



Intelligent Plans
and examinations

Report on the Yetminster and Ryme Intrinseca Neighbourhood Plan 2017 to 2036

**An Examination undertaken for Dorset Council with the support of
Yetminster and Ryme Intrinseca Parish Council on the July 2021
submission version of the Plan.**

Independent Examiner: Andrew Mead BSc (Hons) MRTPI MIQ

Date of Report: 6 December 2021

Contents	Page
Main Findings - Executive Summary	3
1. Introduction and Background	3
• Yetminster and Ryme Intrinseca Neighbourhood Plan 2017–2036	3
• The Independent Examiner	4
• The Scope of the Examination	4
• The Basic Conditions	5
2. Approach to the Examination	6
• Planning Policy Context	6
• Submitted Documents	6
• Site Visit	7
• Written Representations with or without Public Hearing	7
• Modifications	7
3. Procedural Compliance and Human Rights	7
• Qualifying Body and Neighbourhood Plan Area	7
• Plan Period	7
• Neighbourhood Plan Preparation and Consultation	7
• Development and Use of Land	8
• Excluded Development	8
• Human Rights	8
4. Compliance with the Basic Conditions	9
• EU Obligations	9
• Main Issues	10
• Vision and Objectives	11
• Environment	11
• Climate Change and Water Management	13
• Community Services, Facilities and Leisure	13
• Housing	13
• Business Services and the Economy	15
• Traffic, Road Safety and Transport	15
• Overview	16
5. Conclusions	17
• Summary	17
• The Referendum and its Area	17
• Concluding Comments	17
Appendix: Modifications	18

Main Findings - Executive Summary

From my examination of the Yetminster and Ryme Intrinseca Neighbourhood Plan (YRINP/the Plan) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – Yetminster and Ryme Intrinseca Parish Council;
- The Plan has been prepared for an area properly designated – the Parishes of Yetminster and Ryme Intrinseca as shown on Map 1 (page 41) of the Plan;
- The Plan specifies the period during which it is to take effect: 2017 to 2036; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Yetminster and Ryme Intrinseca Neighbourhood Plan 2017–2036

- 1.1 The Parishes of Yetminster and Ryme Intrinseca, administered by Yetminster and Ryme Intrinseca Parish Council (YRIPC), have a population of about 1260,¹ and contain the village of Yetminster, the smaller village of Ryme Intrinseca and part of the even smaller hamlet of Hamlet. The Parishes are located about 10 km south-west of Sherborne, 10 km to the south-east of Yeovil and 24 km north of Dorchester. The villages are surrounded by open, undulating countryside punctuated by collections of farm buildings and scattered woodland. The River Wriggle, a tributary of the River Yeo, flows through the Parishes and most of the village of Yetminster lies on an east facing slope of the Wriggle valley.
- 1.2 The initial process to prepare a neighbourhood plan for the Yetminster and Ryme Intrinseca Parish Council area began in 2015 and 2016 with discussions about whether the Plan should include adjoining parishes. In the event, the decision was made to proceed with a plan exclusively covering the area of the YRIPC. An application was made to the then West Dorset District Council (WDDC) to designate the Plan Area which was

¹ 2017, Mid-Year Census: ONS.

approved in June 2016, by which time a Steering Group had already been formed to prepare the Plan. Various open events and consultation meetings were held and evidence was gathered. The YRINP was submitted to Dorset Council (DC) on 22 July 2021, representing over six years' work for those involved.

The Independent Examiner

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the YRINP by DC, with the agreement of the YRIPC.
- 1.4 I am a chartered town planner and former government Planning Inspector and have experience of examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the Plan.

The Scope of the Examination

- 1.5 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the Plan meets the Basic Conditions.
 - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;

- it does not include provisions and policies for 'excluded development'; and
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
 - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').
- 1.7 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

- 1.8 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan for the area;
 - be compatible with and not breach European Union (EU) obligations (under retained EU law)²; and
 - meet prescribed conditions and comply with prescribed matters.
- 1.9 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Plan does not breach the requirement of Chapter 8 Part 6 of the Conservation of Habitats and Species Regulations 2017 ('the 2017 Regulations').³

² The existing body of environmental regulation is retained in UK law.

