

INDEPENDENT EXAMINATION OF THE YETMINSTER & RYME INTRINSECA NEIGHBOURHOOD PLAN

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

David Torrence
Neighbourhood Plan Group (Liaison)

Mrs Charlotte Blocke
Clerk & RFO to Yetminster & Ryme Intrinseca Parish Council

Nick Cardnell
Senior Planning Officer
Dorset Council

Examination Ref: 02/AM/YNP

1 November 2021

Dear Mr Torrence, Mrs Blocke and Mr Cardnell

YETMINSTER & RYME INTRINSECA NEIGHBOURHOOD PLAN EXAMINATION

Having carried out my visit to the Yetminster and Ryme Intrinseca Neighbourhood Plan Area, I have identified some matters on which clarification from Yetminster and Ryme Intrinseca Parish Councils and Dorset Council would assist me in my examination of the Yetminster and Ryme Intrinseca Neighbourhood Plan (the Plan). May I request the submission of responses to my questions within **2 weeks** from the date of this letter, although an earlier response would be most welcome.

Questions to Yetminster and Ryme Intrinseca Parish Council (YRIPC) and Dorset Council (DC)

1. **Question to YRIPC.** I note that the application to designate the Neighbourhood Plan Area was approved by West Dorset District Council on 13 June 2016. What was the date of the application?

YRIPC response: the date of the application was 6 April 2016

2. **Question to YRIPC.** What was the date of submission of the Plan to Dorset Council?

YRIPC response: the date that the YRIPC Neighbourhood Plan was formerly submitted to Dorset Council was 22 July 2021

3. **Question to YRIPC.** The Plan refers to Yetminster and Ryme Intrinseca as a single Parish. The Consultation Statement (paragraphs 6 and 8) refers to two parishes and two websites. The OS base shows both Yetminster Civil Parish and Ryme Intrinseca Civil Parish. Map 1 on page 41 of the Plan delineating the Plan Area also shows the two Parishes as being separate entities. Please could this be clarified?

YRIPC response: Yetminster & Ryme Intrinseca consists of two parishes with a single Parish Council for the purposes of administration and statutory functions. The Neighbourhood Plan area covers both parishes – ie aligning to the area covered by the Parish Council.

The main website that has been used is a “Parish” website which covers Yetminster, Ryme Intrinseca and Hamlet (this is being updated to be less Parish Council and more Village in its appearance and content). This website contains details of progress with the Neighbourhood Plan, the details of which were mirrored in the stand-alone Y&RI Neighbourhood Plan website. There was also a

dedicated Facebook page although, with the completion of the Plan and its subsequent submission, both the subsidiary website and Facebook sites have been closed.

4. **Question to YRIPC.** The Basic Conditions Statement (Section 4 page 16) states that: *“The plan has been subject to a full Strategic Environmental Assessment, including the relevant scoping stage, and assessment of the pre-submission draft plan. The reports were sent to the statutory consultees (the Environment Agency, Natural England and Historic England) and published at the relevant times. A Habitats Regulations Assessment was also undertaken following consultation on the pre-submission plan”*. I should be grateful to have copies of the concluding responses from each of the statutory consultees on the SEA and the HRA.

YRIPC response: these are appended to the end of this letter

5. **Question to YRIPC.** What is the approximate area of each of Local Green Space (LGS) 1 and LGS 5 and Land of Local Landscape Importance (LLLI) 1 and LLLI 2?

YRIPC response: The following measurements have been taken using the mapping software:

Name	Label	Type	Area (ha)
Parish Church and Upbury Farm	LGS1	LGS	2.34
Cross Farm	LGS2	LGS	0.49
Sports Fields and Allotments	LGS3	LGS	2.21
Meadens Open Space	LGS4	LGS	0.14
Vecklands	LGS5	LGS	5.97
Wriggle Green Corridor	LGS6	LGS	0.46
St. Hippolytus Churchyard	LGS7	LGS	0.19
North Meadows	LLLI1(8)	LLLI	4.79
Wriggle Green Corridor	LLLI2(9)	LLLI	3.31
Yetminster to Ryme Gap - North	IOP(10)	Gap	12.41
Yetminster to Ryme Gap - South	IOP(11)	Gap	8.63

6. Regulation 16 representation ID2 (D2 Planning) refers to land north of Chapel Meadow and objects to its inclusion as LLLI and also objects to its omission as an allocation for housing.
- a) **Question to YRIPC.** The map which is attached to the representation on the Dorset Council web site shows this site as being outside LLLI 2 and, therefore, already excluded. Is my interpretation correct?

YRIPC response: Correct – this site is not currently within the WDWPLP LLLI nor was it ever proposed to be included in the LLLI within the Neighbourhood Plan.

