

CHICKERELL TOWN NEIGHBOURHOOD PLAN 2019 to 2036

Dorset Council is satisfied that the Chickerell Town Neighbourhood Plan 2019 to 2036, 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. The date of the referendum is to be confirmed.

Background

The Chickerell Neighbourhood Area was designated in August 2016 in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012 (the 'Regulations'). The relevant body is confirmed as Chickerell Town Council and the designated neighbourhood area covers Chickerell civil parish.

In May 2020, Chickerell Town Council submitted its draft neighbourhood plan and supporting material to Dorset Council. Dorset Council was satisfied that the documents submitted met the requirements of Regulation 15 of the 'Regulations'. The Town Council was notified of Dorset Council's conclusion and informed that the plan could proceed to examination.

The submitted documents were made available for consultation from 21 August to 16 October 2020, and an independent examiner, Mr David Hogger BA MSc MRTPI MCIHT, was appointed to examine the Plan. The examiner's report was received on 6 January 2021.

In summary, the examiner's report concluded that the Chickerell Town Neighbourhood Plan 2019 to 2036 would meet the basic conditions and other legal requirements, subject to his recommended modifications as set out in the Appendix of this decision statement.

Dorset Council considered each of the recommendations and modifications contained in the examiner's report. In considering the conclusions of the independent examiner, Dorset Council agreed that the legal requirements and basic conditions had been met. The final version of the neighbourhood plan agreed by Dorset Council includes the examiner's recommended modifications as set out in Appendix A of this document.

Dorset 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 Chickerell Town Neighbourhood Plan 2019 to 2036

The neighbourhood plan area covers Chickerell civil parish 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 parish of Chickerell.

In accordance with Regulation 13 of The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, the earliest date the referendum can be held is 6 May 2021. However, as this is an ongoing pandemic, the legislation may be amended or revoked in response to changing circumstances.

When a date for the referendum is decided then information about it will be published on the Council's website and made available for inspection no fewer than 28 days beforehand.

Where to find more information...

Copies of the specified referendum documents including this decision statement, the examiner's report and the neighbourhood plan can be viewed online at www.dorsetcouncil.gov.uk/chickerell-neighbourhood-plan

APPENDIX A

Examiner's Recommendations

Below are the recommendations and modifications taken from the Examiner's report.

Note: Deletions are shown in ~~strike through~~ and additions in **bold**.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Page 2 Paragraph 1.13	Delete the first sentence and replace it as follows: With a Neighbourhood Plan in place, Chickerell Town Council will be given 25% of the money collected from developers through the Community Infrastructure Levy. When the Chickerell Neighbourhood Plan is made, planning applications approved after that date will contribute 25% of the CIL (Community Infrastructure Levy) money received to Chickerell Town Council (with the exception of self-build proposals).
PM2	Page 4 Paragraph 2.2	Modify the second sentence of paragraph 2.2 to read: The settlements within the Neighbourhood Plan area can be defined as includes:
PM3	Page 4 Paragraph 2.2	In the sixth point insert Part of in front of The Fleet and Heritage Coast.
PM4	Pages 4/5 Paragraph 2.1	Introduce a new Map into the document that clearly identifies the Dorset AONB and the Heritage Coast within the Parish (subsequent maps to be renumbered).
PM5	Page 10 Map 3	Remove grassed areas at Fisherman's Close, Marshallsay Road and May Terrace Gardens from Map 3.
PM6	Page 10 Map 3	Extend the site allocation at Montevideo House (as shown on Map 3) to reflect that land which now has planning permission and also to exclude all the permitted site from the wildlife corridor designation.
PM7	Page 10 Paragraph 4.2	In the first sentence, regarding the number of listed buildings, replace 10 by 8 and 7 by 6 .

