolphin Centre down the High Street. Another representation states priority 7 should be rewritten to allow the proposed Marine Centre and potentially any new breakwaters. Adjustment of this nature is not necessary to meet the basic conditions. I have earlier in my report referred to the need to acknowledge the requirement to meet flood risk obligations and have recommended a modification in this respect.
86. The term “*unique*” is not adequately explained or justified whereas the use of the description “important” would provide a basis for decision making. I therefore recommend modification so that the Policy provides a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
87. It should be clarified that the key development aspects referred to relate to existing development. The term “*strategic views*” is imprecise. The views in question should be defined. The policy uses the term “*will be expected to*”. The implication of these expectations not being met for decision taking is unclear. The final sentence of the policy states “*a guide*”. The implication of this guide not being met for decision taking is unclear. I have recommended a modification in these respects so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
88. Policy DM1: Design (Part Vi Building for Life) of the Poole Site Specific Allocations and Development Management Policies Development Plan Document adopted April 2012 requires proposals that include 10 or more dwellings to address the criteria set out in the Building for Life standard and achieve a minimum score of ‘Good’. The Building for Life standard has subsequently been updated. Building for Life 12 (Third edition January 2015) recommends a policy approach whereby schemes are encouraged to perform positively against the standard rather than setting explicit requirements. The “*aim to achieve*” approach of Policy PQF 3 is consistent with this recommendation. The Neighbourhood Plan proposes assessment should be extended to all development proposals with a residential component. Wider application represents a distinct local approach to that set out in the strategic policy that I consider is justified by the statement in the

Neighbourhood Plan that *“High quality urban design has a key role to play in place shaping and enhancing the areas positive context and features, as well as repairing the damage caused by insensitive development and changes in the past.”* However, assessment against the Building for Life 12 standard would in the case of small scale proposals for house extensions, or creation of a single dwelling, for example, represent a scale of policy burden that is inconsistent with paragraph 173 of the Framework. I have recommended a modification so that the policy, relates to proposals with a significant residential component, and anticipates possible revision of Building for Life 12 during the Plan period.

89. The policy refers to *“within Poole”* and to *“the Town”* and *“Town’s”* in several places. Use of the term *“the Plan area”* would avoid any uncertainty regarding spatial application so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
90. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with ensuring the vitality of town centres; requiring good design; promoting healthy communities; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the basic conditions.

Recommended modification 5:

In Policy PQF3

- **delete “within Poole”**
- **delete “Development proposals within the PQF area will be expected to” and insert “To be supported development proposals must:”**
- **delete “Town’s” and insert “Plan area’s”**
- **delete “Town” in points 1,3, and 7 and insert “Plan area”**
- **delete “unique” and insert “important”**
- **after “key” insert “existing”**
- **define the strategic views**
- **insert an additional requirement “Incorporate flood risk management measures”**

- **replace point 15 with “Demonstrate how they aim to achieve Building for Life 12 (or successor) standards where they include a significant residential component”**

PQF 4: Transport Network Investment and Sustainable Travel Choices

91. This policy seeks to establish that development proposals should enhance and support delivery of significant improvements to transport infrastructure.
92. Dorset County Council support the sustainable travel approach; the prioritised list of transport users; and future expansion of the Business Travel Network for new businesses. Highways England welcomes the policy. Another representation states transport proposals should be well connected to, and accessible from the Dolphin Centre. These representations do not necessitate any modification of the policy to meet the basic conditions.
93. A representation states contributions towards transport improvements utilising Section 106 are only appropriate where directly related to the development and are reasonable in scale. The Framework states careful attention should be given to viability and costs in both plan making and decision taking. I have recommended a modification to clarify this point.
94. A representation on behalf of the owners of the former Poole Power Station site states *“We note that Fig 4 (Transport Network) shows ‘One Way Traffic (Major)’ across the Twin Sails Bridge, along Rigler Road and also for the Port Link Road. These are and shall remain two-way routes.”* Another representation states it is unclear what Figure 4 is trying to convey. Figure 4 appears to show changes to traffic arrangements that are not linked to any policy of the plan. Figure 4 introduces uncertainty and should be deleted so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
95. A representation from the Borough of Poole Transportation Services states the policy fails to mention the role of car clubs, benefits of decarbonising, and ‘Mobility as a Service’ and states a road type matrix should be developed. Another representation states the need for strategic route recognition. Inclusion of these matters is not necessary to meet the basic conditions.

