



MARNHULL NEIGHBOURHOOD DEVELOPMENT PLAN

Cllr Jules Cormack
On behalf of Marnhull Parish Council ("MPC")

INDEPENDENT EXAMINATION OF THE MARNHULL NEIGHBOURHOOD DEVELOPMENT PLAN

Your Ref: Examination Ref: 02/AM/MNP

Dear Mr Mead

Thank you for your email. We hope we can assist you to clarify some matters that you have brought to our attention in the MNDP area.

1. Plan Submission Date - Question to DC

2. Marnhull Conservation Area - Question to MPC

I am considering recommending the replacement of the current Map in Appendix 6 with a Map showing only the existing Conservation Area. Does MPC have any comments?

After speaking with Philip Reese, our link officer at Dorset Council, MPC does not object to the map in Appendix 6 showing the current conservation areas if this is considered necessary. The map shows that the changes are only proposed, intended to inform potential applicants about possible updates and the areas under consideration and not to suggest that any changes have already been made. Should the decision be taken to amend the map to remove these, we would ask that there should be a note on the page saying something along the lines of: "This map shows the conservation areas as at October 2025. In 2025 MPC submitted a Conservation Area Appraisal ("CAA") to Dorset Council for consideration. The CAA recommends making amendments/additions to the conservation area boundaries and applicants are advised to contact Dorset Council for an update on the status of the CAA and boundary".

Progress on the CAA and related changes has been delayed because this is the first appraisal under the combined authority. If Dorset Council updates the boundary, MPC can then amend the Neighbourhood Plan to reflect the conservation area changes as a non-material minor modification.

3. Housing Numbers - Question to DC

4. Settlement Boundary - Question to MPC and DC

My inclination is to recommend maintaining the Settlement Boundaries as they are now pending further work on the Dorset Local Plan and a revision of the Neighbourhood Plan. An alternative approach would be to update the Settlement Boundary by the inclusion of the planning permissions referred to above. I would welcome comments from both Councils

MPC considers that it is important to update the settlement boundary. In previous appeal decisions, where the settlement boundary had not been updated, this has been used by the appellants (and some Planning Inspectors) to contend that the settlement boundary is out-of-date / has not been revised since its adoption through the 2003 Local Plan and should therefore not be

given any weight in the decision making process. The purpose of our Plan is to give greater certainty on the areas where development is planned, whilst not frustrating the new Local Plan. It was therefore considered particularly important to bring the boundary up to date, accepting that this could be revised through the Local Plan in due course.

The paddock to the east of Church Hill was removed because there was no local need for further housing at this time, and no indication from the landowner that he/she was seeking to bring this site forward (as it had never been submitted to the Dorset Council SHLAA or through the various Neighbourhood Plan consultations). In updating the boundary, this site was discussed and it was accepted that it could have potential for development and that this would therefore be a site to consider allocating in a future review, when the local need for housing may not otherwise be met. However, MPC does not object to its inclusion within the boundary if this were considered necessary for the Neighbourhood Plan to meet the basic conditions.

The new sites for planned development at Crown Road, Salisbury St, Butts Close and Tess Sq were not added as none of these developments are complete, and will include relatively large areas of green space which would normally be excluded from the settlement boundary where these are contiguous with the settlement edge. When we started the draft MNP the only development that was going ahead was the Burton St, which does not include green spaces adjoining the countryside and is included in the revised settlement boundary. Crown Road has now been granted reserved matters permission and construction has started. It is important to note that there is still no clarity on the proposed community building which was not part of the reserved matters application. Neither Salisbury Street nor Butts Close have detailed consent, and there is no reason to give any weight to the indicative plans provided at outline stage as they were simply indicative. Tess Square was given full permission as part of the hybrid application (including Butts Close) but has not commenced and given the state of the UK economy there is no certainty that it will be built as envisaged. Indeed, the Applicant has previously indicated that they are unlikely to complete the development of this site before 2032. MPC therefore considered that the most appropriate way to manage development on these sites is through the site allocation policies, and that the settlement boundary relating to these sites would then be updated in the next review or through the Local Plan. However, if inclusion within the boundary is considered necessary for the Neighbourhood Plan to meet the basic conditions.

