

# Decision Statement

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**On behalf of West Dorset District Council, 15 March 2016**

West Dorset District Council is satisfied that the Loders Neighbourhood Plan 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 5 May 2016.**

## Background

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The Loders Neighbourhood Area was designated in February 2013 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 Loders parish.

In June 2015, Loders Parish Council submitted its draft neighbourhood plan and supporting material to West Dorset District Council. The district council were satisfied that the documents submitted met the requirements of Regulation 15 of the 'Regulations'. The parish council were 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 25 September to 6 November 2015, and independent examiner Clare Wright was appointed to examine the Plan. The examiner's report was received on 6 January 2015.

In summary, the examiner's report concluded that the Loders Neighbourhood Plan would meet the Basic Conditions and other legal requirements, subject to the modifications as set out in Appendix A of this decision statement.

West Dorset District Council considered each of the recommendations and modifications contained in the examiner's report at its Executive Committee on 8 March 2016. In considering the conclusions of the independent examiner, the Council agreed that the legal requirements and basic conditions had been met.

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 Loders Neighbourhood Plan

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The neighbourhood plan area covers the parish of Loders only.

## Details of the Neighbourhood Plan Referendum

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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; the same area as the parish of Loders. The referendum for the Loders Neighbourhood Plan will be held on 5 May 2016.

## Where to find more information...

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Copies of this decision statement, the Examiner's Report and the Loders Neighbourhood Plan (as proposed) can be viewed online at [www.dorsetforyou.com/loders](http://www.dorsetforyou.com/loders) and in the district council offices at South Walks House, South Walks Road, Dorchester, Dorset, DT1 1UZ during standard opening hours (8.30am to 5pm Monday to Thursday and 8.30am to 4.30pm Friday).

*A copy of this statement is automatically sent to the parish council who submitted the plan and anyone who has asked to be notified of this decision.*

## Appendix A: Modifications / Recommendations from Examiner’s report

Below are the recommendations and modifications taken from the Examiner’s report along with the corresponding change proposed to the draft Loders Neighbourhood Plan. Text shown underlined is proposed to be inserted within the plan as submitted and text shown as ~~strikethrough~~ is proposed for deletion from the plan as submitted.

Examiners modification / recommendation	Proposed change to Loders Neighbourhood Plan
<p><b>Overarching change:</b></p> <p>The examiner suggested the insertion of text in each policy to establish that all policies in the plan should be considered as a whole rather than in isolation.</p>	<p>To remove the need for this addition to each policy, the neighbourhood plan group proposed the following addition to the introductory chapter:</p> <p><b><u>“Policy Priorities of the Loders Neighbourhood Plan and its Relationship to other Development Plan Documents and Policies.</u></b></p> <p><u>“The policies in this Neighbourhood Plan, together with the Local Plan, should be read as a whole. Often several different policies will be applicable to a single development proposal. Just because a development proposal accords with one policy does not mean that it will be acceptable. In reaching decisions, all the relevant plan policies, together with other material considerations, must be taken into account. Where there is ambiguity between the Local Plan and Neighbourhood Plan policies, the decision should follow the policy contained in the most recently adopted plan.</u></p> <p><u>“This Neighbourhood Plan reflects the strategic needs and priorities of the wider local area, as set out in the West Dorset, Weymouth and Portland Local Plan (2015). In the context of this neighbourhood, which is particularly sensitive to change, the over-riding objective in the Local Plan is the protection and enhancement of the outstanding natural and built environment, including its landscape, biodiversity and geodiversity, and its local distinctiveness.</u></p> <p><u>“The Local Plan defines development boundaries around the main towns and larger villages. These centres will be the focus for growth at a scale appropriate to the size of the settlement. Outside of the development boundaries development will be more strictly controlled.</u></p> <p><u>“The Local Plan did not include a defined development boundary, but noted that Loders and Uploders were settlements with a population of over 200 people, where the re-use of existing buildings may help to provide some growth potential. Away from existing settlements, the Local Plan makes clear that development opportunities will be more</u></p>

