

Bere Regis Neighbourhood Plan 2019-2034

Submission Version

A Report to Purbeck District Council on the Examination of the Bere Regis Neighbourhood Plan

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Executive Summary

My examination has concluded that the Bere Regis Neighbourhood Plan should proceed to referendum, subject to the Plan being amended in line with my recommended modifications, which are required to ensure the plan meets the basic conditions. The more noteworthy include –

- Clarify the purpose of the revised settlement boundary.
- Increase the extent of the SANG to 4.5 ha, includes now a trigger for its delivery and clarifies that any acoustic bund should be designed so as not to prejudice the function of the SANG.
- The removal of the Poole Harbour Nitrogen Mitigation policy as it duplicates existing policy.
- Amend the wording of the groundwater flooding policy.
- Amend the expectation of noise attenuation, to allow for alternative strategies rather than relying on a bund.
- Provide clarification to the affordable housing policy.
- Amend the extent of the Back lane and the Former School Site allocations and attach approximate housing numbers to each site.
- Remove a number of LGS designations and clarifying the objective of LGS policy.

The referendum area does not need to be extended beyond the plan area.

Introduction

1. Neighbourhood planning is a process, introduced by the Localism Act 2011, which allows local communities to create the policies which will shape the places where they live and work. The Neighbourhood Plan provides the community with the opportunity to allocate land for particular purposes and to prepare the policies which will be used in the determination of planning applications in their area. Once a neighbourhood plan is made, it will form part of the statutory development plan alongside the Purbeck Local Plan Part 1. Decision makers are required to determine planning applications in accordance with the development plan, unless material considerations indicate otherwise.
2. The neighbourhood plan making process has been led by Bere Regis Parish Council. A Steering Group was appointed to undertake the plan preparation. Bere Regis Parish Council is a “qualifying body” under the Neighbourhood Planning legislation.
3. This report is the outcome of my examination of the Submission Version of the Bere Regis Neighbourhood Plan. My report will make recommendations based on my findings on whether the Plan should go forward to a referendum. If the plan then receives the support of over 50% of those voting at the referendum, the Plan will be “made” by Purbeck District Council, the Local Planning Authority for the neighbourhood plan area.

The Examiner’s Role

4. I was formally appointed by Purbeck District Council in November 2018, with the agreement of Bere Regis Parish Council, to conduct this examination. My role is known as an Independent Examiner. My selection has been facilitated by the Neighbourhood Planning Independent Examiner Referral Service which is administered by the Royal Institute of Chartered Surveyors (RICS)
5. In order for me to be appointed to this role, I am required to be appropriately experienced and qualified. I have over 40 years’ experience as a planning practitioner, primarily working in local government, which included 8 years as a Head of Planning at a large unitary authority on the south coast, but latterly as an independent planning consultant. I am a Chartered Town Planner and a member of the Royal Town Planning Institute. I am independent of both Purbeck District Council and Bere Regis Parish Council and I can confirm that I have no interest in any land that is affected by the Neighbourhood Plan.
6. Under the terms of the neighbourhood planning legislation I am required to make one of three possible recommendations:
 - That the plan should proceed to referendum on the basis that it meets all the legal requirements.

- That the plan should proceed to referendum if modified
 - That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements.
7. Furthermore, if I am to conclude that the Plan should proceed to referendum, I need to consider whether the area covered by the referendum should extend beyond the boundaries of the area covered by the Bere Regis Neighbourhood Plan area.
 8. In examining the Plan, the Independent Examiner is expected to address the following questions
 - a. Do the policies relate to the development and use of land for a Designated Neighbourhood Plan area in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004?
 - b. Does the Neighbourhood Plan meet the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 namely that it specifies the period to which it is to have effect? It must not relate to matters which are referred to as “excluded development” and also that it must not cover more than one Neighbourhood Plan area.
 - c. Has the Neighbourhood Plan been prepared for an area designated under Section 61G of the Localism Act and has been developed and submitted by a qualifying body.
 9. I am able to confirm that the Plan does relate only to the development and use of land, covering the area designated by Purbeck District Council, for the Bere Regis Neighbourhood Plan, on 14th January 2013.
 10. I can also confirm that it does specify the period over which the plan has effect namely the period from 2019 up to 2034.
 11. I can confirm that the plan does not cover any “excluded development”.
 12. There are no other neighbourhood plans covering the area covered by the Plan designation.
 13. Bere Regis Parish Council as a parish council is a qualifying body under the terms of the legislation.

