

Milborne St Andrew Neighbourhood Plan

Basic Conditions Report

Prepared by: Dorset Planning Consultant Ltd, on behalf of Milborne St Andrew Parish Council

Plan period: 2018-2033

Date of report: October 2018

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1. Introduction

When a neighbourhood plan proposal is submitted to the local planning authority, it needs to be accompanied by a statement, known as the basic conditions statement, which explains how:

- the plan meets the legal requirements in terms of its contents and coverage
- the plan has had appropriate regard to national policy and is in general conformity with the strategic policies in the development plan for the area
- the plan will contribute to the achievement of sustainable development, is compatible with EU obligations, and would not be likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, etc.) Regulations 2007) (either alone or in combination with other plans or projects).

2. Legal Requirements

Has the draft plan been submitted by a qualifying body?

Yes – Milborne St Andrew Parish Council agreed the submission of the draft plan and supporting documents at its meeting in October 2018.

Does the proposed neighbourhood plan state the period for which it is to have effect?

Yes – the plan makes clear on the front cover and in 1.13 that it is intended to cover the period from 2018 to 2033.

Is what is being proposed a neighbourhood development plan making provision in relation to land or sites in the Neighbourhood Plan Area?

Yes - the Neighbourhood Plan policies relates to planning matters (the use and development of land) and to the designated Neighbourhood Plan area or parts thereof.

Do any of the policies relate to excluded development?

The policies are contained in sections 4 - 7 of the plan and cover:

- Policy MSA1. Meeting Local Needs – Amount and Location of New Development
- Policy MSA2. Meeting Housing Needs – Dwelling Types
- Policy MSA3. Meeting Employment Needs – Business Requirements
- Policy MSA4. Supporting Community Facilities
- Policy MSA5. Development of the Camelco Site
- Policy MSA6. Settlement Boundary
- Policy MSA7. Creating safer roads and pedestrian routes
- Policy MSA8. Parking Provision
- Policy MSA9. Reinforcing Local Landscape Character
- Policy MSA10. Protecting Local Wildlife
- Policy MSA11. Local Green Spaces
- Policy MSA12. Improving Recreation Opportunities
- Policy MSA13. Locally important character features
- Policy MSA14. Character and Design Guidance
- Policy MSA15. Minimising Flood Risk

The Neighbourhood Plan policies do not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or development that falls within Annex 1 to Council Directive 85/337/EEC.

Do any of the policies extend beyond the neighbourhood area or cover an area where there is a neighbourhood development plan already in place?

No - the Neighbourhood Plan policies relate only to Milborne St Andrew parish (which is the designated Neighbourhood Plan Area) and to no other area.