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	<p><u>limited to those activities that will help continue to support the rural economy or help in the long-term management of the countryside and its unique character.</u></p> <p><u>“The policies in this neighbourhood plan have been written to ensure that appropriate development is permitted in suitable locations, in terms of what is considered sustainable development for this area. The policies focus on supporting sustainable growth and protecting those features that are of particular national and local importance, and should be read in that context.”</u></p>
<p><b>Modification 1.</b></p> <p>Maps 4a and 4b are not clear enough. The boundaries are hazy and the view points in particular cause difficulty in identifying. This may be assisted by using standard graphic symbols such as those that close off the end of the viewpoint. This may result in larger inset maps and possible more maps.</p>	<p>The Parish and Council Officers will work together to review the maps within the Plan to improve their clarity</p>
<p><b>Modification 2.</b></p> <p>The names of the Important Gaps, Rural Views and Local Green Spaces need to be identified on the map. I suggest reference is made on the map that uses numbers against the list on the revised policy below, relating to the useful tables on pages 11 and 12.</p>	<p>The Parish and Council Officers will work together to review the maps within the Plan to improve their clarity</p>
<p><b>Modification 3.</b></p> <p>LNP E1: Include the names of the gaps, key rural views and Local Green Spaces. This will ensure the Policy is locally relevant and specific, providing local detail to</p>	<p><b><i>LNP Policy E1: Protection of Important Gaps, Rural Views and Local Green Spaces</i></b></p> <p><u>The landscape character of the area, the important gaps between built up areas, the rural views and local green spaces are given the highest priority in accordance with adopted Local Plan policy ENV1. Accordingly, development will be supported where it does not undermine the important landscape</u></p>

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<p>support delivery of the more generalised Local Plan Policies. To be helpful, I suggest alternative wording. There may be other ways of introducing the precision required.</p>	<p><u>character of the area in particular where:</u></p> <p><u>A. The gaps along the road fronts between the built-up areas (as identified on map 4) which are important in defining the distinctive character of each settlement, and the rural, non-built-up nature are conserved and enhanced. of these gaps will be supported. These gaps are identified on Map 4 and inset Maps 4a and 4b, and referred to as follows:</u></p> <p><u>A1. The open land separating Bradpole and Loders</u>  <u>A2. The meadows either side of the bridge at Yonderover, separating Loders and Yonderover</u>  <u>A3. The farmland separating Yonderover from Uploders</u>  <u>A4. The gap between Loders Cross and the start of the ribbon development on New Road, and the gap from the end of the ribbon development on New Road to Uploders</u>  <u>A5. The area of countryside between Uploders and Matravers, including the land around Upton Manor Farm and Perwen Farm</u>  <u>A6 The open land south of Matravers Farm forming the eastern approach to the village, as far as Vinney Cross and Folly Cottage</u></p> <p><u>B. Key rural views are respected and their enjoyment not infringed upon. The key rural views are identified on Map 4 and Inset Maps 4a and 4b, and referenced as follows: Development will respect and not infringe upon the enjoyment of key rural views (as identified on map 4).</u></p> <p><u>B1. Views of Boarsbarrow Hill glimpsed between buildings on the south side of Main Street through Loders, notably from</u></p> <ul style="list-style-type: none"> <li><u>– over the Court wall looking past the church</u></li> <li><u>– between Loders Hall and 31A Main Street</u></li> <li><u>– between 31B and 32 Main Street</u></li> <li><u>– the gaps on either side of the pub</u></li> <li><u>– the gap between the Barn House and the school</u></li> </ul> <p><u>B2. Views east and west from the open stretch around Yonderover Bridge</u></p> <p><u>B3. Views across Newhouse Farm to Boarsbarrow Hill</u></p> <p><u>B4. Views of Waddon Hill glimpsed between buildings on the north side of Main Street through Loders, notably from</u></p> <ul style="list-style-type: none"> <li><u>– the gaps either side of Church House Farm and</u></li> </ul>