- b) **Question to DC.** The representation also states that the Dorset Council SHLAA describes the land as “a development site” with a reference of WD/TEYM/003. The Dorset Council SHLAA includes three sites for Yetminster, one of which, WD/TEYM/002, is described as Land north of Chapel Meadow. The conclusion was that the site is *“outside the development boundary, potential impacts on the conservation area and would represent an extension well beyond the settlement boundary. An unsuitable site”*. Therefore, I assume that the representation should have referred to WD/TEYM/002. Is my assumption correct?

DC response: The land north of Chapel Meadow has been assessed several times through various iterations of the West Dorset District Council SHLAA and more recently the Dorset Council SHLAA. The site (WD/YETM/003) was originally included in the West Dorset & Weymouth & Portland 2014 SHLAA and 2015 update (that underpinned the adopted Local Plan) which appears to be the versions shown in the representation, and is shown again in the 2018 update for the WDWPLP review. On the formation of Dorset Council in April 2019, however, a decision was made to undertake a new ‘call for sites’ so that all sites across the new Council area could be assessed in a uniform way in support of

the emerging Dorset Council Local Plan. The land north of Chapel Meadow was once again assessed but under the new reference number LA/YETM/002 with the conclusion that the land was unsuitable for development, for the reasons set out within your question. The first Dorset Council SHLAA was published in September 2020 with a further update in 2021.

7. **Question to YRIPC and DC.** Policy H2 states that affordable housing will be prioritised to people with a local connection. The final sentence of paragraph 7.18 of the Plan then comments that *“a local connection is defined in Dorset Council’s Housing Allocation Policy as: ...”*. I am not querying the accuracy of the subsequent bullet points in paragraph 7.18. Moreover, I also note that, in the Regulation 16 representation, Dorset Council welcomed the reference to the Dorset Council Housing Allocations Policy. However, I am concerned that the Housing Allocations Policy is far more comprehensive than implied in the Plan and it also refers to exceptions which I believe are reasonable and exclusions. Therefore, I am considering recommending, in order to meet the Basic Conditions, a modification to Policy H2 to include an explicit reference to the Housing Allocations Policy and which would then become: *“... to ensure that it is prioritised to people with a local connection, in accordance with the Dorset Council Housing Allocations Policy and remains so in perpetuity.”* Do the Councils have any comments?

YRIPC response: the Parish Council fully accept the more detailed nuances in the actual allocations policy and does not wish to introduce new standards – the text in 7.18 was intended to be a summary and could be further improved to better reflect the actual allocations policy which was adopted in December 2020:

- Residency in the area 2 years or 3 years out of the last 5 years
- Close family continuous residency in the area 5 years evidenced (parents, siblings, non-dependent children)
- Paid employment in the Dorset Council area of 16 hours per week average for minimum period of 1 year (including zero hours contracts) – or in the case of a social tenant, offer of permanent employment in the Dorset Council area of 16 hours per week average for period no less than 1 year (including zero hours contracts) where would be unreasonable to travel from current social housing property
- Location requirements - any requirements detailed in a Section 106 Town and Country Planning Act 1990 and or a local lettings plan.

However, what is not clear from the above is at which points the area refers to the local parishes, and at which points it is intended to refer to the whole of Dorset. The intent of the Neighbourhood Plan is to introduce a cascade mechanism that will priorities people with a local connection to the parishes of Yetminster and Ryme Intrinseca in the first instance, so that those eligible applicants with this (local) connection will be selected in preference to those with no local connection to the neighbourhood plan area. Where no applicant meets the criteria, the area will be expanded to those with a local connection to the neighbouring parishes (listed in 7.19) followed by those with a local connection to the remainder of the Dorset Council area. YRIPC wonder whether this could be better achieved by the following modified wording:

“Where affordable housing is required, legal agreements will be sought with the developers and providers of affordable housing to ensure that it is prioritised to people with a local connection, giving preference to those with a local connection to the Yetminster and Ryme Intrinseca neighbourhood plan area, followed by those with a local connection to the neighbouring parishes, followed by those with a local connection to the remainder of the Dorset Council area, and in accordance with the Dorset Council Housing Allocations Policy, and remains so in perpetuity.”

DC response: We do not have any concerns with either the examiner’s proposed wording, or the alternative wording proposed by YRIPC within their response. The Council’s Housing Team has, however, drawn attention to the parishes position on the Somerset boarder which could cause difficulties from an allocations point of view. The preferred cascade would be the Parish, surrounding Parishes in Dorset, Dorset Council area and then Somerset. We note that paragraph 7.19 of the NP lists adjacent parishes omitting the Somerset parishes and therefore resolving this

concern, but we would question why the adjacent Dorset parishes of Melbury Osmond and Lillington have been excluded?

YRIPC supplementary response: the Parish Council have no record as to why these other adjoining parishes were omitted and would have no objection to their inclusion within the cascade as suggested.

8. **Question to YRIPC.** In the email to me dated 28 October 2021, the Parish Council referred to Policy T2 and I would be pleased to receive any further comments.

