

Cabinet

1 November 2022

Pimperne Neighbourhood Plan Review

For Decision

Portfolio Holder: Cllr D Walsh, Planning

Local Councillor(s): Cllr S Jespersen

Executive Director: J Sellgren, Executive Director of Place

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Report Status: Public

Brief Summary: The neighbourhood plan review has been subject to independent examination and the examiner has recommended that the Council should make (adopt) the plan with the modifications specified in his report (Appendix B). (The examiner has concluded that there is no statutory requirement for a referendum in this instance given the limited nature of the changes proposed to the plan). The purpose of this report is to formally make the plan review part of the development plan for use in planning decisions in the Pimperne Neighbourhood Area.

Recommendations: The following recommendations are made:

- a) That the Council makes the Pimperne Neighbourhood Plan Review (as set out in Appendix A) part of the statutory development plan for the Pimperne Neighbourhood Area.
- b) That the Council offers its congratulations to Pimperne Parish Council and members of the Neighbourhood Plan Group in producing a successful neighbourhood plan review.

Reason for Recommendations: To formally make the neighbourhood plan review part of the statutory development plan for the Pimperne Neighbourhood Area. In addition, to recognise the significant amount of work undertaken by Pimperne Parish Council and members of the Neighbourhood Plan Group in

preparing the plan review and to congratulate the Council and Group on their success.

1. Pimperne Neighbourhood Plan Review

- 1.1 The neighbourhood plan area for Pimperne was designated by North Dorset District Council in April 2014. Following significant amounts of consultation and research Pimperne Parish Council (the Qualifying Body) submitted the Pimperne Neighbourhood Plan 2016 - 2031, and associated documents, to North Dorset District Council in July 2018. The submitted plan was subject to consultation, independent examination and then a referendum. The referendum was held on 10 January 2019 and a majority of those who voted in the referendum voted in favour of the plan. Consequently, the neighbourhood plan was formally made by North Dorset District Council on 25 January 2019.
- 1.2 In May 2021, Pimperne Parish Council decided to review the made plan. A consultation exercise determined that local residents felt that there was no obvious need to amend the plan significantly, either by changing existing policies or adding new policies. Consequently, the changes proposed to the plan were fairly limited in nature. For further details regarding the changes proposed please see the Modifications Statement produced by Pimperne Parish Council which is available via the link set out at the end of this report.
- 1.3 The plan review, and its associated documents, were subject to formal consultation from 1 July 2022 to 12 August 2022. Dorset Council¹ subsequently made arrangements for an independent examination of the plan review as required by The Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.4 The examination was conducted by Andrew Mead BSc (Hons) MRTPI MIQ and his report on the plan was published on 27 September 2022. The Examiner's Report concludes that subject to three modifications the plan review should proceed to be made (adopted) by Dorset Council. (The examiner has concluded that there is no statutory requirement for a referendum in this instance given the limited nature of the changes proposed to the plan). The plan review, once made, will replace the existing Pimperne Neighbourhood Plan 2016 – 2031, which was made in January 2019, as part of the development plan for the Pimperne Neighbourhood Area.

¹ On 1 April 2019 the county's nine councils were replaced by two new organisations. Dorset Council became the local authority for the area previously covered by North Dorset District Council.

2. Financial Implications

- 2.1 Dorset Council is eligible to claim a grant of £10,000 after the revised plan comes into force following examination. This grant is intended to cover the costs associated with the Council's input into the production of the neighbourhood plan review including the costs associated with the examination.

3. Environmental Implications

- 3.1 The plan review has been prepared in accordance with national planning policy and guidance which seeks to deliver sustainable development through planning decisions including by improving biodiversity and mitigating and adapting to climate change.

4. Well-being and Health Implications

- 4.1 The plan review has been prepared in accordance with national planning policy and guidance which seeks to deliver healthy, inclusive and safe places.

5. Other Implications

- 5.1 The neighbourhood plan review will form part of the development plan for the Pimperne Neighbourhood Area alongside other current adopted plans including the North Dorset Local Plan Part 1 (2016). Planning applications, which will be considered by Dorset Council, will be determined in accordance with the development plan unless material considerations indicate otherwise.

6. Risk Assessment

Having considered the risks associated with the decisions, the level of risk has been identified as:

Current Risk: LOW

Residual Risk: LOW

- 6.1 A legal challenge could be made against the decision to make the Pimperne Neighbourhood Plan Review. Such a challenge could be made on the basis that the neighbourhood plan review, as modified, does not meet the basic conditions, is not compatible with the Convention rights or because it does not comply with the definition of a neighbourhood development plan. However, the independent examiner who examined the plan review has considered these matters in light of the consultation responses that have been made to the plan review. The Council has also considered these matters and is of the view that there is no basis for reaching a different view to the examiner.

7. Equalities Impact Assessment

- 7.1 Part of the independent examiner's role was to consider whether the neighbourhood plan review would breach, or otherwise be incompatible with any of the Convention rights within the meaning of the Human Rights Act 1998. No issues were raised by the examiner in this regard.

8. Appendices

Appendix A: Pimperne Neighbourhood Plan Review

Appendix B: Examiner's Report

9. Background Papers

Documents relating to the Pimperne Neighbourhood Plan Review can be accessed via the following webpage: <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/north-dorset/neighbourhood-planning/submitted-plans/pimperne-neighbourhood-plan>