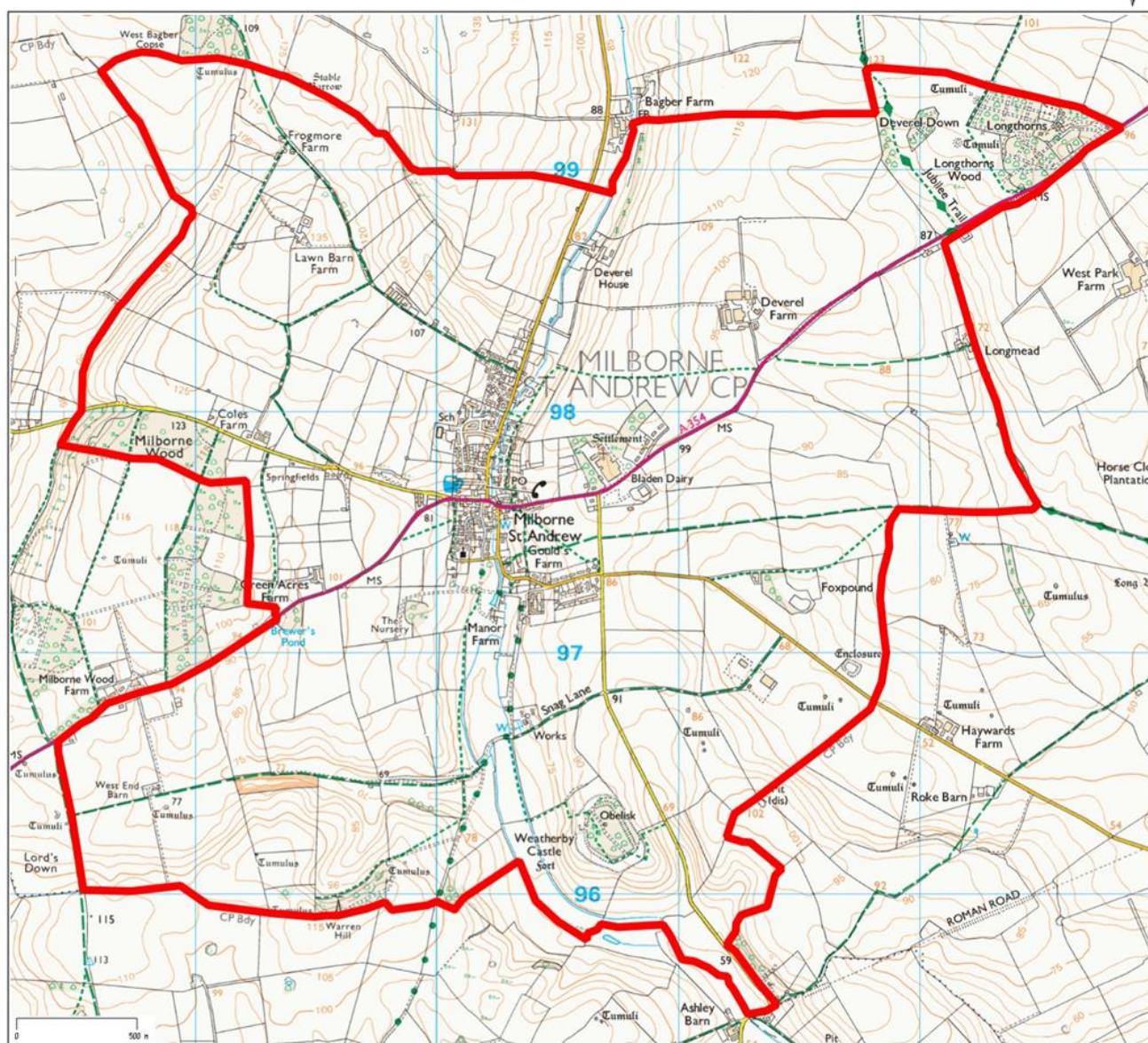
There are no other neighbourhood plans relating to Milborne St Andrew Parish. Two of the adjoining parishes have been designated as Neighbourhood Plan areas (Milton Abbas parish, Bere Regis parish) but neither has yet had a plan made. It is understood that the Bere Regis Plan has been submitted to Purbeck District Council for its examination (September 2018)¹

Map 1 – Neighbourhood Plan Designated Area



Milborne St Andrew parish

Milborne St. Andrew CP



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¹ <https://www.bereregisparishcouncil.co.uk/projects/neighbourhood-plan/>

3. Consideration of National and Strategic Policies

The Neighbourhood Plan must have regard to national policy and guidance from the Secretary of State and be in general conformity with the strategic policies of the development plan that covers the area.

The following conformity assessment summarises how the Neighbourhood Plan relates to the relevant national planning guidance and strategic development plan policies.

National Planning Policy and Guidance

National planning guidance comes primarily from the National Planning Policy Framework (NPPF), but where appropriate, reference is made to the online National Planning Policy Guidance (NPPG) and Ministerial Statements.

At the time that the Neighbourhood Plan was submitted, the Government had recently published an update to the NPPF (2018). However para 214 states:

214. The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted⁶⁹ on or before 24 January 2019.

Footnote 69 confirms that

For neighbourhood plans, ‘submission’ in this context means where a qualifying body submits a plan proposal to the local planning authority in accordance with regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

Where government guidance has changed so that plans that may have failed the basic conditions under the previous (2012) NPPF would not fail under the revised NPPF, it would be perverse that such a change is not taken into account. However in regard to this plan the changes to the NPPF do not appear to suggest this is the case.

The Development Plan for the Neighbourhood Plan area

The North Dorset Local Plan Part 1, prepared by North Dorset District Council and adopted January 2016, contains the bulk of the strategic planning policies for the area. It includes topic-based policies, place-based policies and development management policies that together are considered to provide the strategic policy framework. The saved policies in the 2003 Local Plan are not considered strategic - in many cases the Local Plan Part 1 makes clear that these can be reviewed through Neighbourhood Plans.

Dorset County Council has a Minerals Strategy (adopted May 2014) that also forms part of the development plan for the area, together with the Waste Local Plan (adopted 2006). A revised Waste Plan is currently being examined, and is likely to be adopted towards the end of this year. Similarly a Minerals Site Plan is also at its examination and is likely to be adopted in early 2019.

Neither the waste plan or minerals strategy contain proposals for the Neighbourhood Plan Area, other than defining minerals safeguarding areas and these are noted in the SEA.