MPC does not consider that the potential deletion of the settlement boundaries as Dorset Local Plan Options Consultation should be given any significant weight at this time. This is simply floated as an 'option' and the Plan is at an early stage. MPC understands that this consultation has already given rise to a substantial number of objections (with over 7000 responses received as of 13 October, prior to the consultation period being extended). Planning law confirms that if the Local Plan is adopted without settlement boundaries, it will override the Neighbourhood Plan. In any event, planning law is clear that should the Local Plan be adopted with settlement boundaries deleted, this would not be prevented by, and would take precedent over, the Neighbourhood Plan.

5. Local Green Space (LGS)

a) Question to MPC

Which LGS in the submitted Plan were the subject of an objection by the respective landowner when consulted during the consultation process in early 2025?

This is covered in the consultation statement pg 12 and pg 38, 40-42. There appears to be an error in that the reference to LGS08 should have read LGS04 – however this was because the landowner wrongly referenced the number as “LGS08 – Allotments”. We have included LGS16 below although the response provided referred only to there being a lack of justification for the green gap, which was therefore summarised on page 38 rather than with reference to the LGS. The following sites were therefore the subject of an objection by the landowner:

Reg 14	Submission	Site / notes
--------	------------	--------------

LGS04	LGS04	Allotments
LGS05	n/a	Field between Butt's Close and Schoolhouse Lane - removed from the submission draft
LGS07	LGS07	Field above Burton Street adj Love Lane
LGS11	n/a	The wooded area behind Bat Alley - removed from the submission draft
LGS12	n/a	Sackmore Lane paddocks - removed from the submission draft
LGS16	LGS05	Dunfords (Central Field) – reduced in the submission draft

b) Question to DC

c) Question to MPC

Does MPC wish to comment on the suggested exclusions?

LGS 04 are much valued allotments but also will become more important in providing an important break in the developed area given the expansion of the village. MPC does not consider that the allotments should be relocated to another area – allotments take time to establish, and allotment holders put a lot of effort into improving the soil over many years. Nor does the Council consider that this will frustrate the future expansion of the village. The site has not been put forward in the SHLAA (unlike other land in the same ownership) and is not identified as a potential opportunity site by Dorset Council.

LGS 05 is a valued local green space as described in the MNDP – and even a minor reduction in its scope as allowed through the Tess Square appeal was of great concern to many local residents, who both objected to the application or supported MPC’s objections (through significant crowd funding and by attending the Planning Inquiry in Dorchester in significant numbers). We disagree with Dorset Council’s points regarding LGS not being a landscape designation, as “beauty” is specifically mentioned in NPPF 107(b), but even so the area is also important for all of the remaining reasons - historic significance, recreational value, tranquility and wildlife. Whilst Dorset Council mentions that the setting of St Gregory’s Church is already protected under legislation, there is no agreed definition of how far the setting extends, and this protection did not prevent the Tess Square appeal from being allowed. Furthermore, it is the multilayered importance of this site, not one factor alone, that contributes to its local significance. The landowner’s intent is to develop further areas of this important green space, as per “*the Marnhull brochure*” provided as part of the Tess Square planning application and his submission of the site to the SHLAA. MPC understands the LGS designation does not give any additional public rights of access over what already exists, but this does not alter the reasons why this space is so important.

Although the views across this central field could be described as expansive, MPC considers the area to have unique qualities that reinforce it being ‘local in character’ and does not agree that its size makes it “extensive”. Research by CPRE in 2022 (https://www.cpre.org.uk/wp-content/uploads/2022/01/Feb-2022_CPRE_Local-Green-Spaces-full-report-1.pdf) shows that sizes of LGS vary greatly across the country – noting that some LGS were up to 46.5ha. Examples of larger LGS that have passed examination, researched by MPC, also include:

- Long Ashton Neighbourhood Plan - Ashton Court Local Green Space (329ha) – made May 2015
- Calne Community Neighbourhood Plan - Castlefields Country Park (50ha) – made March 2025

These are much larger than 16.4ha; within the 1550ha Neighbourhood Plan area, 16.4ha equals c. 1% of the total. It is also not so extensive as to prevent the further expansion of the village, and is not identified as a potential opportunity site in the Issues and Options consultation. The latest

(2024) SHLAA¹ concluding that this was an ‘unsuitable site’ whose development “could undermine the setting of two separate parts of the conservation area (typified by linear style development which addresses principal roads through the village) and the setting of listed buildings.”