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	<p style="text-align: center;"><u>Hinkham</u></p> <ul style="list-style-type: none"> <li>– <u>the gaps either side of 24A Main Street</u></li> <li>– <u>the gap between 18 and 19 Main Street</u></li> </ul> <p><u>B5. Views across the farmyard at Higher Yonderover Farm towards Waddon Hill</u></p> <p><u>B6. Views from the western end of Shatcombe across farmland to Loders and Waddon Hill</u></p> <p><u>B7. View of Waddon Hill across the rooftops from Purbeck Close in Uploders</u></p> <p><u>B8. Views of the extensive area of strip lynchets on the west side of New Road, as seen from along the continuous length of New Road</u></p> <p><u>B9. Views from the main lane across the gardens of Uploders Place to the open farmland beyond</u></p> <p><u>C. Local green spaces (as identified on map 4) have been identified as of particular local importance are protected, to the extent that no development will be permitted within them that would harm their green character and reason for designation. The Local Green Spaces are identified on Map 4 and Inset Maps 4a and 4b, and referenced as follows:</u></p> <ul style="list-style-type: none"> <li><u>C1. The parkland at Loders Court from the Churchyard to Loders Mill</u></li> <li><u>C2. Boarsbarrow Hill</u></li> <li><u>C3. Waddon Hill</u></li> <li><u>C4. The cemetery (including the allotments) at Highacres</u></li> <li><u>C5. Wooded area to the north of houses on Highacres</u></li> <li><u>C6. Playing field adjoining Wellplot</u></li> <li><u>C7. Croads Farm</u></li> </ul>
<p><b>Modification 4.</b> LNP Policy E2: Add text.</p>	<p><b><i>LNP Policy E2: Protection of Special Landscape and Historic Features</i></b></p> <p><u>Development will be supported where</u> <del>In considering development proposals,</del> the following features and their settings <del>should be</del> <u>are</u> retained:</p> <ul style="list-style-type: none"> <li>• the attractive river course with its mill leats and tributaries</li> <li>• the distinctive hill tops of Boarsbarrow Hill, Waddon Hill and Shipton Hill</li> <li>• the ancient field systems and medieval strip lynchets</li> <li>• the Bronze and Iron Age earthworks</li> <li>• the historic dry stone walls</li> <li>• the historic gardens at Loders Court and Uploders Place</li> </ul>

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	<ul style="list-style-type: none"> <li>• the surviving lime kilns adjacent to former small quarries</li> <li>• the network of rural paths and lanes, including ancient green lanes and drove roads, some in deep cuttings with hedgebanks</li> <li>• the former railway line with its major cuttings, embankments and overbridges</li> <li>• the mature trees in the larger gardens, the extensive groups of trees in the valley and well-established hedgerows (many of which are identified in the conservation area appraisal)</li> </ul>
<p><b>Modification 5.</b></p> <p>LNP Policy E3: Reorganise text.</p>	<p><b><i>LNP Policy E3: Protection of Wildlife Habitats</i></b></p> <p><u>Development proposals should, where relevant, take opportunities to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area, through (for example) providing buffer areas to protected habitats and including new biodiversity features within the development such as the erection of barn and little owl/kestrel/bat and garden bird boxes in suitable locations.</u></p> <p>On sites below the standard thresholds for a biodiversity appraisal, applicants <del>are encouraged to will</del> submit (as a minimum) an initial scoping / feasibility appraisal that identifies ecological aspects or considerations, where the proposed development site includes or is adjoining</p> <ul style="list-style-type: none"> <li>• a large, mature garden</li> <li>• mature trees</li> <li>• woodland</li> <li>• field or roadside hedgerows</li> <li>• river floodplain</li> <li>• meadow / species-rich grassland</li> <li>• orchard</li> <li>• agricultural barns and similar rural buildings.</li> </ul> <p><del>Development proposals should, where relevant, take opportunities to enhance biodiversity and contribute to wildlife and habitat connectivity in the wider area, through (for example) providing buffer areas to protected habitats and including new biodiversity features within the development</del></p>
<p><b>Modification 6.</b> page 16.</p> <p>LNP Policy E4: Endorse the</p>	<p><b><i>LNP Policy E4: To Protect and Enhance the Character and Appearance of the Area</i></b></p>