Strategic policies are described in the NPPF (para 156) as those that cover:

- *the homes and jobs needed in the area*
- *the provision of retail, leisure and other commercial development*
- *the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)*
- *the provision of health, security, community and cultural infrastructure and other local facilities*
- *climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape*

Conformity Testing

The NPPG makes clear that in considering whether a policy is in general conformity, a view should be taken on whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with and the degree, if any, of conflict and the rationale and evidence to justify that approach.

The NPPG also states that it is important to minimise any conflicts between policies in a neighbourhood plan and an emerging Local Plan, and that 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. Work is already progressing on a review of the Local Plan, which will include the provision of site specific sites allocations and the review of the more detailed saved policies carried forward from the 2003 Local Plan. Key documents produced so far include the Strategic Environmental Assessment scoping and an Issues and Options paper which was issued for consultation in November 2017. No substantive changes are suggested in relation to the approach to the sustainable growth of villages.

The following table considers each policy in turn, against the relevant national and local policies for that particular topic.

Vision and Overview of Plan	The plan’s vision and objectives are set out in Section 3 and form the structure for the remaining plan.	
Summary of relevant national policy and guidance	Assessment of general conformity	
Plan making and decision taking Neighbourhood Plans should set out a positive vision for the future of the area, and provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency	The Neighbourhood Plan includes a vision for the area (Section 3), the main objectives and how it hopes to achieve these through the policies. Policy wording has been chosen with the aim of being clear and unambiguous, but at the same time recognising that there needs to be flexibility. Landowners, service providers and local residents have been consulted to ensure the plan is deliverable. The plan is aspirational yet flexible, reflecting the distinctive character of the village and its surrounds.	
Supporting a working, active village MSA1. Meeting Local Needs - Amount and Location of New Development MSA2. Meeting Housing Needs - Dwelling Types MSA3. Meeting Employment Needs - Business Requirements MSA4. Supporting Community Facilities MSA5. Development of the Camelco Site MSA6. Settlement Boundary	The intention of these policies is to support a working, active village – with affordable homes, local job opportunities and local services that meet people’s day-to-day needs as the village grows in the future. This includes the main site allocation which is for mixed use of housing, employment and community facilities (Policy MSA5)	
Summary of relevant national policy and guidance	Summary of potentially relevant adopted development plan policies	Assessment of general conformity
Deliver a wide choice of high quality homes (NPPF paras 15-17, 47-55) Neighbourhood plans should include policies for housing and should plan	Policy 2 Core Spatial Strategy All development proposals should be located in accordance with the spatial strategy - which identifies Stalbridge and eighteen larger villages (including	Policies MSA1 and MSA2 seek to shape and direct sustainable housing growth in the area. They have taken into account the latest available information on local housing need, as set out in the housing needs

