

Dorchester Prison Site

Position Statement on Future Development & Uses

Prepared and Adopted by Dorchester Town Council and
Dorchester Civic Society in September 2014



DORCHESTER TOWN COUNCIL

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Summary

- Dorchester Town Council and Dorchester Civic Society are taking a positive and proactive approach to engaging with interested parties in relation to the future use and development of the prison site.
- Consideration should be given to the objectives and views set out in this Position Statement, which reflect the strategy and vision in the Council's Corporate Plan.
- The prison site is a complex and visually prominent site, especially from the north and east. It is tightly defined by existing development, is in an area of considerable historical and archaeological value, and most significantly is in an area of the town from which the public has been excluded for very many years due to its particular use.
- The site must be considered and planned in a comprehensive manner from the outset, and a masterplan prepared as the basis for consultation, community engagement and the submission of a planning application.
- The site is a brownfield site within the historic core of Dorchester and must be planned within the context of the town's heritage quarter.
- Whilst only the 18th century Stone Gatehouse is listed the Victorian prison buildings are also of historic interest, with their prominent and characteristic large chimneys and, while noting Purcell's view, our view is that there shall be a presumption in favour of retaining these important visual landmark assets.
- There is now an opportunity to open up this site from which the public have been excluded by providing landscaped public open areas as well as pedestrian links through the site to the north and west.
- Access to the site is constrained via historic narrow streets and a full Transport Assessment is required, to accompany any masterplan and planning application.

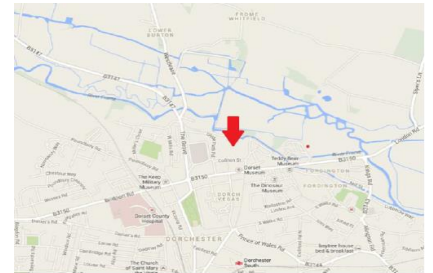
- The Town Council and Civic Society favour a residential-led mixed-use development on the site. The development should comprise a mix of uses to help increase footfall through the site and promote vitality. In addition to residential, other identified uses include heritage interpretation, public open space and enhanced landscaped areas.
- Given its context, good quality design is a top priority and there is an urban design opportunity to enhance the form and character of North Square itself.
- This is a unique opportunity for creative and positive planning within the town, with the aim of ensuring that a comprehensively planned and implemented scheme makes a meaningful contribution towards providing an attractive and lively space. This will result in any scheme creating a distinct sense of place within Dorchester and would support the sustainability and other objectives and aspirations of the Town Council and local community.
- The Town Council and Civic Society are committed to working in partnership with the Ministry of Justice and its advisers, future landowners and developers, as well as West Dorset District Council and Dorset County Council. This is with a view to developing a consensus on the way the site should be developed, through an agreed and comprehensive masterplan that would form the basis for future consultation and a planning application.

1 Background

Dorchester Prison closed in December 2013 as part of a national rationalisation of the prison service by the Ministry of Justice (MoJ), Central Government department.

MoJ has been tasked with disposing of this and other surplus prison sites and Jones Lang LaSalle (JLL) has been appointed to coordinate the marketing and sale of the properties.

JLL has produced Preliminary Particulars for the Dorchester Prison site, as a marketing document that sets out some of the background to the site and a brief description. [*Location Plan extract from particulars*]



Discussions with JLL have confirmed that they and prospective purchasers would welcome an input from the Town Council and Civic Society at this early stage in the process.

In June 2014 Heritage Consultants, Purcell published a Heritage Statement on behalf of the MoJ, comprising a review of the historical development of the prison and an assessment of its significance.

Although located within the Dorchester Conservation Area, the majority of the prison itself is not a listed building; the only element that is listed Grade II is the Stone Gatehouse which is part of William Blackburn's late 18th Century prison. Purcell has assessed the historical significance of the whole site and this is illustrated on the plan within their document. However, it is considered that this assessment undervalues the importance and contribution of the older buildings on the site, stating that the Listed Gatehouse is only of *Medium* significance and that other elements are of *Low* or *Neutral* significance; a matter considered further in Sections 3.3 & 3.4 below.

English Heritage's April 2014 statement in respect of the prison site concludes:

"HMP Dorchester stands in the centre of Dorchester. It is a largely late-C19 prison, first established in the late-C18, on the site of Dorchester Castle. It has strong local interest with a long-standing history of occupation, playing an important role in the

governance of the town in various incarnations, and it continues to hold a prominent elevated position within the conservation area.



