



Pimperne Neighbourhood Plan 2016 – 2031

A report to North Dorset District Council on the Examination of the Pimperne Neighbourhood Plan

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Abbreviations

AONB	Area of Outstanding Natural Beauty
NDDC	North Dorset District Council
NDP	Neighbourhood Development Plan
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
PNP	Pimperne Neighbourhood Plan 2016-2031
PPC	Pimperne Parish Council
PPG	Planning Practice Guidance
SEA	Strategic Environmental Assessment

Non Technical Summary

This report concludes that, as submitted, the Pimperne Neighbourhood Plan does not fully meet the Basic Conditions as required by statute, but with the appropriate modifications it can be recommended to be taken forward to Referendum.

The modifications needed to meet the statutory requirements can be summarised as modifying the text of a number of policies to meet national policy, making clear that the housing target is a minimum, improving clarity and adding desirable references, and adding a policy dealing with local wildlife corridors and protected species.

The specified modifications recommended in this report arise from matters raised in representations and do not significantly alter the basis of the overall approach and policies of the Neighbourhood Plan.

1. Introduction

1.1 I have been appointed by North Dorset District Council (NDDC) with the consent of Pimperne Parish Council (PPC) to carry out the independent examination of the Pimperne Neighbourhood Plan (PNP), in accordance with the relevant legislation¹. My appointment has been facilitated by the Independent Examination Service provided by Trevor Roberts Associates.

1.2 As required by the legislation, I am independent of PPC and NDDC, I do not have an interest in any land that may be affected by the draft plan, and I have appropriate qualifications and experience. I am a Chartered Town Planner (Fellow of the Royal Town Planning Institute) with wide experience in local and central government and private consultancy over a period of 40 years.

1.3 In carrying out this examination I have had regard to the following documents:

- Pimperne Neighbourhood Plan, Submission Version, April 2018
- Pimperne Neighbourhood Plan, Basic Conditions Report, April 2018
- Pimperne Neighbourhood Plan, Consultation Statement, 2018
- Pimperne Neighbourhood Plan, Strategic Environmental Assessment and Habitats Regulations Assessment Determination Statement, June 2017
- Pimperne Neighbourhood Plan, Strategic Environmental Assessment – Submission Stage Report, April 2018
- Background and supporting documentation on the websites of Pimperne Parish Council and North Dorset District Council
- Pimperne Place Check Report, April 2016

¹ Localism Act 2011, Town and Country Planning Act 1990 as amended Planning and Compulsory Purchase Act 2004 as amended, The Neighbourhood Planning (General) Regulations 2012 as amended, Neighbourhood Planning Act 2017

- Pimperne Housing Needs Assessment, June 2017
- Pimperne Local Green Spaces, November 2017
- CPRE Dark Skies Map, February 2018.

1.4 The process of preparing the PNP took place between April 2015 and March 2018. Early on a Neighbourhood Plan Group was set up that during the preparation period sought to engage and consult the community. The means of doing so included public meetings, household questionnaires, a village walkabout, research on housing and business needs and discussions with local businesses and service providers together with the Environment Agency, Natural England, Historic England and landowners who had ideas for their land. It is clear that a great deal of commitment and effort has gone into the production of the PNP, and that it is founded on a desire to protect and enhance the character of the parish whilst allowing for desirable growth.

1.5 Representations on the PNP were submitted by Blandford Forum Town Council, Dorset County Council, Gladman Developments Ltd, Hall and Woodhouse Ltd, Historic England, Natural England, North Dorset District Council, P and D Crocker, Sir David Latham, Wyatt Homes, Wyatt Homes and Landowners, and Wessex Water. I have taken all these representations into account.

1.6 Representations mainly concern the extent to which the Basic Conditions have been met with regard to i) the need to have regard to national policy and advice issued by the Secretary of State, and whether the evidence supporting the plan is proportionate and robust; ii) whether the plan contributes to the achievement of sustainable development; iii) whether the plan is in general conformity with the strategic policies in the development plan for the area. Other more minor matters were raised that I deal with in due course to the extent that it is necessary.

1.7 Wherever possible, the examination of the issues by the examiner should be by consideration of the written representations. The examiner must cause a hearing to be held where it is necessary to ensure adequate examination of a particular issue, or where it is necessary to give a person a fair chance to put a case. In this instance, the plan itself and the written representations were clear and straightforward: I came to the view that it was not necessary for a hearing to be held.

1.8 This report and my reasoning and conclusions are based on the submitted written material and representations. I made an unaccompanied visit to the area covered by the Plan on 28 August 2018.

2. Location and characteristics

2.1 The PNP area comprises the village of Pimperne and the historic settlements of Letton and Nutford. Pimperne is situated in a valley formed by a tributary of the River Stour, within the chalk downlands of Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB). The smaller settlement of Nutford lies within the Dorset AONB. Pimperne Stream, running through the heart of the village, is a winterbourne stream, visible on occasion. The PNP area has a population of around 1,100.

2.2 Pimperne is an old village, possibly dating from Saxon times, with elements of the church dating from the 12th and 14th centuries. At the heart of the village is a Conservation Area. Historically the village was built along the dry dip slope valley that runs north-south. Late 20th century estates creep up the valley sides. The village has St Peter's Church, a primary school, village hall, recreation ground and two public houses, but the post office and shop closed at the end of 2017.