YRIPC response: Dorset Council have referred to the lack of specific evidence that would support an applicant exceeding the agreed County Parking standards. In the Plan we refer in para 9.6 to the increase in car ownership levels, with an average of 1.5 motor vehicles per household in 2011. And how, by 2011, the 2026 car ownership levels assumed in the Bournemouth, Poole and Dorset Residential Parking Study (which had been based on the 2001 Census and forward projections from that time) had already been exceeded. A post-2011 change (which further reinforces the likely upward trend in car ownership) is the withdrawal of the local bus service. This data and facts are locally specific evidence that shows that the County standards (that were more generic and 2001-based) are unlikely to reflect the current needs, and that exceeding the standards (that were based on lower levels of car ownership) is locally justified. It is also noted that that policy COM9 itself is flexible in this respect in that it states that levels of local accessibility and historic and forecast car ownership levels are factors that should be taken into account in applying the standards – which is why the ‘or exceed’ is considered to be a reasonable adjustment.

9. **Question to YRIPC.** A Regulation 16 representation from Land Value Alliance (LVA) objects to the exclusion of Omission Site: Land of Thornton Road from the housing allocations. I would be pleased to receive any comments.

YRIPC response: The landowner did not submit this site as part of the call for sites undertaken for the Neighbourhood Plan in November 2017 or at any point in the subsequent consultations. It is understood that the site was submitted to Dorset Council in late 2019 but this was not published until the time of the NP Reg 14 consultation. Both the landowner and LVA would have been aware of the Neighbourhood Plan process given the earlier outline permission which was a matter that went to appeal and where the fact that the Parish Council was undertaking a Neighbourhood Plan was mentioned. It is therefore disappointing that the landowner did not contact the Parish Council either at the Regulation 14 consultation or previously to alert the Parish Council of its aspirations for the site.

The site has been assessed through the Dorset Council SHLAA and it has been assessed by Dorset Council as unsuitable, as shown below:

SHLAA - Site details

Site reference

LA/YETM001

Settlement

Yetminster

Site name / address

Land east of Thornford Road

Total site area (ha)

5.9

Current land use

Agricultural Land

Existing development

(No details recorded)

Developable site area (ha)

0

Brownfield

No

Easting

359397

Northing

111282

Constraints and possible mitigation

Topography / ground condition

Relatively flat

Topography / ground condition mitigation

(No details recorded)

Flood risk

Affected by flooding from other sources including surface water

Flood risk mitigation

(No details recorded)

Access

Existing access off Thornford Road.

Access mitigation

(No details recorded)

Contamination

None recorded

Contamination mitigation

(No details recorded)

Existing infrastructure / facilities

The majority of the site is remote from existing infrastructure and facilities.

Existing infrastructure / facilities mitigation

(No details recorded)

Site features

Mature hedgerows and veteran trees and tree groups across the site.

Site features mitigation

Retain hedgerows, veteran trees and trees on boundary.

Townscape / landscape character

Residential development would represent an uncharacteristic extension beyond the well defined settlement boundary.

Townscape / landscape character mitigation

(No details recorded)

Environmental

Within the Somerset Levels and Moors Ramsar Site Catchment Area.

Environmental mitigation

Appropriate assessment needed to ascertain whether development will adversely affect the integrity of European sites.

Additional details

Planning status

No Permission

Date granted

(No details recorded)

Planning history

(No details recorded)

Ownership status

not owned by a public authority

Suitability

Outside development boundary and would represent an extension well beyond the settlement boundary.

Achievability

Development would be viable in this location

Availability

Owner identified

Estimate of potential**Relevant policy considerations**

Outside the development boundary. A designated Neighbourhood Plan area.

Additional notes

(No details recorded)

Conclusion

The site is located in a rural location outside the settlement development boundary, the site is difficult to access, the site is likely to be unviable. An unsuitable site.

Excluded

Yes

It is also noted that the site layout for the existing homes does not provide an access point to this additional land, which would make it even more divorced from the settlement than evident.

YRIPC disputes the assertion that the HNA is now out-of-date, as it was reviewed in light of the Dorset Council draft plan's proposals for housing in the area. New census data is unlikely to be available until 2023, and local affordable housing need will need to be reviewed once the current Folly Farm development is complete and the 30 affordable homes that it will provide have been allocated (particularly as the Housing Register is currently being refreshed by Dorset Council). No alternative evidence has been put forward by LVA.

As made clear in section 10 the Neighbourhood Plan will be kept under review, and when that review is triggered the landowner would be more than welcome to get in touch in order to discuss the site with the local community. However, the PC also shares the concerns of Dorset Council that the site would be difficult to access and would represent an extension well beyond the settlement boundary.

10. **Question to YRIPC.** I would be pleased to receive any further comments about issues raised in the Regulation 16 representations should the YRIPC wish to make any.

YRIPC response: With regard to the site representation ID2 (D2 Planning) this was included in earlier version of the plan but was subject to objection on heritage grounds – and having taken expert advice on this the allocation was removed from the plan. The site was originally included in the 2014 SHLAA and 2015 update (that underpinned the adopted Local Plan) which appears to be the versions shown in their representation and is shown again in the 2018 update for the WDWPLP review, but in the latest iteration (for the DCLP) it is noted that it is no longer considered appropriate for development by Dorset Council.

