

MILTON ABBAS NEIGHBOURHOOD PLAN 2019 to 2031

Dorset Council is satisfied that the Milton Abbas Neighbourhood Plan 2019 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. The date of the referendum is to be confirmed.

Background

The Milton Abbas Neighbourhood Area was designated in September 2015 in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012 (the 'Regulations'). The relevant body is confirmed as Milton Abbas Parish Council and the designated neighbourhood area covers Milton Abbas civil parish.

In December 2019, Milton Abbas Parish 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 Parish 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 31 January to 13 March 2020, and an independent examiner, Mr David Kaiserman BA DipTP MRTP, was appointed to examine the Plan. The examiner's report was received on 14 July 2020.

In summary, the examiner's report concluded that the Milton Abbas Neighbourhood Plan 2019 to 2031 would meet the basic conditions and other legal requirements, subject to his recommended modifications as set out in Appendix A 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.

The final recommendation states: "Consider the identification of a reserve site, for development in the event that there is a shortfall in meeting the housing requirement" (see Appendix A). The neighbourhood plan group and Milton Abbas parish council (as the qualifying body) agreed that the draft neighbourhood plan met the needs of the parish and therefore could proceed without a reserve site. Dorset Council separately considered the matter of whether a reserve site should be included in the plan. In particular, it noted that the examiner does not suggest that a reserve site is necessary in order for the plan to meet 'basic conditions' or any other legal requirement, and also that the parish council had given the matter due consideration and taken a vote. Since production of a neighbourhood plan should be led by the qualifying body (in this case, the parish council), Dorset Council sees no reason on this occasion to amend the plan to include a reserve site.

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 Milton Abbas Neighbourhood Plan 2019 to 2031

The neighbourhood plan area covers the parish of Milton Abbas 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 Milton Abbas.

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 Coronavirus is an ongoing pandemic, this 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/milton-abbas-neighbourhood-plan.

APPENDIX A

Examiner's Recommendations

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

Examiner's report paragraph	NP reference	Recommendation
66	MA1	<ul style="list-style-type: none">• Explain rationale behind settlement boundary• Include reference to figure 2 in second paragraph
67	MA2	<ul style="list-style-type: none">• Include reference to paragraph 122c of the NPPF• Re-word to make less prescriptive• Delete paragraph 6.27 of the supporting text
68	MA3	<ul style="list-style-type: none">• Minor presentational point about numbering
77	MA8	<ul style="list-style-type: none">• Minor amendment to third sentence
79	MA9	<ul style="list-style-type: none">• Delete last sentence
84	MA10	<ul style="list-style-type: none">• Adopt amended description of the site (site 5)
90	MA10-12	<ul style="list-style-type: none">• Consider the identification of a reserve site, for development in the event that there is a shortfall in meeting the housing requirement