3. The basis for this examination

The Basic Conditions

3.1 A Neighbourhood Plan must meet the Basic Conditions as prescribed in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act, 1990. In brief, the basic conditions which must be met by the PNP are:

- it must have regard to national policy and advice issued by the Secretary of State
- it must contribute to the achievement of sustainable development
- it must be in general conformity with the strategic policies in the development plan for the local area
- it must not breach, and must be otherwise compatible, with EU obligations, including human rights requirements
- it must not have a significant adverse effect on a 'European site' (under the Conservation of Habitats and Species Regulations 2010)
- it must comply with other prescribed matters.

3.2 I deal in more detail with each of these conditions below.

3.3 The examination is intended to be carried out with a 'light touch'. I am not concerned with the 'soundness' of the plan², as in the examination of a Local Plan, but whether it meets the basic conditions and other prescribed matters.

4 Assessing the Plan against the Basic Conditions

Have regard to national policy and advice issued by the Secretary of State

4.1 National policy is set out in the National Planning Policy Framework (NPPF). The NPPF is supported by web-based Planning Practice Guidance (PPG). I have also borne in mind the Written Ministerial Statement on Neighbourhood Planning (HCWS346) made on 12 December 2016.

4.2 On 24 July 2018, the Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework (rNPPF). It might be expected that this should be taken into account in this examination: in the introduction to the rNPPF it is stated that "*The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions.*" However, in its Annex 1: Implementation, at paragraph 214, it is stated that: "*The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019.*" Therefore the contents of the rNPPF will not be relevant to this examination.

4.3 The submission documents include a Basic Conditions Report that contains a table assessing PNP and its policies against the NPPF policies (2012), National Policy Guidance

² See Planning Practice Guidance: Paragraph: 055 Reference ID: 41-055-20140306
Revision date: 06 03 2014

and Ministerial Statements. The table also deals with general conformity with the strategic policies of the development plan. I deal later with the part of the table that refers to the policies of the development plan.

4.4 In respect of having regard to national policy and advice issued by the Secretary of State, the table sets out the assessment against the Vision and Overview of the Plan and its policies. The policies are assessed in the order in which they appear in the plan:

- Landscape Character;
- Local Green Spaces;
- Locally Distinct Character;
- Meeting Housing Needs;
- Meeting Employment Needs;
- Community Facilities;
- Developer Contributions for Social Infrastructure;
- Housing Site Allocations;
- Settlement Boundary.

4.5 It seems to me that the analysis in the table of the topics referred to above is sufficiently comprehensive and, for a 'light touch' examination, I do not need to look further into the policies of the NPPF, save for the extent to which representations raise particular issues. I do this below, in section 5 'Pimperne Neighbourhood Plan Policies', where it is convenient to deal with matters raised in consultation responses.

Contribute to the achievement of sustainable development

4.6 As noted above (paragraph 2.1) the Parish of Pimperne has a population of about 1,100 people, and it is a rural area. Whilst the village of Pimperne is one of the larger villages in North Dorset, it is a focus for local needs rather than any strategic requirement. As noted on page 16 of the Neighbourhood Plan, a sustainable and thriving community depends on achieving a reasonable balance of houses, jobs and community facilities. To this end the Plan has been underpinned by a collection of data to establish issues facing the area.

4.7 As far as housing is concerned, the starting point used for assessing housing need is a 'pro-rata' proportion of the rural areas target in the North Dorset Local Plan, amounting to 39 dwellings. Having surveyed various aspects of housing provision in the parish, it was decided that the Plan should aim to make provision for 40 to 45 new dwellings over the plan period. This number has been incorporated in Policy MHN: Meeting Housing Needs. I deal with the detail of this later in my report. Site assessments and technical checks were carried out on the sites considered for allocation.

4.8 Employment needs have also been considered and alternative opportunities assessed. Given the rural nature of the area and the lack of evidence of local need, only limited opportunities are identified, with the policy taking care that consideration is given to mitigating any harmful effects. Similarly community facilities, and infrastructure (transport, communications and flood risk) have been considered.

4.9 The Basic Conditions Report sets out the way in which the Plan has been subject to a full Strategic Environmental Assessment (SEA), including the relevant scoping stage, assessment of options and assessment of the pre-submission draft plan. The reports were sent to the statutory consultees and made publically available. At the end of the Basic Conditions Report there is a Table: Sustainability Assessment – Cumulative Impacts (Pre-Submission Draft). Minor changes to policies have been made subsequently as a result of consultation and the addition of Policy DC on Developer Contributions are not considered by the authors of the Plan to alter the findings set out in the table. I see no reason to

disagree with this assessment and I am satisfied that, in general terms, the PNP contributes to the achievement of sustainable development.

Be in general conformity with the strategic policies in the development plan for the local area

4.10 The development plan for the area currently includes the North Dorset Local Plan Part 1, adopted in January 2016 (as well as the extant policies of the District-wide Local Plan 2003). It includes topic-based, place-based and development management policies. Together these include the strategic policy framework: the saved policies of the 2003 Local Plan are not strategic. Dorset County Council has a Minerals Strategy, adopted 2014, and a Waste Local Plan, adopted 2006, but neither contain proposals for the NP area, other than defining minerals safeguarding areas which are noted in the SEA.

4.11 As mentioned in paragraph 4.3 above, the submission documents include a Basic Conditions Report that contains a table that includes an assessment of PNP's policies with regard to general conformity with the strategic policies of the development plan. All the policies of the plan are assessed and the commentary provides an adequate analysis against the relevant policies of the adopted Local Plan.

4.12 The government's Planning Practice Guidance (PPG) deals with the situation where there is an emerging local plan. The PPG advises that a draft neighbourhood plan is not tested against the policies in an emerging local plan, although the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. I am told that work is progressing on a review of the Local Plan. A number of key documents have been produced and an Issues and Options paper was issued in November 2017, with no material changes in relation to the approach to the sustainable growth of villages. From the information before me, I see no conflict between the PNP and the emerging Local Plan.

