INDEPENDENT EXAMINATION OF THE

SHILLINGSTONE NEIGHBOURHOOD PLAN 2025 REVIEW

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

Examination Ref:01/AM/SNP

Clerk to Shillingstone Parish Council

Philip Reese
Senior Planning Policy Officer
Dorset Council

Via email

4 August 2026

Dear Clerk to the Parish Council and Mr Reese

Following the submission for examination of the Shillingstone Neighbourhood Plan 2025 Review (the Review Plan), I would like to clarify several initial procedural matters including my determination in respect of the appropriate examination process for the Review Plan. In addition, I have 3 preliminary questions for Dorset Council (DC) and Shillingstone Parish Council (SPC), to which I would like to receive a written response by **Tuesday 18 August 2026**, if possible.

1. Examination documentation

I can confirm that I am satisfied that I have received a complete submission of the draft Review Plan; the Basic Conditions and Consultation Statements; the Regulation 16 representations; and the statements from both Shillingstone Parish Council and Dorset Council in relation to whether the modifications contained in the draft Plan are so significant or substantial as to change the nature of the Neighbourhood Development Plan which the draft Plan would replace, giving reasons why.

This has provided sufficient information to undertake my initial determination under paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended).

Subject to my further detailed assessment of the draft Plan, I have not at this initial stage identified any significant and obvious flaws that might lead me to advise that the examination should not proceed.

2. Determination under Paragraph 10(1) of Schedule A2

I am required to determine whether the modifications contained in the draft Plan are so significant or substantial as to change the nature of the Neighbourhood Development Plan which the draft Plan would replace. The purpose of this determination is to establish the appropriate examination process for the draft Plan which will, amongst other things, affect whether or not the draft Plan will need to be the subject of a referendum if it is to be made.

The SPC state in their Modifications Statement that the Plan period (2016 – 2031), vision and objectives remain unchanged. The changes do not look to add, delete or significantly modify the extent of any of the proposed site allocations. The policies covering site allocations that have now been completed have been removed as they no longer serve any clear purpose. Changes to the site allocation policy for site HTL-N primarily relate to relatively minor matters of design, and changes to

the site allocation policy for site OX reflect its partial completion and extant consent. The clarification in relation to house types and ensuring affordable housing is brought forward through the efficient use of land does not change the thrust of these policies in meeting local housing needs, in line with national planning guidance.

SPC further outline the following considerations:

- the addition of two new Local Green Spaces into the policy protecting green spaces does not change the thrust of the policy;
- the addition of the Co-op store into the policy protecting community facilities does not change the thrust of the policy;
- the requirement for evidence on viability prior to determining whether the loss or reduction in a community facility may be allowed does not change the thrust of the policy, which is to safeguard important community facilities;
- the additional detail on highways matters reflects the issues raised previously through the Neighbourhood Plan process and align with the concept of a vision-led approach to transport planning promoted through national planning policy; and
- additional matters in relation to design are not considered to be a substantive change but ensure that due consideration is given to both climate change and retaining local character.

Accordingly, SPC consider that the proposed modifications are not so significant or substantial as to change the nature of the plan.

DC have compared the policies in the made Plan with those of the submitted Review Plan and have considered the contents of each policy, along with the Modifications Statement prepared and submitted by the Parish Council. DC has also considered government guidance, in particular, the Planning Practice Guidance (PPG) on 'updating a neighbourhood plan'. PPG Reference ID: 41-106-20190509 summarises the three types of modification that can be made to a neighbourhood plan. These are:

- (i) Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order;
- (ii) material modifications which do not change the nature of the plan or order would require examination but not a referendum.; and
- (iii) material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

DC note that the Plan period remains the same, and that the plan does not identify any new development allocations. Some site allocation policies have been deleted as their envisaged development is complete. One site allocation has had a minor alteration to the allocation boundary (Whitepit Farm Buildings) in order to align with the physical site boundary. While the Plan does not have a vision or objectives, there is a section called "The focus of this plan – what it aims to achieve" (page 2). Paragraph 1.08 provides a list of what might be considered objectives that the plan focuses on. These are largely the same, however, the new Plan contains an additional item regarding protecting and enhancing Shillingstone's historic environment. The new Plan identifies two new Local Green Spaces, and it makes a number of changes to various other policies (as discussed above). Some of the policies have changed quite significantly, such as Policy 2. There have been a lot of changes made to the supporting text, but these are considered minor in nature and largely provide factual updates and other improvements. In conclusion, while there have been a large number of changes, DC's view is that none of the proposed modifications are so significant or substantial as to change the nature of the Plan.

Having assessed all the written documents submitted, including the representations and relevant statements, I am content that the modifications proposed in the draft Plan are material but do not change the nature of the made Plan. Therefore, the examination can proceed under the terms of

Schedule A2. As a consequence, should I recommend that the draft Plan be made (with or without examiner modifications), a referendum stage will not be a necessary part of the statutory process.

3. Site Visit

I intend to visit the Neighbourhood Plan Area during this (week beginning 3 August 2026), which will assist in my assessment of the draft Plan, including the issues identified in the representations.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

4. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should I consider there are exceptional reasons for doing so.

5. Further Clarification

I have 3 questions seeking further clarification, which I have set out in an Annex to this letter. I would be grateful if you can seek to provide written responses by **Tuesday 18 August 2026**.

6. Examination Timetable

As you will be aware, the intention is to examine the draft Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within 6-8 weeks of submission of the draft Plan.

However, in the event that I have further questions seeking clarification as a result of my site visit, I will need to provide you with additional time to reply. Should this arise, please be assured that I will seek to mitigate any delay as far as is practicable. The IPe office team will keep you updated on the examination and, in due course, the delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter is placed on the SPC and DC websites.

Thank you in advance for your assistance.

Yours sincerely

Andrew Mead

Examiner

ANNEX

From my initial reading of the Shillingstone Neighbourhood Development Plan Review, the supporting evidence and the representations that have been made to the Plan, I have the following questions for Dorset Council and Shillingstone Parish Council. I have requested the submission of responses by **Tuesday 18 August 2026.**

Where I am requesting additional clarification, suggested text and similar, this is with a view to informing the specific terms of any relevant examiner modification(s) that I may recommend. Accordingly, all of the points set out below flow from the requirement to satisfy the Basic Conditions.

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*
> - *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?

[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.

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?

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?