In May 2014 Cotswold Archaeology published an Archaeological desk-based Assessment of the prison site on behalf of the MoJ. This reviews the post-Roman history of the site and advises that, in accordance with the National Planning Policy Framework, further archaeological investigation, including the use of trenches and trial pits, would be necessary as part of any development proposals submitted.

In July 2003, West Dorset District Council adopted the Dorchester Conservation Area Appraisal as supplementary planning guidance. The Appraisal refers to the historical background of the prison site, highlighting the Roman occupation and Norman Castle, the original 1790's prison on the site, as well as the elevated position on the escarpment and views out to the north. The Appraisal should be consulted as it clearly expresses the Local Planning Authority's established views on the context of the prison site and wider town area.

Dorchester Town Council believes that the prison is a unique site in the heart of Dorchester and, like Dorchester Civic Society, has been concerned to ensure that the local authorities express their views of the constraints, other issues that need to be addressed, as well as land use options, in advance of the site being sold to a potential developer. This accords with the aims and vision of the Town Council's draft 2014 Corporate Plan [see extract in Appendix], and is aimed at ensuring that development proposals do not become too fixed early on in the process and that prospective purchasers and other interested parties are fully informed of the Council's views in advance.

The Town Council has actively engaged with the Dorchester Civic Society, with whom this Position Statement has been prepared and agreed.

2 Planning Policy Issues

2.1 National Planning Policy Framework

This provides broad guidance on the national policies and approach to development and the consideration of heritage assets. The relevant policies are apparent and also highlighted in the consultant reports referred to above and are therefore not reproduced here in this statement.

2.2 West Dorset Adopted Local Plan

The site lies within the Development Boundary of the adopted local plan and would be considered as a *brownfield*, previously developed, site. However it is considered important that guidance on the nature and form of development that is likely to be supported is provided in advance, so that prospective developers are aware of local requirements and expectations.

This Position Statement does not include details of all of the policies from the Local Plan that may be relevant in considering any planning application submitted for the site in due course, as these are well documented within the Plan itself and elsewhere.

As highlighted above, the Dorchester Conservation Area Appraisal is also an important material consideration that should be used to guide the thinking on how the site should be appraised and the masterplan prepared.

2.3 Joint Local Plan for West Dorset and Weymouth & Portland

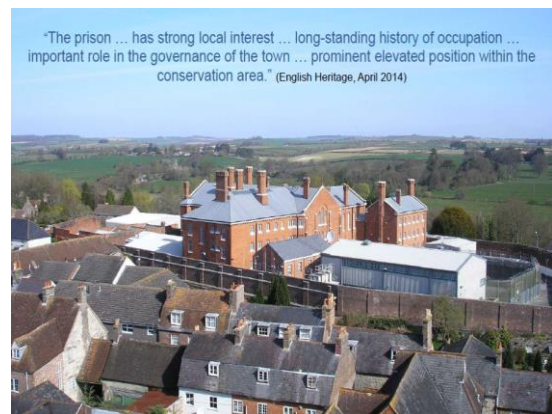
The new Joint Local Plan is currently under preparation and is yet to be subject to Public Examination. At an exploratory meeting in January 2014, the Planning Inspector raised the issue of housing land supply and further work has been undertaken on this issue by the Planning Authority. It is understood that the prison site is not an allocation within the draft plan, but that any additional housing that may be generated by the site would be considered as a windfall scheme. However Chapter 2, and Section 2.3 in particular, address in some detail the importance of *Heritage Assets* which is most pertinent to the prison site.

2.4 Environmental Assessment

The development of the prison site would not constitute a Schedule 1 development, but as *Urban Development* it would fall within the category of an *Infrastructure Project* as defined by Schedule 2 of the EIA regulations. The Local Planning Authority is responsible for issuing a Screening Opinion, setting out whether, in its opinion, the potential environmental impacts of the potential development of the site, are so significant as to warrant the preparation of an environmental statement. If this were considered to be the case then the Authority would issue a scoping option setting out the extent of subject matters that should fall within the assessment. This is a matter for West Dorset District Council to consider and make a judgement on.

3 Key Issues and Opportunities

The Dorchester prison site extends to some 1.95 hectares [4.8 acres] and so is a site of some scale and significance within the heart of the town. The following key issues have been identified as being of importance for any prospective purchaser to consider, in preparing proposals for the development of the prison site.