In addition, the comment that there is a bus service is no longer true since the services (74 and 212) were withdrawn some years ago around 2017 as part of the then County Council budget savings.

11. **Question for YRIPC and DC.** A revised version of the National Planning Policy Framework was published by the government on 20 July 2021, alongside a final version of the National Model Design Code. I would be grateful if you could please advise me whether you consider any modifications in relation to the non-strategic matters covered by the draft Plan are necessary as a result of the publications and, if so, what these are?

YRIPC response: The NPPF changes are considered relatively minor in relation to the plan, as they take broadly the same approach to development in rural areas as was contained in the previous plan. One change – the relevance of street trees (para 131) – has been considered but given the nature of the site allocations that are unlikely to require new streets does not seem to warrant any specific changes. With regard to the design code, no additional changes have been identified as necessary, and the Parish Council are content to keep the need for a more detailed design guide / code under review.

DC response: The revised version of the National Planning Policy Framework (NPPF) places greater emphasis on beauty, place-making, the environment, sustainable development and underlines the importance of local design codes. The changes make beauty and place-making a strategic theme in the NPPF, set out the expectation that Local Authorities produce their own design codes and guides, ask for new streets to be tree-lined, improve biodiversity and access to nature through design and put an emphasis on approving good design as well as refusing poor quality schemes. There are additional changes to flood Risk Vulnerability Classification in a new Annex 3. Larger scale developments set within a vision beyond 30 years are encouraged through a change to the Plan making section and the use of article 4 directions should be limited.

Most of the changes are directed towards Local Planning Authorities and not Neighbourhood Plan polices however the Neighbourhood Plan group may wish to make reference to some of the design revisions such as the emphasis on beautiful places and tree lined avenues, for example.

The National Model Design Code published at the same time as the revised NPPF provides detailed guidance on the production of design codes, guides and policies to promote successful design.

Complementary revisions to the NPPF helpfully explain that:

- *Para 127. . Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.*
- *Para 128. . all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Design Guide and National Model Design Code, and which reflect local character and design preferences. ...*

- *Para 129. . Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents.*

Neighbourhood Planning groups therefore have an important role to play in identifying the special qualities of their area and the preparation of design guidance or codes on a neighbourhood or site-specific scale. For practical reasons associated with the stage in the plan's preparation and the scale of work involved, this exercise would be best undertaken through any future review of the Neighbourhood Plan.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter and any subsequent response is placed on the Parish Council and Local Authority websites.

Thank you in advance for your assistance.

Your sincerely

Andy Mead

Examiner

Mr Oliver Rendle
Environmental Assessment Officer
West Dorset District Council
Planning Policy Division
Dorchester
Dorset

Our ref: WX/2006/000265/OR-
13/IS2-L01
Your ref: SEA
Date: 22 January 2018

Dear Mr Rendle

**Yetminster and Ryme Intrinsic Neighbourhood Plan
Strategic Environment Assessment Screening Report – January 2018**

Thank you for consulting the Environment Agency on the above mentioned Strategic Environment Assessment Screening Report.

We have considered the information within the document and from our remit can agree with the conclusions that the plan does not require a full SEA.

Please contact me if you have any queries.

Yours sincerely

MICHAEL HOLM
Planning Advisor - Sustainable Places
Direct dial [REDACTED]
Direct e-mail swx.sp@environment-agency.gov.uk

----- Forwarded message -----

From: "Stuart, David" [redacted]
To: Oliver Rendle [redacted]
Cc:
Bcc:
Date: Tue, 30 Jan 2018 10:46:12 +0000
Subject: SEA Screening: Yetminster & Ryme Intrinsic

Dear Oliver

Thank you for your SEA Screening consultation on the emerging Yetminster and Ryme Intrinsic Neighbourhood Plan.

We note from the Screening Report and Plan website that preparation is still in its infancy and policies have yet to be drafted and appropriate evidence gathered. Nonetheless, the community aspires to allocate sites for 36 dwellings and has issued a Call for Sites. We assume detailed assessment of sites identified to determine their suitability against relevant criteria, including the historic environment, would then follow.

The SEA Screening Report identifies the 1 Grade I and 4 Grade II* Listed Buildings in the Plan area as well as the Yetminster Conservation Area. However, our records indicate that there are in addition 69 Grade II Listed Buildings, with a significant number of the overall Listed estate clustered in and around settlement frameworks. Given that one of only the two Call for Sites selection criteria on the Plan's website requires that "New housing should be closely integrated into the existing fabric of the villages in order to maintain a strong and unified community", this suggests that any allocations may well fall within the individual or collective setting of designated heritage assets and thereby generate a likelihood of significant environmental effects.

