

# Decision Statement

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**On behalf of West Dorset District Council, 12 September 2017**

West Dorset District Council is satisfied that the Buckland Newton Neighbourhood Plan as modified meets the basic conditions, is compatible with the Convention rights, and complies with the definition of a neighbourhood development plan.

**A referendum will therefore be held on 2 November 2017.**

## Background

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The Buckland Newton Neighbourhood Area was designated in February 2013 in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012 (the 'Regulations'). The relevant body is confirmed as the Parish Council and the designated Neighbourhood Area covers the same area as Buckland Newton parish.

In January 2016, Buckland Newton Parish Council submitted its draft neighbourhood plan and supporting material to West Dorset District Council. The district council were satisfied that the documents submitted met the requirements of Regulation 15 of the 'Regulations'. The parish council were notified of the district council's conclusion and informed that the plan could proceed to examination.

The submitted documents were made available for consultation from 28 January to 10 March 2016, and independent examiner Mr Derek Stebbing, was appointed. The examiner's report was received on 26 June 2017.

In summary, the examiner's report concluded that the Buckland Newton Neighbourhood Plan would meet the Basic Conditions and other legal requirements, subject to the modifications as set out in **Appendix A** of this decision statement.

The neighbourhood plan has been amended to include the modifications recommended by the examiner and minor consequential amendments. These changes set out in **Appendix B** were agreed by the Parish Council on the 11<sup>th</sup> September 2017.

West Dorset District Council considered each of the recommendations and modifications contained in the examiner's report and proposed consequential amendments at its [Strategy Committee](#) on 12 September 2017. In considering the conclusions of the independent examiner, the Council agreed that the legal requirements and basic conditions had been met.

The council is therefore satisfied that the plan as amended...

- (i) meets the basic conditions (as set out in Schedule 4B to the Town & Country planning Act 1990); and
- (ii) is compatible with the Convention rights (within the meaning of the Human Rights act 1998); and

- (iii) complies with the provision concerning Neighbourhood Development Plans made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004, and

...can now proceed to a referendum.

## The area covered by the Buckland Newton Neighbourhood Plan

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The neighbourhood plan area covers the parish of Buckland Newton only.

## Details of the Neighbourhood Plan Referendum

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The independent examiner considered that it was appropriate for the referendum to be held over the neighbourhood area.

The referendum will therefore be held over the neighbourhood area; the same area as the parish of Buckland Newton. The referendum for the Buckland Newton Neighbourhood Plan will be held on 2 November 2017.

## Where to find more information...

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Copies of this decision statement, the Examiner's Report and the Buckland Newton Neighbourhood Plan (as proposed) can be viewed online at:

[www.dorsetforyou.gov.uk/Buckland-Newton-Neighbourhood-Plan](http://www.dorsetforyou.gov.uk/Buckland-Newton-Neighbourhood-Plan) or at Council Offices:

- **West Dorset District Council offices**, South Walks House, South Walks Road, Dorchester DT1 1UZ which is open 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.30pm on Fridays.
- **Sherborne Town Council offices**, The Manor House, Newland, Sherborne, Dorset, DT9 3JL which is open 10.00am – 4.00pm Monday to Thursday and 10.00 am - 1.00 pm on Friday

*A copy of this statement is automatically sent to the parish council who submitted the plan and anyone who has asked to be notified of this decision.*

