Shillingstone Neighbourhood Plan Review - examination

Dorset Council's response to the examiner's letter (4 Aug 2026)

18 August 2026

Note:

- The examiner's questions are in black
- Dorset Council's responses are in green

1. Question to SPC and DC

Policy 3

The Basic Conditions with which the previously made Shillingstone Neighbourhood Plan had to comply and the current Review Plan has to comply include:

- To have regard to national policies and advice contained in guidance issued by the Secretary of State; and to contribute to the achievement of sustainable development.

A new legal compliance consideration in relation to the submitted Review Plan is as follows:

- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, it is designed to secure that the development and use of land in the neighbourhood area will contribute to the mitigation of, and adaptation to, climate change[1];

Comparing Policy 3 in the made Shillingstone Neighbourhood Plan with the submitted Review Plan, there are minor alterations to the first paragraph, but with a significant addition to the final section of the policy:

> *"The design of new buildings to achieve higher environmental standards will be strongly supported and may justify taking a different approach to the traditional vernacular, provided that the overall development would still reflect the character of the area and would be broadly in keeping with its immediate context. Such deviations from the traditional vernacular may be justified where this would make a significant improvement to the sustainability credentials of a building that cannot otherwise be accommodated, for example due to:*
>
> - *The methods for optimising passive solar gain and cooling, and use of solar panels*
> - *The use of high quality, thermally efficient building materials; and/or*
> - *The use of wildlife-friendly features, such as sedum roofs*

[1] This additional requirement was commenced on 25 March 2026 by virtue of *The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026*, which brought into force section 98 of the Levelling-up and Regeneration Act 2023.

- *The installation of water and/or energy efficiency measures, such as grey water systems air/ground source heat pumps and triple glazing"*

I would be grateful for comments from both Councils on whether this addition to Policy 3 enables it to still have regard to national policies and advice contained in guidance?

DC: Section 7 of the submitted Basic Conditions Statement (BCS) assesses each of the policies against national planning policies and guidance. For Policy 3 the BCS states (on page 11):

Main changes	Assessment
The policy has been expanded to include reference to and support for design measures to reduce carbon use and waste, and improve biodiversity and water efficiency. The policy has also been revised to refer more specifically to the significance and setting of the area's heritage assets. All known non-designated heritage assets have been included in the overview tables, with reference to the Dorset Historic Environment Record.	The changes take on board national planning policy ensuring that the development will function well, remain sympathetic to local character and history, create attractive, welcoming and distinctive places etc (NPPF 135), as well as taking a proactive approach to mitigating and adapting to climate change (NPPF 162).The identification of the - designated heritage assets and reference to the significance and setting of the area's heritage assets has had regard to national policy on the historic environment (NPPF 202).

While we agree with that assessment, we wish to further highlight the following sections of national policy and guidance which we believe support the revised policy:

Reference	**Text (with our emphasis)**
NPPF para 8c	Achieving sustainable development … an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, **and mitigating and adapting to climate change, including moving to a low carbon economy.**
NPPF para 11a	…all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; **mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects**;
NPPF para 161	Local planning authorities should support community-led initiatives for renewable and low carbon energy, including developments outside areas identified in local plans or other strategic policies that are being taken forward through neighbourhood planning.
NPPF para 162	In determining planning applications, local planning authorities should expect new development to: a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant,

	having regard to the type of development involved and its design, that this is not feasible or viable; and b) **take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption**.
NPPF para 164	In determining planning applications, local planning authorities should give **significant weight to the need to support energy efficiency and low carbon heating improvements** to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). **Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.**
NPPF para 167	… manage any residual [flood] risk, by: … using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding
PPG on Climate change in general but in particular Para 001	In addition to the statutory requirement to take the Framework into account in the preparation of Local Plans, there is a statutory duty on local planning authorities to include policies in their Local Plan designed to tackle climate change and its impacts. This complements the sustainable development duty on plan-makers and the **expectation that neighbourhood plans will contribute to the achievement of sustainable development**. The National Planning Policy Framework emphasises that responding to climate change is central to the economic, social and environmental dimensions of sustainable development.

In his Regulation 16 response, we note that Mr Hart raises some concerns regarding the new paragraph in Policy 3. The argument appears to be principally that the change is so significant as to change the nature of the plan, which would in turn trigger a referendum. We do not agree with this analysis. We wish to highlight that the new paragraph in Policy 3 includes the following qualification:

> *...provided that the overall development would still reflect the character of the area and would be broadly in keeping with its immediate context.*

Our point is that the new paragraph of the policy does not permit *anything* just because it achieves higher environmental standards. New development still must be "in keeping". Our view is that the new policy should not be seen as such a threat to the character of the village as Mr Hart's representation suggests, and therefore does not change the nature of the plan.