Such sites are in addition to improved sports/leisure facilities and a larger village hall, details on the provision of which are unavailable at this time and so may also have potential to generate significant environmental effects.

With the relative paucity of available evidence we are unsure how the Screening Report can therefore assert in Figure 4.3, Section (2)b) (p11) that the Plan is unlikely to result in significant environmental impacts and conclude overall that a full SEA is not necessary (p15). In our view the evidence available does not support such a conclusion and we must therefore object to this outcome.

We appreciate that the community is keen to avoid carrying out a full SEA if possible. While the evidence available at this time does not in our view allow for the conclusion that an SEA is not required further evidence gathering and policy formulation will no doubt allow for a more informed and definitive outcome to a Screening exercise to be determined at a later date. Unless the community is insistent upon an outcome now to an SEA Screening the answer might be to defer such an exercise until more information is known.

Otherwise, we are regrettably obliged to advise that an SEA should be pursued.

Kind regards

David

David Stuart | Historic Places Adviser South West
Direct Line: [redacted]

Historic England | 29 Queen Square | Bristol | BS1 4ND
<https://historicengland.org.uk/southwest>

Date: 02 February 2018
Your Ref:
Our Ref: 236842



FAO: Oliver Rendle

By email only

Planning Ref: Yetminster & Ryne Intrinsic Neighbourhood Plan - SEA Screening report

Dear Mr Rendle

Thank you for your consultation on the above, dated and received by Natural England on the 22 January 2018.

Thank you for consulting Natural England on the Strategic Environmental Assessment (SEA) screening report for the Yetminster & Ryne Intrinsic Area Neighbourhood Plan.

Where Neighbourhood Plans could have significant environmental effects, they may require a Strategic Environmental Assessment (SEA) under the Environment Assessment of Plans and Programmes Regulations 2004. Further guidance on deciding whether the proposals are likely to have significant environmental effects and the requirements for consulting Natural England on SEA are set out in the National Planning Practice Guidance at: <http://planningguidance.communities.gov.uk/blog/guidance/strategic-environmental-assessment-and-sustainability-appraisal/sustainability-appraisal-requirements-for-neighbourhood-plans>

While Natural England cannot give a legal opinion of the requirement for an SEA, given the very low housing allocations being brought forward by the Yetminster & Ryne Intrinsic NP, and the low density of natural and cultural assets in or adjacent to the plan area, the conclusion that an SEA will not be required would appear the best decision. Natural England, therefore, concurs with the recommendation that an SEA is not required.

We would be happy to comment further should the need arise. In the meantime, if you have any queries please get in touch with us.

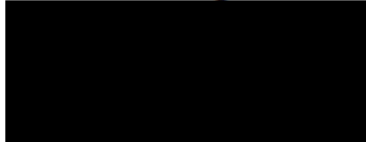
For any queries regarding the advice in this letter only, please contact Matt Low on [REDACTED] [REDACTED]. For any new consultations and to provide further information relating to this consultation please send your correspondence to consultations@naturalengland.org.uk.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced and managed for the benefit of future generations, thereby contributing to sustainable development.

Yours sincerely

Matt Low
Natural England
Dorset, Hants and Isle of Wight Area Team
Dorset Coast Team

Ms Jo Witherden
Dorset Planning Consultant



Our ref: WX/2006/000265/OR-
13/IS3-L01

Your ref: SEA

Date: 27 June 2018

Dear Ms Witherden

Yetminster and Ryme Intrinsic Neighbourhood Plan

Thank you for consulting the Environment Agency on the Strategic Environmental Assessment (SEA) scoping opinion for the above mentioned plan.


We have considered the information contained and can confirm that the SEA topic areas and objectives adequately cover the environmental constraints for this area.

We support that the plan will look to prevent development in flood risk areas and manage surface water runoff, the plan should look for opportunities to reduce existing local issues.

We also support that the plan is looking to enhance biodiversity interests and this should include the green corridors and networks in the area, including watercourses.

Please contact me if you have any queries.

Yours sincerely

MICHAEL HOLM
Planning Advisor - Sustainable Places
Direct dial 
Direct e-mail swx.sp@environment-agency.gov.uk

From: Stuart, David [REDACTED]
Sent: 22 June 2018 09:22
To: Jo Witherden
Cc: [REDACTED]
Subject: Yetminster and Ryme Intrinsic Neighbourhood Plan - SEA Scoping consultation
Attachments: SEA Screening: Yetminster & Ryme Intrinsic (20.8 KB)

Dear Jo

Thank you for your consultation on the draft SEA Scoping Report for the Yetminster and Ryme Intrinsic Neighbourhood Plan.

We appreciate that a Screening Opinion on whether a formal SEA is required may be yet to be issued by the District Council but I attach a copy of our response to the Screening consultation we received earlier in the year which may help provide clarification on the situation.

Although further details of the proposed content of the Plan have still not been seen by us your Scoping Report provides further intimation that site allocations are intended, indicating why a positive Screening outcome may be likely.