The Examination Process

14. The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or if a person has a fair chance to put a case.
15. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions.
16. I am satisfied that I am in a position to properly examine the plan without the need for a hearing.

17. I carried out an unaccompanied visit to Bere Regis and the surrounding countryside on 4th January 2019. This enabled me to familiarise myself with the plan area.
18. Following my site visit and my initial assessment of the plan, I had a number of matters on which I wished to receive further information, both from the Parish Council and the District Council. That request was set out in a document entitled *Initial Comments of the Independent Examiner* dated 16th January 2019. I received a comprehensive response in a document, sent to me by Purbeck District Council, on 1st February 2019. I subsequently contacted the Parish Council regarding the implications of the need to provide a larger area of Suitable Alternative Natural Greenspace known as SANG, as required by Natural England. The initial response was that the larger SANG would reduce the housing site to 1.5 ha and the density could be increased to 39 dph, as well as including the proposed site access in the allocation, which could have accommodated an additional 3 or 4 dwellings.
19. As that would have implications for the land owner, I felt a need to explore in greater detail, the issue of the size of the SANG and the extent of the noise bund, as well as to seek the views of the landowners on the issue of the reduction in the site area and whether it affected the deliverability of the overall plan's housing requirements. I therefore issued another document entitled *Further Comments of the Independent Examiner*, dated 7th February 2019.
20. This prompted a round of meetings and discussions between the Parish Council, Purbeck District Council, Pro Vision - the agents for the landowner and Natural England who essentially agreed a common response, which was set out in a Statement of Common Ground (SOCG). This document was agreed between Bere Regis Parish Council, Purbeck DC and Natural England and I received a separate email from Pro Vision, both on 28th February 2019. All the documents have been placed on the respective websites. The document proposed an enlargement of the housing allocation to the west and made various suggestions for changes to a number of policies related to noise attenuation, as well as relating to the SANG.
21. As the plan has been submitted it is not possible for the Qualifying Body to change the plan but I am treating the proposed amendments as suggested recommendations that I could consider making.

The Consultation Process

22. Work on consulting residents started prior to the official designation of the plan area, following the Parish Council's decision made in 2011 to prepare a neighbourhood plan. An initial questionnaire was prepared and sent out in June 2012, dealing with issues such as housing, the village school, village facilities and highways/traffic. This received 55 responses but prompted the need for more detailed information to be provided. This led to a call for volunteers to help with the plan and a public presentation explained the role of neighbourhood planning, which was attended by 60 people in October 2012. 207 responses to this more comprehensive questionnaire were received and the results were reported back to the public in a public presentation.
23. Following the designation of the neighbourhood area, work on drafting the plan got underway, resulting in the preparation of a first draft plan. This was shared with residents during two information sessions held on September 2014, attended by a total of 57 people. In November 2014, another questionnaire was distributed to every household and a public meeting was held. Responses came from 181 households. Work proceeded in 2015 until early 2017 on refining the plan including consultations with the landowners and a public meeting held on 25 March 2017 gave an update on the work to date on the neighbourhood plan
24. All this consultation activity culminated in the preparation of the Pre-Submission Version of the plan, which was the subject of a six-week consultation, known as the Regulation 14, which ran from 23rd June to 4th August 2018. This resulted in 88 responses which was set out in Appendix I of the Consultation Statement

