

# INDEPENDENT EXAMINATION OF THE CHICKERELL NEIGHBOURHOOD PLAN

EXAMINER: David Hogger BA MSc MRTPI MCIHT

Mo Newport  
Assistant Town Clerk

Philip Reese  
Dorset Council

Via email

Examination Ref: 01/DH/CNP

2 November 2020

Dear Ms Newport and Mr Reese

## CHICKERELL NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Chickerell Neighbourhood Plan (the Plan/CNP) for examination, I would like to clarify several initial procedural matters. I also have a number of preliminary questions for the Chickerell Town Council (CTC/the Town Council) as Qualifying Body and a smaller number for Dorset Council (DC). These are attached as an Annex to this letter.

### 1. Examination Documentation

I can confirm that I have access to a complete copy of the submission CNP and accompanying documentation, including the Basic Conditions Statement (May 2020), the Consultation Summary (May 2020), the Strategic Environmental Assessment Screening Report (May 2019), and the Regulation 16 representations. I am satisfied that I have the relevant evidence to enable me to undertake the examination.

Subject to my detailed assessment of the submission CNP, I have not identified any very significant and obvious flaws that might lead me to advise that the examination should not proceed.

### 2. Site Visit

I intend to undertake a site visit to the neighbourhood plan area in the week commencing Monday 9 November, subject to such a visit being in accordance with the current Government advice on travel, regarding the COVID-19 outbreak. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

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

### 3. 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 a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

#### 4. Further Clarification

I have a number of initial questions seeking further clarification from both CTC and DC. I have set these questions out in the Annex to this letter. I would be grateful if written responses could be provided within **three weeks** of receipt of this letter.

#### 5. Examination Timetable

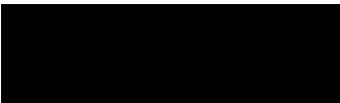
As you will be aware, the intention is to examine the CNP (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 4-6 weeks of submission of the draft Plan. However, in the current circumstances, and bearing in mind I have raised a number of questions to which I must provide the opportunity for the appropriate responses to be prepared, the examination timetable will be extended. Please be assured that I will seek mitigate any delay as far as is practicable. The IPe office team will seek to keep you updated on the time of my site visit and on the anticipated delivery date of the draft report.

If you have any 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 subsequent responses, are placed on the websites of the Town Council and Dorset Council.

Thank you in advance for your assistance.

Your sincerely



Examiner

## ANNEX

From my initial reading of the submission draft Chickerell Neighbourhood Plan (CNP) and the supporting evidence, I have 8 questions for Dorset Council (DC), 16 questions for Chickerell Town Council (CTC/the Town Council) and one question where, if possible, a joint response should be provided. I have requested the submission of responses within **three weeks** of receipt of this letter.

### Question for both Dorset Council and Chickerell Town Council

*Note: I would prefer a joint response to this question but if that cannot be successfully achieved then independent responses should be submitted by the two parties.*

#### *Background*

In DC's Regulation 16 response (under Policy CNP4) it states that Policy CHIC2 of the adopted Local Plan (Chickerell Urban Extension) 'includes a requirement for the development to connect to the Chickerell Link Road (B3157)'. I have read policy CHIC2 but the only references I could find to highway matters are;

(a) in sub-section ii), which states that 'the development will deliver highway improvements necessary for the development to go ahead'; and

(b) in the first bullet point under iv), which refers to a traditional street with frontage development connecting from the Chickerell Link Road to School Hill, and from School Hill to Chickerell Hill.

Paragraph 4.26 of the CNP (with regard to the connection to the Chickerell Link Road) states that: 'Great care will be needed in the design of this route in order to ensure that the new road does not create a significant barrier for many species'.

#### *Question*

It is not clear to me firstly what the exact access and highway requirements are with regard to the Chickerell Urban Extension and the relationship between those requirements and issues of biodiversity. And secondly, how are those issues of biodiversity being addressed, particularly with regard to the Chickerell Wildlife E-W Corridor?

I note that CTC, in policy CNP10, seeks to protect the locally valued landscape north and east of the village but that representations have been made highlighting the potential conflict between protecting the landscape and securing the necessary access. If the road was to be built across part of the valued landscape are there any measures that could be taken to satisfactorily mitigate the situation?

Could the joint response clarify the situation regarding both the access/highway arrangements and issues of biodiversity – making it clear where there is agreement between the two Councils and, if applicable, where disagreement remains.

### Questions for Dorset Council (8)

**1.** In the last section of the DC Regulation 16 response, entitled SEA Screening Report, (dated 22 October 2020) it is stated in the first bullet point that the Report omits any reference to the Chickerell Conservation Area.

Firstly, a point of clarification:

The sixth bullet point under sub-section (g) on page 18 of the SEA Screening Report refers to Conservation areas (plural) and follows a reference to heritage designations.

The second sentence of the second paragraph on page 19 of the SEA Screening Report states: 'Furthermore, the areas to the east of the site include three Conservation Areas'

Can the Council clarify exactly what has been defined as a 'Conservation Area' and can it confirm my understanding that in this case the term 'Conservation Area' does not include the Chickerell Conservation Area (as being an area of special architectural or historic interest)?

Secondly, I note that the Council considers that there is no evidence that suggests that the inclusion of a specific reference to the Chickerell Conservation Area would alter the conclusions of the Screening Report. From my reading of the Screening Report, my initial response is to agree with the Council. However, in order to add strength to this conclusion, can the Council provide written confirmation that neither Historic England nor the Manager of the Council's Conservation Officers consider that reference to the Chickerell Conservation Area in the SEA Screening Report would in any way alter the conclusions of that Report.

**2.** In the Foreword to the CNP it states that 'the last Local Plan allocated some large sites which have yet to be built out. So there is no need for our plan to suggest any greenfield sites for development'.

