

HAZELBURY BRYAN NEIGHBOURHOOD PLAN 2018 to 2031

North Dorset District Council is satisfied that the Hazelbury Bryan Neighbourhood Plan 2018 to 2031 as modified meets the basic conditions, is compatible with the Convention rights and complies with the definition of a neighbourhood development plan.

A referendum will therefore be held on 7 February 2019.

Background

The Hazelbury Bryan Neighbourhood Area was designated in October 2016 in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012 (the 'Regulations'). The relevant body is confirmed as the Parish Council and the designated neighbourhood area covers the same area as the area of the Hazelbury Bryan Parish Council.

In July 2018, Hazelbury Bryan Parish Council submitted its draft neighbourhood plan and supporting material to North Dorset District Council. The District Council was satisfied that the documents submitted met the requirements of Regulation 15 of the 'Regulations'. The Parish Council was notified of the District Council's conclusion and informed that the plan could proceed to examination.

The submitted documents were made available for consultation from 10 August to 21 September 2018, and an independent examiner, Mr David Kaiserman BA DipTP MRTP, was appointed to examine the Plan. The examiner's report was received on 21 November 2018.

In summary, the examiner's report concluded that the Hazelbury Bryan Neighbourhood Plan 2018 to 2031 would meet the basic conditions and other legal requirements, subject to the modifications as set out in Appendix A of this decision statement.

North Dorset District Council considered each of the recommendations and modifications contained in the examiner's report at its Cabinet meeting on 10 December 2018. In considering the conclusions of the independent examiner, the District Council agreed that the legal requirements and basic conditions had been met. The Schedule of Changes agreed by the District Council's Cabinet, including the Examiner's recommended modifications, is set out in Appendix A of this document.

The council is therefore satisfied that the plan as amended...

- (i) meets the basic conditions (as set out in Schedule 4B to the Town & Country planning Act 1990); and
- (ii) is compatible with the Convention rights (within the meaning of the Human Rights act 1998); and
- (iii) complies with the provision concerning Neighbourhood Development Plans made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004, and

...can now proceed to a referendum.

The area covered by the Hazelbury Bryan Neighbourhood Plan 2018 to 2031

The neighbourhood plan area covers the area of Hazelbury Bryan Parish Council only.

Details of the Neighbourhood Plan Referendum

The independent examiner considered that it was appropriate for the referendum to be held over the neighbourhood area.

The referendum will therefore be held over the neighbourhood area, being the same area as the area of Hazelbury Bryan Parish Council. In accordance with The Neighbourhood Planning (Referendums) Regulations 2012, as amended, the referendum for the Hazelbury Bryan Neighbourhood Plan 2018 to 2031 will be held on 7 February 2019 and information about it will be published on the District Council's website and made available for inspection no fewer than 28 days before the referendum.

Where to find more information...

Copies of this decision statement, the examiner's report and the neighbourhood plan can be viewed online via [Local planning policy North Dorset - dorsetforyou.com](http://dorsetforyou.com) and at the District Council's Offices, South Walks House, Dorchester DT1 1UZ (8.30am to 5.00pm Monday to Thursday and 8.30am to 4.30pm on Friday).

APPENDIX A

Schedule of Changes (incorporating the Examiner's Recommendations)

HBNP Reference	Examiner's Report Paragraph	Examiner's Recommendation	Proposed change
General	n/a	n/a	Amend references from "Submission Draft" to "Final Version" and amend date to November 2018.
General	32	One or two of the plans could be made somewhat clearer – especially the way the numbering is handled in Figures 7 and 11 and the policies map (un-numbered) and <i>I recommend that this be considered for the final version of the Plan.</i>	Clearer plans to be produced for inclusion with NDDC support as necessary, subject to resources allowing.
Policy HB1	52	<i>I recommend that the preamble to the policy read: "Development should respect and, wherever practicable, enhance local landscape character....".</i>	Amend first sentence of Policy HB1 to read "Development should respect and, where practicable, enhance..."
Policy HB2	53	<i>I therefore recommend that policy HB2 be re-titled "Protecting and enhancing local biodiversity", and that the opening words of the policy itself should read "Development should protect and, wherever practicable, enhance biodiversity through an understanding....."</i>	Amend HB2 title to "Protecting and Enhancing Local Biodiversity" and amend first sentence of Policy HB2 to read "Development should protect and, wherever practicable, enhance ...". Make consequential changes to contents page
Policy HB13	61	<i>I therefore recommend that, as well as dealing with the development management approach to proposals within the defined gaps between the settlements, the policy states that infill development will be acceptable in principle within the four hamlets of Kingston, Wonston/Pleck, Pidney and Partway, subject to the criteria referred to in paragraph 7.47 (expanded as considered appropriate). For the avoidance of any doubt, the opportunity should also be taken to explain clearly what the attitude to infill would be within Woodrow, Droop and Park Gate.</i>	Amend first sentence of 7.50 to read "... (with no settlement boundaries defined for Woodrow, Droop or Park Gate due to their comparatively small and scattered and outlying nature due to their comparatively small and scattered and outlying nature where infill development would not be appropriate)" to further clarify the attitude to infill development in these locations. Add further sentence to end of second paragraph of HB13 "Infill development will be acceptable in principle within the settlement boundaries of the four hamlets of Kingston, Wonston/Pleck, Pidney and Partway, subject to consideration of site specific issues and achieving safe access and good design."