Regulation 16 Consultation

25. I have had regard, in carrying out this examination, to all the comments made during the period of final consultation, which took place over a 6-week period, between 15th October 2018 and 26th November 2018. This consultation was organised by Purbeck District Council, prior to the plan being passed to me for its examination. That stage is known as the Regulation 16 Consultation.
26. In total, 15 individual responses were received including a late representation from Historic England. 4 were received from or on behalf of local residents. The other organisational responses came from Natural England, SGN, Dorset County Council, and from Purbeck District Council, their Development Management Team, Economic Development Officer, and their Housing Officer, Health and Safety Executive, Highways England, Equalities and Human Rights Commission, and Pro Vision on behalf of the Charborough Estate.
27. I have carefully read all the correspondence and I will refer to the representations where it is relevant to my considerations and conclusions in respect of specific policies or the plan as a whole.

The Basic Conditions

28. The Neighbourhood Planning Examination process is different to a Local Plan Examination, in that the test is not one of “soundness”. The Neighbourhood Plan is tested against what is known as the Basic Conditions which are set down in legislation. It will be against these criteria that my examination must focus.
29. The five questions which constitute the basic conditions test, seek to establish that the Neighbourhood Plan: -
- Has had regard to the national policies and advice contained in the guidance issued by the Secretary of State and it is appropriate to make the Plan?
 - Will the making of the Plan contribute to the achievement of sustainable development?
 - Will the making of the Plan be in general conformity with the strategic policies set out in the Development Plan for the area?
 - The making of the Plan does not breach or is otherwise incompatible with EU obligations or human rights legislation?
 - Whether the making of the Plan would breach the requirements of Regulation 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017
30. During the course of this examination the Government issued a further revision to the National Planning Policy Framework. However, in accordance with the stipulation of Paragraph 214 of the 2019 NPPF, this examination has been carried out applying the policies in the 2012 version of the Framework.

Compliance with the Development Plan

31. To meet the basic conditions test, the Neighbourhood Plan is required to be in general conformity with the strategic policies of the Development Plan, which in this case is the Purbeck Local Plan, which was adopted on 13th November 2012. The Development Plan also includes five saved policies from the Mineral and Waste Local Plan, the Minerals Strategy and the Waste Local Plan. These latter documents are not relevant to the examination of a neighbourhood plan, as they cover “excluded development” which a neighbourhood plan cannot address.
32. The adopted Purbeck Local Plan has a housing requirement of a minimum of 2,520 for the period 2006-27. Bere Regis is identified as one of the District’s Key Service Villages, where development will be concentrated within the settlement boundary although the Plan does acknowledge the role of neighbourhood plans in amending these boundaries. That plan is identifying the

need for the village to deliver 50 houses, in two tranches, 25 in the period 2013 - 2017 and 25 between 2018 - 2022. The plan includes a range of other strategic policies of relevance to this plan including dealing with countryside, housing mix, and policies for the protection of European Protected Sites.

33. Purbeck District Council is currently working on a new draft Local Plan covering the period 2018 – 2034. This has been out to its Pre-Submission Consultation in the final quarter of 2018. That has a new housing requirement of 2,688 for the district over the plan period, equivalent to 168 dwellings per year. Policy H2 dealing with Housing Supply has an allocation for 105 homes to be built in Bere Regis on sites to be allocated by the neighbourhood plan.