PM8	Page 11 Paragraph 4.6	In last sentence replace A with E (use class).
PM9	Page 11 Policy CNP 1	Amend first sentence of policy CNP 1 to read: Within the defined local retail centre in East Street (as identified on Map 4), retail and other A E class, or similar sui generis uses appropriate to a local centre will be supported.
PM10	Page 12 Policy CNP 1	Modify introductory sentence in the policy at the top of page 12 to read: Development proposals to improve the provision of community facilities (including those listed below and shown on Map 3) will be supported, and . e Every effort should be made to work with the local community and relevant authorities to investigate potential solutions to avoid any the loss of any of the following facilities:
PM11	Page 14 Policy CNP 2	Modify the text preceding the list of the designated LGSs as follows: The following areas (as shown on Map 3) are designated as Local Green Spaces, and, other than in very special circumstances, no inappropriate development will be permitted that would harm their reason for designation:
PM12	Page 15 Paragraph 4.19	Modify last sentence to read: The site allocation is limited to the area on which caravans have been lawfully sited (as at January 2020), and does not include the undeveloped grounds to the rear. can lawfully be sited (including the area permitted under planning application WD/D/19/001358).
PM13	Page 15 Paragraph 4.20	In the penultimate sentence replace are with could be considered to be..
PM14	Page 16 Policy CNP 3	Modify last sentence to read: Any proposal must demonstrate that there are no direct or indirect negative impacts on the internationally designated wildlife sites and associated protected species that cannot be appropriately mitigated , in accordance with policy ENV2 of the Local

		Plan.
PM15	Page 16 Paragraph 4.26	Modify last sentence of paragraph 4.26 to read: Great care will be needed in the design of this route in order to ensure that this new road does not create a significant barrier for many species. its impact on wildlife is minimised. The wildlife corridor should not be seen as an insurmountable impediment to providing a new road connecting the Chickerell Link Road with School Hill (LP policy CHIC2) and indeed the Town Council considers this link to be much needed.
PM16	Page 17 Policy CNP 4	Modify the last sentence of the policy to read: Development that would significantly detract from this function will be resisted. Add a new sentence to read: The impact of any development required for the delivery of the Chickerell link road should not result in any significant adverse consequences which cannot be successfully mitigated.
PM17	Page 20 Policy CNP 5	Up-date the first sentence of the policy by replacing A class by E class.
PM18	Page 20 Paragraphs 6.4 and 6.5 and policies CNP 5 and CNP 6	All references to the school should be: Budmouth Academy Weymouth
PM19	Page 20 Paragraph 6.5	Delete the last sentence in paragraph 6.5: Any undeveloped land adjoining the School should be reserved for such a purpose whilst recognising the areas ecological and landscape value given its proximity to the Heritage Coast and the Fleet. Replace with: The land within the grounds of the Budmouth Academy Weymouth is safeguarded for school/community use under policy CNP 5 and policy CNP 6

		seeks to safeguard the adjoining undeveloped land to the west (as shown on Map 6) for further education and sporting facilities, whilst recognising the area's ecological and landscape value.
PM20	Page 21 Policy CNP 7	<p>Modify the policy text preceding the list of the designated LGSs as follows:</p> <p>The following areas as shown on Map 6 are designated as Local Green Spaces, and, other than in very special circumstances, no inappropriate development will be permitted that would harm their reason for designation:</p> <p>In the first sub-section delete 'planned':</p> <p>The planned open spaces</p>
PM21	Page 22 Paragraph 7.4	<p>Modify the third sentence of the paragraph:</p> <p>Although not actively being promoted through this Neighbourhood Plan (in the absence of any identified local need), In light of the adjacent warehouse site being developed for housing, it is accepted that the site is probably suitable for some limited residential development.</p> <p>Insert a new sentence to follow:</p> <p>However, the site has not been included as an option in the earliest draft of the Dorset Local Plan, and, in the absence of any identified local need, is not proposed through this Neighbourhood Plan.</p> <p>Delete the last 3 sentences of paragraph 7.4:</p> <p>If accepted through the Dorset Local Plan, the town Council will ask that any development in this location should be limited to a single line of housing fronting the road between the existing properties and the Value house development. This would ensure the wildlife inhabiting the Fleet side of the site (e.g. wintering Short eared Owls) are afforded some protection by restricting access, and that the</p>