96. Representations state the policy does not appear to recognise the importance of commercial uses within the plan area and its associated transport demand. It is stated negative effect on traffic flow will impact on viability of the port and growth potential. There is no requirement for a Neighbourhood Plan to include policies of any particular type. The policy identifies ways in which development proposals should enhance and support the delivery of significant improvements to transport infrastructure. Such an approach meets the basic conditions. I do however consider issues relating to the commercial role of Poole Quay in respect of Policies PQF 10 and PQF 11 later in my report.
97. A representation questions the basis of selection of the green chain. Whilst it is beyond my role to test the soundness of the plan the Guidance states choices made should be explained. I am satisfied the Movement and Place background paper does explain the choice made in this instance. The representation suggests reference to the Manual for Streets should not be included. Consistent with my recommended modification of Policy PQF 1, I recommend a modification to delete reference to Manual for Streets on the basis this guidance may be superseded during the lifetime of the Neighbourhood Plan and reference to an entire document does not provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
98. Reference to the safeguarding of future routes for walking, cycling and public transport by the Borough of Poole is a statement of action outside the remit of the Neighbourhood Plan. The policy uses the term *“will be expected to”*. The implication of these expectations not being met for decision taking is unclear. Reference to *“land required for the implementation of transport proposals will be safeguarded”* is imprecise. *“Corridors with the potential to serve as future routes...”* is also imprecise. The term *“will be determined and schemes will be designed”* does not provide a basis for decision making. I have recommended modification of the policy in all these respects so that it will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
99. The policy refers to Policy PQF 5. This is not necessary and indeed not consistent with the provision of a practical framework for decision taking. As a threshold for Transport Assessment no longer exists the reference should be deleted and replaced with wording to reflect the relevant provision of the Framework. I have earlier in my report referred to the need to acknowledge the requirement to meet flood risk obligations and have recommended a modification in this respect also.

100. I have earlier in my report recommended a modification in accordance with the Guidance so that actions of stakeholders are transferred to the Monitoring and Implementation Section of the Neighbourhood Plan. I recommend the policy is modified to only relate to land use and development matters so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

101. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with ensuring the vitality of town centres; promoting sustainable transport; requiring good design; promoting healthy communities; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment. Subject to the recommended modification this policy meets the basic conditions.

Recommended modification 6:

In Policy PQF 4

- **delete “will be expected to” and insert “must demonstrate how they”**
- **after “infrastructure” insert “proportionate to the scale of scheme and where directly related to the proposal”**
- **delete “in line with Manual for Streets guidance”**
- **delete bullet point 5**
- **after “transport proposals” insert “included in this policy”**
- **delete the sentence commencing “Corridors with”**
- **delete “will be determined and schemes will be designed” and insert “must demonstrate how they are”**
- **after “shape the area.” insert “Proposals should demonstrate consideration of flood risk adaptive measures.”**
- **delete “is above Government advisory thresholds” and insert “will generate significant amounts of movement”**

and delete Figure 4

PQF 5: Walking, Cycling and Public Transport Improvements

102. This policy seeks to establish that development along sustainable transport corridors should support the pedestrian, cycle and public transport priority network in defined ways.