Compliance with European and Human Rights Legislation

34. It was accepted at the start of the process, that as the plan was looking to allocate sites for 50 units which was considered a significant number of new houses, as per the adopted Local Plan a sustainability appraisal would be produced, as required by EU Directive 2001/42/EC which is enshrined into UK law by the “Environmental Assessment of Plans and Programmes Regulations 2004”. There was no formal screening opinion issued. A Scoping Report was prepared in 2013 and the Sustainability Appraisal was published in June 2018.
35. In terms of the Habitat Regulations, Purbeck District Council, as the competent authority, commissioned Footprint Ecology to carry out a Habitat Regulation Assessment, in view of the number of European protected sites in Dorset and in particular, because in relation to the Bere Regis plan area, there are 3 designations that either fall into or adjoin the parish, namely the Dorset Heathland SPA, Dorset Heath SAC and the Dorset Heathland Ramsar Site. The plan at that stage was proposing a SANG, some 5.5 ha in area and the report concluded on 22nd September 2017 that the plan is not likely to have significant effects on European protected sites.
36. In 2018 Footprint Ecology on behalf of Purbeck District Council were commissioned to review the Assessment in the light of recent European Court judgements and the fact that the SANG was now being proposed to be 4.5ha in area. That report issued as an Addendum similarly concluded that there were no additional impacts, that require further assessment. This consultants’ report has been formally agreed by the officer with appropriate delegated powers on behalf of the competent authority.
37. I am satisfied that the basic conditions regarding compliance with European legislation including the newly introduced basic condition regarding compliance with the Habitat Regulations are met subject to the addendum report being formally agreed by the Local Planning Authority as competent authority. I am also content that the plan has no conflict with the Human Rights Act.

The Neighbourhood Plan: An Overview

38. This plan has been developed around a strong vision and set of objectives for Bere Regis village and its parish.
39. The plan has been produced against a background of an evolving local plan context, and initially was required to allocate sufficient land for 50 units as per the adopted Local Plan but as work on the emerging local plan has proceeded, the housing numbers that the village has been expected to deliver has now increased to 105. I congratulate the Parish Council for positively responding to the changing strategic context and commend its approach to site identification, which it has carried out in a straightforward and objective manner.
40. The examination has led to some late changes, primarily prompted by the receipt of the Regulation 16 objection from Natural England regarding the size of the SANG. That wanted a round of discussions between the various key parties, including the landowner's representative, which appeared to have modified the aspirations of the Parish Council, particularly in terms of the noise bund and its aspirations for a separate construction access to the Back Lane site, coming off the A35, which was never likely to be financially viable or practical option.
41. The changes that the respective parties have recommended I make in my report as set out in the SOCG has been particularly helpful and I have been able to take most of the proposed modifications on board.
42. National guidance on the drafting of neighbourhood planning policy is that it should be "distinct to respond to the unique characteristics and the planning context of the specific neighbourhood area for which it has been prepared." It is therefore not necessary for a neighbourhood plan to be replicating policies in other parts of development plan. It was for this reason that I recommended that the Poole Harbour Nitrogen Mitigation policy be deleted.
43. The one area where I have had to recommend significant changes relates to the policy dealing with Local Green Space. The Parish Council has not, in my opinion, fully appreciated the Secretary of State's policy to confer the highest status of protection only to areas of particular importance to the community and it appears to have sought to extend it to most areas of public open space. Local green space designation is aimed at recognising those areas which have a special significance. As such it is not possible to recognise areas that may become important to the local community *in the future*. However, areas can still be protected as open space even if they do not have LGS. However areas can still be protected as open space even if they do not have LGS status.
44. It is important to recognise that it is the policies in the neighbourhood plan which will be used to determine planning applications, rather than the supporting text. I have therefore concentrated on the wording of the actual policies. It is beyond my remit as examiner, to comprehensively recommend editorial changes to the

supporting text. There will be a number of changes to the wording of the plan text that are likely to be required as a result of my recommendations, so that the plan will still read as a coherent planning document. There will also need to be changes to the numbering and also to the plans. I am grateful for the suggested changes to the wording of the accompanying text as set out in the SOCG and I am happy for these to be incorporated into the document.