³ This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of Dorset Council, not including documents relating to excluded minerals and waste development, is the West Dorset, Weymouth and Portland Local Plan (WDWPLP) adopted in 2015. The Local Plan was produced jointly by the former WDDC and Weymouth and Portland Borough Council (WPBC). Policy SUS2 of the WDWPLP indicates that development in rural areas will be directed to settlements with defined development boundaries (DDB) such as Yetminster and will take place at an appropriate scale to the size of the settlement.
- 2.2 The WDWPLP is being replaced by the Dorset Council Local Plan, consultation on the first draft of which closed in March 2021. The emerging Plan defines Yetminster as a Tier 3 village with Local Plan Development Boundaries where small-scale infilling may be appropriate to meet local needs.
- 2.3 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published in July 2021 and all references in this report are to the July 2021 NPPF and its accompanying PPG.

Submitted Documents

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, as well as those submitted which include:
 - the draft Yetminster and Ryme Intrinsic Neighbourhood Plan 2017–2036, dated July 2021;
 - Map 1 on page 41 of the Plan, which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement, dated July 2021;
 - the Basic Conditions Statement, dated July 2021;
 - the Strategic Environmental Assessment Environmental Report, dated July 2021;
 - the Supporting Evidence documents;
 - the Habitats Regulation Assessment Report, dated July 2021;
 - all the representations that have been made in accordance with the Regulation 16 consultation; and
 - the request for additional clarification sought in my letter of 1 November 2021 and the joint responses of 15 November from YRIPC and DC.⁴

⁴ View at: <https://www.dorsetcouncil.gov.uk/yetminster-ryme-intrinsic-neighbourhood-plan>

Site Visit

- 2.5 I made an unaccompanied site visit to the YRINP area on 26 October 2021 to familiarise myself with it and visit relevant locations referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.6 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. No requests for a hearing session were received.

Modifications

- 2.7 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix to this report.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Yetminster and Ryme Intrinseca Neighbourhood Plan has been prepared and submitted for examination by YRIPC, which is a qualifying body. The YRINP extends over all the Yetminster and Ryme Intrinseca Parishes. This constitutes the area of the Plan designated by WDDC on 13 June 2016, replaced by Dorset Council on 1 April 2019 which carries over the statutory designation.

Plan Period

- 3.2 The Plan specifies the Plan period as 2017 to 2036.

Neighbourhood Plan Preparation and Consultation

- 3.3 The thorough Consultation Statement (CS), with its associated Appendices indicates the stages of the preparation of the Plan and all the consultation events and activities which took place during the period from 2015 to 2021. Following discussions with the neighbouring parishes of Leigh and Chetnole in 2015 and 2016 about producing a joint neighbourhood plan, it was decided by Yetminster and Ryme Intrinseca Parish Council to produce a plan for its own Parish Council area.
- 3.4 A Steering Group was formed in April 2016, a neighbourhood plan section was created on the Parish website, together with a standalone website and Facebook page. The steps (1–31) taken in the preparation of the Plan

are listed in detail chronologically in Section 2 of the CS. The steps include consultation meetings, the issue of questionnaires, the conduction of surveys, the organisation of sub-groups to consider specific themes of the Plan and open discussion evenings. Monthly reports were given to full Parish Council meetings. Information updates were made on the Parish website, on the dedicated YRIPC Neighbourhood Plan website, the Wriggle Valley Magazine, the village Facebook pages, the three village notice boards and via flyers and posters in the Plan area. The minutes of the Steering Group meetings were published on the Parish web site as well as the Plan website.

- 3.5 The pre-submission Plan was published for consultation under Regulation 14 of the 2012 Regulations on 7 September 2020 for a period of six weeks until 17 October 2020. Pages 12–45 of the CS summarise the numerous responses from statutory consultees, members of the public and other stakeholders together with the response from the YRINP Working Group⁵ on behalf of the YRIPC and any proposed changes to the Plan.
- 3.6 The Plan was finally submitted to DC on 22 July 2021. Consultation in accordance with Regulation 16 was carried out from 25 August 2021 until 13 October 2021. 10 responses were received. I am satisfied that a transparent, fair and inclusive consultation process has been followed for the YRINP, that has had regard to advice in the PPG on plan preparation and is procedurally compliant in accordance with the legal requirements.

Development and Use of Land

- 3.7 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

- 3.8 The Plan does not include provisions and policies for 'excluded development'.