<p>positively to support local development. Encourage the reuse / conversion of existing buildings and the effective use of brownfield sites (provided that these are not of high environmental value); Deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, by:</p> <ul style="list-style-type: none"> – planning for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); – identifying the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and – setting policies to meet affordable housing need <p>Housing should be located where it will enhance or maintain the vitality of rural communities. Avoid new isolated homes in the countryside unless there are special circumstances, such as where the development would re-use redundant or disused</p>	<p>Milborne St Andrew) as the focus for growth to meet the local needs outside of the four main towns (with the focus being on meeting local (rather than strategic) needs).</p> <p>Policy 6 Housing Distribution In the countryside (including Stalbridge and the villages) the level of housing and affordable housing provision will contribute towards meeting identified local and essential rural needs. At least 825 dwellings will be provided in the countryside (including Stalbridge and the villages) during the period 2011 – 2031</p> <p>Policy 7 Delivering Homes All housing should contribute towards the creation of mixed and balanced communities. The Council will seek to support the delivery of about 40% of market housing as one or two bedroom properties and about 60% as three or more bedroom properties, with an emphasis on the provision of two and three bedroom properties. About 60% of affordable housing should be delivered as one or two bedroom properties and about 40% as three or more bedroom properties. These proportions will be the starting point for negotiations on all sites with 10 or more dwellings. On sites of less than 10 dwellings, a mix of house sizes appropriate to each specific site will be sought.</p> <p>Policy 8 Affordable Housing Requires that development that delivers eleven or more net additional dwellings and which has a maximum combined gross floorspace of more than 1,000 square metres, including housing on mixed-use sites, will</p>	<p>assessment report. Although the current adopted plan does not set a specific housing target for the NP area, the approach taken reflects other Neighbourhood Plans in North Dorset that have been made. This includes consideration of the level of uplift that could be applied by using the Governments September 2017 LPA housing targets. The level of development proposed clearly exceeds the pro-rata level of development anticipated through the Local Plan. Consideration has also been given to what the local need for such growth as Policy 2 advises on a degree of restraint to avoid repeating the unsustainable spatial distribution of development that goes to the heart of the Local Plan’s strategy. The mix of house sizes is broadly in line with the Local Plan policy 7, with the focus on smaller homes justified on the basis of the more detailed appraisal of local housing need, and this should still create a mixed and balanced community.</p> <p>Policy MSA3 seeks to address the approach to business uses. There are no specific employment targets set for the area in the Local Plan. Although the latest available evidence (Bournemouth, Dorset and Poole Workspace Strategy Oct 2016) indicates that there is no strategic requirement to allocate additional employment land in North Dorset, local information shows that there is unmet need locally and some expansion would therefore help sustain local job opportunities, taking into account the likely increase in population. The policy broadly reflects the approach taken in the Local Plan, highlighting those sites which should be safeguarded for employment uses and allowed to expand. It deviates in terms of allowing a greater degree of expansion at Deverel Farm than</p>
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<p>buildings and lead to an enhancement to the immediate setting.</p> <p>Build a strong, competitive economy and prosperous rural economy (NPPF paras 18-22 and 28)</p> <p>Support economic growth fit for the 21st century and proactively meet business development needs.</p> <p>Support the sustainable growth and expansion of all types of business in rural areas, including rural tourism and leisure developments, land-based rural businesses and local services and community facilities in villages, both through conversion of existing buildings and well-designed new buildings which respect the character of the countryside.</p> <p>Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.</p> <p>Promote healthy communities (NPPF paras 28, 69-78)</p> <p>Promote the retention and development of local services and community facilities in villages.</p> <p>Promote opportunities for social interaction through safe and accessible environments, deliver sufficient community and cultural facilities and services to meet local needs and guard against the unnecessary loss of valued facilities and services. Determine what</p>	<p>contribute to the provision of affordable housing.</p> <p>Policy 11: The Economy</p> <p>Existing employment sites and sites identified for future employment uses will be protected from other forms of development, but permission may be given for community uses, such as community halls; healthcare facilities, such as doctors' and vets' surgeries; education and training facilities; and small-scale retail, which is ancillary to a B Class use.</p> <p>Economic development in the countryside will be supported by enabling rural communities to plan to meet their own local needs, particularly through neighbourhood planning and the re-use of existing buildings, the retention and small-scale expansion of existing employment sites; the provision of certain forms of tourist accommodation, and equine-related developments.</p> <p>Policy 14: Social Infrastructure</p> <p>Existing community halls, places of worship and other non-commercial community facilities are protected and new facilities provided where there is an identified need. In the countryside, such facilities may be permitted on the edge of the built-up area of Stalbridge or the District's villages to support a rural community, where no suitable sites exist within the relevant settlement.</p> <p>Policy 15: Green Infrastructure</p> <p>Development will be required to enhance existing and provide new green infrastructure to improve the quality of life of residents and deliver environmental benefits.</p>	<p>perhaps is envisaged in the strategy, however the site is particularly suited to larger scale buildings for which there is clear demand, including from businesses with a connection to rural areas (such as agricultural vehicle servicing and skills training) where a town-based site would be unsuitable.</p> <p>As such the approach to employment, which provides a variety of ways for local businesses to expand and to provide local job opportunities for local residents, and is considered to be in general conformity with the Local Plan and national policy.</p> <p>Policy MSA4 is broadly in line with the Local Plan and national policy, in that it makes clear those facilities that the community consider should be safeguarded, and the likely requirements in terms of new / expanded facilities.</p> <p>Policy MSA5 is the main site allocation. This should more than cater for the estimated housing and community needs within the plan period. It includes consideration of relevant infrastructure improvements that should be provided alongside the housing and employment to improve the site's sustainability. As a brownfield site on the edge of a village, its redevelopment is considered to be a sustainable option. It has been subject to assessment through the SEA process which has helped ensure that the policy contains appropriate mitigation measures. The SEA process concluded that none of alternative sites were preferable. The Local Plan makes clear that site allocations can be made through Neighbourhood Plans ahead of the intended site allocations that form part of the Local Plan review - there is no perceived conflict with Policy 20.</p> <p>Policy MSA6 makes adjustments to the settlement boundary. There is no perceived conflict with Policy 20 as the Local Plan makes clear that</p>
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<p>open space, sports and recreational provision is required and safeguard existing facilities unless there is a surplus or equivalent or better provision made.</p> <p>Neighbourhood Plans (NPPF paras 183-185)</p> <p>Neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies. Outside these strategic elements, such plans will be able to shape and direct sustainable development in their area.</p>	<p>Policy 20 The Countryside</p> <p>Recognises Stalbridge and the eighteen larger villages as the focus for growth outside of the four main towns. Development in the countryside outside the defined settlement boundaries is only permitted if it can be demonstrated that there is an ‘overriding need’ for it to be located in the countryside.</p> <p>The Local Plan makes clear that site allocations and amendments to the settlement boundaries (as established in the saved policy of the 2003 Plan) can be made through Neighbourhood Plans.</p>	<p>Neighbourhood Plans can amend settlement boundaries, and the amendments to the settlement boundaries do not remove land that is critical to the housing supply.</p> <p>The settlement boundary has not been adjusted to include the site allocation as the Local Plan (para 8.192) makes clear the Neighbourhood Plans can either amend the settlement boundary <u>or</u> allocate a specific site for development, which makes clear that the two are not mutually exclusive.</p> <p>The preferred approach is to review the settlement boundary once the development is completed so that areas of green space and strategic planting on the site boundary, that should remain undeveloped, can be retained outside the boundary.</p>
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<p>Promoting a walkable village and minimising potential traffic problems</p> <p>MSA7. Creating safer roads and pedestrian routes</p> <p>MSA8. Parking Provision</p>	<p>These two policies together with the locations for new development (as set out in the previous chapter) seek to promote a walkable village whilst minimising potential traffic problems – ensuring people can walk around the village safely and easily now and in the future</p>
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Summary of relevant national policy and guidance	Summary of potentially relevant adopted development plan policies	Assessment of general conformity
<p>Require good design (NPPF paras 17, 56-66)</p> <p>Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; take account of the different roles and character of different areas.</p> <p>Promoting sustainable transport (NPPF paras 29-41)</p> <p>Take account of whether: opportunities for sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all people; improvements can be</p>	<p>Policy 13 Grey Infrastructure</p> <p>The adequacy, availability and provision of grey infrastructure will be a key consideration when planning applications are considered. Development will be expected to maintain, enhance and provide grey infrastructure, as appropriate to the particular development, by way of direct (on/off site) or indirect (by way of financial contribution) provision.</p> <p>A more sustainable approach to transport in North Dorset will be developed by supporting measures to make more effective use of the existing route network including: schemes to improve road safety; and providing and enhancing walking and cycling facilities in the main towns and in rural areas</p> <p>Development Management Policies (non</p>	<p>Policy MSA7 recognizes the importance of walking as the most practical and sustainable mode of transport for getting around the village, and considers how this can be improved through planning. The policy is considered to be broadly in line with both national and local policies.</p> <p>Policy MSA8 introduces slightly higher parking space requirements than required by the adopted county standards, however this is not a strategic policy and is based on clear evidence of higher car ownership levels and problems experienced</p>