MPC disagrees that the decision to designate this area as a LGS should only be applied to the area that it proposed public space in the Tess Square appeal, at a point when the open space is in use, as this completely misses the reasons why the area is important now.

LGS 07 has been identified for LGS designation for the reasons set out in Appendix 8. Please note that the aerial photo of the site under construction include a temporary compound ‘intruding’ into the proposed LGS that is not part of the permission and will presumably be returned to agriculture when the site is completed. Whilst Dorset Council is correct that the development of this field “could” both maintain the PRow and views, their inclusion within a developed area (such as has happened in the site to the south) will completed change their character and value to the community. The experience of walking a footpath within a large undeveloped grassed area is much different from the same footpath when it forms part of a residential street.

Whilst this site is one which Dorset Council have highlighted as a potential opportunity site, its development for housing (other than the lower part) would be contrary to the landowner’s stated intentions to the community as part of their ‘vision for Marnhull’ (see page 9 of the Consultation Statement). This shows the upper part of the field (in addition to land to the NE) proposed as an additional sports field, and the eastern part of the LGS as an extension to the graveyard. This was first raised by Mr Crocker as part of the NP consultations, when he informed us of his intention to make an additional cricket pitch, football area or some form of public recreation area at the aforementioned area, and was going to speak with the Marnhull cricket team with this in mind, and is confirmed as part of their Reg 16 response. MPC considers the LGS designation to be wholly compatible with these recreation / cemetery proposals, and that the topography of the site and requirements for a sports means that this would not be readily ‘squeezed’ into the northern section of proposed LGS07.

LSG 08 – Dorset Council appears to agree that this site could merit LGS designation given its historic importance, but considers that such a designation is unnecessary given “the setting of listed buildings is already protected by legislation.” MPC respectfully disagrees with this claim – whilst there is a statutory duty for the decision maker to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”, what constitutes the setting and whether it would be harmed by development (and to what degree) are matters of planning judgement that will be open to interpretation. NPPG Paragraph: 011 Reference ID: 37-011-20140306 does not apply because the setting of a Listed Building is not defined nor made clear through the Listed Building designation and official listing description.

LSG 09 – is important for the reasons set out in Appendix 9. Again, whilst MPC appreciates that footpaths are protected, there is an enormously difference in people’s experience between walking in a meadow and walking through a developed area.

LGS 10 – the same points apply in relation to this site, as have been cited in relation to LGS 07 and LGS 08. . MPC is aware that the area’s association with Thomas Hardy have in the past been overlooked by Dorset Council in its consideration of Marnhull, yet this is of particular importance of local residents in celebrating the area’s unique character, and to local businesses which benefit from the tourism Hardy’s legacy supports.