## Appendix A: Modifications / Recommendations from Examiner's report

Below are the recommendations and modifications taken from the Examiner's report along with the corresponding change proposed to the draft Buckland Newton Neighbourhood Plan.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Front Cover	Add Plan period "2015-2030"
PM2	Page 4	Add new paragraph after "Our main objectives" as follows:  "Securing Sustainable Development  In accordance with national policy, the policies and proposals in this Plan seek to promote and achieve sustainable development."
PM3	Pages 11 and 12	Amend the map of the Defined Development Boundary (DDB) and Conservation Area for Buckland Newton on page 12 to include the sites of Housing Allocation sites RES1 (a), (b) and (c), RES3 (a) and (b), RES4 and HS3 within the DDB. (For clarification, these sites are also identified as Sites A, B, C, D, E, H and J in the Plan, and only those parts of the sites shaded red should be included within the extended DDB). As a consequence of this modification the 4th paragraph of text on page 11 should be deleted.
PM4	Page 15	Delete definition of Sites A, B, C, D, E, H and I as "Rural Exception Sites" in the table on page 15, and replace the text in the 4th paragraph with: "The local plan policy HOUS2 on rural exception sites is that they should only include affordable housing. Accordingly, the following site is identified as a Rural Exception Site where up to 100% affordable housing will be developed. On other sites allocated in the Plan for new housing, the provision of up to 50% affordable housing will be secured through legal agreements with the developers of those sites." (For clarification, the Rural Exception Site referred to above is Site F).  Delete Site G from the table at the foot of this page.  Amend <b>Policy Maps North, South and East</b> to show Sites A, B, C, D, E, H and J as Housing Allocation Sites, Site F as a Rural Exception Site and Site I as an Other Housing Site, with changes to the colour coding on the Policy Maps as necessary. (Note that Sites G, K and L are recommended for deletion from the Plan and the

Proposed modification number (PM)	Page no./ other reference	Modification
		Policy Maps by other Proposed Modifications).
PM5	Page 16	Delete the phrase "...restricted to people in housing need with a local connection who are unable to access open market housing (either to rent or to get onto the housing property ladder),..." in the 1st paragraph of text, and replace with "...to meet an identified, current need within the Parish that cannot otherwise be met,".  Amend the figure "20" in the first sentence of the 1st paragraph to read "16".
PM6	Page 16	<b>Policy H3</b>  Delete "(with at least one affordable home for every two market homes)" from the 1st paragraph of text, and replace with "(up to 50% of the total number of homes to be provided)".
PM7	Page 16	<b>Policy H3</b>  Delete 2nd paragraph of text, and replace with "On the rural exception site that is identified in this plan, up to 100% affordable housing will be developed, in accordance with the local plan policy for such sites."
PM8	Page 16	<b>Policy H3</b>  Delete 3rd paragraph of text, and replace with "Where appropriate, legal agreements will be sought with the developers and providers of affordable housing to ensure that it remains so in perpetuity."
PM9	Page 14	<b>Policy H2</b>  Delete 2nd sentence of the 1st paragraph of the Policy.
PM10	Page 14	<b>Policy H2</b>  Delete 3rd sentence in the 1st paragraph of the Policy, and replace with: "A proportion of all new dwellings built should be designed to be adaptable for occupation by elderly and disabled persons."
PM11	Page 14	<b>Policy H2</b>  Delete 2nd paragraph of the Policy, and replace with: "Where appropriate, conditions will be attached to any planning permission granted for new dwellings to restrict future

Proposed modification number (PM)	Page no./ other reference	Modification
		<b>extensions and alterations to those dwellings, in order to maintain the stock of smaller, more affordable homes."</b>
PM12	Page 13	Delete 3rd paragraph of text in full, and the word "However" in the 1st sentence of the 4th paragraph of text.
PM13	Page 35	<p><b>Policy EB1</b></p> <p>Amend 1st sentence of Policy to read:  <b>"Applications for the development of new business units, the change of use of redundant rural buildings to business use or extensions to existing small businesses (falling within Use Classes B1, B2 and B8) will be favourably considered, providing there is no harm to the rural character of the area or to the amenities of local residents."</b></p>
PM14	Page 36	<p><b>Policy TT1</b></p> <p>Amend text of Policy to read: <b>"The provision and siting of appropriate direction signs to community facilities, such as the village hall, pub and shop, and to business parks, will be permitted on private land, with the relevant landowners' and Parish Council's consent, where this does not cause a safety issue, the sign is of modest appearance in terms of its scale and design and there is no adverse visual impact upon the amenities of local residents or the character of the area. Such signs may require the necessary consents under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007."</b></p> <p>Amend the word "tradition" in the 3rd and 4th sentences of the 5th paragraph of text on page 36 to "traditional".</p>
PM15	Page 38	<p><b>Policy C3</b></p> <p>Add new 3rd sentence to the text of the policy to read: <b>"A comprehensive planning approach should be taken to the provision of this facility, including landscaping, access and car parking, with the proposed residential development to the south of this site (as proposed in Policy RES3)."</b> (Note that Policy RES4 should be re-numbered RES3, as stated in</p>