Human Rights

- 3.9 The Basic Conditions Statement (BCS) advises that no issues have been raised in relation to the possible contravention of Human Rights and that, given the conclusions on the Plan's general conformity with the strategic policies of the Local Plan and regard to national planning policy, it is reasonable to conclude that the making of the Plan should not breach human rights. I am aware from the CS that considerable emphasis was placed throughout the consultation process to ensure that no sections of the community were isolated or excluded. I have considered this matter independently and I have found no reason to disagree with the statement

⁵ The YRINP Working Group was established after the adoption of the draft pre-submission Plan by the YRIPC at their meeting on 8 July 2020, with the specific task of taking the Plan through the Regulation 14 consultation and subsequent submission to Dorset Council (See CS page 7 step 31).

in the BCS and I am satisfied that the policies will not have a discriminatory impact on any particular group of individuals.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 A Strategic Environmental Assessment (SEA) was undertaken on behalf of YRIPC. The details were submitted with the Plan in accordance with the legal requirement under Regulation 15(e)(i) of the 2012 Regulations.⁶ The Report concluded that there are no likely significant adverse impacts identified as a result of the assessment of Plan's objectives and proposed policies. The main potential significant impacts identified relate to the positive impact through safeguarding local landscape character. When consulted on a SEA Scoping Report, Natural England (NE)⁷ and the Environment Agency (EA)⁸ considered a full SEA was unnecessary. Historic England reserved their position but were eventually content to leave the judgement of heritage matters in the housing proposals and policies in the Plan to Dorset Council.⁹
- 4.2 A Habitats Regulations Assessment (HRA) was also carried out on behalf of YRIPC.¹⁰ There are no European sites within the Plan area, but NE commented that, in the absence of any mitigation or prevention measures, the draft Plan could potentially have significant effects on the integrity of the Somerset Levels and Moors Ramsar (SLMR) site and Special Protection Area (SPA) through increased phosphate levels.¹¹ NE advised that an HRA should be undertaken specifically examining the likelihood of significant effects from increased phosphate on the integrity of the SLMR site, including Appropriate Assessment if required.
- 4.3 Freshwater habitats, notably ditches, within the SLMR have been identified as either being in unfavourable condition or at risk of being in unfavourable condition due to eutrophication caused by increased phosphate levels. Discharges from wastewater treatment works within the hydrological catchment of the SLMR have been identified as one of the main sources of phosphates.¹² The Plan area is served by the Thornford Sewage Treatment Works (STW). The HRA concluded that because the Plan allocates land for up to 14 new dwellings under Policies H1, H4, H5, H7 and H8, with the potential for a likely significant effect on the integrity of the SLMR, Appropriate Assessment (AA) should be carried out.

⁶ SEA Environmental Report: July 2021.

⁷ Email from Natural England, dated 2 February 2018.

⁸ Email from the Environment Agency, dated 22 January 2018.

⁹ Email from Heritage England, dated 7 October 2020.

¹⁰ Habitats Regulations Assessment: July 2021.

¹¹ HRA July 2021: Figure 2 shows the SLMR and catchment area.

¹² HRA July 2021: paragraphs 3.7–3.11.

- 4.4 The Appropriate Assessment of the likely significant effects determined that changes to the Plan were required to either Policy H1 or H2 (see paragraph 5.16 of the Plan) in order to prevent an adverse affect on the integrity of the SLMR. The HRA concluded that providing the mitigation recommended is incorporated, it could be concluded that the Plan will not adversely affect the integrity of the Ramsar/SPA. The recommended mitigation was subsequently combined into Policy H1.
- 4.5 When consulted, NE commented that there was doubt about the deliverability of the housing allocations, as no land has been identified to provide the necessary mitigation, and a strategic approach to residential development in the hydrological catchment of the SLMR in Dorset has yet to be identified.¹³ Nevertheless, it seems to me that the penultimate paragraph in Policy H1 which only supports development if it can achieve phosphate neutrality in the SLMR is as much as the Plan can achieve. It is not for the Plan to suggest or initiate a strategic approach sought by NE which is for the wider consideration of Dorset Council, NE and any other stakeholders.
- 4.6 Therefore, after having read the SEA Environmental Report, the Habitats Regulations Assessment and the other information provided, and considered the matter independently, I am satisfied that the YRINP is compatible with EU obligations.