HBNP Reference	Examiner's Report Paragraph	Examiner's Recommendation	Proposed change
Paragraph 7.51 / Figure 11	68	There is a discrepancy between paragraph 7.51 of the Plan (which says that the settlement boundaries have not been re-drawn in order to reflect the green field site specific allocations) and Figure 11 (which appears to show the opposite). NDDC suggest the deletion of paragraph 7.51; in my view, there is a rather stronger argument for retaining it and re-drawing the boundaries in Figure 11 instead. <i>I am content to leave the decision on this choice to the working group, but recommend that the anomaly be removed.</i>	This paragraph was necessary when the reserve site 20 was shown, but is no longer applicable as the settlement boundary was amended to include only remaining greenfield site (a single plot adjoining The Retreat). The two main housing allocations are brownfield sites which were already within the settlement boundary. It would not be appropriate to include a settlement boundary in regard to the employment plus site manager allocation at King Stag Mill. Nor is there any desire to amend the boundary in relation to the outline application that gained recent approval due to the lack of a 5 year housing supply and would not have been supported under the Neighbourhood Plan policies. Delete para 7.51.
8.4 and 8.9	n/a	n/a	The Cerne Abbas Surgery is no longer holding weekly surgeries in the village hall. Amend second sentence of 8.4 to read "The Cerne Abbas Surgery Practice has a growing number of patients from the Village, and provides a drop off dispensing service through The Red Barn twice a week." And delete ", including the doctor's surgery" from 8.9.
Paragraph 9.1 / Table 5	12	Table 5 of the Plan notes that a further eight dwellings have been built since then, and 30 more have received planning permission; however, the introduction to paragraph 9.1 states that six houses have been built since the census, not eight). <i>I recommend that this small discrepancy be corrected.</i>	The situation is as per the list under para 9.1 as built, with 9 dwellings built and 1 dwelling demolished, giving a net gain of 8 dwellings. Amend second sentence of 9.1 to read "As of May 2018, a further 8 dwellings have been built (net)..." Amend final row of Table 5 to read "Housing need requirement to 2031 (on sites yet to be identified) About 14 dwellings".
Policy HB15	45	<i>I therefore recommend that the words "up to" be removed from the policy wording, and that the figure "56" is substituted for "52".</i>	Amend first sentence of Policy HB15 to read "Provision is made for 56 dwellings to be built in Hazelbury Bryan between 2018 and 2031..."

HBNP Reference	Examiner's Report Paragraph	Examiner's Recommendation	Proposed change
Para 10.4	67	<i>I therefore recommend that no change be made to the boundaries of the defined gap between Wonston/Pleck and Partway, but that the second sentence of paragraph 10.4 be deleted.</i>	Delete second sentence of paragraph 10.4.
Policy HB20	91	<i>I therefore recommend that the second sentence of policy HB20 be deleted.</i>	Delete second sentence of Policy HB20.
Policy HB22	93	<i>I therefore recommend that the phrase in brackets be amended to read: "... (with new dwellings normally being required to provide a minimum of two parking spaces within their grounds....)".</i>	Amend first sentence of Policy HB22 to read "Development should include sufficient off-road parking to meet anticipated need (with new dwellings normally being required to provide a minimum of two parking spaces within their grounds ...)".