103. Dorset County Council support improvements to the walking, cycling and public transport network. Highways England welcomes the policy. Another representation states stop start traffic flows, particularly of HGV's, resulting from favouring pedestrians, cyclists and public transport will result in complaints from residents and have a damaging effect on the port. A further representation states a hope that missing cycle links will be provided as soon as possible. Transportation Services of the Borough of Poole have made 12 representations with regard to this policy. Some points do not necessitate modification to meet the basic conditions and several of the matters raised in this submission merely required clarification that could have been achieved through simple discussion during plan preparation. This situation indicates effective co-operative working may not have been achieved in this instance. I have recommended modification of the policy so that it will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
104. A representation on behalf of the owners of the former Poole Power Station site states there are sensitivities in relation to implementation of the green chain network, most notably adjacent to the Holes Bay wetland protected area with respect to drainage associated with development of the site and increased levels of disturbance and access. It is requested the cycle route shown in Figure 5 should be changed to an unlit pedestrian route. Another representation states the proposed cycle route needs to be set back from the Special Protection Area to ensure no adverse effects. Core Strategy Policy PCS 28 and Core Strategy Policy PCS 29 establish a requirement that development proposals must not have direct or indirect adverse effect upon the integrity of the Dorset Heathlands Special Protection Area, the Dorset Heaths Special Area of Conservation, Dorset Heathlands Ramsar site, Poole Harbour Special Protection Area, and Poole Harbour Ramsar site. There is no need to duplicate those policies within the Neighbourhood Plan however I recommend a modification of the supporting text to Policy PQF 5 in order to emphasise this important policy context.
105. The policy includes the terms "*will be permitted*" and "*planning permission will be granted*". I have earlier in my report stated policies should use the term "will be supported" in recognition that the basis of decision making is the development plan unless material considerations indicate otherwise. The policy also includes the term "*will be encouraged*". This term does not provide a basis for decision

making. I have recommended a modification to the policy so that the basis of decision making on planning applications should be clarified.

106. It is unclear why only development proposals that affect existing pedestrian routes should protect the alignment of Green Chain network routes. The Guidance states the reasons for choices made should be explained. In the absence of justification for the policy approach I have recommended a modification so that protection of alignment of Green Chain network routes should apply to all development proposals.

107. It is unclear how development proposals could protect and enhance alignments of proposed or existing cycle routes. The policy states Fig 5 defines the cycle network and missing links. The descriptions included in Figure 5 do not correspond with this terminology. The Borough of Poole Transportation Services also state the Figure requires clarity and that routes secured along the backwater channel are omitted. That representation also states it may not be possible for developments affecting the routes indicated on the Figure to enhance their alignment. I agree with this point and have recommended an appropriate modification.

108. The bus priority corridors are not defined. The use of the word “*the*” in relation to bus priority measures implies specific schemes are being referred to although specific schemes have not been identified. The policy uses the term “*will be expected to*”. The implication of these expectations not being met for decision taking is unclear. It is unclear how all improvements can enhance routes to Poole railway station. I have recommended modification in these respects so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

109. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with promoting sustainable transport. Subject to the recommended modification this policy meets the basic conditions.

**Recommended modification 7:
In Policy PQF 5**

- **delete “permitted” and insert “supported”**
- **delete “that affect existing pedestrian routes”**

- delete “will be encouraged to” and insert “that”
- after “improve the connections between Poole Town Centre and Hamworthy” insert “will be supported”
- after “site boundaries and” insert “where appropriate to the scale and nature of a proposal”
- delete “protect and enhance” and insert “protect or enhance”
- adjust the final sentence of the cycle network part of the policy to correspond with the descriptions used in Figure 5, and ensure that Figure is complete
- delete “Planning permission will be granted” and insert “Development proposals will be supported”
- after “bus priority corridors” insert “(identified in white on Figure 2)”
- in the third bullet point delete “the” before “bus priority measures”
- in the final bullet point delete “all improvements will be expected to”

and the supporting text should highlight the environmental designation constraints affecting the proposed cycle route adjacent to the Holes Bay wetland protected area

PQF 6: Hamworthy Centre and Blandford Road

110. This policy seeks to establish support for proposals to improve Hamworthy Local Centre.
111. Several representations support improvement of Hamworthy Centre. A representation questions why proposals for Hamworthy Centre have been prepared by a body which does not include representatives of the whole of Hamworthy. Another representation suggests public houses are not a viable proposition. These representations do not necessitate modification of the policy to meet the basic conditions.
112. The policy refers to the Borough Local Plan and the Development Brief for Hamworthy Local Centre (AECOM Sept 2015). The policy should set out the outcomes required rather than refer to other documents so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

113. The policy is in general conformity with strategic policy SSA 23; Hamworthy Redevelopment Site contained in the Poole Site Specific Allocations and Development Management DPD providing a distinct local approach to that set out in the strategic policy without undermining that policy, as it applies to a larger area than that strategic policy. Reference to “*multi-functional community floor space*” has the effect of the policy adding an additional layer of detail to strategic policy PCS 25 of the Core Strategy. The policy refers to the provision of additional retail floor space. This requirement may be met by very little additional provision however this is not a reason for the policy to fail to meet the basic conditions.
114. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with promoting healthy communities. Subject to the recommended modification this policy meets the basic conditions.