3.1 Conservation Area Location



The Dorchester Conservation Area embraces much of the town centre and the prison site is located in what is termed the *northern heritage quarter* of the town. Access to the prison is via narrow roads that form part of the historic street pattern, leading to North Square, as the plan illustrates.

The prison site is close to Shire Hall, including the Old Crown Court and cells which are of international importance as the location of the trial of the Tolpuddle Martyrs in 1834. This Grade I listed building is planned to be converted to a museum and visitor attraction opening in summer 2017. Dorset County Museum is also planning a major extension. Furthermore, the former Council Offices site at Stratton House is currently subject to development proposals, whilst the Roman Town House, an important heritage feature, is located at Colliton Park to the rear of County Hall.

Several of these sites front onto High West Street but also have rear access via Colliton Street, which is a one way street in a westerly direction accessed from North Square. It is essential, therefore, that any development proposals for the prison site are not considered in isolation, but within the wider context of the locality and these emerging changes to other sites. The cumulative impacts of the development of all of these sites, and in particular the access and traffic implications, requires careful and integrated consideration.

The District Council's Conservation Area Appraisal is referred to in section 1 above.

3.2 Archaeology

As noted above the assessment that has been undertaken provides the basis for further work that will be required prior to any planning application submission, so that the results inform the extent and nature of development itself and the impact of any new development on features of archaeological interest can be properly assessed. Arrangements should also be made for community and education involvement, presenting archaeological features to the public in situ prior to development, as well as its protection, collection and deposition and/or recording.

3.3 Listed Building



The only part of the prison site that is listed Grade II is the 18th century Stone Gatehouse, as illustrated on the English Heritage Plan.



This element should be retained as a highly significant architectural and historic reference within any development scheme. It would contribute to the creation of a sense of place and identity to a new mixed-use scheme. In contrast to the Purcell assessment, it is considered that this element of the site is of *High* rather than *Medium* heritage significance, especially given Dorchester's role in the justice system.

3.4 Other Historic Buildings

Dorchester prison comprises an extremely prominent collection of buildings, with distinctive large chimneys, set in an elevated position. It is visible from viewpoints from outside and on the periphery of the town, notably from the north, the water meadows and the eastern approach to the town.

We consider the Victorian prison buildings to be an important feature of Dorchester's heritage, in view of Dorchester's long-standing association with the administration of criminal justice in England and as a location of at least five prisons over the centuries; and the history of the Tolpuddle Martyrs, and Judge Jeffries Bloody Assizes in particular.



The heritage of the prison and its significance, both within Dorchester and its role in the history of Justice nationally, is therefore arguably more important than might be the case with prisons elsewhere, despite the fact that most of the structure is not in itself, listed.

Our view is that Purcell's assessment underplays the importance of these older buildings and that there should be a presumption in favour of retaining the central

Victorian elements of the prison, which cover less than 10% of the site, with a view to their potential for conversion subject to suitable uses, and also their possible extension.

The fact that these buildings are not listed means that there can be greater flexibility in their internal modification, to ensure they can be successfully converted to alternative uses.

Likewise, the walls of the prison are an important element of the overall structure and, whilst there is no desire to see them all retained, as with other historic elements there is scope for retaining some, in order to maintain the historic link with the previous use. This needs to be considered as part of the overall conservation assessment of the site when planning new uses and, therefore, is a matter for the design as part of the masterplan.

Policies **SA18-SA24** of the West Dorset Local Plan address issues linked to listed buildings, conservation areas, archaeology and related heritage matters.

The Town Council and Civic Society recognise that demolition of newer prison buildings is likely and appropriate. Permission for demolition of buildings will be required from the local planning authority due to the sites location within the Conservation Area.

3.5 Opportunities to Open Up the site

The planned changes now being promoted for the Dorchester prison site represent the next phase in the site's development and association with the town. Whilst in use as a prison the site has provided a significant number of jobs for the local community. However it is self-evident that, being a prison, the site has been closed off and the general public has been excluded from the site for generations.

The redevelopment of the land provides a significant opportunity to change this aspect of the site and its role within the town. We would expect that any new development scheme will open up the site both visually and physically, so that the area becomes an integral part of the town centre and heritage quarter, with different

land uses, pedestrian routes and spaces that encourage and promote activity and integration with the wider environment and community.

We consider it essential to permit and encourage public access to and through the site. It is important that the site is linked to the town centre, to the surrounding countryside, and as part of a circular route around the centre of the town. Access via North Square and also via a pedestrian and cycleway access from Glyde Path Road on the western side of the site, will improve links with existing footpaths, notably linking up the Town Walks, the recently improved Mill Stream and Riverside walks along the Frome, as well as the water meadows to the north, that are currently accessed via Friary Hill on the site's eastern side.