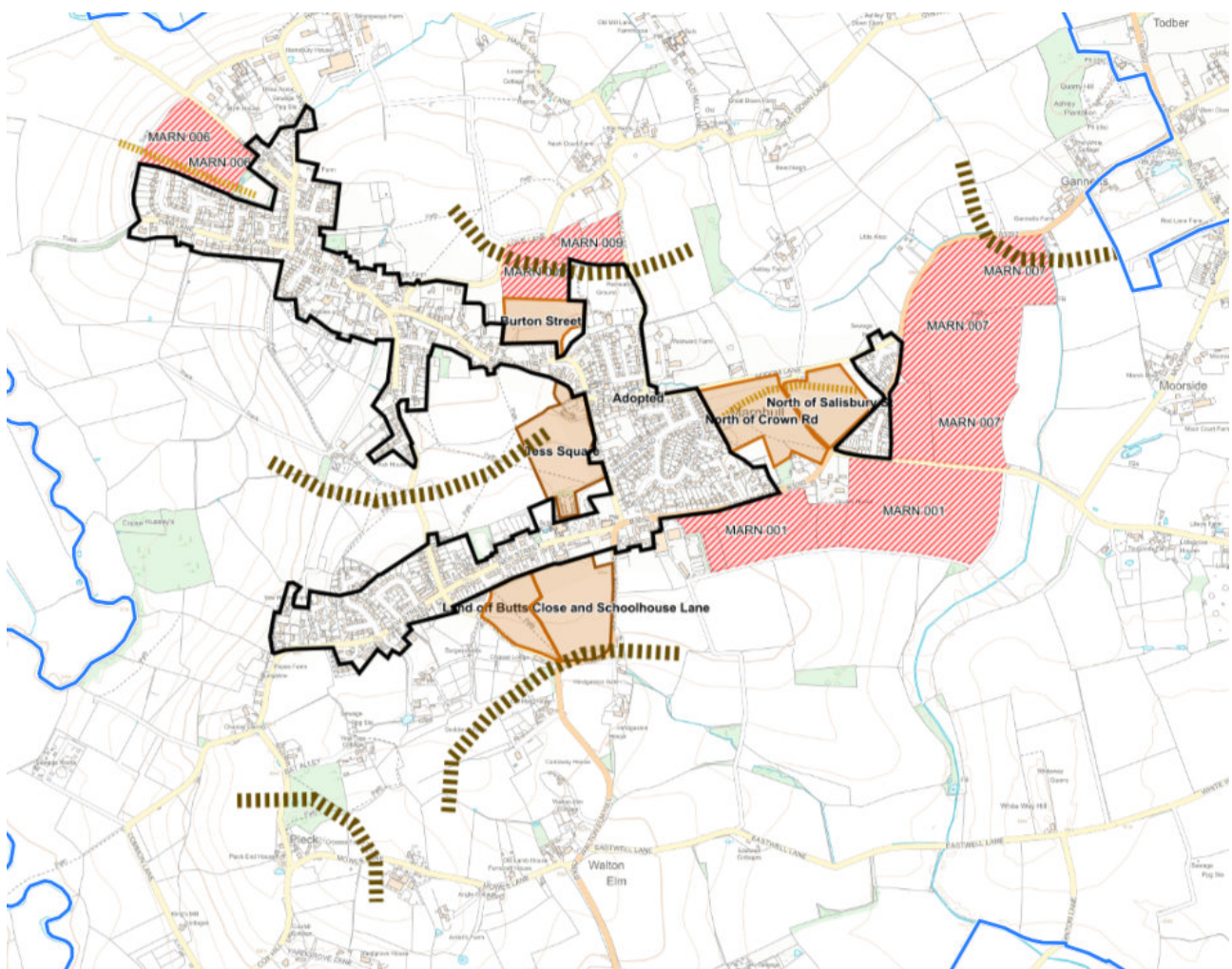
6. Green Gaps - Question to MPC

¹ <https://wa.dorsetcouncil.gov.uk/ShelaaWebsite/pages/Site.aspx?i=1180>

DC suggests that the use of the Green Gap designation is an attempt to achieve Green Belt policy by another name and has the potential to undermine future plan making. Does MPC have any comments?

Marnhull is an amalgamation of several historic hamlets, with a predominantly linear character. The purpose of the Green Gaps is to maintain distinctiveness by preserving green areas, preventing development from merging, and keeping a close connection between Marnhull's built-up sections and the countryside. We are not a nucleated settlement and wish to remain that way, as this is an important aspect of Marnhull.

The Green Gaps are not intended to act as Green Belt nor do they prevent further expansion, and have not been drawn to cover the undeveloped area stretching from one settlement boundary to another. We do not feel the gaps as proposed, which are indicative in nature, would significantly restrict the future expansion of the village. Please see the map below clearly illustrating this point which includes the Green Gap centreline and the current proposed sites / extant consents and the potential opportunity sites identified in the Draft Options Local Plan for Dorset.