Main Issues

- 4.7 Having considered whether the Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the remaining Basic Conditions, particularly the regard it pays to national policy and guidance, the contribution it makes to the achievement of sustainable development and whether it is in general conformity with strategic development plan policies. I test the Plan against the Basic Conditions by considering specific issues of compliance of all the Plan's policies.
- 4.8 As part of that assessment, I consider whether the policies are sufficiently clear and unambiguous, having regard to advice in the PPG. A neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.¹⁴
- 4.9 Accordingly, having regard to the Yetminster and Ryme Intrinsic Neighbourhood Plan, the consultation responses, other evidence¹⁵ and the site visit, I consider that the main issues in this examination are whether the YRINP policies (i) have regard to national policy and guidance, (ii) are

¹³ Email from Natural England, dated 15 November 2021.

¹⁴ PPG Reference ID: 41-041-20140306.

¹⁵ The other evidence includes the joint response from YRIPC and DC dated 15 November 2021 to the questions in my letter of 1 November 2021.

in general conformity with the adopted strategic planning policies and (iii) would contribute to the achievement of sustainable development? I shall assess these issues by considering the policies within the themes in the sequence in which they appear in the Plan.

Vision and Objectives

- 4.10 The vision for the YRINP described on page 3 of the Plan states that “... by 2036 we will be living in a vibrant, supportive community which will value its historic environment and rural setting. Local people’s requirements will have been met by providing a variety of housing, business opportunities and community facilities. Changes will have retained the distinctive characteristics of the individual villages and will have made a genuinely positive contribution to our environment in terms of the scale, design, materials, layout and density of development”. The vision was used from which to derive objectives, policies and proposals grouped into the six themes of the Plan.
- 4.11 The twenty six policies are grouped within the themes and serve as chapter headings: Environment; Climate Change and Water Management; Community Services, Facilities and Leisure; Housing; Business Services and the Economy; and Traffic, Road Safety and Transport.

Environment (Policy EN1, EN2, EN3, EN4, EN5, EN6, EN7 and EN8)

- 4.12 Policy EN1 requires new development to make a positive contribution to the conservation of heritage assets in the Plan area, including protecting the setting of Listed Buildings and buildings of Local Historic Interest (Table 2 of the Plan) and preserving or enhancing the character or appearance of the Yetminster Conservation Area. The policy has regard to national guidance,¹⁶ generally conforms with Policy ENV4 of the WDWPLP and meets the Basic Conditions.
- 4.13 Policy EN2 requires development to be designed and located to respect the area’s distinctive local character. The policy has regard to national guidance,¹⁷ generally conforms with Policy ENV1 of the WDWPLP and meets the Basic Conditions. Policy EN3 seeks to protect and, where practicable, enhance local biodiversity by securing on overall gain. The policy has regard to national guidance,¹⁸ generally conforms with Policy ENV2 of the WDWPLP and meets the Basic Conditions.
- 4.14 Policy EN4 seeks to protect Local Green Spaces (LGS) shown on Map 4 of the Plan and listed in Table 3. The policy states that development must not harm their green character or reason for their designation. As explained in the NPPF, LGS designation should only be used where the green space is: a) in reasonably close proximity to the community it

¹⁶ NPPF: paragraph 189.

¹⁷ NPPF: paragraph 174.

¹⁸ NPPF: paragraph 179.

serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and c) local in character and is not an extensive tract of land.¹⁹ Having seen each LGS and read Appendix 2 of the BCS, I agree with their designation.