<p>undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.</p> <p>Promote healthy communities (NPPF paras 28, 69-78)</p> <p>Promote opportunities for social interaction through safe and accessible environments.</p>	<p>strategic)</p> <p>Policy 23 Parking</p> <p>Development will be permitted provided that: provision for residential and non-residential vehicle and cycle parking is made in accordance with the Council’s parking standards, unless a different level of provision can be justified by local or site-specific circumstances</p> <p>Policy 24 Design</p> <p>Development should be designed to improve the character and quality of the area within which it is located, and justify how the relevant aspects of development form address the relevant design principles and standards of the Local Plan and how the design responds to the local context.</p>	<p>on the village roads where insufficient or poorly designed parking has caused real problems in terms of visual impact and pedestrian movements. It is not expected that this should lead to large and unsightly areas of tarmac given that there are design solutions (such as the use of car barns, grasscrete and treeplanting) that can be used, and that this is preferable to the alternative impact of unplanned parking on inappropriate roads.</p>
<p>Reinforcing local character and creating attractive places to live</p> <p>MSA9. Reinforcing Local Landscape Character MSA10. Protecting Local Wildlife MSA11. Local Green Spaces MSA12. Improving Recreation Opportunities MSA13. Locally important character features MSA14. Character and Design Guidance</p>		<p>This section of the plan focuses on ways to reinforce local character whilst creating attractive places to live which maintain the village form, its character, local features and important green spaces, and the amenity of those who live and work here. It includes general open space requirements, design guidance and the protection of features of local interest, including Local Green Space designations</p>
<p>Summary of relevant national policy and guidance</p>	<p>Summary of potentially relevant adopted development plan policies</p>	<p>Assessment of general conformity</p>
<p>Promote healthy communities (NPPF paras 69-78)</p> <p>Local communities should be able to identify for special protection, green areas of particular importance to them, by designating land as Local Green Space, and to rule out new development other than in very special circumstances. They should be capable of enduring beyond the end of the plan period. The designation should only be used where the green space is in reasonably close proximity to the community it serves; is demonstrably special to a local community and holds a particular local significance; and is local in</p>	<p>Policy 4 The Natural Environment</p> <p>Protects environmental assets which include valued landscape and other features which make the natural environment special. Development should be shaped by the natural environment so that its benefits are enhanced and not degraded.</p> <p>Landscape character will be protected through the retention of the features that characterise the area. Where significant impact is likely that impact must be mitigated and important landscape features incorporated in the development scheme.</p> <p>Developers should demonstrate that their proposals will not have significant adverse effects, including cumulative effects, on internationally important</p>	<p>Policies MSA9 and MSA10 identify features of local landscape or wildlife importance, and how adverse impacts on wildlife should be avoided or mitigated. This is clearly in line with the national policy on conserving and enhancing the natural environment, and Policy 4 of the Local Plan.</p> <p>Policy MSA11 deals with Local Green Spaces. These have been assessed against the criteria set out in the NPPF. The assessment included the</p>