4.13 From my reading of the PNP and having regard to the content of the table in the Basic Conditions Report, I am satisfied that the Plan is in general conformity with the strategic policies in the development plan for the local area, save for the extent to which representations raise particular issues. However, as noted at paragraph 4.5 above, I deal with these issues in section 5 'Pimperne Neighbourhood Plan Policies', below, where it is convenient to deal with matters raised in consultation responses.

Must not breach, and must be otherwise compatible, with EU obligations, including human rights requirements

4.14 There is nothing in the representations or my reading of the PNP and the background documentation to suggest to me that there is any breach of EU obligations or that it is not otherwise compatible with these obligations including human rights requirements.

Must not have a significant adverse effect on a 'European site' (under the Conservation of Habitats and Species Regulations 2010)

4.15 Schedule 2 of the Neighbourhood Planning (General) Regulations 2012 refers to the Habitat Directive. The Directive requires that any plan or project likely to have a significant effect on European sites must be subject to an Appropriate Assessment. Paragraphs 2 to 5 of Schedule 2 amend the Conservation of Habitats and Species Regulations 2010 so that its provisions apply to Neighbourhood Development Orders and NPs. The Regulations state that NPs are not likely to have a significant effect on a site designated at European level for its biodiversity, however, this needs to be ascertained through a Habitat Regulations Assessment's screening process.

4.16 A screening request was made to NDDC in November 2016, with the screening determination issued on 1 June 2017. This screening determination included a consideration of the need for a Habitats Regulations Assessment. NDDC consulted Natural England whose response with regard to internationally and nationally designated wildlife sites stated that the plan is unlikely to harm any Site of Special Scientific Interest, or Special Area of Conservation, Special Protection Area, or Ramsar Site and is not likely to significantly affect the interest features for which they are notified. Natural England therefore confirmed that it has no concerns regarding this aspect of the proposals and is satisfied that impacts on internationally and nationally designated wildlife sites can be screened out from any requirement for further assessment.

Must comply with any other prescribed matters

4.17 When submitted to the local planning authority, a Neighbourhood Development Plan (NDP) should be accompanied by a map or statement identifying the area to which the plan relates, a 'basic conditions statement' explaining how the basic conditions are met, and a 'consultation statement' containing details of those consulted, how they were consulted, their main issues and concerns and how these have been considered and, where relevant, addressed in the plan.

- The NP contains a map of the area to which the plan relates.
- A basic conditions statement was submitted with the NP.
- A consultation statement was submitted with the NP.

4.18 The NP must meet other legal requirements, including:

- that it is being submitted by a qualifying body (as defined by the legislation)
- that what is being proposed is a NDP as defined in the legislation
- that the NP states the period for which it is to have effect
- that the policies do not relate to 'excluded development'
- that the proposed NP does not relate to more than one neighbourhood area
- that there are no other NDPs in place within the neighbourhood area.

4.19 I have satisfied myself that the requirements listed in paragraphs 4.17 and 4.18 have all been met.

5 Pimperne Neighbourhood Plan Policies

5.1 There are a number of matters raised in consultation responses that I need to deal with. I do this by looking at the various elements of the plan and its policies in the order that they appear in the plan.

Plan Period

5.2 The Plan period is stated to be 2016 to 2031. This is stated on the front cover and on page 5 under the heading 'Plan period and future reviews'. Under the heading 'Housing' on page 16, housing need is assessed on the basis of making a 'pro-rata' proportion of the rural areas target in the North Dorset Local Plan for the period 2015 to 2031.

5.3 This is criticised on the basis that it is not a sufficient period, there being only 13 years to run assuming that the Plan is made in 2018. It should instead cover a period to 2033 in line with the emerging Local Plan Review, or to 2036, to which it is likely that the LP review period will be extended.

5.4 I see no convincing argument for not following the period covered by the existing Local Plan: as is made clear in the NP text, if necessary the Parish Council can review the plan earlier – something that may, in due course, be prompted by, for instance, the adoption of a new Local Plan for North Dorset District. At this stage it would not be right to bring the Plan period into alignment with the emerging Local Plan Review when it seems that the LP plan period may not yet be settled and the content of policies remains to be settled.

Vision and Objectives

5.5 The plan mentions that the NP should be read in conjunction with the adopted Local Plan policies and the importance of understanding that all relevant policies will apply: it gives examples which include the policy requirements for providing biodiversity gains. A representation suggests that it would be clearer in the NP if a specific text or policy were introduced to ensure compliance with legislation such as the Wildlife and Countryside Act, 1981 and the Conservation of Habitats Regulations, 2017.

5.6 Whilst biodiversity is clearly an important consideration when dealing with potential development, the NP could be enlarged to a great extent if it sought to duplicate or make extensive reference to policies in the local plan or in Regulations or national policy: I consider this undesirable. It would conflict with the clarity and brevity that a NP should aim for, filling in the necessary detail at a very local level. Furthermore, it is the district council that is the local planning authority, and that council can be relied upon to make judgements based on its own policy and national requirements.

Policy LC: Landscape Character

5.7 North Dorset District Council seeks an amendment to the text of part a) of this policy to better reflect the Local Plan Part 1, Policy 4. The wording suggested is "All new development within the plan area must demonstrate that account has been taken of the relevant AONB Management Plan policies and must not detract from the special qualities of the Cranborne Chase and Dorset AONBs unless it is clearly in the public interest to permit the development."