Recommended modification 8:

In Policy PQF 6 set out the outcomes required rather than refer generally to the Borough Local Plan and the Development Brief for Hamworthy Local Centre (AECOM Sept 2015)

PQF 7: Hamworthy Centre Environmental Improvements

115. This policy seeks to establish encouragement of environmental improvements at Hamworthy Centre.
116. A representation seeks clarification whether carriageway cycle lanes or off-street paths are intended. This clarification is not necessary to meet the basic conditions. The representation states no public realm area at Hamworthy Centre is shown on Fig 3. I have earlier in my report identified the need to reconcile Figure 3 with policy text. The representation states car parking charges fall outside planning policy. Whilst parking charges, or their absence, are a management issue they are grounded in land use. The Framework states local authorities should set appropriate parking charges that do not undermine the vitality of town centres. Although referring to the role of local authorities and town centres, rather than Neighbourhood Plans and local centres, the statement in the Framework does support

the case for inclusion of the provision in question, referring to free short term parking, in the policy.

117. The policy uses the term “*will be encouraged*”. The implication of this encouragement not being met for decision taking is unclear. I have recommended use of the term “supported” so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
118. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with promoting sustainable transport; promoting healthy communities; and conserving and enhancing the natural environment. Subject to the recommended modification this policy meets the basic conditions.

Recommended modification 9:

In Policy PQF 7 delete “encouraged” and insert “supported”

PQF 8: Creating a More Vibrant High Street During the Day and Evening

119. This policy seeks to establish encouragement of development that supports improved security, vitality and viability of the High Street, especially during the evenings and weekends.
120. A representation supports the policy stating it aligns with the vision of the owners of the Dolphin Centre to promote a mix of uses within the wider area of the Dolphin Centre including Kingsland Crescent, Falkland Square, and the Towngate Centre. Another representation states parking charges are not planning policy issues. As I have stated in respect of Policy PQF 7 whilst parking charges are a management issue they are grounded in land use and the Framework does support the case for inclusion of the provision of the policy in question, referring to car parking charges.
121. The policy includes the term “*will be permitted*”. I have earlier in my report stated policies should use the term “will be supported” in recognition that the basis of decision making is the development plan unless material considerations indicate otherwise.

122. The policy refers to vitality of the area and vitality of the High Street. I consider this dual pursuit of vitality does not prevent the policy from providing a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework. It is unnecessary to limit provisions 3 and 5 to only apply when working with named organisations. I have earlier in my report recommended a modification in accordance with the Guidance so that non-land use actions are transferred to the Monitoring and Implementation Section of the Neighbourhood Plan. I recommend provisions 3 and 5 are modified to only relate to land use and development matters so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

123. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with building a strong, competitive economy; and ensuring the vitality of town centres. Subject to the recommended modification this policy meets the basic conditions.

Recommended modification 10:

In Policy PQF 8

- **delete “permitted” and insert “supported”**
- **delete “working with the Town Centre Management Board”**
- **delete “Work with the Borough of Poole to encourage the”**

PQF 9: The Layout and Appearance of Poole High Street

124. This policy seeks to identify priority areas for improvement of the High Street.

125. Several representations support the need to improve the environment of the High Street area. Another representation supports the policy which will improve the link between the Dolphin Centre and the waterfront. I have earlier in my report referred to a representation that states there is little mention of the intention to close the level crossing on High Street, or of the impact or mitigation solutions. This representation of Network Rail includes sections of text from the House of Commons Transport Committee Eleventh Report on Safety at level crossing sites. Whilst visiting this location in an evening I did note potentially dangerous actions by people in the area, despite the

presence of a pedestrian footbridge, and can recognise the need for change. The policy does include support for design solutions for the intersection of High Street with the railway crossing. Reference to the potential closure of the railway crossing or implications of such a closure is not necessary to meet the basic conditions.