<p>character and is not an extensive tract of land. Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.</p> <p>Require good design (paras 17, 56-66)</p> <p>Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; take account of the different roles and character of different areas. Develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics. Policies should not stifle innovation, originality or initiative, but it is proper to seek to promote or reinforce local distinctiveness. Proposals that can demonstrate how the designs have evolved to take account of the views of the community should be looked on more favourably. Create visually attractive places as a result of good architecture and appropriate landscaping</p> <p>Conserve and enhance the natural environment (NPPF paras 109-125)</p> <p>Protect and enhance valued landscapes (with great weight given to conserving landscape and scenic beauty in AONBs), geologies and soils (including the best and most versatile farmland). Take account of the different roles and character of different areas, and recognise the intrinsic character and beauty of the countryside. Minimise impacts on biodiversity, including the loss of irreplaceable</p>	<p>wildlife sites. Where this cannot be demonstrated, appropriate mitigation measures will be required otherwise permission will be refused.</p> <p>Policy 5 The Historic Environment</p> <p>Seeks to protect the setting of heritage assets which could include a landscape which has been identified as having a degree of significance meriting consideration in planning decisions.</p> <p>Policy 7 Delivering Homes</p> <p>Design and layout of housing development should be of a density that respects local character and amenity. Infilling within settlement boundaries, should respect the amenity of adjoining properties, and local communities are encouraged to develop more detailed policies relating to infilling through Neighbourhood Plans.</p> <p>Policy 15 Green Infrastructure</p> <p>Development will be required to enhance existing and provide new green infrastructure to improve the quality of life of residents and deliver environmental benefits. Neighbourhood Plans should consider measures that assist in delivering key green infrastructure benefits, including the designation of Local Green Space, where appropriate.</p> <p>Development Management Policies (non strategic)</p> <p>Policy 24 Design</p> <p>Development should be designed to improve the character and quality of the area within which it is located, and justify how the relevant aspects of development form address the relevant design principles and standards of the Local Plan and how the design responds to the local context.</p> <p>Policy 25 Amenity - Artificial Light Intrusion</p> <p>Where external lighting is proposed, development will be permitted provided that:</p>	<p>IOWAs ‘saved’ through the Local Plan, a number of which didn’t meet the NPPF criteria and have not been carried forward as LGS. Although some landowners have questioned the need for such designation given other safeguards, their responses were considered as part of the assessment process. For example, in the case of a green within some highway land, where it is possible for this to be lifted, the LGS designation was considered to be merited. This was also in the case of consecrated land given the particularly high value of that LGS.</p> <p>Policy MSA12 as updated is in line with the national policy and Local Plan requirements in regard to providing and improving land available for public recreation, and also ties in with the related aspects of wildlife requirements in respect of the nearby heathlands and Poole Harbour. Natural England support the inclusion of this policy.</p> <p>Policies MSA13 and MSA14 deal with more detailed built character, in line with the general approach to protecting locally important features, and identifying those characteristics which are locally important. The guidance has been based on an understanding and</p>
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<p>habitats and harm to protected species, and provide biodiversity gains. Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p> <p>Conserve and enhance the historic environment (NPPF paras 126-141)</p> <p>Conserve heritage assets in a manner appropriate to their significance</p>	<p>a) the scheme is the minimum necessary to achieve its purpose; and</p> <p>b) light scatter, spillage and glare are minimised through the control of light direction and intensity; and</p> <p>c) the quality and intensity of the light and the daytime appearance of any light fittings and cables would not have a detrimental impact on local amenity or the character of the surrounding area.</p>	<p>evaluation of the area’s defining characteristics. It has been worded with flexibility for different approaches to be taken provided that they can be justified as reinforcing the distinctive character of the area.</p>
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<p>Minimising flood risk MSA15. Minimising Flood Risk</p>	<p>This final section of the plan deals with the final objective, to minimise flood risk – making sure that the flooding problems experienced in the past are not experienced in the future</p>
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<p>Summary of relevant national policy and guidance</p>	<p>Summary of potentially relevant adopted development plan policies</p>	<p>Assessment of general conformity</p>
<p>Flood Risk NPPF paras 99 – 105</p> <p>New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.</p> <p>All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property including. Ensure flood risk is not increased elsewhere, and use opportunities offered by new development to reduce the causes and impacts of flooding.</p> <p>The use of sustainable drainage systems is prioritised in areas at risk of flooding</p> <p>Infrastructure (NPPF para 162)</p> <p>Local planning authorities should work with other authorities and providers to assess the quality and capacity of infrastructure for transport, water supply,</p>	<p>Policy 13 Grey Infrastructure</p> <p>The adequacy, availability and provision of grey infrastructure will be key considerations when planning applications are considered.</p> <p>Development will be expected to maintain, enhance and provide grey infrastructure, as appropriate to the particular development, by way of direct (on/off site) or indirect (by way of financial contribution) provision.</p> <p>The Council will work with the Environment Agency and other relevant bodies to make provision for dealing with flood risk,</p>	<p>This policy considers the local flood risk issues that are prevalent in Milborne St Andrew. In particular this includes run-off from the higher ground and groundwater flood risk, neither of which are fully mapped or understood. As such, the standard approach to map-based flood-risk determination is not appropriate, and the implications in using soakways and other infiltration-based sustainable drainage systems may not always be suited to the site. It is for these reasons that the policy does go beyond the standard requirements as set down in the Local Plan and Ministerial Statement on sustainable drainage systems.</p> <p>This is clear from a recent response from Wessex Water to what is a reasonably elevated site outside known flood risk areas (the site north of Blandford Hill) where they stated that “The site is located in a groundwater flood risk area where there is a high risk of foul sewer inundation during periods of prolonged wet weather leading to sewer flooding. The existing sewer network serving Milborne St Andrew is known to suffer</p>