What is the current situation with regard to housing need, and the meeting of that need, in this part of Dorset? Bearing in mind the CNP covers the period up to 2036 is the Council satisfied that the allocation of only one site in the CNP is justified?

If current need cannot be met, are there any suitable opportunities in Chickerell to accommodate some of that need? Paragraph 7.4 refers to the Former Tented Camp and suggests that the site is not being promoted in the CNP because of the absence of any identified local need. Similarly, paragraph 10.5 refers to a site off Radipole Lane (adjoining Southill) which the Town Council accepts 'could be developed subject to suitable landscaping' but it is not being allocated. Is the decision of CTC not to allocate these sites, supported by DC?

If the site at the Former Tented Camp were to come forward would the Town Council's request, as set out in paragraph 7.4 of the CNP, limiting development to a single line of housing (fronting the road) be considered favourably by DC, bearing in mind current national and local policies?

**3.** Could the Council confirm that it has no objection to policy CNP1 and in particular the list of community facilities?

**4.** What is the current situation with regard to policy CHIC3 (Land off Rashley Road) in the adopted West Dorset, Weymouth and Portland Local Plan (WDWPLP) – particularly in respect of the development of the primary school site?

**5.** I note the planning history regarding land to the rear of Montevideo House (policy CNP3). Can the Council confirm that satisfactory vehicular and pedestrian access arrangements can be achieved?

**6.** Are matters of energy, water efficiency and electric vehicle charging (policy CNP 11) adequately covered in the adopted WDWPLP (e.g. in policy ENV13)?

**7.** Is DC satisfied that policy CNP9, on The Fleet and Heritage Coast is consistent with LP policy ENV1 of the WDWPLP?

**8.** Policy ENV3 of the WDWPLP states that a green infrastructure strategy will be developed for the Local Plan area. What progress has been made on this, particularly with regard to Chickerell? Is the approach being taken by CTC (for example as shown on Plan 5) compatible with the aspirations of DC on this matter?

## Questions for Chickerell Town Council (16)

1. Why is there no reference in the CNP to the Chickerell Urban Extension?
2. Map 5 (page 17) identifies a Chickerell Wildlife E-W Corridor; a Wyke Regis Wildlife E-W Corridor; and a Radipole Lake N-S Corridor. All three corridors have a green arrowed line running through them but only two of them (Chickerell and Wyke Regis) have the green stippled designation. Is this intentional?  
  
I have two other questions, relating to plan 5 and policy CNP4 on the Chickerell Wildlife Corridor, to be addressed:
  - (a) What is the evidence that would enable me to confidently conclude that the boundaries of the land of local landscape importance and the three Wildlife Corridors (as shown on Plan 5) are fully justified?
  - (b) What does policy CNP4 add to policies ENV1 (Landscape, Seascape and Sites of Geological interest); ENV2 (Wildlife and Habitats); and ENV3 (Green infrastructure Network) of the adopted WDWPLP?
3. Paragraph 4.2 refers to 7 listed buildings within the Conservation Area. Is this number correct?
4. Could the Town Council confirm that the open spaces referred to in paragraph 4.9 are not designated as LGS and should not be identified on Map 3?
5. What is the current status of the 'planned open spaces' at Cobham Drive, as referred to in policy CNP7? If they are not yet available for use, how can the requirements of NPPF paragraph 100, with regard to Local Green Space, be met? Why have these areas of open space not been considered individually in the Local Green Space Assessment?
6. Paragraph 7.4 refers to the Former Tented Camp (see also question 2 to DC). This site is described as a 'brownfield' site. What is the justification for not allocating the land for development?
7. Why is land at Radipole Lane, adjoining Southill, not allocated for development (see paragraph 10.5 of CNP)?
8. Permission to extend the caravan park at Montevideo House has been granted (WD/D/19/001358) but this is not reflected in the CNP (paragraph 4.19). The extension has consequences for the wildlife corridor, and this should be addressed in the CNP. Could the TC provide up-dated text that accurately reflects the current situation?
9. What is the significance of the listed building (Montevideo House) and in particular its setting?
10. What is the correct name of the Secondary School?
11. Paragraph 6.5 states that any (my underlining) undeveloped land adjoining the school should be for education and sporting facilities, but the policy identifies specific land which is identified on Map 6. Should the supporting text be clarified?
12. Achieving high quality design is an important national objective<sup>1</sup> but it is not clear what the justification is for the third and fourth sub-sections of policy CNP 11, which refer to 'cottage-style properties' and 'use of local stone'. Could the Town Council explain the justification for these 'local priorities'?

---

<sup>1</sup> See chapter 12 of NPPF.

**13.** On page 16 there are references to a Site of Nature Conservation Importance, the Water Lily Gardens, the 9 hole golf course and the Crook Hill Nature Reserve. However, as far as I can see these features have not been specifically identified on any plan. Am I correct?

**14.** In paragraph 8.2 there is reference to parking provision at the Lynch Lane Estate. Was consideration given to turning the last sentence of the paragraph into a policy, or are CTC satisfied that existing policies in the WDWPLP on parking, address the issue adequately?

**15.** In the last sentence of the Regulation 16 representation from Lichfields, with regard to policy CNP12 (in Box 4), there is a reference to a possible inconsistency. Is CTC satisfied that the wording of policy CNP12, with regard to development of a brownfield site in excess of 0.1ha, is justified?

**16.** Does the Town Council agree that there are a number of examples of wider community aspirations that are recorded in the CNP? National Planning Practice Guidance<sup>2</sup> (PPG) on Neighbourhood Plans advises that these should be clearly identifiable. Could CTC consider how best to have regard to the advice in the PPG?

---

<sup>2</sup> Paragraph 004 Ref ID: 41-004-20190509.