As far as your Scoping Report itself is concerned there are no specific comments on its content we would offer. Otherwise we would only draw attention to our guidance on Site Allocations, Setting, and SEAs, all of which would seem to be relevant to the preparation of the Plan and its necessary supporting evidence.

<https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>
<https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/>
<https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>

Kind regards

David

David Stuart | Historic Places Adviser South West
Direct Line: [REDACTED]

Historic England | 29 Queen Square | Bristol | BS1 4ND
<https://historicengland.org.uk/southwest>



Historic England

From: Greaves, Emily (NE) [REDACTED]
Sent: 19 June 2018 12:45
To: Jo Witherden
Subject: Yetminster and Ryne Intrinsic Neighbourhood Plan - SEA Scoping consultation response

Good afternoon Jo,

Our reference: 248646

Proposal: Yetminster and Ryne Intrinsic Neighbourhood Plan - SEA Scoping consultation

Thank-you for your consultation on the draft SEA for the Yetminster and Ryne Intrinsic Neighbourhood Plan, as noted in the scoping document, Natural England do not consider that the plan is likely to have significant effects on protected sites. We welcome the inclusion of the Ecological Network mapping layer as a tool to identify important areas for wildlife and suggest that the locally important wildlife sites within the plan area which are Sites of Nature Conservation Interest (SNCI) are identified as such in any accompanying text. There appears to be a good network of public rights of way in the plan area, continued and improved access to nature for health and wellbeing purposes should be identified as an objective in the plan.

If you have any queries relating to this advice, please contact me on the number below.

Kind regards,
Emily

Emily Greaves
Sustainable Development Adviser
Area 13 - Dorset, Hampshire & IoW
Natural England
[REDACTED]

Rivers House, Sunrise Business Park
Higher Shaftesbury Road, Blandford
Dorset, DT11 8ST

www.naturalengland.org.uk

From: Holm, Michael [REDACTED]
Sent: 27 July 2018 19:35
To: Jo Witherden
Subject: RE: Yetminster and Ryne Intrinsic Neighbourhood Plan - Site Options consultation

Dear Jo,

Given the nature of the growth and location of development (that there is no new built development in flood risk areas), we have no further comments to make at this time.

Yours sincerely

[REDACTED]

MICHAEL HOLM
Planning Advisor - Sustainable Places

Planning Advisor for Dorset and South Somerset

Direct Dial: [REDACTED]
Internal: [REDACTED]
Email: [REDACTED]

From: Stuart, David [REDACTED]
Sent: 02 August 2018 14:00
To: Jo Witherden
Cc: Oliver Rendle
Subject: Yetminster and Ryme Intrinseca Neighbourhood Plan - Site Options consultation

Dear Jo

Many thanks for this latest consultation. Apologies for not getting back to you before now.

Having looked at the site options report I can confirm that we are happy to leave advice on the efficacy of the report and the heritage issues it identifies/raises essentially to the discretion of the WDDC and DCC heritage teams.

P18 of the report provides a schedule of the sites which, following shortlisting, are emerging as the most preferred. Appendix 2 provides a more detailed assessment of all those which were considered and the degree of heritage understanding associated with those which were dismissed provides much reassurance about the robustness and integrity of the methodology used and the corresponding basis for the conclusions which informed those which have been carried forward!

I have therefore only 2 specific observations, one general the other site related. A recurring theme in the site assessments seems to be the conclusion that if not within a 400m radius of the proposed site that this can automatically imply that there will be no impact on the setting of a heritage asset. This cannot be assumed as the significance of each asset needs to be determined individually.

Site 15 is carried forward on the basis that some adverse impact is likely (Table 4, p18), which is elaborated upon at some length in the individual site assessment on p48. It refers to the specific extension of the conservation area boundary to include the site as part of a series of gardens and crofts which in turn formed part of an early field system. It is tempting to assume that the loss of just a part of this regime will therefore cause only minor harm but it does seem that the existence and retention of the whole system is a key part of its contribution to the character and appearance of the conservation area and its relationship with its wider setting. On that basis, and notwithstanding the consideration of visibility, the loss of just a part will therefore have a significant impact on the integrity of the whole and in its incrementality set an unfortunate and subsequently irresistible precedent.

I am therefore inclined to believe that the harm to the conservation area will therefore be greater than the report would suggest and it may become necessary to review its suitability. At this stage it is not clear how the 36 dwellings notionally identified as necessary will be distributed across the sites being considered and the removal of this site may therefore not cause any problems. But if it does generate a shortfall in terms of the total area of land necessary to deliver this figure then it may be sensible to revisit some of the sites previously rejected which generate less potential for harmful impact on heritage assets.