© Crown copyright and database right. All rights reserved (AC0000831665) 2025

Taking each potential development area in turn:

MARN/001 – no gap proposed

MARN/006 – small gap proposed to retain a ‘finger’ of countryside between Mill Lane and Ham Lane – this could be readily incorporated into the layout should this site be allocated in the future.

MARN/007 – gap proposed at the north-eastern tip – this would not significantly reduce the level of development across this site, impacting on the easternmost end which is well beyond easy

walking distance of the area's community facilities and is more sensitive in views from the Cranborne Chase National Landscape.

MARN/009 – a significant part of this area is proposed for recreation by the landowner as noted under our comments on LGS07

In relation to the existing sites, the gap shown partly within the Tess Square is on land proposed for public open space. The southern tip of the site off Butts Close / Schoolhouse Lane is similarly identified for open space / SUDS in both the landowner's and our indicative plans. The gap shown though the eastward expansion includes the public open space within the layout for the Crown Road site and could readily be accommodated within the Salisbury Street site as show in our indicative plans.

MPC is somewhat surprised by the comments made by Dorset Council given that there are many Neighbourhood Plans in Dorset with similar Green Gap policies, to which an objection was either not raised or not considered appropriate. Possibly the most recent was in the review of the Hazelbury Bryan Neighbourhood Plan, which the Examiner will be familiar with. This too is a North Dorset village, within the same tier of the settlement strategy (both in the adopted and in the draft Local Plan) and comprising several separate hamlets. The response to this policy by Dorset Council at Regulation 14 in Sep 2023 was:

"Policy HB13 and Figure 9

Two changes to the Important Gaps are noted. These seem proportionate given recent planning decisions, and therefore are supported."

The response at Reg 16 (January 2024) was repeated:

"Policy HB13 and Figure 9

Two changes to the Important Gaps are noted. These seem proportionate given recent planning decisions, and therefore are supported."

And the Examiner's report dated February 2024 stated:

"4.8 Policy HB13 defines settlement boundaries and important gaps on Figure 9. The text of the policy is unchanged but there are two proposed alterations to Figure 9: (i) the increase of the defined gap between Wonston (and Pleck) and Droop to reflect a recent appeal decision; and (ii) the reduction of the defined gap between Partway and Pidney due to the implementation of a planning permission granted prior to the making of the current Plan. I consider that both the focused alterations are justified updates and Policy HB13 would continue to have regard to national guidance , to generally conform with Policy 2 of the NDLP and to meet the Basic Conditions."