Proposed modification number (PM)	Page no./ other reference	Modification
		this Modification).
PM16	Page 40	<p><b>Policy E1</b></p> <p>Add new 4th sentence to the text of the policy to read: <b>“A Biodiversity Mitigation Plan should be submitted for all development proposals on greenfield sites larger than 0.1 hectare in size, to secure biodiversity protection and enhancement.”</b></p>
PM17	Page 18	Delete existing title “Identified Rural Housing Exception Sites” and replace with “Housing Site Allocations within the Defined Development Boundary”.
PM18	Page 27	Classify Site F (Policy RES4) under the heading of “Rural Housing Exception Site”. (Note that Policy RES5 should be re-numbered Policy RES4, as described in this Modification).
PM19	Page 30	<p>Amend existing title to read: “Other Housing Sites”.</p> <p>Delete cross-reference (to table on page 15) at foot of table on this page.</p>
PM20	Pages 30, 33, 34 and 35, and Policy Map North	Delete references, all text and illustrations relating to Sites K ( <b>Policy HS4</b> ) and L ( <b>Policy HS5</b> ) from the Plan, and their identification and notation on <b>Policy Map North</b> .
PM21	Page 22	<p><b>Policy RES1</b></p> <p>Delete existing 1st paragraph, and replace with: <b>“The combined sites will provide up to 11 new homes, with an appropriate mix of open market housing and affordable housing in accordance with Policies H1-H3.</b></p> <p><b>Policy RES1(a)</b></p> <p>Delete 1st sentence of 2nd paragraph in the policy.</p> <p><b>Policy RES1(b)</b></p> <p>Delete 1st sentence of the policy.</p>
PM22	Page 25	<p><b>Policy RES2</b> (as re-numbered)</p> <p>Delete existing 1st paragraph, and replace with: <b>“The combined sites will provide up to 10 new homes, with an appropriate mix of open market housing and affordable housing in accordance with Policies H1-H3.”</b></p>

Proposed modification number (PM)	Page no./ other reference	Modification
PM23	Page 27	<p><b>Policy RES3</b> (as re-numbered)</p> <p>Delete existing text, and replace with: <b>"The site will provide up to 6 new homes, with an appropriate mix of open market housing and affordable housing in accordance with Policies H1-H3. A comprehensive planning approach should be taken with the proposed development of an all-weather sports pitch to the north of the site, including landscaping, access and car parking. The site layout, orientation and design of the housing should provide a positive frontage and surveillance across the existing and proposed playing fields to the east and north."</b></p>
PM24	Pages 25-28	Re-number Policies RES3-RES5 as Policies RES2-RES4 respectively.
PM25	Pages 28 and 29	Delete references, all text and illustrations relating to Site G ( <b>Policy RES6</b> ) from the Plan, and its identification and notation on <b>Policy Map East</b> .
PM26	Page 31	<p><b>Policy HS1</b> (as re-numbered)</p> <p>Delete 1st sentence of the Policy, and replace with: <b>"The site can be developed for up to 3 new dwellings in total."</b></p> <p>Add Site Allocation and its boundary to <b>Policy Map South</b>.</p>
PM27	Page 32	<p><b>Policy HS2</b> (as re-numbered)</p> <p>Add new 2nd sentence to the text of the Policy, to read: <b>"Any new development should safeguard the setting of the Conservation Area."</b></p>
PM28	Pages 31-35	Re-number Policies HS2 and HS3 as Policies HS1 and HS2 respectively.
PM29	Page 11	<p>Amend 8th sentence of 3rd paragraph to state "As a result 9 new sites ....etc."</p> <p><b>Policy H1</b></p> <p>Delete the figure <b>"40"</b> in the final sentence, and replace with <b>"34"</b>. Amend <b>"(an average of 2.7 per year)"</b> in the final sentence to read <b>"(an average of 2.3 per year)"</b>.</p>
PM30	Page 37	<p><b>Policy C1</b></p> <p>Insert Policy Map notations CF1-CF11 alongside the facilities listed within this policy.</p>