5.8 Having regard to the fact that it is unnecessary to duplicate policies that are set out at a higher level of the development plan, I looked at the text of Policy 4 in North Dorset Local Plan Part 1: I found that it expressed the policy in more detail than that set out in PNP Policy LC: Policy LC is a statement of the essence of Policy 4 of the Local Plan. However, in my opinion the wording suggested for Policy 4 is better structured and, importantly, has the caveat at the end referring to the situation where there is an overriding public interest. In addition the NP text contains what I think is a typing error in as much as it refers to development that must not "distract from" the special qualities, rather than "detract from". On balance I consider that the suggested text should be inserted into the NP in place of the existing text of Policy LC and the error corrected. I recommend accordingly.

Policy LGS: Local Green Spaces

5.9 Representations point out that a Local Green Space designation provides protection that is comparable to that of Green Belt policy, and considers that it is imperative that it can be clearly demonstrated that the requirements for LGS designation are met:

- Where the green space is in reasonably close proximity to the community it serves;
- Where the green area is 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

- Where the green area concerned is local in character and is not an extensive tract of land.

5.10 Having visited the area covered by Pimperne Neighbourhood Plan and having considered the points made, I conclude that all the bullet points are met in making the designations. Taking point two in particular, the text makes clear that LGS1, LGS4 and LGS5 are an important recreational asset or provide a safe recreation area, or provide opportunities for more formal recreation. As for LGS2 and LGS3, the first is a small, grassed area between the Lych Gate and the Standing Cross, while the second is the Churchyard of St Peter. More generally they are close to the community and are not extensive tracts of land. I note that North Dorset Local Plan Part 1 encourages the designation of Local Green Spaces in NPs where appropriate and that all the currently made NPs in the district have designated Local Green Spaces, each with similar characteristics and justification to those in PNP. I am satisfied that the Pimperne LGS policy and designations meet the guidance and should remain in the plan.

Policy MHN: Meeting Housing Needs

5.11 North Dorset District Council, in its comments on the PNP, notes that the proposed allocations for up to 45 dwellings is in addition to those proposals already with consent (10 dwellings) and an allowance for 1 or 2 further dwellings and that the SEA has considered the potential cumulative implications of these. The expected phasing of HSA3 as a reserve site is considered to provide a degree of flexibility to the plan to meet local housing needs over the plan period.

5.12 Other views expressed include the contention that “a target of 40 to 45 additional homes” amounts to a ‘cap’ on housing development, which is not in conformity with national policy and guidance, or with the housing target within North Dorset Local Plan Part 1 that sets a target as a minimum.

5.13 From these responses I conclude that 45 dwellings, which included an ‘uplift’ from the 2015 SHMA, is a reasonable figure to include in the neighbourhood plan. However, I cannot see that it is reasonable to set a “target’ that has a range within it. In my view the policy should be expressed in terms of achieving “at least 45 additional homes”, and I so recommend.

5.14 In coming to this conclusion I have taken account of those representations that say that the number of dwellings should be increased because the Local Plan review work is likely to result in an increase in the number of dwellings required in the district, bearing in mind the results of the 2015 SHMA. It is also suggested that account should be taken of the government’s new standard methodology for assessing housing need.

5.15 With regard to these arguments I consider that the Local Plan review is not at a sufficient stage to give any clear guidance on any increase in housing numbers that a rural area such as Pimperne may require. Furthermore, this NP is not to be examined against the policies in the recently published revised NPPF, as set out in paragraph 4.2 above. I therefore also conclude that there is no justification for increasing the target number of dwellings in the PNP.

Policy MEN: Meeting Employment Needs

5.16 Natural England seeks the inclusion of text, specifically in Policy MEN: Meeting Employment Needs, in the following part of its consultation response: *“The Dorset Biodiversity Protocol is recommended for all development sites over 0.1ha or where there*

is likely adverse impact to biodiversity, regardless of the proposed use. As such we recommend that Policy MEN is amended to reflect this requirement." This recommendation might be put into effect, for instance, by adding as iv. under the 'and in all cases' element of Policy MEN as: "iv. In any development involving land over 0.1ha or where there is likely adverse impact to biodiversity, the Dorset Biodiversity Protocol should be followed". Dorset County Council makes a similar point, but refers to the final paragraph under the heading Vision and objectives on page 5 of the NP.

5.17 Natural England also sought an addition to the NP to recognise that there are specific localised environmental objectives that are unlikely to feature in the emerging North Dorset Local Plan and would be better suited for inclusion in PNP.

5.18 I asked for the views of PPC and NDDC on this and, in a joint response, I was advised that the need to include a specific mention of this had been discussed but it was not considered necessary, particularly given that it already features in the District Council's validation list requirements for Planning Permission for building or construction work. Instead mention of the need for biodiversity gains was made at the end of page 5 (alongside flooding) which are both dealt with in national and local policies.