38. Following the publication of this report, I would urge the Parish Council and Purbeck planners to work closely together to update the whole document, including supporting text and the maps, when producing the Referendum Version of the neighbourhood plan

The Neighbourhood Development Plan Policies

Policy BR 1: Settlement Boundaries

39. Bere Regis is identified in the Purbeck Local Plan Part 1 as a key service village and in Policy LD –General Location of Development, the policy states that new development should be concentrated within settlement boundaries. Bere Regis’s settlement boundary for the village was defined by that Plan. The neighbourhood plan has reviewed that settlement boundary and is proposing revisions which will affect the parts of the village where the policy applies. This includes changes to the boundary to include the residential allocation sites, the inclusion of Shitterton at the western end of the village and adjustment to boundaries generally.
40. The enlargement of the SANG will require an adjustment of the proposed settlement boundary to coincide with the plan shown on Map 2 of the SOCG which reduces the northern boundary of the Back Lane allocation.
41. I note that Purbeck’s draft local plan is not proposing to retain settlement boundaries, rather it refers to the building of “new homes that closely relate to the District’s existing towns and villages”. The wording of Policy BR1 does not define the purpose of the settlement boundary in policy terms and I have concluded, therefore, it will only serve a useful purpose where the existing local plan policies refer to development within, adjacent to or outside settlement boundaries.
42. I am satisfied that the review has been carried out in an objective and consistent basis, using explicit criteria and the changes are fully justified. I have paid particular attention to the Regulation 16 representation regarding land excluded from the settlement, but I am not satisfied that the case is made to include land which falls outside dwelling houses and gardens. The Parish Council has taken the decision to exclude employment areas from the settlement boundary, both in terms of the existing employment areas as well as for the proposed employment allocation site. I sought clarification for the rationale for that decision. The response was that the decision was taken based on a concern

that if the land fell inside the village envelope, there could be pressure for residential development on that land. I can accept that reasoning although local plan policies do protect employment land. I am satisfied that the policy does have a role, whilst there are local plan policies that rely upon having a settlement boundary.

43. The policy does meet the basic conditions except that the proposed boundary map is only identified, as part of the supporting evidence and it is vital that if the neighbourhood plan is to be used as a tool for decision-making that the map should be within the neighbourhood plan document itself.
44. I propose to make the purpose of the policy clearer, by clarifying that the purpose of the settlement boundary, which is to be used to define the spatial remit of policies in the local plan which refer to development within the settlement boundaries.

Recommendations

Replace the wording with “For the purposes of any development plan policy which refers to settlement boundaries, the settlement boundary for Bere Regis is shown on Map X (insert appropriate map number).”

Amend the proposed settlement boundary shown in SE 11(ii) to reflect the revised boundary of the Back Lane allocation site, as shown on Map 2 of the SOCG.

Incorporate the above map into the Neighbourhood Plan as Map X

Policy BR2: SANG

45. I have noted that initially Natural England had objected at Regulation 16 stage to the size of the proposed SANG (Suitable Alternative Natural Greenspace) and that following discussions the Parish Council has now accepted that the size should be 4.5 ha, rather than 3.9ha.
46. I have been provided with a revised size of the SANG which is shown in its entirety in Map 7 of the SOCG, which moves the southern boundary marginally closer to the village.
47. In terms of this policy, I consider that inclusion of the SANG is necessary to meet the requirements that new residential development should not have additional impacts on European protected heathlands, the closest of which is Black Hill.
48. I did question whether there should be a trigger within the policy for the provision of the SANG and all parties now agree that it should be on first occupation of any of the houses in the Back Lane allocation site.
49. I also enquired whether the SANG could perform its intended function if the noise bund were placed in this land and I sought confirmation that Natural England were satisfied with what was being proposed. I have now received that confirmation. The Parish Council has modified its requirements by being more flexible; a bund is no longer specified being replaced by any noise attenuation

proposals. The revised wording will allow for a bund to be situated in the SANG, provided it allows the SANG to serve its purpose i.e. should not have a height or profile that would deter the use for recreation, by virtue of the height and steepness of the bund.