Proposed modification number (PM)	Page no./ other reference	Modification
		<p>Amend 1st sentence of Policy to read:</p> <p><b>“Community facilities (as listed below and shown on the Policy Maps) should be retained where possible, and every effort should be made to work with the local community to investigate potential solutions to avoid any unnecessary loss of these valued facilities and services.”</b></p>
PM31	Page 39 and Policy Map South	<p>Delete the listing of Hountwell Pump as an important Local Green Space, and delete notation G3 from the Policy Map South and the Policy Maps Key.</p> <p>Re-number notation G4 (River Lydden Corridor) as G3, and amend Policy Map South accordingly.</p>
PM32	Page 6	<p>Insert the word “Natural” after “Outstanding” in the 1st sentence of the 3rd paragraph.</p> <p>Add new 1st paragraph under the “Dorset Area of Outstanding Natural Beauty” heading as follows:  “<b>The Dorset AONB includes a substantial part of the Plan area, and the Dorset AONB Management Plan 2014-2019 sets out the management framework for land within the AONB.</b>”</p>
PM33	Page 15	<p>Delete 2nd and 3rd paragraphs of text on this page, together with footnote no. 3, as this material is no longer up to date and accurate.</p>



## Appendix B: Minor Amendments

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The District Council wrote to the examiner on 31 July 2017 to seek clarification on three matters arising from the examiner’s report. These matters were:

- The examiner’s approach to the threshold above which affordable housing should be sought;
- The estimated supply of affordable units from Site F; and
- As a result of the proposed modifications, the anticipated total supply of market and affordable units proposed in the amended neighbourhood plan.

Minor amendments were made to the plan to reflect the response from the examiner on these points.

Inserted text under the title ‘Defined Development Boundary and Conservation Area’ on page 12 of the submitted neighbourhood plan to read: *“As a matter of clarification, please note that the Defined Development Boundary (DDB) for Buckland Newton has been extended to include Housing Site Allocations and that this extended DDB takes precedence over the DDB for Buckland Newton defined in the Adopted West Dorset, Weymouth and Portland Local Plan (2015).”*

The extended DDB also appears on the Policy Map and is denoted on the key.

The neighbourhood plan has been amended to include: the modifications recommended by the examiner; minor consequential amendments to reflect the points subsequently clarified by the examiner and additional changes to clarify the status of the extended Defined Development Boundary (DDB).

The referencing of the sites from A, B, C etc. to 1, 2, 3 etc. has also been changed as set out in the table below.

Site Name	Reference in Amended Plan	Reference in Submitted Plan
Field South of ‘Higher Still’, West of B3143	1	A
Field Rear of 1-6 Majors Common on B3143	2	B
Field to the East of Landscombe Vale	3	H
Land North of Lydden Meadow, West of B3143	4	C
Land North of Brooklands, East of B3143	5	D
Field North of Brookfield, West of Parish Field	6	E
Land Opposite Duntish Farm, East of B3143	7	F
Old Farm Buildings, Brockhampton Dairy Farm	-	G
Land at Knap Farm, Off Lockett’s Lane	8	I
Land Adjacent Lydden Cottage, Lockett’s Lane	9	J
Land South of the Old Mill, Duntish	-	K
Land NE of Knapps Hill Cottages, Spring Grove	-	L

The Parish Council signed off the minutes of the meeting on 18<sup>th</sup> August at their meeting on 11<sup>th</sup> September 2017.