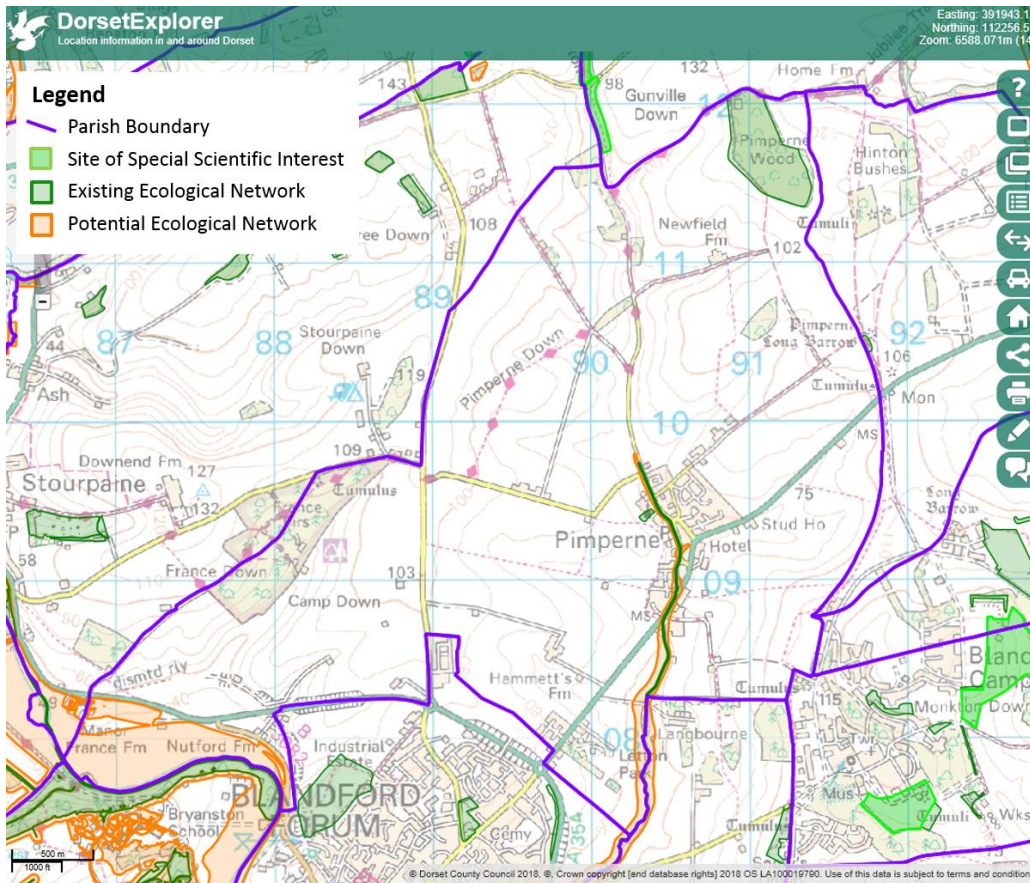
5.19 Nevertheless the response also provided me with a possible new policy with supporting text should I consider it necessary, given that there is not a specific requirement at present in the Local Plan. This could be included as a separate topic following 'Important local green spaces' (and before 'Important buildings and other features of local character'). The following policy was suggested that has been adapted from a similar policy that has just been approved at the examination of the Fontmell Magna NP:

"Local Wildlife Corridors and Protected Species

All new development should have due regard for the local ecological network (existing and potential) as identified on Map [ref No], and potential presence of protected species; taking into account national policy to provide net gains in biodiversity where possible.

To achieve this, the potential adverse or beneficial impact of the development on these ecological networks should be fully evaluated, and presence of protected species checked. A Biodiversity Mitigation and Enhancement Plan must be submitted with any Planning Application on sites over 0.1Ha or which are likely to give rise to an adverse impact on biodiversity."

5.20 The Map that would need to be inserted can be sourced from <https://explorer.geowessex.com/?layers=51,4310,14745,14746&basemap=26&x=389580.67&y=109840.64&epsg=27700&zoom=14>. (See Map on following page.)



5.21 It was also suggested that the following supporting text would support the policy:

"Handcocks Bottom SSSI lies just to the north of the plan area, and Blandford Camp SSSI lies to the east of Blandford Camp, approximately 1km from the parish boundary. Hod Hill SSSI lies approximately 3km to the west of the parish boundary. Sites of local nature conservation interest include Pimperne Wood SNCI (ancient woodland) on the northern border of the parish. There are also other ancient woodland and unimproved and semi-improved calcareous / chalk grasslands close to the parish boundary, including Pimperne Long Barrows. Environmental records indicate the potential presence of a range of protected species, including: bats; birds (such as Barn Owl, Hen Harrier and Merlin), butterflies and moths (such as the White-letter Hairstreak and Barberry Carpet moth) and badgers.

*"The Barberry Carpet moth is a nationally scarce species and various nature conservation organisations are working to strengthen this particular species. As such, mitigation measures that include the planting of Barberry (*Berberis vulgaris*) are encouraged."*

5.22 In light of the above, a minor amendment was also suggested to Policy MEN to ensure that it is not read as over-riding this requirement: at end of the first paragraph on page 18 (supporting text) amend to read "...the landscape, wildlife and traffic impacts of such development." and amend final part of criteria (iii) of Policy MEN to read "would not harm the character and tranquillity of the AONB, and would not harm protected species or areas of wildlife interest without appropriate biodiversity enhancement and mitigation."

5.23 Biodiversity is an important issue when dealing with development proposals. In my opinion, it is not sufficient to rely on the mention on page 5 of the Plan, under "Vision and Objectives", where it is pointed out that the PNP should be read in conjunction with the adopted Local Plan policies – giving as examples, "avoiding flood risk and providing biodiversity gains". This is particularly so when I am told that providing biodiversity gains is

not a specific requirement at present in the adopted Local Plan. I therefore recommend the inclusion of the additional text and new policy and the additions to the supporting text and policy of Policy MEN set out above.

Policy DC: Developer Contributions for Social Infrastructure

5.24 North Dorset District Council states that the wording in this policy should be amended to "... *provision of social infrastructure projects including:*" as other CIL regulation 122 compliant obligations or projects may be necessary. For the reason given, I agree that this amendment should be made, and so recommend.

Policy HSA1 to HSA3: Housing Site Allocations

Housing Site Allocation 1 - land east of Franwell Industrial Estate

5.25 Natural England welcomes the requirement for the allocation to include a requirement for an approved Biodiversity Mitigation Plan, but asks that the text in item d) refers to the updated name of "Biodiversity Mitigation and Enhancement Plan". This is a request that I am able to endorse in my recommendations.