Recommendation

Replace wording with “A Suitable Alternative Natural Greenspace (SANG) of approximately 4.5ha will be created as identified on Map X. The SANG must be available for use upon first occupation of the homes at Back Lane. If bunds are formed (See Policy BR5: Noise Attenuation), these may be located in the SANG but must not adversely affect the function of the SANG.

Amend the extent of the SANG as shown on Map 3, so as to reflect that shown on Map 1 of the SOCG.

Policy BR3: Nitrogen Mitigation

50. This policy merely repeats existing planning policy which already covers the plan area. This is set out in Policy BH of the adopted local plan and elaborated in the Nitrogen Reduction in Poole Harbour SPD. There is no local dimension to this policy, specific to Bere Regis and so there is no purpose for the neighbourhood plan merely to repeat policy, which is part of the existing development plan. Accordingly, I will be recommending that this particular policy be deleted.

Recommendation

That the policy be deleted.

Policy BR4: Bere Regis Groundwater

51. I do recognise that this is an important local issue and there are specific issues that relate to development in Bere Regis that the neighbourhood plan seeks to address. There is no value in having a policy which requires development to comply with another policy as the Local Plan flood risk and SUDS policy already covers the plan area. However, I have sought a form of wording that seeks to reflect the Parish Council’s objectives reflecting the local capacity of the sewerage system and issues of high groundwater. It does point to flood alleviation measures and use of sealed sewage systems and septic tanks could be acceptable in some situations. It is unreasonable for the policy to require every applicant to consult Wessex Water, the Lead Local Flood Authority, plus the Environment Agency before submitting a planning application, but early consultation could be encouraged within the supporting text.

Recommendation

Replace the wording with “Development will be only permitted where it not only meets Local Plan policies covering flood risk and SUDS, but also incorporates specific measures so as to not exacerbate groundwater flooding or flooding from sewers in the area. This may include incorporating, where required, sealed sewerage systems and the development should only rely upon septic tanks where ground water levels allow their effective operation.”

Policy BR5: Noise Attenuation

52. I was conscious of the traffic noise from the A35 during my site visit and I also have regard to the report from the acoustic consultants that provide evidence that an acceptable noise climate for the new residential properties can be created, if a 10m bund is created, in association with mechanical ventilation and double glazing of a specific specification. However, I understand from correspondence from the planning consultants acting for the land owners, that following discussions with the acoustic consultants who prepared the report that the necessity of a 10m bund may be a worst case scenario and that the site's topography and the relative level differences between the bypass, which is in a cutting, and the Back Lane site, may allow alternative attenuation measures to be put forward at planning application stage.
53. I draw comfort that this acoustic report was based on an actual noise survey conducted and that it does confirm that if a bund were to be erected then it would allow an acceptable living environment to be created. That gives me the confidence to confirm the allocation but I also accept that there could be other strategies to deal with noise, especially when a layout for the housing has been prepared. I will therefore be proposing that the policy achieves a scheme to be devised that achieves internal and external criteria noise levels which were set out in the report, namely that it meets the requirements set out in the BSI document *BS8233:2014: Guidance on sound insulation and noise reduction for buildings*.
54. The original submission referred to the bund being constructed using spoil from other development sites, in order to reduce lorry movements in the village. That did raise issues of the programming of development and the matter has now been resolved by the revised wording put forward in the SOCG.

Recommendation

Replace the policy with “Residential development at Back Lane must provide appropriate noise attenuation. SE13: Noise Impact Assessment demonstrates the possibility of achieving internal and external set out in the British Standards 8233:2014. The method of attenuation chosen for use can differ from SE13's recommendations provided it still complies

with the British Standards 8233:2014 or such equivalent publication that supersedes it.”