126. It is unnecessary to limit the policy to only apply when adopting a Masterplan approach with named organisations. Inclusion of this proviso introduces uncertainty. It is also unnecessary to limit the enhancement of the conservation area to cases where work has been undertaken with interested parties. I have earlier in my report recommended a modification in accordance with the Guidance so that no-land use actions are transferred to the Monitoring and Implementation Section of the Neighbourhood Plan. I recommend the policy is modified to only relate to land use and development matters so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

127. The policy refers to an unspecified “*consistent*” approach to use and location of street furniture. I have also recommended a modification of the tense of the final provision. I have recommended these modifications so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

128. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with ensuring the vitality of town centres; promoting sustainable transport; requiring good design; promoting healthy communities; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the basic conditions.

Recommended modification 11:

In Policy PQF 9

- **delete the introductory bold text and insert “Proposals that improve the High Street will be supported where they achieve:”**
- **delete “Work with interested parties, including commercial landlords to enhance” and insert “Enhancement of”**

- delete “enhancing” and insert “improvement of”
- delete “adopting a consistent approach to” and insert “Appropriate”
- delete “Improving” and insert “Improved”

PQF 10: Creating a More Vibrant Quay

129. This policy seeks to encourage development and establish priorities that support a diverse range of land uses which contribute to the vitality of the Quay especially during the evenings and weekends.

130. . A representation supports the policy and in particular part 3 relating to under-utilised and vacant sites, but suggests it should be strengthened to reflect the substantial need for new homes in Poole and the significant opportunities at Poole Quay. Another representation suggests point 1 should be widened to include activities and facilities as well. It is not within my role to recommend additional policy elements.

131. A representation states the restriction relating to the preservation of views of Brownsea Island and beyond would inhibit potential developments such as the recently proposed Marine Centre. The avoidance of significant harm to views identified as locally important is a legitimate topic for policy formulation. Whilst specific evidence of the importance of particular views is not apparent in the Plan documentation I have, when visiting the Quay, noted the local commercial significance of Brownsea Island and can recognise views of the Island are a marketing factor of some importance in those commercial activities. Modification of the policy in respect of this matter is not necessary to meet the basic conditions.

132. A representation states the need for a more vibrant quay to fit around landside and harbour side commercial use. Another representation expresses dismay with the lack of empathy with the commercial aspects of the Quay. The Framework states plans for ports “*should take account of their growth and role in serving business, leisure, training and emergency service needs.*” Whilst there is no inherent conflict between these stated roles, including the aim of commercial success, and the policy aim to create a more vibrant quay, I have recommended a modification of the policy to have regard to this relationship. I have also considered these matters in detail in respect of Policy PFQ 11 where I have recommended a modification in respect of that policy referring to the layout of the Quay.

133. I have earlier in my report referred to the need to acknowledge the requirement to meet flood risk obligations. As these matters relate to the layout and appearance of the Quay rather than encouragement of vibrant use I have recommended a modification of Policy PQF11 in that respect also.
134. The policy uses the word “*encouraged*” and the term “*Priorities for the Quay include*” without implication for decision making. I have recommended use of the word “supported” and the term “Proposals will be supported where they” so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.
135. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with building a strong, competitive economy; ensuring the vitality of town centres; promoting sustainable transport; delivering a wide choice of high quality homes; requiring good design; promoting healthy communities; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the basic conditions.