- 4.15 However, NPPF advises that policies for managing development within a Local Green Space should be consistent with those for Green Belts. Accordingly, certain forms of development might be acceptable as illustrated in NPPF paragraphs 149 and 150 which might, arguably, cause harm to the green character. However, I also note that NPPF paragraph 149 e) states that “limited infilling in villages” may not be inappropriate development in the Green Belt. Given that Yetminster and Ryme Intrinseca are both villages, I consider that providing for limited infilling here would be contrary to the aims for the designated LGS. Therefore, in order to remove ambiguity and enable the policy to have regard to national guidance, I shall recommend a modification to Policy EN4 which would amend the second sentence of the policy to include a reference to development management in the Green Belt, whilst retaining the need to avoid harm to the reason for the LGS designation. **(PM1)** The policy would then also generally conform with Policies ENV1 and ENV3 of the WDWPLP and meet the Basic Conditions.
- 4.16 Policy EN5 seeks to safeguard two areas defined as Land of Local Landscape Interest (LLLI) and shown on Map 4 of the Plan and listed in Table 3. The policy has regard to national guidance,²⁰ generally conforms with Policy ENV3 of the WDWPLP and meets the Basic Conditions.
- 4.17 Policy EN6 aims to protect important views which are identified on Map 5 and described in paragraph 4.16 of the Plan.²¹ Ten viewpoints are listed in the Plan and, having visited them, I accept that those looking towards or over open countryside enable the beautiful rural surroundings of Yetminster to be appreciated, both the immediate setting of the village and the broader views across the Parish. However, I consider that many of the views are too sweeping and lack focus to be used effectively for development management.
- 4.18 Therefore, I shall recommend the deletion of Viewpoints 1, 2, 3, 4, 5, 6, and 7. **(PM2)** Policy EN6 would then have regard to national guidance,²² generally conform with Policies ENV1 and ENV10 of the WDWPLP and meet the Basic Conditions. Any concerns that this modification would weaken the protection of the countryside and the panoramic views around Yetminster from unwanted intrusive development may be allayed by the presence of Policies ENV1 ii) and SUS2 iii) of the WDWPLP.

¹⁹ NPPF: paragraph 102.

²⁰ NPPF: paragraph 174.

²¹ Policy EN6 erroneously refers to paragraph 4.12 of the Plan.

²² NPPF: paragraph 174.

4.19 Policy ENV7 states that the open gap between Yetminster and Ryme Intrinsic shown on Map 4 of the Plan should be maintained. Noting that the policy has the support of DC, I consider that it has regard to national guidance,²³ generally conforms with Policy ENV1 of the WDWPLP and meets the Basic Conditions. Policy EN8 supports proposals to improve access along public footpaths and bridleways and the opportunities to create new ones. The policy has regard to national guidance,²⁴ generally conforms with Policy COM7 of the WDWPLP and meets the Basic Conditions.

Climate Change and Water Management (Policies CC1, CC2, CC3, CC4 and CC5)

4.20 The policies within this section of the Plan consider minimising the carbon footprint of development proposals (Policy CC1), individual and community scale energy proposals (Policy CC2), renewable energy and waste reduction in building design (Policy CC3), energy generation to offset predicted carbon emissions (Policy CC4), and drainage (Policy CC5). Policies CC1, CC2, CC3 and CC4 have regard to national guidance for planning for climate change,²⁵ generally conform with Policy ENV13 of the WDWPLP and meet the Basic Conditions.

4.21 Policy CC5 sets out criteria for how surface water and flood risk in proposals for new development should be managed. I shall recommend an addition from NPPF paragraph 161 c) which would enable the policy to have regard to the national guidance, generally conform with Policy ENV5 of the WDWPLP and meet the Basic Conditions. **(PM3)**

Community Services, Facilities and Leisure (Policies CS1 and CS2)

4.22 This section of the Plan comprises two policies. Policy CS1 supports the expansion or enhancement of existing services and facilities listed in the policy and does not support the loss of, or a reduction in, key facilities. Policy CS2 supports the provision of new community and leisure services and facilities subject to meeting specific criteria. Both policies have regard to national guidance,²⁶ generally conform with Policies COM2, COM3, COM4, COM5 and COM6 of the WDWPLP, as appropriate, and meet the Basic Conditions.

Housing (Policies H1, H2, H4, H5, H7, H8 and H9)²⁷

4.23 The housing section indicates a Housing Needs Target in Table 5 of the Plan in which 115 dwellings is shown as the minimum target between 2017 and 2036, a quantity with which Dorset Council agrees. The 115 dwellings comprises a past trend windfall target of 1.6 dwellings per year

²³ NPPF: paragraph 174.

²⁴ NPPF: paragraph 100.

²⁵ Notably NPPF: paragraphs 152, 154 and 156.

²⁶ NPPF: paragraph 84 & 85.

²⁷ The appear to be no policies numbered H3 or H6 in the Plan.

from 2024 (19 dwellings), together with completions 2017–2020 (20 dwellings) and extant consents (April 2020) (76 dwellings).