5.26 North Dorset District Council states that it is not clear from part f) what improvements will be necessary to achieve safe pedestrian access, and it recommends that the wording is amended to: "*Any necessary improvements required to achieve safe pedestrian access to Pimperne Primary School and along Down Road into the village should be secured following consultation with the Highways Authority*". This seems to me to be a sensible suggestion, not in any way detracting from the intention of the policy but adding additional guidance. I recommend that the change should be made.

Housing Site Allocation 2 – land north of Manor Farm Close

5.27 A representation states that development of this site will have a serious effect on the views of the village from the north, ie from the Higher Shaftesbury Road direction, recognised in the PNP itself as an important consideration, and will impact the AONB, adversely affect the Conservation Area and will therefore be an inappropriate extension of the village envelope.

5.28 When I visited the PNP area I made a particular point of looking at this site and its surroundings. I have also noted the analysis of the site in the submission stage Strategic Environmental Assessment to which I give weight. This shows positive benefits in terms of biodiversity and securing improvements to pedestrian routes, and significant positive benefits from the inclusion of affordable housing. On these measures the site scored well. In relation to the other assessment measures, including the relationship to the AONB raised in the representation, the site scored as neutral. Taking my visual assessment at the site and the scoring in the Strategic Environmental Assessment, I am satisfied that this allocation should remain in the plan.

5.29 Natural England makes the same request (paragraph 5.25 above) with reference to the updated name of "Biodiversity Mitigation and Enhancement Plan' in respect of HSA2 in item c). I recommend accordingly.

5.30 North Dorset District Council makes the same point in respect of this allocation as that dealt with in the paragraph 5.26 above dealing with HSA1. For the reasons given in that paragraph I agree that the change is desirable in part e) of Policy HSA2, and so recommend.

Housing Site Allocation 3 – land west of Old Bakery Close

5.31 Natural England makes the same request, dealt with in paragraphs 5.25 and 5.29 with reference to the updated name of ‘Biodiversity Mitigation and Enhancement Plan’ in respect of HSA3 in item c). I recommend accordingly.

Sites not allocated

5.32 There are representations that seek additional allocations for sites that have not been selected. I set out, in brief the arguments that have been put forward for each of these, and then my conclusions.

Land to the south and east of Hyde Farm

5.33 This representation relies in part on the matters that I have dealt with in paragraph 5.15 above, on an objection to the plan’s preclusion of any housing development to the eastern side of the A354 and that the issues for the exclusion of this site could be dealt with through sensitive design and a solution to providing for pedestrians crossing the road.

Farquharson Arms

5.34 It is argued that the land at the Farquharson Arms public house was accepted under an earlier SHLAA exercise and that the opportunity for a modest amount of new housing has been rejected on grounds of impact on the pub itself but without any reasoned explanation for this. With regard to traffic concerns, all the proposed housing sites have similar issues.

Site NE of Blandford Forum

5.35 This site, of 17.5 ha of agricultural land, proposed for residential led development, is very largely within the parish of Blandford Forum. However a section of the site lies within Pimperne Parish. This part is within a ‘gap’ identified under Policy LC: Landscape Character, part g), which states that development should not “... reduce the open nature of the gap between Blandford Forum and the village of Pimperne”. It is suggested that the grading of the magenta colour on Map 2 is unclear and confusing. Against that, it is important to recognise that Blandford Forum is a major settlement within North Dorset District, needing to accommodate strategic growth. The part of this site that is within PNP area could be accommodated sensitively whilst retaining an important landscape gap between Blandford Forum and Pimperne.

My conclusions on these non-allocated sites

5.36 I have concluded already that the housing target figure for PNP is appropriate on the basis of the current Local Plan for the District, although I recommend that the higher figure in the range put forward in the submitted NP should become a minimum figure – see paragraph 5.13 above. That figure should be capable of being reached by virtue of the policies and allocations in the plan and I see no justification for seeking to allocate additional sites.

5.37 The analysis in the Strategic Environmental Assessment Submission Stage Report of land at Hyde Farm and land at the Farquharson Arms shows that these sites do not do well in comparison with the sites allocated in the plan. The advantage of the SEA analysis is that it has been carried out on a consistent basis, and in the absence of a clear need to increase the housing target in the plan area, there is no justification for preferring sites that have not been shown to be better when looking at reasonable alternatives.

5.38 The site that runs out of Blandford Forum appears to have been put forward for consideration late in the process of the options consultation. It was included in the analysis contained in the Strategic Environmental Assessment but was not considered to be a reasonable alternative for the NP. I consider that the distance quoted in PNP between Pimperne village and Blandford Forum as being less than a mile along the A354 (plan page 4, first paragraph) is a reasonable indication of the relationship between the two settlements, and it is clearly seen by the residents of the parish of Pimperne as having a fragility that needs careful consideration. Furthermore I do not see the 'magenta shading' on Map 2 as being unclear or confusing.

5.39 In my opinion it would be quite wrong for me to recommend an allocation at this stage, or an increase in the housing target figure in view of my conclusion set out in paragraph 5.15 above. I understand that the part of this site within Blandford Forum is currently being considered in the Blandford + Neighbourhood Plan and that the whole of it is being promoted for development. Clearly the consideration of a site within another NP area is not for me, but it seems to me that consideration of any planning application that may be made which includes the part of the site within the PNP area should be dealt with under normal development management procedures.