Recommended modification 12:

In Policy PQF 10

- **delete “encouraged” and insert “supported”**
- **delete “Priorities for the Quay include:” and insert “Proposals that do not significantly adversely affect commercial port operations will be supported where they are:”**

PQF 11: The Layout and Appearance of Poole Quay

136. This policy seeks to establish an approach to enhance the use, function, design and layout of the public realm on or adjacent to Poole Quay.
137. Two representations advocate complete pedestrianisation of the Quay, and another proposes reduced vehicular access and questions whether there is a need for permanent traffic access. It is not within my role to recommend additional policy areas. A representation

supports the policy in the light of opportunities available at Poole Quay. A representation states the restriction relating to the preservation of views of Brownsea Island and beyond would inhibit potential developments such as the recently proposed Marine Centre. Another representation states the view of Brownsea Island from the Quay is not impressive. The avoidance of significant harm to views identified as locally important is a legitimate topic for policy formulation. As I stated earlier in my report in respect of Policy PQF10 whilst specific evidence of the importance of particular views is not apparent in the Plan documentation I have, when visiting the Quay, noted the local commercial significance of Brownsea Island and can recognise views of the Island are a marketing factor of some importance in those commercial activities. Part 2 of the policy does specifically relate to public realm enhancements and therefore would not restrict other forms of sustainable development.

138. A representation states provision should be made for introduction of new public art. The Framework states design policies should avoid unnecessary prescription. I have recommended a modification in this respect. A representation states that if a permanent event structure is intended this would have significant impact on traffic management and in particular coach traffic that uses the central Quay area. The policy does not refer to a structure but to a space. The representation also states the concentration on one outdoor events location would restrict numbers being able to fully experience an event and may lead to overcrowding and safety issues. The meaning of Point 4 of the policy is unclear as there is reference to “spaces” and “*one single outdoor events space*”. On my visit I noted street entertainers and musicians were performing in several locations along the Quay simultaneously. Concentration of events to one single location would not meet the basic conditions as it would be overly prescriptive in design terms and could prevent a sustainable development proposal. I recommend a modification to achieve greater clarity so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

139. The Poole Harbour Commissioners state approximately 110 people are directly employed by PHC with a further 2,500 employed by companies based on the Port, all of whom are Port-related businesses requiring good access. It is further stated a study in 2007 estimated the Port generated a total of £52.9 million GVA to the local economy. It is stated access to the Quayside must be maintained 24/7 for service and maintenance vehicles in association with commercial vessel

activities as well as providing access for emergency vehicles. Another representation expresses dismay with the lack of empathy with the commercial aspects of the Quay. It is stated Town Quay is a working quay used by RNLI, PHC, passenger boats, fishermen, and passing Border and Royal Navy ships, and this is one of the main tourist draws. The representation also states under EU regulations registered fishing boats may only land their catch in the Fish Landing Area at the eastern end of Town Quay. Twenty-four-hour access by articulated lorries is dictated by tides and is needed. It is further stated access must be maintained from the western end as the eastern end is residential and difficult and dangerous. I have visited the area at different times of the day and evening. The Framework states “*significant weight should be placed on the need to support economic growth through the planning system*” and plans for ports “*should take account of their growth and role in serving business, leisure, training and emergency service needs.*” I have recommended a modification so that the policy includes recognition of the commercial role of the port including the necessity for timely, convenient and safe transportation of landed fish catch.

140. A representation states the policy does not make it clear whether bus services are to be removed or retained on the Quay. It is not necessary to clarify this point to meet the basic conditions. I have earlier in my report referred to the need to acknowledge the requirement to meet flood risk obligations. Paragraph 7.89 draws attention to this requirement. I have recommended a modification of point 6 of the Policy in order to achieve improved clarity.

141. The term “*unique*” is not adequately explained or justified whereas the use of the description “important” would provide a basis for decision making. I therefore recommend modification so that the Policy provides a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

142. I have earlier in my report recommended a modification in accordance with the Guidance so that actions of named stakeholders are transferred to the Monitoring and Implementation Section of the Neighbourhood Plan. I recommend the policy is modified to only relate to land use and development matters so that the policy will provide a practical framework within which decisions on planning applications can be made as required by paragraph 17 of the Framework.

143. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their

community. The policy is in general conformity with the strategic policies contained in the Development Plan. The policy has regard to the components of the Framework concerned with building a strong, competitive economy; ensuring the vitality of town centres; promoting sustainable transport; requiring good design; promoting healthy communities; meeting the challenge of climate change, flooding and coastal change; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the basic conditions.

