

INDEPENDENT EXAMINATION OF THE HAZELBURY BRYAN NEIGHBOURHOOD PLAN REVIEW

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

Malcolm Wilson
Clerk to Hazelbury Bryan Parish Council

Philip Reese
Senior Planning Policy Officer
Dorset Council

Examination Ref: 01/AM/HBNPR

22 January 2024

Via email

Dear Mr Wilson and Mr Reese

HAZELBURY BRYAN NEIGHBOURHOOD PLAN REVIEW EXAMINATION

Following the submission for examination of the Hazelbury Bryan Neighbourhood Plan Review (the Plan), I would like to clarify several initial procedural matters.

1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the review of the Plan, including the draft Plan (as proposed to be modified); a copy of the made (adopted) Plan, the Basic Conditions and Consultation Statements; the Regulation 16 representations; and the statements from both Hazelbury Bryan Parish Council (HBPC) and Dorset Council (DC) in relation to whether the modifications contained in the draft Plan are so significant or substantial as to change the nature of the neighbourhood development plan which the draft Plan would replace, giving reasons why.

This has provided sufficient information to undertake my initial determination under paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended).

Subject to my further detailed assessment of the draft Plan, I have not at this initial stage identified any significant and obvious flaws that might lead me to advise that the examination should not proceed.

2. Determination under Paragraph 10(1) of Schedule A2

I am required determine to whether the modifications contained in the draft Plan are so significant or substantial as to change the nature of the neighbourhood development plan which the draft Plan would replace. The purpose of this determination is to establish the appropriate examination process for the draft Plan which will, amongst other things, affect whether or not the draft Plan will need to be the subject of a referendum if it is to be made.

The Hazelbury Bryan Parish Council state in their Modifications Statement and within the Plan that it has been modified by minor changes to Policies HB2 (Protecting and Enhancing Local Biodiversity), HB5 (Locally Distinctive Development), HB13 (Settlement Boundaries and Important Gaps), HB15 (Meeting Housing Needs – Amount and Location of New Dwellings, HB17 (Site 11), HB18 (Site 7), HB20 (Economic Development Opportunities) and Policy HB21 (Site 12), together with factual

updates since the Plan was first drafted and occasional improvements to the clarity of phrasing. The Modification Statement (page 2) states that the HBPC “considers that the proposed modifications are not so significant or substantial as to change the nature of the plan”.

Dorset Council has compared the policies in the made Plan with those of the submitted review and concluded that the changes constitute material modifications which do not change the nature of the Plan and would require examination but not a referendum.

Having assessed all the written documents submitted, including the representations and relevant statements, I am content that the modifications proposed in the draft Plan are material but do not change the nature of the made Plan.

Therefore, the examination can proceed under the terms of Schedule A2 and, as a consequence, should I recommend that the draft Plan be made (with or without examiner modifications), a referendum stage will not be a necessary part of the statutory process.

3. Site Visit

I visited the neighbourhood plan area on 19 January 2024 which will assist in my assessment of the draft Plan, including the issues identified in the representations.

I may have some questions whilst drafting the report, which I will set out in writing should I require any further clarification.

4. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should I consider there are exceptional reasons for doing so.

5. Examination Timetable

As you will be aware, the intention is to examine the draft Plan (including conduct of the site visit) with a view to providing a draft report (for ‘fact checking’) within around 6 weeks of submission of the draft Plan. However, if I have to raise any questions during the drafting of my report, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable may be extended. Please be assured that I will aim to mitigate any delay as far as is practicable. The IPE office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter is placed on the Parish Council and Dorset Council websites.

Thank you in advance for your assistance.

Yours sincerely

Andy Mead

Examiner