Policy BR6: Affordable Housing Tenure

55. The first element is a requirement that all residential development sites should deliver 40% affordable housing unless the scheme meets one of three criteria:
- “it is exempted by national legislation”. These matters are not covered by planning legislation, but by Secretary of State policy, which is set out in the NPPF and Planning Practice Guidance. However, these can be overridden by local plan policy where there is evidence to support a lower threshold.
 - it is “offset by development of affordable housing elsewhere” in Bere Regis village.
 - or the onsite provision is “offset by a financial contribution by the developer”. It is important that any financial contribution should be only accepted where it meets national guidance.
56. The quantum of affordable housing is set out already in local plan policy at 40%, but the neighbourhood plan is proposing a different tenure mix. I note that this revised mix is based on evidence of the existing local housing stock, as well as reflecting the aspirations of the local community. I consider that it is important that the policy defines the various forms of tenure namely “affordable housing for rent”, “discounted market sale homes” and quote “starter homes”. I will therefore be proposing to refer to the definitions set out in the Glossary to the revised NPPF. I note that following my question as to what is defined as a “key worker” that the Parish Council are suggesting that that reference be withdrawn, as it is not a criterion for the allocation of affordable housing in Purbeck.
57. I note that the Parish Council is agreeable to the deletion of the requirement that any offset affordable housing be dealt with by simultaneous applications. That is an unnecessary requirement as such matters, as the respective delivery of alternative offsite provision, can be dealt with via a Section 106 agreement.

Recommendation

Replace the first paragraph with “All residential development sites will be expected to deliver 40% affordable housing on site, unless exempted by Purbeck’s affordable housing policy, or is offset by the provision of affordable housing elsewhere in Bere Regis village, or the allocation is offset by an equivalent financial contribution from the developer as agreed by Purbeck District Council”.

Delete the second sentence of the second paragraph of the policy.

Insert at the end of the policy “All the above tenure types are as defined in the definition of affordable housing set out in the Glossary of the NPPF 2019.”

Policy BR7: Residential Allocations

58. I consider that the Parish Council has conducted an objective site selection process. The increase in the size of the SANG will alter the extent of the site area of the Back Lane allocation and this needs to be reflected in Map 3. However, under the agreed alternative allocation, agreed by the respective parties in the SOCG, the size of the land allocation can be maintained by a minor alteration to the boundary which includes land within the ownership of the Charborough Estate. I will refer to the substitution of the revised allocation boundaries as shown on Map 2 of the SOCG
59. I note that the Parish Council now wish me to consider including within the Former school site, the school buildings within the allocation site which are available and would be classed as previously developed land. I am happy to make that recommendation to make best use of brownfield sites. The allocations map will have to be amended accordingly.
60. The policy as submitted, does not give any indication as to the numbers of units each site will be expected to deliver. I consider that in order that the neighbourhood plan is shown to be able to deliver the quantum of development expected by the emerging Local Plan and therefore does not become out of date, it is necessary that the policy refers to the approximate number of units to be delivered by each site. The supporting text refers to precise actual numbers, but does not specify the size of dwellings being expected e.g. if the school site delivered 23 no 5 bed units that would comply with the policy but a scheme of 25 two and three units would not be acceptable. This would not then be delivering the type of housing the area needs to be delivering according to the Strategic Housing Market Assessment.

Recommendations

At the end of each bullet point insert

“Back Lane – to deliver approximately 50 homes

North Street- to deliver approximately 12 homes

Tower Hill - to deliver 3 homes

White Lovington – to approximately 12 homes

Former School site - (delete “including some land already inside the settlement boundary”) and insert “to deliver approximately 23 homes”.

Amend Map 3 to show the revised residential allocation boundary as shown on Map 2 of the SOCG and include the shaded area on Map 3 from the SOCG within the allocation boundary.”

Policy BR8: North Street Employment Area

61. I have no comments to make on this policy

Policy BR9: Community Facilities and Services

62. The first paragraph states that existing community facilities and services will be safeguarded through policies in the Purbeck Local Plan. That is unnecessary, as these local plan policies already apply but it could be included in the supporting text. This policy can properly deal with new amenities and services and it passes the basic conditions test.

Recommendation

Delete the first sentence of the policy.