<p>wastewater and its treatment, energy (including heat), telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands.</p> <p>Written Statement on 18 Dec 2014 re sustainable drainage systems</p> <p>Decisions relating to major developments should ensure that sustainable drainage systems for the management of run-off are put in place, unless demonstrated to be inappropriate.</p>	<p>the transfer and treatment of wastewater and the introduction of sustainable drainage systems.</p> <p>Sustainable drainage solutions appropriate to the development and underlying ground conditions should be incorporated into all new development of ten dwellings or more and connect with the overall surface water management approach for the area</p>	<p>from infiltration of groundwater and Wessex Water are undertaking a programme of investigations and sewer re-lining to reduce the risk of sewer flooding in these instances. We are looking to work with the Local Lead Flood Authority to implement a groundwater management strategy and Wessex Water ... will be seeking higher levels of design and construction in these areas to ensure that the proposed drainage is resilient to the impacts of groundwater infiltration when the water table rises.”</p> <p>It is considered in this context that the approach taken is justified and still in general conformity with the strategy of avoiding flood risk. It is supported by Wessex Water, and there is no objection from the Lead Local Flood Authority.</p>
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Conformity conclusions

The Neighbourhood Plan includes a positive vision for the future of the area and explains how this translated into objectives and in turn relate to the relevant policies.

The analysis of the plan in relation to national planning policy and guidance and the strategic policies of the local plan, as shown in the preceding tables, does not highlight any fundamental conformity issues. Where the plan does vary, the changes are considered to be relatively minor in nature and justified by locally-specific evidence, and therefore still in general conformity.

On this basis, there are no apparent reasons to conclude other than the Neighbourhood Plan meets the basic condition of having regard to national policy and guidance from the Secretary of State and being in general conformity with the strategic policies of the development plan for the area.

4. EU and sustainability obligations

A screening assessment in relation to potential requirements for a Strategic Environmental Assessment (SEA) under the European Directive 2001/42/EC and for a Habitats Regulation Assessment (HRA) under Article 6(3) of the EU Habitats Directive and with Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended), was undertaken by North Dorset District Council and a report produced in June 2017.

This report concluded that an SEA of the Milborne St Andrew Neighbourhood Plan would be required, but that there was no requirement for a Habitats Regulations Assessment.