We are opposed to the use of the site as a gated community, separated from the immediate locality and neighbourhood.

3.6 Access and Parking

One of the key characteristics of Dorchester Prison which is very apparent, whether viewed on plan or on site, is the constrained nature of the vehicular access to the site. There is only one route into North Square from High East Street, through the extremely narrow Bow between the Municipal Buildings and St Peters Church. This is a restricted junction with limited footpath provision. This access serves not only the prison, but also a significant number of nearby residential and mainly terraced properties, which do not have off street car parking.

We accept that, given its former use, the site does have an 'access credit'. Compared with other sites of similar size, however, the level of traffic has been less, due to the site's operation as a prison, with movements largely being limited to staff working and parking on site and regular delivery vehicles. There was also a relatively high pedestrian flow rate associated with the former prison use. It is understood that the MoJ has details of the historic traffic movements, which have been discussed with the Planning and Highways Authorities.

The MoJ has advised that the prison parking area can accommodate approximately 70 vehicles.

The site is on the periphery of the town centre, so close to shops and other amenities, which will make the site attractive in this respect and potentially reduce the need for some car-based travel trips. The local authorities are currently developing a revised Dorchester Transport and Environment Plan (DTEP): proposals for this site and its traffic generation need to be considered within the context of DTEP.

The masterplan prepared to accompany a planning application will also need to include a detailed Transport Assessment that will need to be agreed with the Highway Authority, who would assess the impacts and level of parking provision required on site, dependent upon the precise uses proposed.

An initial Transport Assessment has been published which summarises some of the key issues. This will need to be developed once new uses are proposed.

4 Potential Land Uses

The Town Council and Civic Society consider that the prison site should:

- Be planned comprehensively through the preparation of a masterplan that should be subject to extensive pre-application consultation and community engagement
- Encompass a mix of uses and should not simply be seen as a purely residential site, as the obvious and easy option.

4.1 Residential

As the site is located close to amenities within the town centre, and with an emphasis on developing brownfield sites for housing, it is expected that there will be a preference for using the site for residential development and that it will be promoted as a being in a sustainable location.

Whilst some residential development on the site is acceptable in principle the Town Council and Civic Society are firmly of the view that it should be as part of a mixed-use scheme.

It is also considered essential that a mix of house types should be provided on the site, both in terms of form; town houses as well as apartments, as well as differing properties sizes and tenures as to meet the needs of all sections of the local community and housing need; notably young people and families requiring starter homes to rent or buy.

Affordable rented properties must therefore form part of the mix, on the basis of the Planning Authority's policy for affordable housing, which requires that 35% should be housing for rent or mixed tenure/shared equity, provided in partnership with a registered affordable housing provider, with the precise nature and size of units being agreed with the nominated housing provider. This would be subject to a legal agreement with the Local Planning Authority in the usual manner. There is no justification for any prospective developer promoting a financial contribution in lieu of on-site provision and this would not be acceptable or supported on this site.

Due to the restricted vehicular access to the prison site, there may be pressure for sheltered accommodation for older age groups which will have a lower traffic generation. Whilst this might form an element of a mix of house types, over-emphasis on this sector of the market will not be supported, as there is a demonstrable need in Dorchester for housing for younger age groups.

4.2 Mixed Uses

Due to the proximity to the town centre, the prison site will become a new location within Dorchester to which the public, both local people and visitors to the town, can be attracted by a range of uses and activities. As well as providing footpath links through the site to the west and north, the Town Council and Civic Society consider that in order to increase footfall across and within the site, there is potential for a range of mixed uses that may include some or all of the following and so add to the vibrancy of the site and locality without acting to the detriment of the town centre:

- Cafe/Restaurant, linked to the proposed area of open space and footpaths
- Small retail outlets, which could be of a specialist nature
- Small office/workshops, for businesses seeking small/shared spaces
- Fitness suite/gym, for use by residents and the wider public

- Gallery space & community room/uses
- Heritage exhibition/Interpretation; (see below)
- Museum storage space

4.3 Heritage interpretation

In view of the archaeological and heritage interest of the site there is a clear requirement to provide an element of freestanding on-site information, signing and interpretation about the fascinating history of this part of Dorchester, together with web-based resources.

The Dorset History Centre which keeps the County Archives is keen and interested in becoming a partner in such a project and would make available material it holds, for any exhibits/interpretation; subject to some funding support for staff time involved in extracting and preparing the material.