Kind regards

David

David Stuart | Historic Places Adviser South West
Direct Line: [REDACTED]

Historic England | 29 Queen Square | Bristol | BS1 4ND
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From: Greaves, Emily (NE) [REDACTED]
Sent: 06 August 2018 13:56
To: yetminsterplan@gmail.com
Cc: Jo Witherden
Subject: 252188 Yetminster and Ryme Intrinsic Neighbourhood Plan - Site Options consultation

Good afternoon,

Our reference: 252188
Consultation: Yetminster and Ryme Intrinsic Neighbourhood Plan - Site Options consultation

Having reviewed the SEA options assessment, Natural England advise that all preferred sites should be subject to a preliminary walk-over survey, given the rural location of the sites and their potential ecological value. Furthermore below are specific comments regarding two of the preferred sites;

Site 7b is currently a greenfield plot which lies between Vecklands Wood and Downs Lane. Development of Site 7b could result in a detrimental degradation effect on the adjacent woodland which may be difficult to mitigate by a single-dwelling plot (due to viability). We recommend the inclusion of this site in the preferred options is reviewed and where housing targets can be met by combination of other preferred sites thought should be given to whether it is necessary to take it forward Site 7b.

Site 10 has the potential to be used by roosting bats and as such it is recommended that the site be assessed for its use by bats as part of the walk-over survey (if deemed appropriate) to inform any future development.

If you have any questions regarding this advice, please contact me on the number below.

Kind regards,
Emily

Emily Greaves
Sustainable Development Adviser
Area 13 - Dorset, Hampshire & IoW
Natural England

From: Stuart, David [REDACTED]
Sent: 07 October 2020 13:41
To: yetminster@dorset-aptc.gov.uk
Cc: Alison Turnock; Jo Witherden
Subject: Yetminster and Ryme Intrinsic Neighbourhood Plan Consultation 7th September to the 19th October 2020

FAO Jodie Carter, Parish Council Clerk

Dear Ms Carter

Thank you for your Regulation 14 consultation on the pre-submission version of the Yetminster and Ryme Intrinsic Neighbourhood Plan.

The focus of our attention with such Plans is where they propose to allocate sites for development. Your community's Plan proposes to allocate sites for development through policies H3 – H8.

We have previously been consulted on preceding stages of the Plan's development when we have drawn attention to the need for appropriate evidence to demonstrate that the potential for impact on heritage assets has been taken account of and used to inform the proposed site allocations in accordance with the imperative to protect and enhance the historic environment as set out in the National Planning Policy Framework (NPPF).

Supporting documents to the Plan provide what appears to be a thorough assessment of relevant heritage assets and the potential for impacts on them which may arise. We are pleased to note that the exclusion of sites has been informed by robust heritage assessment methodology and that the sites proposed for development appear similarly promoted in their nature and degree and the extent to which they are accompanied by criteria to ensure harm is avoided or adequately mitigated.

The appropriateness of the specific policies and their provisions must depend on judgement based on local knowledge, which we do not possess and which therefore limits our ability to provide definitive and unqualified endorsement on the policies in question. However, we note that Dorset Council's conservation team has been involved in advising on the merits of proposed sites at previous stages in the Plan's preparation. We would therefore advise seeking their advice, to which we would be happy to defer on the ultimate suitability of the Housing site allocations and policies proposed.

There are no other issues associated with the Plan upon which we wish to comment.

Our congratulations to your community on its progress to date, and our best wishes on the making of its Plan.

Kind regards

David Stuart

David Stuart | Historic Places Adviser South West

Date: 19 October 2020
Our ref: 327089
Your ref: Yetminster & Ryme Intrinsic NP



Yetminster & Ryme Intrinsic Parish Council



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[SEA/HRA extract]

Strategic Environmental Assessment (SEA) Screening

The SEA rightly states that there are no national or European wildlife designations within the Neighbourhood Plan area.

However, since we last provided comment on the SEA process for this Neighbourhood Plan (in 2018) and stated that we did not consider that the plan would be likely to have significant effects on protected sites, new evidence has arisen around the impact of phosphates arising from residential development (and other types of development) in the hydrological catchment of the Somerset Levels and Moors Ramsar site.

The Neighbourhood Plan intends to allocate land for up to 50 dwellings in the catchment. According to our data the plan area sits entirely in the catchment of the Ramsar site and is therefore likely to have significant effects on the environment in the absence of any prevention/reduction or mitigation for those impacts.

As a consequence, we cannot at this time, agree with the conclusions of the SEA as it stands.

Therefore, we advise that the SEA reconsiders the impacts from the proposed allocations in light of the advice we have given under the HRA section of this letter and the SEA/Neighbourhood Plan be subsequently updated as appropriate throughout the reports.

Habitats Regulations Assessment (HRA)

On the basis of information provided, Natural England advises that there is currently not enough information to rule out the likelihood of significant effects from the plan's proposals and specifically from the site allocations it intends to make.

Before evidence came to light around the impacts of phosphates on Somerset Levels and Moors Ramsar site we would have accepted the SEA and thus an HRA screening out significant impacts on the environment.