Policy SB: Settlement Boundary

5.40 The adopted North Dorset District Local Plan sets out settlement boundaries for the towns and larger villages in the District. There is a map for Pimperne at Inset 35 to the Proposals Map, showing a settlement boundary for the village. The Local Plan also allows for settlement boundaries to be reviewed within a later plan including through neighbourhood planning. The PNP proposes changes to the settlement boundary as shown on Map 5.

5.41 In responses to the PNP consultation, there are issues raised with regard to the amended Settlement Boundary for Pimperne, in relation to both allocations in the Plan and in respect of the removal of areas from within the settlement boundary shown in the Local Plan.

5.42 With regard to allocations, the submission draft PNP Settlement Boundary excludes allocation sites that are currently outside the settlement. The main arguments against this revision and its approach is that it raises potential conflict with restrictive policies in the Local Plan for development outside settlement boundaries and that the inclusion of allocations within the boundary would improve consistency between PNP and the Local Plan.

5.43 As to the exclusion of the area east of the A354, this is objected to, mainly in relation to the exclusion of the Farquharson Arms public house. It is pointed out that Ordnance Survey maps of the late nineteenth and early twentieth century, shown on page 6 of the Plan, demonstrates that historically the village developed along the valley floor on both sides of the A354 and it is contended that the now excluded area is an essential part of the existing character of the settlement. Furthermore, within the section of the Plan 'Important buildings and other features of local character', the Farquharson Arms is recognised as a 'key' building (page 12) as part of a distinctive grouping of buildings "where the stream crosses the road, marking the southern 'entrance' to the historic core along Church Road".

5.44 Furthermore, Policy CF lists the Farquharson Arms as a key community asset in Pimperne and, along with the other community facilities listed in the policy, states that development proposals that facilitate these assets to modernise and adapt to future needs, in a manner in keeping with the character of the area will be supported.

5.45 Dealing first with my conclusions with respect to the site allocations, it is standard practice to include allocations located on the edge of a settlement within that settlement's boundary. I note that this appears to be the case on the proposals map and insets for the North Dorset Local Plan; this includes employment allocations as well as residential. The justification in PNP is that allocated sites should be outside the settlement boundary until such time that they gain planning consent - to allow for their inclusion to be reconsidered if more detailed appraisal or other unforeseen reasons highlight that all or part of the site cannot be developed as intended.

5.46 It appears to me that this goes against the national requirement for planning to seek to greatly increase the housing supply and the certainty for developers and the public that planning policy should provide. Furthermore, if the allocated sites have been carefully assessed, have been subject to SEA and to public consultation, it suggests a reluctance to regard these as commitments if they are not enclosed within the settlement boundary. Indeed it suggests that the Parish wishes to ensure that such sites 'benefit' from the protection afforded by countryside policies.

5.47 Of course reviews of PNP or the North Dorset Local Plan resulting in a change of policy or assessment of sites, could lead to a change but, since the PNP is to become part of the development plan, its current allocations should have all the integrity appropriate to a policy document on which residents and prospective developers can rely. I therefore recommend that the Settlement Boundary should be amended.

5.48 To be clear: this recommendation simply refers to the inclusion within the settlement boundary of HSA1, HSA2, HSA3 and the existing employment site south of Yarde Lane that is included in the settlement boundary on inset 35 of the Local Plan Proposals Map (but not that area in employment use which is beyond the current settlement boundary).

5.49 Turning to the controversy over the removal of longstanding elements of village development from the settlement boundary, I find myself in agreement with those that point to the historical place in the development of the village of land to the east of the A354 in the vicinity of the Farquharson Arms. The recognition within the Plan at Policy CF: Community Facilities, that this public house is a key community asset, the possible development of which should be encouraged to facilitate modernisation and its adaptation to future needs, seems admirable and well thought out. Clearly if it and its neighbours are left beyond the settlement boundary, the policy constraints of such a location may inhibit such plans. I view with some misgivings the concern expressed in the third bullet point under the heading Revisions to the Settlement Boundary on page 28 of the Plan where it explains that part of the reason for taking this area outside the settlement boundary is because of the difficulty of crossing the main road safely. This does not chime well with the assertion under the heading Community Facilities on page 18 that, among others, the Farquharson Arms Public House is well used and valued.

5.50 On the other hand, the retention of this development within the settlement boundary as in LP Inset 35 does not include such an extensive area as would encourage proposals for development that is not appropriate on this side of the road. In my judgement there is no good reason to alter the status quo and the area to the east of the A354, which includes the Farquharson Arms, should be left within the settlement boundary. I recommend that the Settlement Boundary shown on Map 5 should be amended to include this area to the east of the A354 in the vicinity of the Farquharson Arms as is on Inset Map 35 already referred to. This may also require changes to the supporting text.

6 Minor matters

6.1 In passing, when dealing with Policy MEN (beginning at paragraph 5.16 above) I noted that the text of Policy MEN begins with "(a)" although there are no further lettered elements in the policy. Whilst this may be of little real consequence, it seems to me that the opportunity should be taken to avoid the appearance that there may be elements of the policy that are missing and I will recommend its deletion. This also occurs in Policy DC: Developer Contributions for Social Infrastructure and Policy SB: Settlement Boundary: I will similarly recommend the deletion of "a)" in each of those.

6.2 I have also noted that the title of Map 1 – the Neighbourhood Plan area is repeated immediately above the map, and in two different sizes of type. Similarly the heading of Map 3 is duplicated, although in this case "and Conservation Area" is not included in the main title in green lettering, as it should be. There is a similar duplication in the heading of Maps 2 and 4a/4b.