The plan has been subject to a full Strategic Environmental Assessment, including the relevant scoping stage, assessment of options, and assessment of the pre-submission draft plan. The reports were sent to the statutory consultees (the Environment Agency, Natural England and Historic England) and made publicly available for the required periods.

The neighbourhood plan's objectives have been assessed against the sustainability objectives identified through the Strategic Environmental Assessment process. The cumulative impact of the plan's policies are shown in the following table. This shows how the policies could impact on the environmental, social

and economic characteristics of the parish, and allows an overview of the combined impacts of the plan’s policies. The minor changes to policies as a result of the pre-submission consultation, are not considered to alter these findings significantly.

Sustainability Assessment – Overall Impacts, Pre-Submission Stage

SEA objective	Biodiversity, fauna & flora	Landscape	Cultural heritage	Soil, water and air pollution	Climatic factors:	Housing, jobs and community	Safe and accessible	Minerals safeguarding
MSA1. Amount & location of new development	✓✓	✓	✓	👤	👤	✓✓	✓✓	--
MSA2. Dwelling Types	--	--	--	--	--	✓✓	--	--
MSA3. Meeting Employment Needs	👤	👤	👤	--	👤	✓✓	✗	--
MSA4. Supporting Community Facilities	--	--	--	--	--	✓✓	✓	--
MSA5. Development of the Camelco Site	✓	✓	✓	👤	--	✓✓	✓✓	--
MSA6. Settlement Boundary	--	--	✓	--	✓	--	--	--
MSA7. Creating safer roads & pedestrian routes	✓	✓	--	--	--	👤	✓✓	--
MSA8. Parking Provision	--	--	--	--	--	--	✓✓	--
MSA9. Reinforcing Local Landscape Character	✓	✓✓	✓	--	--	--	--	--
MSA10. Protecting Local Wildlife	✓✓	✓	--	--	--	--	--	--
MSA11. Local Green Spaces	✓	✓	✓	--	--	--	--	--
MSA12. Improving Recreation Opportunities	✓	✓	--	--	--	✓✓	✓	--
MSA13. Locally important character features	--	✓	✓✓	--	--	--	--	--
MSA14. Character and Design Guidance	--	✓	--	--	--	--	✓	--
MSA15. Minimising Flood Risk	--	--	--	--	✓✓	--	--	--

Key:

✓✓	significant positive impact likely
✓	positive impact likely
--	neutral impact likely
✗	adverse impact likely
✗✗	significant adverse impact likely
👤	impact uncertain but unlikely to be significantly adverse
👤👤	impact uncertain but potentially significantly adverse

Earlier this year the Court of Justice of the European Union released a judgment known as People over Wind (Peter Sweetman v Coillte Teoranta (C-323/17)). This judgment has significant implications for the Habitat Regulations Assessment process, particularly the manner in which mitigation measures can be taken into account, which the Ministry of Housing Communities and Local Government are currently considering within the specific context of HRA for Neighbourhood Plans. At the current time MHCLG have not yet formed a view on how the implications of the People Over Wind ruling should be factored into the Neighbourhood Plan process, and as such the Neighbourhood Plan support package for a separate Habitat Regulations Assessment is on hold. It is not clear therefore whether the previous screening determination that concluded that a Habitats Regulations Assessment would not be required still stands.

In terms of Habitats Regulations Assessments, the 2017 Regulations state that “106.—(1) A qualifying body which submits a proposal for a neighbourhood development plan must provide such information

as the competent authority may reasonably require for the purposes of the assessment under regulation 105 or to enable it to determine whether that assessment is required.” and 105 reads “105.— (1) Where a land use plan— (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of the site, the plan-making authority for that plan must, before the plan is given effect, make an appropriate assessment of the implications for the site in view of that site’s conservation objectives. (2) The plan-making authority must for the purposes of the assessment consult the appropriate nature conservation body and have regard to any representations made by that body within such reasonable time as the authority specifies. (3) The plan-making authority must also, if it considers it appropriate, take the opinion of the general public, and if it does so, it must take such steps for that purpose as it considers appropriate. (4) In the light of the conclusions of the assessment, and subject to regulation 107, the plan-making authority must give effect to the land use plan only after having ascertained that it will not adversely affect the integrity of the European site or the European offshore marine site (as the case may be).”

It is possible that the information contained in the Strategic Environmental Assessment may be sufficient for the purpose of the Examination, but it is clear that the District Council, as the plan-making authority, will need to be assured that it has followed the requirements set in the 2017 Regulations prior to the making of the Plan.

No issues have been raised in relation to the possible contravention of Human Rights in the preceding consultations, and 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.