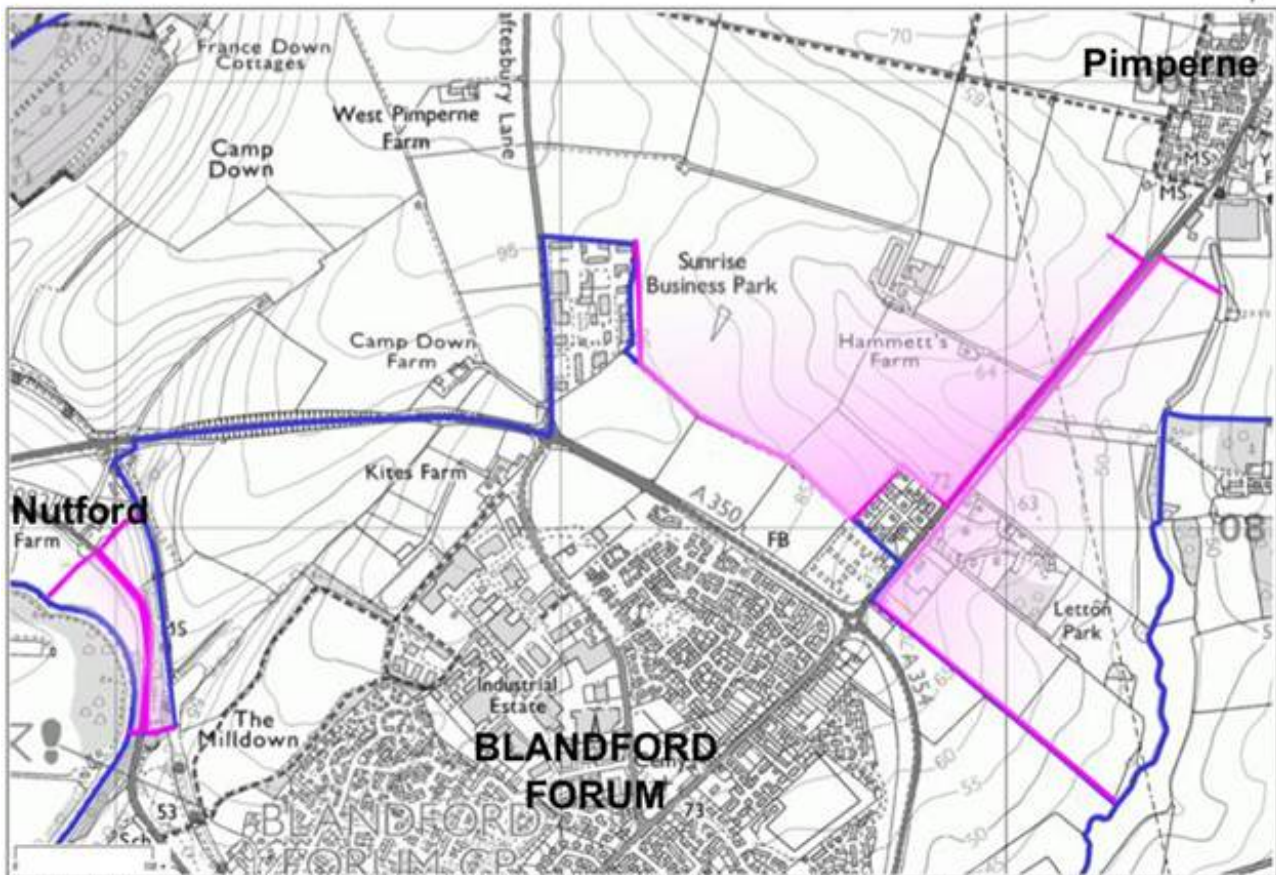
It would seem wholly inconsistent to be accepting of a similar gap policy in the case of Hazelbury Bryan and yet consider a similar approach for Marnhull to be unreasonable. The main difference between the two would be regarding the two small gaps that are reinforcing the linear nature of the settlement pattern as opposed to the separation of the hamlets.

There are many other gap policies, including one in the Pimperne Neighbourhood Plan, which was originally considered through examination in October 2018, and more recently refreshed through a review, with a further examination in September 2022^[1]. The gap between Pimperne and Blandford Forum in this context was reasonably extensive (approximately 1km wide) is shown on the following map. The policy reads:

LC: Landscape Character

"g) Development should not harm the views of Pimperne village as appreciated on the approach from the south along the A354, or reduce the open nature of the gap between Blandford Forum and the village of Pimperne, as indicated on Map 2, and should respect the treed and distinctive character of Letton Park within this gap

h) Development should respect the rural character of Nutford as a distinct entity from the town of Blandford Forum and not erode the gap between Blandford Forum and the settlement of Nutford, as indicated on Map 2"



Date Created: 15-6-2017 | Map Centre (Easting/Northing): 389182 / 109157 | Scale: 1:15000 | © Contains Ordnance Survey Data : Crown copyright and database right 2017

Another example in Dorset is in the Stinsford Neighbourhood Plan, examined in early 2022^[2], which describes four important gaps between 200 – 800m wide that play an important role in retaining the area's unique character. It describes the nature and extent of each of the gaps, and the supporting text notes that "Whilst there may be a general policy of restraint towards development in the open countryside, some development (such as new farm buildings) may still be permitted, and it is therefore important that such development does not take place in these most vulnerable gaps". Policy SNP3 reads:

"The string of small settlements along the river valley should retain their individual character, and care should be taken to avoid reducing the undeveloped nature of the gaps between the settlements, particularly with reference to those described in Table 3."