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<p>detailed approach of this Policy. Add the environmental considerations recommended by Dorset County Council and Environment Agency relating to sustainable construction, flooding and water use. Also modify wording to incorporate supporting documents.</p>	<p><u>New development must demonstrate how it responds to its context and the established character of the area in which it is located and take account of the Loders village design statement and Conservation Area appraisals.</u></p> <p><del>All proposals for built development</del> <u>Development proposals</u> (including new buildings and extensions / alterations to existing buildings) <u>will be supported where they are sympathetic</u> <del>should be in keeping</del> with adjacent buildings and <del>must</del> achieve a high quality of design, use of materials and appropriate detailing which reflect local distinctiveness, <del>the character of the Conservation Area</del> and respects the rural character of Loders Parish. In considering whether proposals achieve this requirement, particular regard should be paid <del>to the key characteristics of the settlements set out below:</del></p> <ul style="list-style-type: none"> <li>• the largely linear character of the historic settlement form, located close to the valley floor - development within the village tends to be single plot depth, set hard onto the street, with few front gardens and no kerbs or pavements,</li> <li>• the lack of any real, distinct centre, set against the interest provided by key landmark buildings</li> <li>• the wealth of listed and locally important unlisted buildings of different types and styles, and the understatement, informality, individuality and non-uniformity of many of the buildings,</li> <li>• the presence of stone boundary walls, although most boundaries are concealed and softened by vegetation,</li> <li>• the strong rural character provided by stone cottages and modest farm buildings. There are also a marked number of properties with gable ends at right angles to the road, associated with yards,</li> <li>• typical roof pitch and spans, with spans in general of about 6 metres, and pitch of 37.5 – 47.5 degrees (or steeper on thatch),</li> <li>• the predominant use of local Inferior Oolite limestone (a warm, honey-coloured sandy stone), thatch (West Dorset style), slate and clay tile roofs – and an overall unity to the settlements,</li> <li>• the interesting details, including porches (in keeping with the style and proportion of the buildings), lintels and quoins, ironwork, signs and date stones, old-style</li> </ul>



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	<p>wooden ‘finger posts’,</p> <ul style="list-style-type: none"> <li>• the predominance of timber doors and wooden casement window (with panes of equal size and inset) or wooden sliding sash windows (with slender moulded glazing bars and well-proportioned panes). Dormer windows are not in keeping with local character and should be avoided,</li> <li>• the conventional, well-proportioned chimney stacks,</li> <li>• the use of white-painted woodwork on nearly all houses (exceptions may be appropriate in the case of barn conversions),</li> <li>• the use of ‘soft, warm’ colours on exterior wall rendering,</li> <li>• the pointing of stone walling, which matches the colour of the stone and is rubbed flush or underflush,</li> </ul> <p><u>and be of sustainable design and construction to minimise the impact of climate change, including the use of permeable surfaces to minimise surface water run-off and minimise water use.</u></p>
<p><b>Modification 7.</b> Page 18 LNP Policy E5: Reword.</p>	<p><b><i>LNP Policy E5: Location of Development in relation to the Defined Development Boundary (DDB)</i></b></p> <p><u>Development will be supported within the defined development boundary that</u> <del>A defined development boundary</del> has been drawn around Loders and Uploders (see map 5). Any <u>new buildings development</u> (other than for farming and other land-based rural businesses, or associated rural workers’ housing) and associated land (such as gardens or parking areas) should be located within this development boundary. <del>Where circumstances (as referred to above in the supporting text) justify development outside the defined development boundary (such as in the case of rural exception sites) any new buildings should</del> <u>In exceptional circumstances new buildings may be allowed outside of this boundary, and in these circumstances where the need for new buildings is justified, they must</u> be well-related to <del>existing settlements / buildings</del> <u>the village</u> and sensitively designed to respect and enhance the character of the local area.</p> <p>The change of use of land to other forms of development such as caravan and camping sites, outdoor recreational or the provision of outdoor storage, that would have a noticeable detrimental impact on the attractive rural character of the countryside, will not be supported.</p>

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<p><b>Modification 8.</b> Page 19 LNP Policy C1</p>	<p><b>LNP Policy C1: Safeguarding Community Assets</b></p> <p><u>Development proposals that encourage the retention of community assets, as listed below, will be supported</u> <del>Community assets (as listed below) should be retained where possible,</del> and every effort should be made to work with the local community to investigate potential solutions to avoid any unnecessary loss of these valued facilities and services, and also to bring forward new assets such as a village shop. Proposals that would allow such facilities to modernise and adapt for future needs are encouraged.</p> <ul style="list-style-type: none"> <li>• St Mary Magdalene Church and graveyard</li> <li>• Loders Primary School</li> <li>• Loders Village Hall and associated parking</li> <li>• Loders Arms Public House and skittle alley</li> <li>• The Crown Public House, Uploders</li> <li>• Methodist Chapel, Uploders</li> <li>• Playing fields and playground with access from Well Plot</li> <li>• Parish cemetery</li> <li>• Allotments</li> </ul>
<p><b>Modification 9.</b> Map 6 Existing Built Community Assets must be revised to show precise outlines around sites comprising community assets.</p>	<p>The Parish and Council Officers will work together to review the maps within the Plan to improve their clarity</p>
<p><b>Modification 10.</b> LNP Policy H2: Rephrase to be more positive.</p>	<p><b>LNP Policy H2: Type and Size of Housing</b></p> <p><u>New housing will be supported where the</u><del>The</del> type and size of new housing <del>should reflect</del><u>reflects</u> the need for small homes of two or three bedrooms suitable for couples and individuals looking to downsize or as <u>homes for first time buyers</u><del>starter homes</del> suitable for individuals, couples and families, unless it is to provide for a known local affordable housing need.</p> <p>The substantial enlargement of existing homes through combination or extension into adjoining dwellings, potentially reducing the stock of more affordable, small scale homes, will not be supported.</p>
<p><b>Modification 11.</b></p>	<p><b>LNP Policy B1: Local Employment and Business</b></p>