- 4.24 Policy H1 designates the Defined Development Boundary (DDB) and allocates four relatively small sites where overall up to 14 dwellings could be accommodated. I consider that these small allocations indicate that the Plan is responsive to local needs and would enable Yetminster and, within limits given its small size, Ryme Intrinseca to grow and thrive, therefore having regard to national guidance.²⁸ The policy would also generally conform with Policy SUS2 of the WDWPLP and meet the Basic Conditions.
- 4.25 The housing allocations are each described separately in more detail in Policies H4, H5, H7 and H8. The policies set out a clear design vision and expectation so that applicants will have as much certainty as possible about what is likely to be acceptable. The policies identify the special qualities of each area and explain how this should be reflected in development. Accordingly, Policies H4, H5, H7 and H8 have regard to national guidance,²⁹ generally conform with Policy SUS2 of the WDWPLP and meet the Basic Conditions.
- 4.26 Representations in response to the Regulation 16 consultation proposed two further sites for housing allocations. One site is on 3.95 ha of land north of Chapel Meadow, Yetminster.³⁰ The other site is on land off Thornton Road, Yetminster.³¹ Both sites have their merits in favour of accommodating additional housing development and also disadvantages. Nevertheless, I consider that the quantity and distribution of housing allocations within the Plan already meets the Basic Conditions. Therefore, I do not accept that further allocations are necessary. Furthermore, based on my observations of the degree of vehicular congestion in the historic core of Yetminster when I visited the area and which is reflected in paragraph 9.1 of the Plan, I would be concerned about further congestion arising from significantly more housing development. Accordingly, I do not recommend any additional housing allocation in the Plan.
- 4.27 Policy H2 considers housing mix in residential development, including affordable housing which would be prioritised to people with a local connection test. The policy has regard to national guidance,³² generally conforms with Policies SUS2 and HOUS1 of the WDWPLP and meets the Basic Conditions, subject to one reservation. In order to minimise ambiguity and thereby enable effective development management, I shall recommend that the definition of “people with a local connection” in the policy and paragraph 7.18 of the Plan is expanded by importing a specific reference to the Dorset Housing Allocations Policy. I canvassed this suggestion in my letter of 1 November 2021 to the YRIPC and DC who gave their helpful responses in the joint reply of 15 November 2021,

²⁸ NPPF: paragraphs 78 & 79.

²⁹ NPPF: paragraph 127.

³⁰ Regulation 16 response from D2 Planning Limited, dated 17 September 2021.

³¹ Regulation 16 response from LVA, dated 30 September 2021.

³² NPPF: paragraph 62.

following which I shall recommend as a modification the suggestion made by YRIPC, together with adding the two other adjoining parishes to paragraph 4.19 suggested by DC. **(PM4)**

- 4.28 YRIPC proposed an expanded paragraph 7.18 to add more qualifications from the Dorset Housing Allocations Policy to define a local connection. This would be helpful but would still be a summary of the main points from the Allocations Policy. My preference is for Policy H2 to refer explicitly to the Allocations Policy so that the details of implementation then fall to be fully considered.
- 4.29 Policy H9 states that development should deliver high quality design with reference being made in the policy to the design guidance in Appendix D. I consider that the policy and supporting Appendix are thorough and offer balanced advice without being excessively prescriptive. Subject to two reservations, the policy has regard to national guidance,³³ generally conforms with Policy ENV10 of the WDWPLP and meets the Basic Conditions. The first reservation is that neither the policy nor the Appendix recognise the need to create beautiful places as sought in the NPPF.³⁴ Therefore, to correct the deficiency, I shall recommend an appropriate modification to the twelfth bullet point in Policy H9. The second reservation relates to the need to clarify the role of the recently published National Design Guide and National Model Design Code to be read alongside Appendix D. **(PM5)**

Business Services and the Economy (Policy BS1)

- 4.30 Policy BS1 supports the development of land or premises for small-scale economic enterprises subject to two criteria. I note that Policy ECON1 of the WDWPLP does not set any size limit on economic development. However, I agree with the Dorset Council comment in the Regulation 16 consultation response that access, landscape, and design considerations would limit the likely scale of development in Yetminster and Ryme Intrinseca. Therefore, I consider the policy generally conforms with Policy ECON1 of the WDWPLP, has regard to national guidance³⁵ and meets the Basic Conditions.

Traffic, Road Safety and Transport (Policies T1, T2 and T3)

- 4.31 Policy T1 considers highway safety in relation to new development. The policy would have regard to national guidance,³⁶ generally conform with Policy COM7 of the WDWPLP and meets the Basic Conditions.
- 4.32 Policy T2 considers car parking. I note that the policy includes the sentence "*Development should be designed to meet or exceed the number of car parking spaces set out in the adopted car parking standards*". DC

³³ NPPF: Section 12 Achieving well designed places.