2. Question to DC

Dorset Local Plan

I note that an item about the Dorset Local Plan was presented to the Dorset Council's Cabinet on 28 July 2026. I should be grateful to know the outcome of the meeting and how this reflects on the timetable for the adoption of the Plan?

DC: Cabinet agreed to moving the Dorset Council Local Plan to the 'new system'. That is to say, it will now be prepared in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2026. Details of this are published at Dorset Council Local Plan: updates and information - Dorset Council

In summary, we published our notice of intention to commence local plan preparation under the new plan-making system on 31 July 2026. Our next step will be a scoping consultation, which involves asking people what the new Local Plan should cover and how they would like to be involved. The scoping consultation is expected to take place between 21 September and 25 October. Gateway 1 (self assessment) is expected on 30 November 2026. Adoption isn't expected until 2029. There is no reason, therefore, to suggest that the emerging local plan will impact on the examination of the Shillingstone Neighbourhood Plan Review.

3. Question to DC

Dorset Local Nature Recovery Strategy

The Basic Conditions Statement (BCS) comments that the Dorset Local Nature Recovery Strategy was published in December 2025 and that, whilst it was not possible to take account of the Local Nature Recovery Strategy in the preparation of the Regulation 14 version of the Neighbourhood Plan, the submitted Review Plan is broadly in accord with the strategy and no clear conflicts have been identified.

Bearing in mind the extent of the legal requirement is subject to a determination of appropriateness by the qualifying body, does DC consider that SPC has discharged the legal requirements as thoroughly as it could reasonably do so?

DC: As you rightly indicate, the requirement to take account of the LNRS is prefixed with "so far as the qualifying body considers appropriate…." The legislation therefore appears to afford considerable leeway to the qualifying body in terms of how they interpret and comply with this requirement.

The fact that the Basic Conditions Statement includes a section (6) regarding this requirement was in our view clear evidence that the qualifying body had given the matter due consideration. We recorded this in our Legal Compliance Checklist that we completed when the plan was submitted.

It is, of course, not disputed that the Regulation 14 (pre-submission draft) was produced before the Dorset LNRS was published. Our view is that changes after Regulation 15 (submission) should be more limited in nature, with a focus to ensuring the plan meets the basic conditions. Notwithstanding this, our LNRS officer has made some suggestions that the QB could consider following. These are intended to help strengthen the link between the neighbourhood plan and the Dorset LNRS, and in the Council's view, could be considered as minor, non-material changes that can be accommodated outside of the examination.

- Page 9-10 Local green spaces – suggestion to add some supporting text demonstrating how these spaces support the LNRS, for example: *Designation of these Local Green Spaces therefore supports delivery of Dorset LNRS priorities 11 – nature connection, 7 – urban, 2 – woodland.*
- It is also suggested that you indicate how your local green spaces relate to the Dorset LNRS local habitat map as listed below.
    - LGS-HRC is part covered by the High Opportunity Nature Areas and Potential Activities layers in Dorset LNRS, and a small part of the Nature Areas of National Importance layer.
    - LGS-REC is adjacent to an area identified in the High Opportunity Nature Areas and Potential Activities layers in Dorset LNRS so could support habitat connectivity.
- Policy 2 – in your supporting text for this policy you could add a reference such as: *Managing wildflower verges, hedgerows and trees alongside roads, lanes and tracks can provide wildlife corridors and support delivery of Dorset LNRS priority 7 – urban.*
- Policy 3 - your supporting text you could add a reference such as: *Dorset local nature recovery strategy has 13 nature recovery priorities, supported by a range of potential activities and a local habitat map. Many of these activities can be delivered within a development site and can therefore be used to inform site design and guide delivery of Biodiversity Net Gain (BNG).*
- Policy 4 – it is positive to see in map 6 that several of the community facilities the neighbourhood plan seeks to retain involve community growing projects, you could therefore add a reference to your supporting text such as: *Community facilities that provide local people with opportunities to get involved in hands-on nature recovery activities supports delivery of Dorset LNRS priority 11 – nature connection*.

One further point we would like to bring to the Examiner's attention. There appears to be some form of duplication between paragraphs 5.12 and 5.13 in the NP. This appears to be a typo and the obvious solution would be to delete paragraph 5.12