<b>Examiners modification / recommendation</b>	<b>Proposed change to Loders Neighbourhood Plan</b>
<p>LNP Policy B1: Insert wording into second paragraph to be more precise, to offer greater certainty to developers and to take into consideration the concerns of WDDC in relation to NPPF 32 and the requirement for a detailed, contextual, approach as required by the local highways agency and the Parish Council.</p>	<p>The sustainable growth and expansion of new or existing local businesses will be supported where there is no requirement for road or junction alterations which will harm the distinctive rural character or amenities of the area.</p> <p>Support will be given to <del>Employment uses</del> <u>employment developments</u> which <del>can be</del> <u>are clearly demonstrated as being unlikely to substantially</u> <del>likely to</del> increase vehicle activity or large lorry movements on the small country lanes (and taking into account the traffic issues such as those highlighted in the neighbourhood plan), harm the rural character of the area, or cause harm to the living conditions and amenities of residents.</p> <p>Applications for change of use of redundant rural buildings or extensions to existing small businesses will be supported, subject to the above. Where existing buildings are modern or utilitarian in character (and do not make a positive contribution to local character), opportunities should be taken to improve the building's appearance.</p>
<p><b>Recommendation:</b> Page 4 – Remove duplicate text in final paragraph</p>	<p>The Village settlements of Loders, Uploders and Matravers <del>have developed along the waterline of the River Asker, in the folds of the surrounding hills which has promoted its linear characteristics. It has</del> a significant number of listed buildings...</p>
<p><b>Recommendation:</b> Page 6 Map 2 – For better legibility, increase size of map title and align to map orientation rather than at top of page. Consider making map title more obvious by including in a box, larger text or reversing out text in a colour block.</p>	<p>The Parish and Council Officers will work together to review the maps within the Plan to improve their clarity</p>
<p><b>Recommendation:</b> Page 9 – Enlarge the map to enable legibility.</p>	<p>The Parish and Council Officers will work together to review the maps within the Plan to improve their clarity</p>
<p><b>Recommendation:</b> Page 13 Map 4 – This is a very useful key map. As comments on Map 2.  This will also highlight the</p>	<p>The Parish and Council Officers will work together to review the maps within the Plan to improve their clarity</p>

<b>Examiners modification / recommendation</b>	<b>Proposed change to Loders Neighbourhood Plan</b>
existence of the larger inset maps.	
<p><b>Recommendation:</b></p> <p>Page 19 – Where the Qualifying Body considers this appropriate, add to the project list those areas highlighted through the consultation as being important to follow-up and to incorporate the non-land use items of mobile library and bus service removed from Policy C1.</p>	<p>The Parish Plan (2013) identified various projects that could further add to the vitality and sustainability of the community:</p> <ul style="list-style-type: none"> <li>• Village website</li> <li>• Environmental projects</li> <li>• Housing and development</li> <li>• Footpath maintenance</li> <li>• Village shop</li> <li>• Finding out about renewable energy</li> <li>• <u>Promotion of Broadband connections for local businesses and homes</u></li> <li>• <u>Promote a ‘dark skies’ parish</u></li> <li>• <u>Promote a mobile library</u></li> <li>• <u>Promote bus service</u></li> </ul>
<p><b>I recommend the Plan proceed to Referendum based on the Loders Neighbourhood Area as defined by West Dorset District Council in February 2013.</b></p>	<p><b>Recommendation welcomed</b></p>