³⁴ NPPF: paragraphs 126 & 128.

³⁵ NPPF: paragraphs 84 & 85.

³⁶ NPPF: paragraph 104.

object to the acceptance that parking standards may be exceeded. However, I am persuaded by the evidence provided in paragraph 9.6 of the Plan, the comment in paragraph 6.5.13 of the WDWPLP that the under provision of parking can lead to congestion and clutter on the roads and related access problems, and my observation of such congestion on the roads in Yetminster that, where justified in a specific case, the car parking standards may be exceeded. Therefore, I shall recommend a modification to Policy T2 to include such a justification. **(PM6)** The policy would then have regard to national guidance,³⁷ generally conform with Policy COM7 of the WDWPLP and meet the Basic Conditions.

- 4.33 Policy T3 seeks the appropriate provision of electric charging points in new and existing development. The policy has regard to national guidance,³⁸ reflects the strategic aspirations of the WDWPLP³⁹ and meets the Basic Conditions.

Overview

- 4.34 Accordingly, on the evidence before me, with the recommended modifications, I consider that the policies within the YRINP are in general conformity with the strategic policies of the WDWPLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.
- 4.35 Appendix C of the Plan lists 10 projects to deal with the implementation of the Plan and other actions. The projects do not fall within the tests of whether the Basic Conditions are met and I do not consider them further. However, they illustrate the thoroughness with which the Plan has been prepared and the benefits that the neighbourhood planning process has brought to the community.
- 4.36 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 any references to the NPPF (2021), updating paragraph numbers, or text improvements. 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.⁴⁰

³⁷ NPPF: paragraph 104.

³⁸ NPPF: paragraph 112.

³⁹ See paragraphs 6.1.2 and 6.5.12.

⁴⁰ PPG Reference ID: 41-106-20190509.

5. Conclusions

Summary

- 5.1 The Yetminster and Ryme Intrinseca Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard to all the responses made following consultation on the YRINP, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a small number of policies to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The YRINP as modified has no policy or proposal which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Concluding Comments

- 5.4 The Parish Council, the Steering Group, the Working Group and other voluntary contributors are to be commended for their efforts in producing a comprehensive Plan. The role of Dorset Council was especially constructive. The Plan is professionally presented in a format which is worthy of its role as part of the Development Plan. The Plan is logical, well-structured and informative and I enjoyed examining it. The associated statements, particularly the Basic Conditions Statement, were extremely useful. The high quality of the Plan is demonstrated by the small number of recommended modifications (necessary to meet the Basic Conditions) to only six of the twenty six policies. With those modifications, the YRINP will make a positive contribution to the Development Plan for the area and should enable the unique rural character and appearance of the Yetminster and Ryme Intrinseca Parishes to be maintained.

Andrew Mead

Examiner

Appendix: Modifications

Proposed modification no. (PM)	Page no./ other reference	Modification
PM1	Policy EN4	Delete second sentence and replace with: “Development must not harm the reason for their designation. Policies for managing development within them should be consistent with those for the Green Belt and inappropriate development should not be approved except in very special circumstances.”
PM2	Policy EN6	Delete Viewpoints 1, 2, 3, 4, 5, 6, and 7 from Map 5 and from the list of Important Views in paragraph 4.16. Delete “... paragraph 4.12 ...” from the policy and substitute “... paragraph 4.16 ...”.
PM3	Policy CC5	Add a new criterion: “e) Using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management).”
PM4	Policy H2	Amend last sentence to: “... 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 Intrinsic 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 Housing Allocations Policy, and remains so in perpetuity.” Paragraph 7.19 Amend to: “... Beer Hackett, Stockwood, Melbury Osmond and Lillington. ”

PM5	Policy H9	<p>Amend bullet point 12 to:</p> <p>“Create beautiful and locally distinctive buildings and spaces that are adaptable, etc, ...”.</p> <p>Add a new sentence after the final sentence of the policy:</p> <p>“Regard should also be had to the National Design Guide and the National Model Design Code.”</p>
PM6	Policy T2	<p>Amend to: “Development should be designed to meet or, where justified, exceed the number of car parking spaces ...”.</p>