Discussions have also taken place, with the Director of the County Museum, to establish their potential interest in supporting such an initiative, with the view to both providing archive and exhibition material as well as securing a small self-managed 'out station' within the site. The Museum has expressed its full support for such an initiative, subject to this element being funded by the development, together with a future maintenance contribution.

This requirement should therefore be incorporated within any masterplan proposals and its provision subject to appropriate legal agreement with all parties concerned.

4.4 Museum Storage Space.

The County Museum is currently planning a major expansion and requires new storage space to accommodate its archaeological collection which is currently housed in an old church. The prison site, given its proximity to the museum, could provide a good location for this purpose. This could also make use of some the Victorian prison building, subject to suitable adaptations. It is possible that the History Centre may also require some additional storage space. This and the interpretation plans are matters that these organisations would welcome discussions on, with view to potentially becoming part of the masterplan and subsequent

proposals for the site. Clearly at this early stage there is no commitment from any party in relation to the storage issue, but this could be a mutually beneficial idea, worthy of further exploration.

4.5 Open Space, Trees and Landscaping

From viewing the site and from aerial photographs it is clear that, for the most part, the prison site is heavily developed. The exception is the north part of the site that slopes down from its elevated position to the River Frome.

There is little reference in the documents published to date, that are linked to the disposal of the site, to this important treed and landscaped area.

The Town Council proposes that this area should be surveyed as a priority by an arboriculturalist, to establish whether any of the trees warrant a Tree Preservation Order, which would be made by the District Council.

The Town Council and Civic Society believe that this area is important, not only in the context of the prison site itself, but also to the Dorchester Conservation Area and the setting of the site within the Frome Valley and from which there are prominent views of the site and this treed area.

Within any new development scheme, therefore, it is essential that there are firm proposals for the improvement and proper long-term management of this area, as well as plans for additional areas of open space/garden within the site and associated landscaping, to serve both the needs of any new residents, as well as the wider community. The elevated position of the site, together with the opportunity for providing pedestrian links through the site, adds weight to the importance of these opportunities to improve this part of Dorchester for the benefit of all.

It would be expected that any legal agreement with the Planning Authority would secure this provision and its future long-term maintenance, which by agreement, could be undertaken by Dorchester Town Council.

4.6 Design Issues

This site is set within the Conservation Area and historic core of Dorchester and includes a structure of listed building status, together with other historic elements and buildings. Any new development on this site would therefore need to be of a high quality, carefully designed and respect the proximity of other nearby residential properties. There is also the opportunity to enhance the aspect of the site that fronts onto North Square, subject to the parking spaces taken being relocated elsewhere on the site. New development could be used to provide a new public space, around which the square can focus, which would be a visual improvement as well as bring vitality and activity to what is currently a weak frontage, from the public's perspective. This issue is highlighted within the District Council's Conservation Area Appraisal, which describes North Square as having '... firm boundaries, defined on all sides, but weakened only by the prison car park.'

As stated at the outset, the Town Council and Civic Society see this site as providing a real opportunity for some positive, creative planning, to provide an exemplar of urban design and renewal and they are committed to working with future partners to help deliver this vision.

5 Sustainability

It is anticipated that a future developer will wish to promote the scheme they propose as sustainable. For this to be the case the Town Council and Civic Society would expect it to be clearly demonstrated that the scheme will bring long term economic/business, environmental/heritage and social/community benefits for the town of Dorchester, the immediate locality and the community in the vicinity of the prison site.

It is also expected that the scheme will incorporate renewable energy measures in order to reduce the carbon footprint of the development, and these should be designed into the scheme from the outset.

Re-use of existing material on the site that may be demolished would also reduce the amount of material required to be taken away and brought to the site, thereby reducing heavy traffic movements, during the construction period. The retention of

the older existing buildings would also more sustainable as it would make use of the embodied energy costs within the structures.

6 Planning Obligations and Section 106 Agreement

West Dorset District Council, as Local Planning Authority, has guidelines that set out its schedule of charges for new development based on its current tariff which, in due course, will be replaced by the Community Infrastructure Levy. Details of these are available from the District Council.

The development of this site will also require the provision of facilities on site as an integral part of the development scheme, some of which are referred to in this Position Statement. Other requirements may emerge as the scheme is planned and the masterplan develops.

Both the Town Council and Civic Society would welcome joint discussions on how the sums secured under the tariff system might be expended in the locality, in order to further enhance the development of the prison site and its local contribution.