Recommended modification 13:

In Policy PQF 11

- **delete the introductory sentence and replace with “Proposals will be supported where they provide:”**
- **delete “unique” and insert “important”**
- **in point 3 after “Poole Quay” insert “whilst recognising the commercial role of the port including the necessity for timely, convenient and safe transportation of landed fish catch,”**
- **delete “single” and insert “new”**
- **in point 6 after “regard to” insert “flood risk management measures including”**
- **after “sculpture” insert “and introduction of new public art features”**

PQF 12: Partnership Working

144. This policy seeks to establish working arrangements between the Forum and other stakeholders. I have earlier in my report stated Policy PQF12 and indeed parts of other policies of the Neighbourhood Plan relate to intended actions of the Forum and other stakeholders. The matters included in these actions do not relate to the development and use of land and as such cannot serve a role in the determination of planning applications. The Neighbourhood Plan preparation process is a convenient mechanism to surface and test local opinion on matters considered important in the local community. However, the Guidance states, *“Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex.”* I recommend a modification in accordance with the Guidance so that the text of the policy is transferred to the Monitoring and Implementation section of the Neighbourhood Plan.

Recommended modification 14:

- **transfer Policy PQF 12 and supporting text to the Monitoring and Implementation section of the Neighbourhood Plan**

Summary and Referendum

145. I have recommended 14 modifications to the Submission Version Plan. I have also made a recommendation for modification of the Neighbourhood Plan in the Annex below.

146. I am satisfied that the Neighbourhood Plan³⁵:

- is compatible with the Convention rights, and would remain compatible if modified in accordance with my recommendations; and
- subject to the modifications I have recommended, meets all the statutory requirements set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and meets the basic conditions:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - does not breach, and is otherwise compatible with, EU obligations; and would continue to not breach and be otherwise compatible with EU obligations if modified in accordance with my recommendations; and
 - the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore

³⁵ The definition of plans and programmes in Article 2(a) of EU Directive 2001/42 includes any modifications to them

marine site, either alone or in combination with other plans or projects.³⁶

I recommend to The Borough of Poole that the Poole Quays Forum Neighbourhood Development Plan for the plan period up to 2026 should, subject to the modifications I have put forward, be submitted to referendum.

147. I am required to consider whether the referendum area should extend beyond the Neighbourhood Plan area and if to be extended, the nature of that extension.³⁷ I have seen nothing to suggest the referendum area should be extended beyond the designated Neighbourhood Area.

I recommend that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by The Borough of Poole as a Neighbourhood Area on 9 July 2013.

³⁶ Prescribed for the purposes of paragraph 8(2) (g) of Schedule 4B to the 1990 Act by Regulation 32 The Neighbourhood Planning (General) Regulations 2012 and defined in the Conservation of Habitats and Species Regulations 2010 and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

³⁷ Paragraph 8(1)(d) Schedule 4B Town and Country Planning Act 1990

Annex: Minor Corrections to the Neighbourhood Plan

I am able to recommend modification of the Neighbourhood Plan in order to correct errors.³⁸ A number of consequential modifications to the general text of the Neighbourhood Plan will be necessary as a result of recommended modifications relating to policies.

Paragraph 4.2 b) and c) should be deleted as they do not apply in respect to Neighbourhood Plans

Paragraph 4.2 e) and Paragraph 4.3 - SPD's and other documents listed do not form part of the Development Plan

Figure 3 shows limited public realm areas. The relationship between this and Policy PQF1 that appears to relate to all public realm should be considered.

Reference to the green chain in policy PQF4 and potential green chain on the Proposals Map should be reconciled.

Paragraph 7.25 delete "only"

Paragraph 7.56 after "as well as" delete "to"

The final sentence of Paragraph 7.88 of the Neighbourhood Plan could be interpreted as though the Neighbourhood Plan seeks to introduce additional aspects of policy outside a specific policy which it should not. I recommend deletion of "There is a need for" and insertion of "That Core Strategy policy requires"

**Recommended modification 14:
Identified minor corrections should be made. Modification of general text will be necessary to achieve consistency with the modified policies.**

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23 September 2016

REPORT ENDS

³⁸ Paragraph 10 (3)(e) of Schedule 4B to the Town and Country Planning Act 1990