Policy BR10: Local Green Space

63. The policy appears to misrepresent the status of local green space. (LGS). Advice set out in paragraphs 76 and 77 of the NPPF (2012) sets down the strict criteria for designation of what is the highest level of protection a green space can have. This policy states that LGS status “will not be appropriate for most green area or open space”. It should be restricted to the “areas of particular importance”. It goes on to say that development should only be used “... where the green area is demonstrably special to a local community, for example, because of its beauty, historic significance, recreational value (including as playing field), tranquillity or richness of its wildlife” -.

64. It is not necessary for that land to be in public ownership or to have public access. However, it is not appropriate for land to be proposed for the “future local green space” status. It is the neighbourhood plan that confers that status. LGS status is reserved that all those areas that are *already* special to the village, not areas that could become special in the future or will become areas of open space. Therefore, I propose to amend the wording of policy to refer to green spaces that are designated as Local Green Space. Any future review of the plan can revisit the designation of the areas if they pass the criteria at that time.

65. I cannot therefore recommend the designation of Area 9 (erroneously marked as Area 10 on the local green space map) as it is proposed for designation for “its *potential* recreational value”. However, I consider that Area 10 – the Elder Wood Extension already performs a role, which would qualify for LGS status in terms of its beauty and ecological value, in conjunction with the existing Bitchams Mead Green corridor.

66. I am not convinced that Area 7 meets the highest thresholds to warrant designation as local green space. It was initially described by the Parish Council as an “unremarkable area of rough grazing”. Equally I am not satisfied that the evidence justifies that Area 11 would be considered so special to the village at the present time especially as the front part of the site adjacent to Tower Hill is being allocated for housing. It may become important in terms of a future

pedestrian link to the Back Lane site, but I do not consider that this land currently meets the highest threshold for inclusion.

67. I will amend the policy and also include presumption against development except in exceptional circumstances, which reflects the Secretary of State's approach to LGS policy.

Recommendations

Replace the policy wording with: "The following sites, as shown on Map 5, are designated as Local Green Space, where development will not be allowed except in exceptional circumstances:

- **The Recreation Ground**
- **Green Space around the Church**
- **The Play Park**
- **"Podgers" and West Street green space**
- **Bitchams Mead green space and nature reserve**
- **Souls Moor SNCI and village nature reserve**
- **Elder Road Green Space**
- **Elder Road extension"**

Amend Map 5 to identify the above sites as Local Green Space, remove designation as Public Open Space and also Proposed Site for SANG from the map.

The Referendum Area

68. If I am to recommend that the Plan progresses to its referendum stage, I am required to confirm whether the referendum should cover a larger area than the area covered by the Neighbourhood Plan. In this instance, I can confirm that the area of the Bere Regis Neighbourhood Plan as designated by Purbeck District Council on 14th January 2013, is the appropriate area for the referendum to be held and the area for the referendum does not need to be extended.

Summary

69. The Parish Council has been working on this plan since 2011 and this examination marks a major milestone for the village. I commend all the hard work that has clearly gone in to producing a plan that is focussed and concise. It sets out planning policies covering matters that are important to the village

and allocates housing and employment land that will provide new homes and jobs for the future generations, but still protects what is an attractive village.

70. This is a locally distinct neighbourhood plan, which seeks to deliver on the expressed priorities of the residents of Bere Regis. The plan will provide a sound basis for dealing with planning applications in the parish in the next few years.

71. To conclude, I can confirm that my overall conclusions are that the Plan, if amended in line with my recommendations, meets all the statutory requirements including the basic conditions test and that it is appropriate, if successful at referendum, that the Plan, as amended, be made.

72. I am therefore delighted to recommend to Purbeck District Council that the Bere Regis Neighbourhood Plan, as modified by my recommendations, should now proceed to referendum.

JOHN SLATER BA(Hons), DMS, MRTPI

John Slater Planning Ltd

4th March 2019