However, we now need to raise the issue and request that the SEA reconsider the impacts from the proposed allocations on the Ramsar site and advise that the Neighbourhood Plan is subject to a HRA. You should liaise with Dorset Council, as the Competent Authority, regarding this issue. We have attached the information that has been provided to affected authorities in Annex 2 of this letter.

As a first step it would be useful to seek confirmation of where waste water from the proposed development sites would be treated to establish whether waste water is to be treated at a wastewater treatment works that drains into the Somerset Levels and Moors catchment. If that is the case the HRA should consider impacts of increased phosphates on that designated site.

Natural England advises that information on this matter should be included within the neighbourhood plan, allowing the Dorset Council to repeat their HRA/SEA screening to check for the likelihood of significant effects of the project as submitted (i.e. with all new information provided as part of the proposal).

If following the submission of additional information Dorset Council conclude that there is a likelihood of significant effects, or it is uncertain, they should undertake an Appropriate Assessment in order to fully assess the implications of the proposal in view of the conservation objectives for the European site in question. Natural England must be consulted on any Appropriate Assessment the Authority undertakes.

An Appropriate Assessment would need to consider the ability of proposed development to deliver nutrient (phosphate) neutrality.

In doing so it should also consider whether the necessary level of mitigation required by the allocated development within the plan can be wholly or partly secured through the provision of permanent land use change within the Neighbourhood Plan area. This might be achieved by the Neighbourhood Plan allocating additional agricultural land for land uses with a low nutrient status that will also be of benefit to the local community and/or biodiversity interests (e.g. community woodland, community orchards, nature reserve, new wetlands, or other similar green infrastructure) and thereby provide certainty that the appropriate level of phosphate offsetting will be secured to enable the development identified within the Neighbourhood Plan.

Natural England would be happy to discuss these matters at the earliest convenience.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Alison Appleby
Dorset West Team
Wessex Area Team

Date: 15 November 2021
Our ref: 365542
Your ref: Yetminster and Ryme Intrinsic Neighbourhood Plan



BY EMAIL ONLY
neighbourhoodplanning@dorsetcouncil.gov.uk

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T 0300 060 3900

Dear Mr Cardnell

Yetminster and Ryme Intrinsic Neighbourhood Plan – Regulation 16 consultation

Thank you for your consultation request on the above dated and received by Natural England on 25th August 2021. We apologise for the delay in responding.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

General comments about the Plan

We welcome the changes made to the plan following our consultation response at Regulation 14 stage.

We continue to welcome policies EN2 (local landscape character), EN3 (local biodiversity), EN4 (local green spaces), EN5 (land of local landscape importance) and EN6 (views) as they recognise the importance of biodiversity and local landscape which lies in the setting of the Dorset AONB.

We welcome the addition of paragraph 4.13 which mentions that the plan area lies within the hydrological catchment of the Somerset Levels and Moors Ramsar site and the implications thereof.

We also support EN8 (footpaths and bridleways) with its aspiration to provide new and improved footpaths and bridleways.

Referring to the 'Housing' section of your Plan (chapter 7), in our previous Regulation 14 consultation response we raised the emerging implications of allocating housing sites in relation to their hydrological catchment and the subsequent potential for impacts upon the Somerset Levels and Moors Ramsar site. We therefore welcome paragraph 7.13 which recognises the need for nutrient neutrality for phosphorus from any development in the Plan area. This is then also supported in policy H1 (housing land) which confirms that any housing development, including the 4 site allocations will only be supported if it can achieve phosphorus neutrality regarding Somerset Levels and Moors Ramsar site.

Strategic Environmental Assessment Report June 2021

We welcome the addition of commentary regarding the issues around phosphorus upon the Somerset Levels and Moors Ramsar site, following our consultation response at Regulation 14 stage.

Habitats Regulations Assessment (HRA) June 2021

We are pleased that the HRA/AA has been produced and appreciate how difficult an issue it is to deal with.

We welcome the HRA and Appropriate Assessment (AA) conducted in order to fully assess the implications of the Plan. Whilst the AA recognises that mitigation in the form of nutrient neutrality or permanent land use change is required to deliver development and specifically the housing allocations made within the Plan, it does not identify how or where this mitigation can be delivered and therefore provides no certainty in terms of deliverability of the allocations.

So, to summarise, the wording within the HRA is compliant when concluding that there will no adverse effect on the integrity of the Somerset Levels and Moors Ramsar site but the approach does leave doubt over deliverability of the allocations as no land has been identified for mitigation. Further, experience from elsewhere suggests that phosphorus mitigation will require either significant land use change, or detailed work to design and implement treatment wetlands. Although work to resolve these issues is underway elsewhere, a strategic approach to residential development within the hydrological catchment of the Somerset Levels and Moors Ramsar site in Dorset has yet to be identified. It is therefore a decision for the Inspector as to how to approach the current uncertainty in the delivery of the housing allocations set out within the current Plan.

Natural England would be happy to discuss these matters at the earliest convenience.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours faithfully

Alison Appleby
Lead Adviser
Dorset West Team
Wessex Area Team
[REDACTED]