

INDEPENDENT EXAMINATION OF HOLWELL NEIGHBOURHOOD PLAN REVIEW

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

Sarah Mitchell
Clerk to Holwell Parish Council

Joanne Langrish-Merritt
Dorset Council

Examination Ref: 01/AM/HNPR

Via email

29 June 2021

Dear Ms Mitchell and Ms Langrish-Merritt

HOLWELL NEIGHBOURHOOD PLAN REVIEW EXAMINATION

Following the submission for examination of the Holwell Neighbourhood Plan Review (the Plan), I would like to clarify several initial procedural matters, including advising you of my initial determination regarding the appropriate examination process. I also have a small number of preliminary questions for Holwell Parish Council (HPC) and Dorset Council (DC).

1. Examination Documentation

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

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

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

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

The Howell Parish Council state within the draft Plan that it has been modified to reflect actual updates. The draft Plan does not propose any significant changes, the main ones being in relation to housebuilding and planning permissions which have been granted since the Plan was first drafted.

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

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

Therefore, the examination can proceed under the terms of Schedule A2 of the 2004 Act and, as a consequence, should I recommend that the draft Plan be made (with or without examiner modifications), a referendum stage will not be a necessary part of the statutory process.

3. Site Visit

I intend to undertake a site visit to the neighbourhood plan area during the week commencing 28 June, subject to the prevailing Government COVID-19 advice at that time. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the draft Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process (and further respecting the current COVID-19 distancing arrangements).

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

4. Written Representations

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

5. Further Clarification

I have a small number of initial questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response within **2 weeks** from the date of this letter.

6. Examination Timetable

As you will be aware, the intention is to examine the draft Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan.

As I have raised a number of questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable will be extended. Please be assured that I will endeavour to mitigate any delay as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

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

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

Thank you in advance for your assistance.

Your sincerely

Andy Mead

Examiner

Annex

From my initial reading of the Holwell Neighbourhood Plan Review and the supporting evidence, I have a number of questions for Dorset Council and Holwell Parish Council (HPC). I have requested the submission of a response within **2 weeks** of the date of this letter.

Question to HPC and Dorset Council

1. The made Plan was tested against the NPPF (2012). The Basic Conditions Statement refers to the NPPF (revised 2019). Please can the Councils confirm that the review of the Plan has regard to the NPPF (revised 2019)?

Questions to HPC

2. Appendix P13 is a list of Locally Important Buildings and Structures Updated July 2018, under which protection is sought under Policy E3. I have not been able to locate the equivalent Appendix for the made Plan. Please could the Council explain whether Appendix P13 Updated July 2018 is the same as that which formed an Appendix of the made Plan, whether any additional buildings or structures have been added and whether any specific consultation was carried out for any additions?
3. The Inset Map for Fosters Hill shows land at Westbourne, on the southern side of Fosters Hill, near Fosters Bridge, as an approved site under construction (according to the notation). What is the status of the land immediately to the west between The Milk House and Westbourne which appears uncoloured/white on the map base?
4. The Plan (page 12) states that the 14 affordable homes being constructed at Crouch Lane are expected to be completed in the summer of 2021. What is their status? Are they fully occupied? And when does the Council expect the reserve site under Policy H3 to be triggered?