Yetminster and Ryme Intrinseca Neighbourhood Plan, examined in late 2021, also designates an important open gap, this one being between the village of Yetminster and smaller hamlet of Ryme Intrinseca (a gap of approx. 500m distance). Its Policy ENV7 reads:

"The open gap between Yetminster and Ryme Intrinseca as shown on map 4 (areas 9 and 10) will be maintained. Development proposals which include new buildings, structures and land uses that would undermine the rural, undeveloped nature of this gap between these settlements will not be permitted."

There are further examples of important local gaps identified and protected through Neighbourhood Plans in the Dorset area: the Broadwindsor Neighbourhood Plan (2019), Gillingham Neighbourhood Plan (2018), Loders Neighbourhood Plan (2016), and the Piddle Valley Neighbourhood Plan (2018).

MPC also notes the response by Chapman Lily, and is particularly concerned to read that they are now claiming that the overlap with the public open space area of Tess Square may undermine the viability of bringing the site forward. This appears to confirm MPC's fears, expressed but rebutted at the Inquiry, that the scheme would not be viable in the long term, and that the community may end up with a half-built development and pressure for this to be amended in a manner that does not deliver the many benefits that have been promised to the community by the landowner, and encroaches further into this important open space.

MPC is willing to work with Dorset Council to better explain and annotate the green gap on the maps – as the map is intended to indicate the broad locations rather than being overly prescriptive on their extent (which is why the Policy wording states 'as indicated' rather than 'as defined')

7. Eastward and Southward extensions of Marnhull - Question to MPC and DC

I am considering recommending modification of both policies by explaining that the Maps are indicative, as already stated in paragraphs 8.14 and 8.18 of the Plan, but they are for illustrative purposes only. In addition, I am considering recommending that the requirements in the bullet points of each policy should generally be qualified by "where possible and appropriate". I would welcome comments from both Councils.

The layouts on the maps are indicative and are used to illustrate how development could be designed to address the policy requirements, but there is no reason why a different layout could not also meet the policy criteria. They were drawn up by our planning expert who has a Diploma (distinction) in Urban Design and over 30 years' experience in town planning.

Whilst the layout for the Crown Road area does not mirror the approved plans, and is unlikely to be used given the advanced stage of the build, this fact could simply be noted on the plan or in the supporting text, and the guidance could still serve a purpose should the landowner decide to propose development on the planned green spaces, or reconsider the provision of a community building at the site entrance.

In terms of the policy wording, the MPC has used the word 'should' rather than 'must' in recognition that in many cases the degree of conflict with a policy is part of the planning balance, and matters such as flooding, heritage harm etc will also be interpreted / considered in line with national policy and the Local Plan. Furthermore, the applicant can make the case that there are material considerations that weigh into the balance of the decision as part of their application. We are not sure how much more helpful adding "where possible and appropriate" would be in this context. Our position is that policy criteria are the starting point for guiding the development decisions, but there can of course be material considerations that may suggest that an approach is either not possible or not appropriate, and it would be for the applicant to make this case as part of their submission. This applies to all the policies.

8. Community Facilities - Question to MPC

Map 6 includes three delineated proposals for: "additional allotments", "cemetery extension" and "recreation ground extension". How are these proposals to be delivered? Has the landowner been consulted in each case and ensure the proposals can be achieved?

As outlined in MPC's response to Question 5, in relation to the cemetery and recreation ground extensions, these proposals were initiated by the landowner who has expressed his desire to achieve this outcome, not only to the Neighbourhood Plan Steering group, but to the wider community. The exact areas shown on the NP maps have been adjusted from that originally proposed to provide greater flexibility given that further work would be required on the detailed design of these. There is considerable S106 funding available for the outdoor sports provision (approximately £425K - see page 60 of the NP). MPC will allocate precept funds for the cemetery

extension; however, considering the current population size and anticipated lead-in time, this project is expected to be fully and adequately funded.

With reference to the additional allotments, these were similarly mooted by the landowner linked to his wider aspiration to bring forward the adjoining area for housing – as noted in the consultation statement (page 8). Our records of the meeting are that it took place on 3 December 2024, prior to the Regulation 14 consultation. MPC will be in receipt of S106 funding of approximately £100K to assist in the achievement of this (see page 60 of the NP).