		development does not impinge into the wildlife corridor linking through to Little Francis. As this site will be viewed from the South West Coast Path any development should be appropriate to that setting, for example, Fleet historic coast guard cottage style and not flat roofed square blocks.
PM22	Page 22 Policy CNP 8	Modify the policy to read: The Wyke Regis E-W Wildlife Corridor (as shown on Map 5) forms includes an important wildlife corridor that runs through to Little Francis in Weymouth. Development that would significantly detract from this function will be resisted.
PM23	Page 22 Paragraph 8.2	Delete first section in parenthesis: (rather than simply adhering to the generic standards)
PM24	Page 23 Paragraph 8.3	Delete last sentence and insert new sentence: Based on the Local Plan policies, further caravan and camping in the Heritage Coast is unlikely to be supported. Planning applications for development relating to caravanning and camping in the Heritage Coast will be determined against Local Plan policy ENV1.
PM25	Page 23 Paragraph 9.4	Delete third sentence: Allowing further infill development outside of this boundary, including the extension of existing, caravan, mobile home and camping sites, should therefore be avoided whenever possible.
PM26	Page 23 Paragraph 9.4	In the penultimate sentence delete the word: also
PM27	Page 24 Policy CNP 9	Identify on the Policies Map the land to which this policy applies.
PM28	Page 24 Policy CNP 9	Modify the policy to read: Development within the Heritage Coast to the south side of the Coast Road in Chickerell (as shown on the Policies Map)

		<p>will be strictly controlled carefully assessed in recognition of the need to protect the landscape character and enjoyment of the Heritage Coast, including views across the area from the Coast Road (where it adjoins the Heritage Coast) and views from the south West Coast Path, and to avoid disturbance to protected species on The Fleet.</p> <p>All development proposals should protect, and where appropriate enhance the biodiversity of the countryside, the Heritage Coast and The Fleet. Where significant adverse impacts cannot be avoided, mitigation or compensation measures will be considered in the determination of planning applications in this area.</p>
PM29	<p>Page 24 Paragraph 10.5</p>	<p>Delete paragraph 10.5 except the first sentence which reads:</p> <p>A site off Radipole Lane adjoining Southill was identified in the Local Plan Review 2018 Preferred Options Consultation, for some 350 dwellings.</p> <p>Insert after the first sentence:</p> <p>Although not actively promoted through this Neighbourhood Plan in the absence of any identified local need, it is accepted in principle that this site could be developed. However, this is not a policy of the CNP.</p>
PM30	<p>Page 26 Policy CNP 10</p>	<p>Add an additional sentence to the policy to read:</p> <p>The impact of any development required for the successful delivery of the new road connecting the Chickerell Link Road with School Hill, should not result in significant damage to the landscape and wildlife corridors that cannot be successfully mitigated.</p>
PM31	<p>Contents page and page 27</p> <p>Page 30 Policy CNP 12</p>	<p>Add to the title of section 12 as follows:</p> <p>12 General Design Principles and Enhancing Biodiversity</p> <p>Modify first bullet point to read:</p> <p>The development of any site in excess of</p>

		<p>0.1 ha of a greenfield site</p> <p>Delete the second bullet point:</p> <p>The development of a brownfield site in excess of 0.1ha</p>
PM32	Page 33 Appendix A	Ensure that the wording of all the policies in Appendix A are modified in accordance with the recommendations in this Report.
PM33	Page 38 Appendix C	Ensure that all the definitions in the Glossary are up-to-date (e.g. as set out in Dorset Council's response to my Questions).
PM34	Map 3 (page 10) Map 4 (page 11) Map 5 (page 17) Map 6 (page 19) Policies Map (pages 31 and 32)	<p>Add the relevant policy numbers to the items in the Key.</p> <p>Add a Key to this Map.</p> <p>Add the relevant policy numbers to the items in the Key.</p> <p>Add the relevant policy numbers to the items in the Key and name the areas of Local Green Space</p> <p>Add the relevant policy numbers to the items in the Key and name the areas of Local Green Space.</p>
PM35	Page 2	<p>Add a new paragraph after 1.14, with the heading Monitoring to read:</p> <p>The Town Council will monitor the implementation of the policies in the CNP and keep under review the need for the CNP to be amended and updated. Policies in this document may be superseded by other Development Plan policies, such as those arising from the current preparation of the Dorset Local Plan, or by the emergence of new evidence. Where policies in the CNP become out-of-date, the Town Council, in consultation with Dorset Council, will decide how best to up-date the document.</p>