

CHARMOUTH NEIGHBOURHOOD PLAN 2021-2035

Dorset Council is satisfied that the Charmouth Neighbourhood Plan 2021-2035, 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 the 10 February 2022.

Background

The Charmouth Neighbourhood Area was designated by the former West Dorset District Council on the 29 September 2014 in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012 (the 'Regulations'). The relevant body is confirmed as Charmouth Parish Council and the designated neighbourhood area covers Charmouth civil parish.

In May 2021 Charmouth Parish Council submitted its draft neighbourhood plan and supporting material to Dorset Council¹. Dorset Council was satisfied that the documents submitted met the requirements of Regulation 15 of the 'Regulations'. The Parish Council was notified of Dorset Council's conclusion and informed that the plan could proceed to examination.

The submitted documents were made available for consultation from 18 June 2021 until 30 July 2021 and an independent examiner, Andrew Mead MRTPI MIQ, was appointed to examine the Plan. The examiner's report was received on 28 October 2021.

In summary, the examiner's report concluded that the Charmouth Neighbourhood Plan 2021-2035 would meet the basic conditions and other legal requirements, subject to his recommended modifications as set out in Appendix A of this decision statement.

Dorset Council has considered each of the recommendations and modifications contained in the examiner's report. In considering the conclusions of the independent examiner, Dorset Council agreed that the legal requirements and basic conditions had been met. The referendum version of the neighbourhood plan agreed by Dorset Council includes the examiner's recommended modifications as set out in Appendix A of this document.

Dorset 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

¹ On 1 April 2019 the county's nine councils were replaced by two new organisations. Dorset Council became the local authority for the area previously covered by West Dorset District Council.

...can now proceed to a referendum.

The area covered by the Charmouth Neighbourhood Plan 2021-2035

The neighbourhood plan area covers the civil parish of Charmouth only.

Details of the Neighbourhood Plan Referendum

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, being the same area as the civil parish of Charmouth.

Information about the referendum will be published on the Council's website and made available for inspection no fewer than 28 days before the referendum.

Where to find more information...

Copies of this decision statement, the examiner's report and the neighbourhood plan can be viewed online at: [Charmouth Neighbourhood Plan - Dorset Council](#)

Appendix A: Modifications from Examiner's Report

Appendix: Modifications

Below are the recommendations and modifications taken from the Examiner's Report.

Note: Additions are shown in **bold** and deletions are shown in ~~strike through~~.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Policy HH1	Delete second bullet point and replace with: “Any development proposal which would directly or indirectly detract from the significance of locally important designated heritage assets, including any contribution made by their setting will be resisted. In considering applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset.”
PM2	Policy NE2	Rephrase second bullet point to: “Development which would result in a significant negative effect ...” Delete from the third bullet point: “... and outside ...”.
PM3	Policy NE4	Table 6.5: Delete LGS1. Amend the Map of LGS2 to that shown on the Regulation 16 representation from the Charmouth Neighbourhood Plan Steering Group. Attach as an Appendix to the Plan larger scale plans of each LGS as shown in the Local Green Spaces Report.
PM4	Glossary	Redefine Charmouth Connection as: “To be used in legal agreements to determine how affordable housing should be allocated: Charmouth Connection is a person who satisfies the local connection criteria of the Dorset Housing Allocations Policy 2021 - 2026. The criteria shall be applied firstly to those with a connection to the parish of Charmouth. The local connection may be extended to the adjoining rural parishes which Charmouth serves as a community service centre if there are no people with a connection to Charmouth Parish, and then to the rest of the Dorset Council area.”

PM5	Policy H3	Delete the second bullet point.
PM6	Policy H4	Delete the final two bullet points.
PM7	Policy CC2	Amend the first bullet point to: "... providing there is no significant effect on the environment and, where appropriate, the submission of a vulnerability assessment. "

Examiner's note: A consequence of the acceptance of the recommended modifications would be that amendments would have to be made to the explanation within the Plan in order to make it logical and suitable for the referendum. These might also include incorporating factual updates, correcting minor inaccuracies, revising references to the NPPF (2021) updated paragraph numbers or text improvements suggested helpfully by DC, especially to the section on coastal change. None of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes.