

Report on Arne Parish Neighbourhood Plan 2018-2034

An Examination undertaken for Dorset Council with the support of the Arne Parish Council on the June 2019 submission version of the Plan.

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Date of Report: 26 March 2020

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Main Findings - Executive Summary

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

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body Arne Parish Council
- The Plan has been prepared for an area properly designated the Arne Parish area shown on Map 1 and the updated Dorset Council designation map, 14 August 2019;
- The Plan specifies the period to which it is to take effect 2018-34; and
- The policies relate to the development and use of land for a designated neighbourhood area.

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

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

1. Introduction and Background

Arne Parish Neighbourhood Plan 2018-2034

1.1 Arne is a rural parish located immediately south of Wareham Town in Purbeck, Dorset. The River Frome, separating Arne Parish from Wareham, extends eastwards to Wareham Channel and Poole Harbour. Most of the Neighbourhood Plan Area lies within the Dorset Area of Outstanding Natural Beauty (AONB), designated for conservation due to its significant landscape value. The Parish of Arne has a diverse and rich natural environment, with much of the area protected by European nature conservation designations, as well as nationally important designations. The Royal Society for the Protection of Birds (RSPB) has a station at the eastern side of the Parish. The village of Stoborough, with evidence of human habitation before the Norman conquest in 1066, includes a conservation area and many listed buildings. The Neighbourhood Plan Area also includes other listed buildings and non-designated heritage assets, as well as scheduled ancient monuments including barrows and linear earth working. The Parish population of some 1,400 people in 2011 is concentrated in the settlements of Stoborough, Worgret and Ridge.

Water-based tourism and recreation is evident along the River Frome (eg. at Redclyffe Yacht Club).

1.2 Arne Parish Council decided in July 2013 to produce a Neighbourhood Plan. As explained in the Introduction to the submitted Plan, a steering group of Councillors and other community representatives was set up in January 2014 to explore various topics: environment, housing, traffic management and accessibility, crime and policing, health, community wellbeing, and business and employment. Community engagement has been carried out from 2014 onwards to seek the views of local people and progress the Neighbourhood Plan.

The Independent Examiner

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

The Scope of the Examination

1.5 As the independent examiner I am required to produce this report and recommend either:

(a) that the neighbourhood plan is submitted to a referendum without changes; or

(b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or

(c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

- 1.6 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended)('the 1990 Act'). The examiner must consider:
 - Whether the Plan meets the Basic Conditions;
 - Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;

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

The Basic Conditions

- 1.8 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:
 - Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - Contribute to the achievement of sustainable development;
 - Be in general conformity with the strategic policies of the development plan for the area;
 - Be compatible with and not breach European Union (EU) obligations; and
 - Meet prescribed conditions and comply with prescribed matters.
- 1.9 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.¹

¹This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

2. Approach to the Examination

Planning Policy Context

- 2.1 Purbeck District Council was the local planning authority responsible for Arne Parish during most of the period (from 2013 to early 2019) when the Neighbourhood Plan was being prepared. However, Dorset Council replaced Purbeck District Council as the local planning authority for Arne Parish in April 2019. The Development Plan for this part of Dorset Council, not including documents relating to excluded minerals and waste development, is the Purbeck Local Plan Part 1, adopted in November 2012.
- 2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 19 February 2019, and all references in this report are to the February 2019 NPPF and its accompanying PPG.²
- 2.3 Purbeck Local Plan Part 1 is currently being reviewed, with examination hearing sessions having taken place between July and October 2019. The emerging Plan is not yet part of the Development Plan for the Arne Parish area, with which the Basic Conditions for neighbourhood planning require general conformity. The precise final content, when the emerging Plan is adopted, is not yet known. However, whilst the Neighbourhood Plan is not being examined against emerging strategic planning policy, national PPG advises that the reasoning and evidence informing an emerging plan may be relevant to the consideration of Basic Conditions against which a neighbourhood plan is tested. Where a neighbourhood plan is brought forward before an up-to-date local plan is in place, the PPG further advises that the local authority and gualifying body should discuss and aim to agree the relationship between policies in the adopted and emerging plans, and aim to minimise conflicts.³ I take account of this guidance in my assessment of the Plan.

Submitted Documents

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
 - the draft Arne Parish Neighbourhood Plan 2018-2034 [June 2019];
 - the Arne Parish Map 1, identifying the area to which the proposed Neighbourhood Development Plan relates and the updated Dorset Council designation map, 14 August 2019;
 - the Consultation Statement [June 2019];
 - the Basic Conditions Statement [June 2019];

²See paragraph 214 of the NPPF. The Arne Parish Neighbourhood Plan was submitted under Regulation 15 to the local planning authority after 24 January 2019. ³ PPG Reference ID: 41-009-20190509.

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- all the representations that have been made in accordance with the Regulation 16 consultation;
- the Strategic Environmental Assessment prepared by Dorset Council [June 2019];
- the Habitats impact assessment screening and appropriate assessment for Arne Neighbourhood Plan [February 2019]; and
- responses to my letter of 13 November 2019 from the Parish Council and Dorset Council.

All documents are available on the Dorset Council examination webpage.⁴

Site Visit

2.5 I made an unaccompanied site visit to the Neighbourhood Plan Area on 8 November 2019 to familiarise myself with it, and visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

2.6 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan, and presented arguments for and against the Plan's suitability to proceed to a referendum. In response to questions which I raised in my letter of 13 November 2019, the Parish Council and Dorset Council provided written comments which have assisted my examination.

Modifications

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

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

3.1 The Arne Parish Neighbourhood Plan has been prepared and submitted for examination by Arne Parish Council, which is a qualifying body. The Neighbourhood Plan Area was initially designated by Purbeck District Council on 29 October 2013, and designated again on 14 August 2019 by Dorset Council to reflect structural changes to the local council in Dorset.

⁴ View at: <u>https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/neighbourhood-planning-purbeck/arne-neighbourhood-plan.aspx</u>

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3.2 It is the only Neighbourhood Plan for Arne, and does not relate to land outside the designated Neighbourhood Plan area.

Plan Period

3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2018 to 2034.

Neighbourhood Plan Preparation and Consultation

- 3.4 A flier on noticeboards across the Parish in July 2013 explained what neighbourhood planning was, and how it might affect the community. The Parish Council sought volunteers for the production of a plan for Arne. The Neighbourhood Plan Steering Group met for the first time in February 2014, and a presentation was given by a planning officer from Purbeck District Council at an Information Evening, to explain the purpose of a neighbourhood plan in April 2014. 81 people attended the Information Evening. A household survey in September 2014 elicited 326 responses, and a public meeting in November 2014 to present the findings of the survey was attended by 60 residents. A newsletter was subsequently published and sent by e-mail to all who had expressed an interest in the Plan, and was published on noticeboards and on the Parish Council's website.
- 3.5 Based on consultation responses and meetings of the Steering Group, the Plan and its policies were created and developed with assistance from Purbeck District Council. The Council's Strategic Housing Land Availability Assessment (SHLAA) and developer interests in specific sites for housing development were the subject of drop-in sessions in June 2016. Some 154 people attended initially, and follow-up meetings were held to shape housing policy.
- 3.6 The first draft of the Neighbourhood Plan was produced in November 2017, and a final draft was agreed for consultation in December 2018. Fliers were sent to every household in the Parish, and were posted on noticeboards and the Parish Council's website. Regulation 14⁵ stage consultation ran from 7 December 2018 to 25 January 2019. Seventeen responses were received from local residents and eight from statutory consultees and local organisations, with two additional late representations from a local landowner and housebuilder. The responses were scrutinised and used to revise the Plan, as shown in Appendix D of the Consultation Statement. Further consultation on the submitted Neighbourhood Plan which is the subject of this examination was carried out in accordance with Regulation 16 between 23 August and 4 October 2019. Five responses were received, and I have had regard for them in this examination. Overall, I am satisfied that consultation on the Arne Parish Neighbourhood Plan has been inclusive and extensive. It has met

⁵ Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. Intelligent Plans and Examinations (IPE) Ltd, 29 Monmouth Street, Bath BA1 2DL Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

the legal requirements and the Government's advice in its PPG on plan preparation.

Development and Use of Land

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

Excluded Development

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

Human Rights

3.9 The Basic Conditions Statement (BCS) points out that no issues were raised in consultation exercises to indicate that Human Rights might be contravened. Similarly, Dorset Council has not raised any objections. From my independent assessment, I consider the BCS reasonably concludes that the making of the Plan should not breach Human Rights (within the meaning of the Human Rights Act 1998).

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 Much of Arne Parish is within or close to internationally designated habitat and wildlife sites [Dorset Heathlands Special Protection Area (SPA)/RAMSAR; Dorset Heaths Special Area of Conservation (SAC); Dorset Heaths (Wareham to Studland SAC); and Poole Harbour SPA/RAMSAR1, as well as sites designated nationally as Sites of Special Scientific Interest (SSSI) or National Nature Reserves. Other environmental constraints on development in the Parish include flood risk zones along the River Frome valley and beside Poole Harbour. Almost all the Parish lies within either the designated Dorset Area of Outstanding Natural Beauty (AONB) or the South-East Dorset Green Belt. The Neighbourhood Plan was first screened for Strategic Environmental Assessment (SEA) by Purbeck District Council in March 2018, with an update in September 2018. The draft screening opinion was that an SEA was not required. Natural England concurred in September 2018 that the Plan, with mitigation measures in place, would not have significant environmental effects. However, in light of the ECJ ruling (People Over Wind & Sweetman v Coillte Teoranta (C-323/17)), Natural England later advised that Appropriate Assessment under the Habitats Regulations would be required.
- 4.2 Purbeck District Council undertook a Habitats Impact Assessment Screening and Appropriate Assessment for the Arne Neighbourhood Plan in February 2019. This report identified that the policies relating to small

sites, infill development and care homes were likely to have a significant effect on European conservation sites, without suitable avoidance or mitigation measures. However, subject to measures being adequately secured, the District Council concluded that the development envisaged by the Plan was unlikely to have an adverse effect on the integrity of European and international sites.

4.3 The SEA of Arne Neighbourhood Plan: Environmental report to accompany the submission version of Arne Neighbourhood Plan was prepared by Dorset Council in April 2019, and updated by Dorset Planning Consultant Ltd in June 2019 following a consultation exercise. This document describes a thorough assessment of the likely impact of the Neighbourhood Plan's policies on different aspects of the environment: biodiversity, geology, flora and fauna, landscape, cultural heritage, soil, water and climatic factors. The report also includes an assessment of potential alternative approaches to planning and development of the area. Natural England supported the report's conclusion, and its letter, of 16 April 2019, described the proposed planning policies as "pragmatic and sound". Having read this report and the habitats impact assessment and appropriate assessment document, as well as the comments from Natural England, I conclude that the SEA and habitats impact assessment and appropriate assessment satisfy the legal requirements. Implementation of the Neighbourhood Plan should not have a serious adverse effect on the environment.

Main Issues

4.4 Having read the Arne Parish Neighbourhood Plan, the consultation responses and other evidence, including the replies from Arne Parish Council and Dorset Council to my questions of 13 November 2019, and having conducted the site visit, I now consider the Plan's policies against the remaining Basic Conditions. In particular I focus on whether the housing policies for Arne Parish have regard for the Government's objective to boost significantly the supply of homes (paragraph 59 of the NPPF), whilst giving appropriate weight to the significant environmental constraints on development within Arne Parish, much of which is designated as internationally or nationally important for nature conservation and landscape protection. As noted in paragraph 2.3 above, whilst I am not testing the policies of the Plan against the strategic policies in the emerging local plan, the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the Basic Conditions. As a specific example, the PPG advises that up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development. In the context of Policies 1 and 4-6, this is clearly relevant.

Introduction, Parish Description, History & Environmental Background

- 4.5 The Plan begins by setting out its Vision, to recognise and protect its heritage, and ensure that all its residents continue to live in a safe and happy community. An executive summary precedes the Introduction which briefly describes the neighbourhood plan-making process in Arne. I consider these provide a good structure and clear start to the Plan. Map 1 on Page 4 shows the Arne Parish Boundary, as does the updated Dorset Council map of 14 August 2019. In addition, it should include a Key which delineates in different colours - Dorset Area of Outstanding Natural Beauty (AONB); part of South East Dorset Green Belt; and settlements with boundaries as defined in Policy LD: General location of development of the Purbeck Local Plan Part 1. The map in Appendix 3 of the Strategic Environmental Assessment distinguishes the Green Belt and AONB coverage clearly and should guide modifications to the new Map 1. **PM2** is needed to modify the map so that regard is had for national policy and for general conformity with the Purbeck Local Plan.
- 4.6 I have taken account of the Regulation 16 consultation comment that the Plan does not confirm that it has had regard for mining and waste plans. However, paragraph 2.8 refers to the adopted Minerals and Waste Plan. I consider this to be sufficient as neighbourhood plans should not put forward policies for minerals and waste.⁶ However, the Introduction to the Plan should provide an up-to-date description of Local Planning in Purbeck, as a revised Local Plan is undergoing examination and was subject to hearings in late 2019. An additional paragraph 2.9 would alert readers to the emerging Local Plan, as proposed in **PM1**, which I consider to be necessary, having regard for national policy.
- 4.7 Section 3. Our Parish gives some useful factual socio-economic data, and notes some key findings from local consultation on the Plan. Paragraph 3.5 states "Residents recognise that local businesses and tourism are important to the economy of the parish ... " and 3.6 states" ... residents see the need for modest growth in housing ...". The section indicates that the Plan is looking to support the sustainable development of the area. Section 4 gives a fairly detailed account of the Parish's history going back to Neanderthal times (between about 100,000 and 40,000 years ago), and advises that the two settlements at Stoborough and Worgret originated in Saxon times. The Parish had a military role in the First and Second World Wars. Developments in housing, roads, recreation and tourism have occurred since 1945. The Lookout Holiday Park, now with over 240 pitches, opened in 1950. The clay industry declined after the Second World War, but oil and gas extraction started in the 1970s with wells in Worgret and Arne. This provides useful contextual information for readers and users of the Neighbourhood Plan.
- 4.8 Section 5 also gives very useful information on Environmental Background. However, I consider that future planning for the Parish would

⁶ Section 61k, Town and Country Planning Act 1990. Intelligent Plans and Examinations (IPE) Ltd, 29 Monmouth Street, Bath BA1 2DL Registered in England and Wales. Company Reg. No. 10100118. VAT Reg. No. 237 7641 84

be assisted if the main assets were shown on maps. Appendices 1 and 2 of the SEA include maps which illustrate (i) European sites, and (ii) national designations. These maps would assist readers and users of the Plan and help the achievement of sustainable development. Similar maps should be added to the Plan, with cross-references in section 5, as proposed in **PM3**.

Housing Development and Environmental Constraints (Policies 1,4,5 and 6)

- 4.9 The NPPF expects strategic housing policies to be informed by local housing need assessment, and to aim to deliver the minimum number of homes that will be needed in an area. Neither the adopted Purbeck Local Plan Part 1 nor the emerging Local Plan set targets for Arne Parish. However, the Housing Needs Assessment – Arne, Purbeck July 2017/January 2019, put forward a proposed target of 3-4 dwellings per annum (implying 48-64 dwellings for the Plan period 2018-34). The local authority's 2019 Strategic Housing Market Assessment (SHMA) update, based on the Government's standard methodology and using 2014-based housing projections, indicated that a higher target of 4 or 5 dwellings per annum would be appropriate for Arne (ie. some 64-80 dwellings for the Plan period 2018-34). The Housing Needs Assessment analysed affordable housing data, identifying need for at least 27 new affordable homes in Arne for people with a local connection. Based on sites delivering 50% as affordable homes, the document stated that this would require a delivery rate of 4 or 5 dwellings per annum.
- 4.10 Section 6 of the Plan reports on various data sources for setting a housing target for the Parish. Paragraph 6.4 refers to consultation with local residents which suggested a "preference for about 30 new homes over the *lifetime of this plan*". The figure of 30 is repeated in paragraph 8.4.2, and is set as a target in Policy 4 for small sites. However, respondents to the Regulation 16 consultation exercise pointed out that Page 26 of the Consultation Statement June 2019 indicated that 71% of people expressed a preference for between 10 and 40 new homes. Aiming for 30 new homes would also conflict with the estimate for a reasonable housing target given in the Housing Needs Assessment document and repeated in paragraph 6.5 of the Plan, of between 3 and 4 new dwellings per annum (48-64 over the Plan period). I consider that the Plan should clarify the number of new homes to be provided by 2034, to reflect the evidence base more accurately and having regard for the NPPF. Section 6 should be modified as in **PM4.**
- 4.11 Paragraph 59 of the NPPF refers to the Government objective to boost significantly the supply of homes. It is important that a sufficient amount and variety of land can come forward where it is needed. To meet the future needs of Arne Parish, it seems to me that 4 or 5 dwellings per annum would be needed until 2034. The Parish Council, in its response to my questions in December 2019, stated that it would not oppose a reference to the aspiration to achieve a minimum of 64 new homes over the Plan period. However, as reported in paragraph 5.2 of the Plan, three

quarters of the land in the Parish is designated for protection because of its international natural environmental importance. Almost all the Parish is covered by national designations, for its landscape value as AONB, or as Green Belt land. The current and emerging new Purbeck Local Plans promote housing development in existing towns and key service villages, none of which are located in the Parish of Arne. Policy LD: General location of development in the Purbeck Local Plan Part 1, and Policy H2: The Housing Land Supply in the emerging Local Plan, confirm this position.

- 4.12 The Housing Needs Assessment for Arne commented on the 2019 SHMA target of 4-5 dwellings per annum that this figure was "based on pro-rata share of wider district target, which does not account for any spatial strategy distribution". I have considered the argument that the emerging Local Plan may increase the housing targets across Purbeck, especially in view of the unmet need for housing in the Bournemouth, Christchurch and Poole area, and the small number of allocations proposed for Wareham, the neighbouring major town. However, these are matters for the Local Plan examination to address. I consider that delivering a target of 64 to 80 dwellings (4-5 dwellings per annum) in the rural and environmentally sensitive Parish of Arne would be a challenge, and potentially could lead to the achievement of <u>un</u>sustainable development.
- 4.13 I agree with the Parish Council that the aim to provide at least 64 new homes over the Plan period would be highly aspirational, and accept that a figure of 48 to 64 dwellings (or a minimum of 48 homes) would be more pragmatic and realistic for Arne. It would mean a boost in housebuilding over recent years, when the building rate has amounted to around 2 dwellings per annum. I recommend that a target of at least 48 should be recorded in the supporting text and not enshrined in policy, as the Parish Council requested. The Plan need not allocate sites for development given the local settlement pattern and rural character of the area, and I accept that it should acknowledge the constraints on delivery of its target. PM4 sets out the modified target, explains that it is based on the SHMA update, and describes it as a minimum target rather than a ceiling, having regard for national policy in the NPPF.
- 4.14 Section 7 of the Plan describes Development Constraints. The coverage is fairly comprehensive, but I consider that the description of constraints should align more closely with paragraph 171 of the NPPF which states that "*Plans should: distinguish between the hierarchy of international, national and locally designated sites*". Section 7 should adopt a more hierarchical approach starting with a description of the international designated sites across the Parish, and then describing the national and local assets. I also consider that all these major characteristics of the Parish should be shown on maps with better textual cross references, and clear keys to each map. The text should state which AONB and which Green Belt are included in the Parish, and describe the designation of SSSIs more accurately. **PM5** supplements **PM3** and is necessary to aid the achievement of sustainable development.

- 4.15 The Regulation 16 response on behalf of Bellway Homes and A & F Bragg criticised the "unnecessary overview of ...three sites already assessed through the preparation of the Local Plan". This relates to Pages 12 and 13 of the Plan. It is contended that these summaries add nothing as they relate to strategic sites in excess of the level of growth now being considered. However, in my opinion, readers and users of the Plan should be informed about developer interest in the area. A reference should also be made to the emerging Purbeck Local Plan's role in the assessment of potential strategic sites. On behalf of Halsall Homes, it was argued that the Neighbourhood Plan should recognise Stoborough's ability to sustainably accommodate new growth. Stoborough is identified as a third tier Local Service Village in the adopted Purbeck Local Plan. I accept that it operates as a local hub and service centre with a primary school, village hall, recreation ground, public house and regular bus services. I recommend that paragraph 7.6 of the Plan should be modified to describe the settlement hierarchy within the Parish more clearly, with references to the adopted and emerging Local Plans. These modifications to Pages 11 and 13, shown in **PM6**, are needed for general conformity with the strategic policy of the Purbeck Local Plan, having regard to national advice and to contribute to the achievement of sustainable development.
- Policy 1: House Types seeks to secure a mix of affordable housing, 1 & 2 4.16 bedroom housing, homes suitable for old people, and other market housing in the Parish. The thrust of the policy reflects the evidence in the Housing Needs Assessment and Consultation Statement as to what is needed and preferred in Arne. However, Dorset Council commented that the policy and supporting text do not define the triggers meeting the requirements for affordable housing clearly and precisely. Policy AH of the adopted Purbeck Local Plan seeks at least 50% of housing in new developments to be provided as affordable housing, where a net increase of 2 or more dwellings is proposed. Affordable housing should be provided on site where feasible, and any part units met through a commuted sum. However, the emerging new Local Plan's Policy H11 seeks 20% as affordable housing on sites with 2-9 dwellings, and 40% on greenfield sites where 10 or more dwellings are proposed, or the site exceeds 0.5 hectares within a settlement. 30% affordable housing is sought on brownfield sites for 10 or more homes. Affordable housing should be provided on site where 10 or more homes are proposed, and a commuted sum will be sought from sites of 2-9 new homes.
- 4.17 The emerging Local Plan is still undergoing examination, but it seems highly likely that the specific requirements for affordable housing in developments, and the definition of affordable housing types (see draft Policy H11) will change. The emerging Local Plan policies are based on more up-to-date viability evidence than the adopted Local Plan, and I therefore give them consideration having regard to the advice in the PPG. The Parish Council put forward a proposed modification to Policy 1 to clarify that sites of 2 or more homes should include at least 20% as affordable housing. It would also expect at least 30% to be 1 or 2 bedroom accommodation or designed for an ageing population, where 3

or more dwellings are proposed. This provision would support delivery of household requirements identified in the SHMA. Having regard for concerns over the viability of small site development, the final sentence in the policy allows for exceptions where evidence is provided that such a mix would not be viable. **PM7** should be made, to add clarity⁷ to Policy 1 so that it can contribute to the achievement of sustainable development.

- 4.18 The Parish Council, in its response to my questions in December 2019, proposed the addition of a reference to the NPPF's definition of affordable housing in paragraph 8.1.1, which I support. I shall also recommend amending the description of eligibility for affordable housing in paragraphs 8.1.3 & 8.1.4, and refer to Dorset Council's housing register, as well as its local connection gualification for housing on rural exception sites, as defined in paragraph 173 of the draft emerging Local Plan. I note the Parish Council's comment that it would be willing to work with Dorset Council to clarify the meaning and coverage of "sheltered housing", but I have seen no specific definition. The Parish Council also put forward amendments to paragraph 8.1.5 to clarify the approach to second home ownership. I note that the emerging Local Plan Policy H14, with proposed modification MM101, would restrict new housing in the AONB to that which is occupied only as a principal residence, but would not apply to new homes which are commercially let for holidaymakers. I propose therefore to omit the reference to holiday home accommodation from the revised paragraph 8.1.5. These modifications to the text in section 8.1 form part of **PM7**, and are necessary to meet the Basic Conditions.
- 4.19 Policy 4 relates to small housing sites, and the supporting text advises that local residents are supportive of the provision of some small scale housing development. I consider that paragraph 8.4.2 should refer to the evidence-backed need for at least 48 new dwellings over the Plan period, rather than local people's preference for about 30 new homes. My attention was drawn to paragraph 63 of the NPPF, which states that affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). Clearly, Arne Parish is part of a designated rural area, and the emerging Policy H11 in the Local Plan seeks some affordable housing from developments of 2 or more dwellings.
- 4.20 Policy 4 was criticised for being unduly restrictive, in that it seeks no more than 30 dwellings on small sites in total in the Plan period, and no more than 6 dwellings on any one site. I accept that this policy would conflict with section 5 of the NPPF, and could prevent the achievement of an appropriate level of growth for Arne Parish. A maximum capacity of 6 dwellings, it was argued by respondents to the Regulation 16 consultation exercise, would offer little incentive to developers to deliver smaller, more affordable units and a mix of house types. The basis for the 6 dwelling cap seems to have been discussions between the Parish Council and

⁷ PPG Reference ID: 41-041-20140306.

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Natural England as to how new development could be accommodated in the area, which is highly constrained by environmental factors.

- 4.21 However, the Parish Council has held more recent discussions with Natural England and agreed that Policy 4 could be modified so that it aligns more closely with the emerging Local Plan Policy H8, and is less restrictive. A modified policy would support up to 15 dwellings per site in Stoborough as it is a local service centre; permit up to 5 dwellings per small site in Ridge as an Other Village with a Settlement Boundary, and would not support new development in Worgret as it is an Other Village without a Settlement Boundary. I support the proposed modification, with an additional amendment to the first bullet point. This should clarify that sites may overlap the 400m buffer around protected heathlands but should not promote new housing there. I note that there would be some overlap between the criteria in Policy 4 and housing policies in the emerging Local Plan. However, I agree with the Parish Council that it would be helpful for readers and users of the Plan to see a comprehensive set of criteria. **PM10** should be made so that Policy 4 has regard for national policy (including advice in relation to emerging policy and evidence for housing in the draft Local Plan) and will contribute to the achievement of sustainable development.
- 4.22 Policy 5 supports infill development and is aligned with Policy H2 of the emerging Local Plan which supports housing on small sites next to existing settlements and windfalls within existing settlements. Paragraph 8.5.1 of the Neighbourhood Plan implies that infill development should be limited to the provision of affordable housing, which would have insufficient regard for national policy and advice in my opinion. I recommend a modification to the first sentence of paragraph 8.5.1 to ensure compliance with the Basic Conditions, as in **PM11**.
- 4.23 Policy 6: Sheltered Housing was criticised by the District Council as (i) as it is not clear what is intended by 'sheltered housing'; (ii) the limits on occupation are not justified; and (iii) the criterion relating to flood risk is unnecessary. I consider that the meaning of sheltered housing is explained adequately in the supporting text, but recommend revised wording to the policy to omit the criterion on flood risk which is covered by national policy requirements. In addition, I consider it unnecessary to amend the occupancy conditions (I note also that larger scale provision for this housing type is proposed at Wool and Moreton through the emerging Local Plan). **PM12** should be made so that Policy 6 contributes to the achievement of sustainable development. As long as the above modifications are made, I conclude that the housing policies in the Neighbourhood Plan will have regard for the Government's objective to boost significantly the supply of homes (paragraph 59 of the NPPF), whilst giving appropriate weight to the significant environmental constraints on development within Arne Parish; the Basic Conditions will be met.

Other Policies 2, 3, and 7-12 inclusive

- 4.24 Policy 2: Local Character seeks to protect Stoborough Conservation Area and other heritage assets from harmful development, but I consider that for the policy to be effective the Plan should include a map showing the extent of the designated assets. The map in Appendix 4 of the SEA, showing the Conservation Area, listed buildings and Scheduled Ancient Monuments would achieve this. This map should be added to the Neighbourhood Plan as recommended in **PM8**, having regard for national policy. I also recommend a minor change to the wording of Policy 2, to acknowledge that there may be circumstances when the retention of mature trees is not possible. For example, the retention of some very old or damaged trees may be unsafe for people or cause harm to nearby buildings and infrastructure. This modification is also included in **PM8** to meet the Basic Conditions.
- 4.25 Policy 3: Sustainable Design should help to reduce the risk of flooding in the Parish. Paragraph 8.3.1 should include a cross-reference to Maps 2 and 3 which show land at risk of flooding around the main settlements.
 PM9 would secure this modification and help the achievement of sustainable development.
- 4.26 I support Policy 7: Management of Ecological Sites, which should promote sustainable development in the Parish. Having travelled to the RSPB station on my site visit, I consider that the proposed policy has special importance for the Parish of Arne. I propose a minor wording change to the end of the first sentence to clarify that proponents of development should assess the likely impact on the number of highway movements, and consider whether any increases would be harmful to wildlife sites. **PM13** should be made accordingly. I also support Policy 8: Stoborough Primary School and Policy 9: Community Facilities, together with the Parish Council's aim to enhance these facilities' long-term sustainability and viability which meets the Basic Conditions.
- 4.27 Policy 10: Key Pedestrian Routes encourages improvements to the local network, and should help promote sustainable development. The supporting text refers to important footpaths and pedestrian routes along the River Frome, along the former Pike's Tramway, and on Nutcrack Lane. I consider that these routes should be illustrated on a map. Map 4 includes "Footpaths" in the key but does not highlight all those listed in paragraphs 8.10.1 & 2. **PM14** would modify the text and Map 4 so that Policy 10's ability to contribute to sustainable development is strengthened to meet the Basic Conditions.
- 4.28 The supporting text to Policy 11: Tourism makes the point that tourism development is supported but there must be a reasonable balance between growth and not having an adverse effect on areas of local beauty and tranquillity. I consider that the policy should contribute to the achievement of sustainable tourism development in Arne. However, the first sentence of the policy is very long and potentially confusing. I

recommend that it is modified, as in **PM15**, to explain that new development should not (i) undermine highway safety, and (ii) result in additional traffic that will cause congestion and environmental damage along the highway network. The modification is needed to meet the Basic Conditions.

- 4.29 Paragraphs 99-101 of the NPPF explain that communities may identify and protect green areas of particular importance to them through their local plans and neighbourhood plans. They should, however, only use the Local Green Space designation where specified criteria are met. These criteria are set out in paragraph 8.12.1 of the Neighbourhood Plan, which then lists six identified areas. I saw all these areas of land on my site visit, and I am satisfied that they are all (a) reasonably close to the communities they serve; (b) demonstrably special and hold a particular local significance; and (c) local in character and not taking up extensive tracts of land. I am content that the Plan should designate the six defined areas as Local Green Spaces.
- 4.30 Paragraphs 8.12.2 to 8.12.4 of the Plan go on to describe other areas of green and open space, which are locally important but already protected by other designations. Policy 12: Local Green Spaces implies that all the areas of open space shown in Map 4 will have the same protection as designated Local Green Spaces, which is misleading. As written, the policy does not have regard for national planning policy and should be modified. Maps 4 & 5 should be modified so that they show the six designated Local Green Spaces specifically, and other green infrastructure features according to their status and character. **PM16** should be made having regard for the NPPF.
- 4.31 Providing all the above proposed modifications are made, I conclude that the Arne Parish Neighbourhood Plan's Policies 2,3 and 7-12 will meet the Basic Conditions.

Section 9 – Projects and Monitoring

- 4.32 Section 9 of the Plan lists a series of projects beginning with road safety and flood hazards, and including fast broadband and youth engagement schemes. Some of these projects go beyond land use planning, but I appreciate that the Parish Council and local community wish to pursue them in order to achieve the Vision for Arne (Page 2 of the Plan). I consider that many of the listed projects would complement the earlier policies and assist with implementing them. I see no need to modify the projects, but recommend the addition of some explanatory text at the top of Page 26 to explain the purpose and status of the Projects. **PM17** should be made so that the Plan meets the Basic Conditions.
- 4.33 The final page of the Plan is headed "Footnote", but I consider that the page covers the more important topics of Plan implementation and monitoring. I therefore recommend in **PM18** a modification to the heading, and changes to provide more clarity over the task of policy

monitoring, working with Dorset Council as the plan-making authority. Providing all the above proposed modifications are made, section 9 will meet the Basic Conditions.

5. Conclusions

Summary

- 5.1 The Arne Parish Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it, as well as the responses from the Parish Council and Dorset Council to my questions of November 2019.
- 5.2 I have made recommendations to modify a number of policies, text and maps to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

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

Overview

5.4 I appreciate that the Parish Council, the Neighbourhood Plan Steering Group and local community have put in a great deal of hard work over a number of years to prepare the Neighbourhood Plan. In the last year, the Parish Council has faced uncertainty over the strategic policy framework as the emerging new Purbeck Local Plan has been undergoing examination. However, I commend the Parish Council and its colleagues for progressing the Neighbourhood Plan, which is clearly designed to reflect the views and ambitions of the local community. The Neighbourhood Plan, incorporating the recommended modifications, should assist Dorset Council and provide a good base for decision-making related to development management in the Parish of Arne.

Jíll Kíngaby

Examiner

Appendix: Modifications

<u>Note</u>: When the new maps are added to the Arne Neighbourhood Plan, as recommended in the modifications below, the maps should be numbered sequentially (1,2,3 etc). Some existing maps will need to be re-numbered, and references to them in the Plan modified accordingly.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 3	New paragraph 2.9
		The Purbeck Local Plan Part 1was adopted as the development plan for the area in November 2012. A new revised Purbeck Local Plan was submitted for examination in 2019, and was the subject of examination hearings by a Planning Inspector between July and October 2019. The Inspector's report, which may require modification of the submitted Plan, is not currently available. Although a new revised Local Plan for the area including Arne Parish is imminent, the revised Local Plan does not yet form part of the development plan for the area. In line with Government planning guidance, however, regard should be had to the updated evidence and reasoning which underpin the emerging new policies.
PM2	Page 4	Map 1: Arne Parish Boundary –AONB area highlighted in pale green – darker green to North-West Green Belt
		Modify Map 1/the updated designated area map of 14 August 2019 using the map in Appendix 3 of the SEA of the Arne Neighbourhood Plan, to add a key to indicate:
		 Arne Parish Boundary Dorset Area of Outstanding Natural Beauty (AONB) South East Dorset Green Belt Settlements with boundaries as

		defined in Purbeck Local Plan Part 1, Policy LD.
PM3	Page 8-9	5. Environmental Background
		Illustrate this section with 2 new maps. Based on maps in the SEA of Arne Neighbourhood Plan at Appendices 1 and 2 for 1) European sites in Arne Neighbourhood Plan area, and 2) Sites of national importance for nature conservation in Arne Neighbourhood Plan area.
		Add keys to each map.
PM4	Page 10	6. Housing Background
		Paragraph 6.3close relatives – about thirty new housing units. There was also an indication
		Delete paragraph 6.4 and replace it with:
		 6.4 The proportion of residents favouring developments of 10-40 homes increased from 31% in 2002 to 71% in 2014, with fewer than 5% favouring larger development. There was also a strong opinion that development "should aim to retain rural culture (eg. village farms)" and not harm recreational green space (91%). A variety of house and garden sizes, minimising energy and infrastructure needs, being within walking distance of community facilities, and contiguous with existing settlement, were other conditions for new housing which attracted 80% or more support. 6.5 Analysis of all the various data sources as summarised in the Housing Needs Assessment – Arne, Purbeck July 2017/January 2019, and consideration of the environmental constraints on development in the Parish, suggests that a reasonable housing target for Arne Parish would be between three and four new dwellings per annum but that given the need for affordable housing this should be encouraged across all sites. The housing

		target for the Plan period 2018-34 amounts to provision of at least 48 new homes in the Parish of Arne. As population projections
		6.6 The Council now seeks affordable homes can be built on smaller sites which may accommodate one, two or perhaps three properties which will be suitable contained in this Plan.
PM5	Page 11	7. Development Constraints
		This Plan has (SHLAA) 2018.
		Princip a le- grounds for exclusion Dorset Heathlands Planning Framework. Map xx shows the internationally designated sites within the Parish of Arne.
		Other considerations are whether the site is within the South East Dorset G green B belt or in an Dorset Area of Outstanding Natural Beauty (AONB). Development outside of these constraints nationally important protected areas can may also adversely Sites designated for their national importance for countryside, landscape or nature conservation are shown on Maps xx, 2 and 3.
		There are also local designations that constrain development albeit to a lesser extent, including the Stoborough Conservation Area, and areas identified as Sites of Nature Conservation Interest (SNCI).
		The parish is also within
		Sites are also ruled out if they are outside a settlement and unrelated to a settlement boundary
		7.2 SSSIs
		Natural England selects designates Sites of Special Scientific Interest (SSSIs) under the Wildlife and Countryside Act 1981. which it believes has SSSIs have

		fostures of enocial interact, such
		features of special interest, such
		7.4 AONB
		The whole of Arne Parish is within the Dorset AONB in green belt within the South-East Dorset Green Belt. This The northern boundary of the AONB at Worgret is marked by a red line the A352.
PM6	Pages 11-	7.6 Arne Parish CouncilRidge.
	13	Stoborough is Arne's largest settlement and it includes a number of key facilities including a primary school, village hall, petrol station, convenience store, recreation ground, public house and bus services to the wider area. Stoborough was identified as a "Local Service Village" in the adopted Purbeck Local Plan Part 1. Development within or adjoining Stoborough would provide housing in an accessible and convenient location. However, any development proposals would need to demonstrate that other environmental constraints could be avoided or overcome. Worget does not have a settlement boundary, as it is one of the least sustainable settlements in the Local Plan's settlement hierarchy. Neither does the hamlet of Arne. Settlement boundaries are shown on Maps 1 and xx.
		7.7 Potential development sites
		A number of sites outside settlement boundaries in Arne Parish have been considered for housing development in the recent past. The Purbeck Local Plan submission version 2019 is still undergoing examination, but is not expected to allocate sites for housing development within the Parish of Arne. A brief review of recent development proposals is given below.
		Sites at Worgret

PM7	Page 14	8. Policies
		8.1 Affordable and Other House Types
		8.1.1 Affordable housing is defined in the NPPF, Annex 2: Glossary. Affordable housing includes Starter homes and affordable private rented schemes are likely to be can be included as affordable dwellings from 2018.
		8.1.2 The local need for housing <i>in the</i> <i>Parish of Arne</i> is set out in Section 6. This includes the need for affordable housing – which should be provided in line with the Local Plan requirements. <i>Policy H11 of the</i> <i>emerging Purbeck Local Plan and its</i> <i>supporting text provide the most up-to-</i> <i>date information on affordable housing</i> <i>need, the scale of affordable housing</i> <i>that should be provided, and the types</i> <i>of affordable housing. The Parish</i> <i>currently lacks</i> small, 1 or 2 bedroom open market housing which we currently lack, and homes suitable for older residents. <i>The last</i> <i>item is important,</i> given the likely growth in this demographic. This policy
		8.1.3 To be eligible for affordable housing, applicants must (i) have lived in the parish (ii) have a closewithin the parish meet the conditions of the local authority, Dorset Council, and be included on its Housing Register. Rural exception sites for housing enable people with a local connection (living in the parish, close family living in the parish, employed in the parish or having grown up in the parish) and with a housing need to gain priority in the housing allocation process.
		8.1.4 In allocating affordable housing 8.1.5 Add a new second sentence: A similar
		restriction is proposed under Policy 4.
		Modify the last sentence to read: Second homes (<i>ie. homes not occupied by anyone as their only or principal</i>