6.3 These are not matters of bearing on meeting statutory requirements and I only mention them in terms of making the Plan more 'user friendly'. Therefore I do not make recommendations about them, but prefer to leave it to the Councils to make such amendments as they see fit.

7 Overall Conclusions and Formal Recommendation

7.1 I have concluded that, provided that the recommendations that I refer to above are followed, as detailed in Appendix A, the PNP meets the basic conditions. I have also concluded that the PNP meets other prescribed matters and other legal requirements that I have dealt with in paragraphs 4.17 to 4.18 above.

7.2 I therefore recommend that the PNP, as modified, should proceed to a referendum.

7.3 There is no evidence to suggest that the area of the referendum should be anything other than the Neighbourhood Plan Area, as defined by the map on page 4 of the PNP.

Terrence Kemmann-Lane

Terrence John Kemmann-Lane, JP DipTP FRTPI MCMI
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October 2018

**Appendix A:
The Examiner's recommended modifications to the PNP**

Examiner's report Paragraph	PNP reference	Recommendation
5.8	Policy LC: Landscape Character	Replace the text of part a) of policy LC with the following: "All new development within the plan area must demonstrate that account has been taken of the relevant AONB Management Plan policies and must not detract from the special qualities of the Cranborne Chase and Dorset AONBs unless it is clearly in the public interest to permit the development."
5.13	Policy MHN: Meeting Housing Needs	Revise the first line of paragraph a) of Policy MHN: Meeting Housing Needs so that it reads: "Provision is made for at least 45 additional homes in Pimperne...."
5.16 - 5.21	New Policy	<p>Following 'Important local green spaces' (and before 'Important buildings and other features of local character'), insert the following heading, supporting text and new policy:</p> <p><i>"Local Wildlife Corridors and Protected Species" (or similar)</i></p> <p><i>"Handcocks Bottom SSSI lies just to the north of the plan area, and Blandford Camp SSSI lies to the east of Blandford Camp, approximately 1km from the parish boundary. Hod Hill SSSI lies approximately 3km to the west of the parish boundary. Sites of local nature conservation interest include Pimperne Wood SNCI (ancient woodland) on the northern border of the parish. There are also other ancient woodland and unimproved and semi-improved calcareous / chalk grasslands close to the parish boundary, including Pimperne Long Barrows. Environmental records indicate the potential presence of a range of protected species, including: bats; birds (such as Barn Owl, Hen Harrier and Merlin), butterflies and moths (such as the White-letter Hairstreak and Barberry Carpet moth) and badgers."</i></p> <p><i>"The Barberry Carpet moth is a nationally scarce species and various nature conservation organisations are working to strengthen this particular species. As such, mitigation measures that include the planting of Barberry (Berberis vulgaris) are encouraged."</i></p> <p>"Policy LWCPs: Local Wildlife Corridors and Protected Species <i>All new development should have due regard for the local ecological network (existing and potential) as identified on</i></p>

		<p><i>Map 4, and potential presence of protected species; taking into account national policy to provide net gains in biodiversity where possible.</i></p> <p><i>To achieve this, the potential adverse or beneficial impact of the development on these ecological networks should be fully evaluated, and presence of protected species checked. A Biodiversity Mitigation and Enhancement Plan must be submitted with any Planning Application on sites over 0.1Ha or which are likely to give rise to an adverse impact on biodiversity."</i></p>
5.16 – 5.21		<p>After the new Policy LWPCS: Local Wildlife Corridors and Protected Species, insert new Map 4 (shown in paragraph 5.20 of this report) titled "Sites of Special Scientific Interest and Ecological Networks" (or similar).</p>
5.16 – 5.21		<p>As a consequence of the insertion of new Map 4, amend the numbers of the Maps that follow in the PNP accordingly.</p>
5.23	Policy MEN: Meeting Employment Needs	<p>At end of first paragraph on page 18 (supporting text to Policy MEN) amend to read "<i>...the landscape, wildlife and traffic impacts of such development.</i>" and amend final criteria (iii) of Policy MEN to read "<i>.....would not harm the character and tranquillity of the AONB, and would not harm protected species or areas of wildlife interest without appropriate biodiversity enhancement and mitigation.</i>"</p>
5.24	Policy DC: Developer Contributions for Social Infrastructure	<p>Amend the text of Policy DC: Developer Contributions for Social Infrastructure, after the words "where reasonable and necessary for the provision of" to read "<i>social infrastructure projects including:</i>"</p>
5.25	Policy HSA1: Land east of Franwell Industrial Estate	<p>In part d) of Policy HSA1, fourth line down, replace "Biodiversity Mitigation" with "<i>Biodiversity Mitigation and Enhancement Plan</i>"</p>
5.26		<p>In part f) of Policy HSA1, after the words "should be secured", add "<i>following consultation with the Highways Authority</i>"</p>
5.29	Policy HSA2 – land north of Manor Farm Close	<p>In part c) of Policy HSA2, fourth line down, replace "Biodiversity Mitigation" with "<i>Biodiversity Mitigation and Enhancement Plan</i>"</p>
5.30		<p>At the end of the text at item e) add: "following consultation with the Highways Authority."</p>
5.31	Policy HAS3 – land west of Old Bakery Close	<p>In part c) of Policy HSA3, fourth line down, replace "Biodiversity Mitigation" with "<i>Biodiversity Mitigation and Enhancement Plan</i>"</p>

5.47, 5.48 and 5.50	Map 5 and Policy SB: Settlement Boundary	The Settlement Boundary should be amended to include the allocations etc., and the area to the east of the A354 in the vicinity of the Farquharson Arms, as set out in paragraphs 5.45 to 5.50 of this report. This may also require changes to the supporting text.
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