7 This Position Statement

This Position Statement, whilst being informal and non-statutory planning guidance, represents the collective view of Dorchester Town Council and Dorchester Civic Society. In addition the Statement has been recognised by West Dorset District Council, as being a legitimate document for the Town Council to prepare in its role as the local representative body within the community of Dorchester, with the support of the Civic Society that has a long standing interest in the planning and development of the town, and its heritage.

It therefore sets out the views and requirements of these organisations in a clear and comprehensive manner, in advance of the site being sold by the MoJ and bought by a prospective developer, so that expectations are understood, prior to commitments being made.

The Town Council and Civic Society have an agreed view about the development of this site and have consulted and discussed this document with West Dorset District

Council, as Local Planning Authority, and Dorset County Council, as Highway Authority.

The Town Council and Civic Society represent, between them, a significant body of opinion within Dorchester, and will be key consultees on all future pre-application exercises and when planning applications are submitted for the site. They would therefore welcome continued joint discussions with:

- The consultants involved in advising on and disposing of the site on behalf of the Ministry of Justice
- Representatives of the Ministry of Justice
- Prospective purchasers
- The ultimate purchaser/developer

It is understood that in disposing of this and other prison sites, the MoJ is keen to ensure that future development schemes are accepted and supported by local communities, which have been affected by the prison closures.

The two organisations that have prepared this Position Statement represent both the local community and those within the local area who value Dorchester's heritage and have a stake in its future development. They are therefore confident that the MoJ and its advisors will attach significant weight to the heritage value of the site, which accords with the Government's approach to the disposal of such heritage assets and so to this statement of local views and proposals for the prison site.

8 Timetable, Process and Next Steps

The local organisations would also welcome further information on the expected timetable following the completion of the marketing of the site and the likely programme of work that will be undertaken towards a planning application and, in due course, implementation of any new scheme.

It is also clearly expected that the process will include a formal pre-application consultation process undertaken by the prospective developers, their architects and other specialist advisers. The Town Council and Civic Society see themselves having a prominent role in such an exercise.

The Town Council is able to make rooms available within the Municipal Buildings, located in the centre of Dorchester for any exhibitions, open days or workshops that may be planned as part of this process.

This Position Statement represents the initial view of the Dorchester Town Council and Civic Society only. It does not imply any commitment on behalf of any individuals or these organisations as a whole, that support will be forthcoming in respect of any future planning application.

An initial meeting has been held with representatives of the MoJ and JLL, prior to the end of the marketing period, so that all parties were aware of the views set out in this Position Statement before any decision is made on the sale or future development options.

We understand that the MoJ circulated an earlier draft of this Position Statement to those expressing interest in the site prior to the end of the marketing period and date for submitting bids, which was 1 August 2014. This was very much welcomed by the Town Council and Civic Society and we look forward to further discussions with future interested parties.

The Council's Corporate Plan 2014 sets out the Council strategy and vision for the town and future. See the following web-link:

<http://www.dorchester-tc.gov.uk/docs/downloads/CORPORATE-PLAN-2014-v2.pdf>

STRATEGIC AIM

One of the Town Council's aims is to:

Representing the views of the people of Dorchester in supporting the development of a coherent vision for the future of the town, in particular focusing on:

- *The need for a strong local economy with its important infrastructure requirements*
- *The need to ensure the provision of a housing mix that meets the needs of our residents*
- *The need to travel round and within the town by a range of transport methods*

The need to support and develop the unique character of Dorchester while paying respect to its history and heritage, its environment and culture, and its community spirit.

OUR VISION FOR DORCHESTER

We want Dorchester to be:

- *A more balanced population – less “old”, providing opportunities for younger people to be able to live in the town*
- *Still with a vibrant community – supporting all sectors of our community*
- *A more Varied Housing Mix – more 1 & 2 bed properties for the under 35's*
- *An important public sector hub – recognising our traditional role as county town and sub-regional hub*
- *But a more diverse economy – knowledge based small businesses enjoying a high quality of life, a better retail and night-time economy offer, a developed heritage based tourism offer*
- *With an infrastructure capable of coping with the demands that economic success brings – with a good road network and car parking where it needs to be*

Respecting of but taking advantage of our heritage & environment – a co-ordinated approach to tourism, active engagement to ensure that new developments complement the town's existing heritage, in a town that cares both for its own green environment and environmental sustainability

Adrian Stuart
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23 September 2014