		residence) are therefore
		Policy 1: House Types
		Housing sites should deliverevidence of local need, and should mainly include at least 20% affordable housing types on sites for two or more homes, and also include at least 30% as one and or two bedroom open market homes housing or homes specifically designed for an ageing population (such as sheltered accommodation and units designed for multigenerational living) on sites of three or more homes. Private garden space Any affordable housing provisionlocal connection. Where an applicant
PM8	Page 15	Policy 2: Local Character
		Modify the last sentence to read: Mature tree specimens should be retained, wherever possible , within any development sites
		Add a new Map titled: 'Heritage Assets', to show Stoborough Conservation Area, listed buildings and Scheduled Ancient Monuments, based on Appendix 4 of the SEA.
PM9	Page 15	8.3.1 Add a new sentence at the end of the paragraph as follows: <i>Areas at risk of flooding in the most settled part of the Parish are illustrated in Maps xx.</i>
PM10	Page 16	8.4 Small Sites Policy
		8.4.2 delete and replace with <i>The Housing</i> <i>Needs Assessment for Arne</i> <i>recommended a housing target of 3 or 4</i> <i>homes per annum, which would imply</i> <i>at least 48 new homes would be</i> <i>provided 2018-34.</i>
		8.4.3 It is important also in terms of landscape impact. Natural England have advised five years of the plan being made.
		Policy 4: Small Sites

		principle of `infill' development. where affordable homes can be built on smaller sites needs of local people. `Infill' development which will include affordable homes to meet the needs of local people will be particularly welcome.
PM12	Page 17	Policy 6: Sheltered Housing
		A small-scale site for sheltered or care- based
		 There is clear evidence The scheme is of a character, scale and design appropriate and sensitive to the location, and <i>would</i> not harm
		 The development will not be at risk of flooding flood risk to properties offsite There are secure arrangements not exceed 20 units.
PM13	Page 17	Policy 7: Management of Ecological Sites
		Measures to improveand the surrounding environment. Development proposals should include an assessment of highway movements, and provide evidence that likely increased movements would not have an adverse impact on the environment. Development should protect
PM14	Pages 20 and 23	8.10.1 Add a new sentence at the end to read:
		Map xx on Page xx shows these footpaths, as well as Nutcrack Lane.
		Modify Map xx (Map 4 in the submitted Plan) to show the footpath along the River Frome; the footpath along former Pike's Tramway; and the key route for pedestrians along Nutcrack Lane.
PM15	Page 21	Policy 11: Tourism
		In accordance withand wildlife designations), and residential amenity. or

		would be likely to have Proposals for tourism development should not have an unacceptable impact on highway safety or traffic volumes and congestion, or the residual cumulative impacts on the road network- once any proposed traffic managementhave been taken into accountwould be severe. Holiday accommodation
PM16	Pages 22-	8.12 Green Space Policy
	24	8.12.1 Add numbers to the six identified Local Green Spaces as follows:
		1 The Hayricks
		2 The Allotments, New Road/Corfe Road
		3 Village Green, Barndale Road
		4 Village Green, Stoborough
		5 Priory Meadow
		6 The Tramway, engine shed etc.
		Modify Maps xx (formerly Maps 4 and 5) so that the above spaces are numbered as 1-6 on the maps and shown in the keys as " <i>Local Green Spaces</i> ".
		Modify the title of Map xx (formerly Map 4) and rename it:
		<i>"Green Infrastructure, Open Spaces and Footpaths around Stoborough and Ridge"</i>
		Modify the title of Map xx (formerly Map 5) and rename it:
		<i>"Green Infrastructure, Open Spaces and Footpaths around Arne Parish"</i>
		8.12.2 In addition, t T he following areas of green infrastructure and open space are also particularly notable but and
		Policy 12: Local Green Spaces Green Infrastructure

		Delete Policy 12 and replace with:
		Local Green Spaces have been designated at the six locations shown on Map xx. Where possible, these spaces should be managed for the community's benefit and remain permanently undeveloped. Other areas of important green infrastructure and open space, shown on Maps xx, should be protected, and enhancement will be supported.
		Where demand exists and the location is appropriate, recreational facilities, such as children's play equipment and exercise equipment, will be permitted on areas of open space, as long as they are sensitively designed and sited. Where development of an existing open space is permitted, any recreational facilities and/or land that are lost should be replaced with facilities of an equivalent or better standard, and in an accessible location where impacts on landscape, environment and local character are minimal.
		The provision of allotments and a Local Equipped Area of Play (LEAP) with a 400m ² minimum activity zone will be supported, and should be prioritised as part of any requirements for open space on housing development sites.
PM17	Page 26	9. Projects
		Add new sentences before 9.1 as follows:
		The following projects go beyond the scope of land use planning, but have been identified as important by the community to help achieve the Neighbourhood Plan Vision. Arne Parish Council will work with the relevant authorities and organisations to implement the projects.
PM18	Last page	FOOTNOTE Implementation and

Monitoring
New sentence at the end of first paragraph: <i>The Parish Council, working with Dorset</i> <i>Council, will monitor progress on all</i> <i>development permitted in the Arne area</i> <i>on an ongoing basis.</i>
Whilst some policies may have a single outcome specific to one single area, other policies might have more than one possible outcome complex effects over a wider area than the Parish of Arne. This could make monitoring at the Neighbourhood level too complex for it to have any much value. However, Arne Parish Council