

# Cabinet

15 October 2024

## Sturminster Marshall Neighbourhood Plan 2023 - 2033

### For Decision

**Cabinet Member and Portfolio:**

Cllr. S Bartlett, Planning and Emergency Planning

**Local Councillor(s):**

Cllr. W Chakawhata

**Executive Director:**

Jan Britton, Executive Lead for Place

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**Report Status:** Public (the exemption paragraph is N/A)

**Brief Summary:** The neighbourhood plan has been subject to independent examination and referendum. The purpose of this report is to formally 'make' (adopt) the Sturminster Marshall Neighbourhood Plan 2023 - 2033 part of the development plan for use in planning decisions in the Sturminster Marshall Neighbourhood Area.

**Recommendations:** The following recommendations are made:

- a) That the Council 'makes' the Sturminster Marshall Neighbourhood Plan 2023 - 2033 (as set out in Appendix A) part of the statutory development plan for the Sturminster Marshall Neighbourhood Area.
- b) That the Council offers its congratulations to Sturminster Marshall Parish Council and members of the Neighbourhood Plan Group for producing a successful neighbourhood plan.

**Reason for Recommendation:** To formally 'make' the Sturminster Marshall Neighbourhood Plan 2023 - 2033 part of the statutory development plan for the Sturminster Marshall Neighbourhood Area. In addition, to recognise the significant amount of work undertaken by the Parish Council and members of the

Neighbourhood Plan Group in preparing the plan and to congratulate the Council and the Group on their success.

## **1. Sturminster Marshall Neighbourhood Plan**

- 1.1 The neighbourhood plan area for Sturminster Marshall was formally designated by Dorset Council in April 2019. Following significant amounts of consultation and research Sturminster Marshall Parish Council (the Qualifying Body) submitted the Sturminster Marshall Neighbourhood Plan 2023 - 2033, and associated documents, to Dorset Council in January 2024.
- 1.2 The plan, and its associated documents, were subject to formal consultation from 19 January 2024 to 1 March 2024. Dorset Council subsequently made arrangements for an independent examination of the plan as required by The Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.3 The examination was conducted by Andrew Mead BSc (Hons) MRTPI MIQ and his report on the plan was published on 8 May 2024. The Examiner's Report concluded that subject to a number of modifications the plan should proceed to referendum.
- 1.4 Cllr Shane Bartlett (Portfolio Holder for Planning and Emergency Planning) decided on the 18 July 2024 that the examiner's recommended modifications should be incorporated within an amended version of the neighbourhood plan and that the amended plan should proceed to referendum. Furthermore, Cllr Bartlett decided that a recommendation to 'make' the Sturminster Marshall Neighbourhood Plan 2023 - 2033 should be made to a Cabinet meeting after the referendum if the result of the referendum was in support of making the plan and there are no other issues identified that would go against such a decision.
- 1.5 The Council held a referendum on 29 August 2024 with the area covered by the referendum being the Civil Parish of Sturminster Marshall. This is the same area to which the neighbourhood plan applies. In the referendum 404 people (92%) voted in favour of the plan with 37 people (8%) voting against the plan. The turnout was 28.9%.
- 1.6 Where a referendum results in more than half of those voting, voting in favour of the plan, the Council must 'make' the plan as soon as reasonably practical unless it considers that this would breach, or be incompatible with relevant environmental regulations or human rights requirements.

- 1.7 The Sturminster Marshall Neighbourhood Plan 2023 - 2033, as proposed to be 'made', is attached at Appendix A. More than 50% of those who voted in the referendum voted in favour of the plan.

## **2. Financial Implications**

- 2.1 In previous financial years, when a decision has been formally made to progress an original version of a neighbourhood plan (rather than a review) to referendum, Dorset Council has become eligible for a grant of £20,000 in respect of the plan. This grant has been intended to cover the costs associated with the Council's input into the production of the neighbourhood plan including the costs associated with the examination and referendum.
- 2.2 The Government has not yet announced what grant support will be available to local planning authorities during the 2024/25 financial year. However, it is hoped that the grant support that has previously been provided to local planning authorities will be made available during the 2024/25 financial year.

## **3. Natural Environment, Climate & Ecology Implications**

- 3.1 The neighbourhood plan 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. The independent examiner who conducted the examination of the plan considers that the plan contributes to the achievement of sustainable development.
- 3.2 As this report is pertaining to the Sturminster Marshall Neighbourhood Plan, there is no specific requirement for including a climate decision-wheel in this instance.

## **4. Well-being and Health Implications**

- 4.1 The plan 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 will form part of the development plan for the Sturminster Marshall Neighbourhood Area alongside other current adopted plans including the Christchurch and East Dorset Local Plan Part 1 – Core Strategy (2014). 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**

- 6.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: LOW

Residual Risk: LOW

- 6.2 A legal challenge could be made against the decision to 'make' the Sturminster Marshall Neighbourhood Plan 2023 - 2033. Such a challenge could be made on the basis that the neighbourhood plan 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 has considered these matters in light of the consultation responses that have been made to the plan. 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 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: Sturminster Marshall Neighbourhood Plan 2023 - 2033

Appendix B: Examiner's Report

## **9. Background Papers**

Documents relating to the Sturminster Marshall Neighbourhood Plan can be accessed via the following webpage:

<https://www.dorsetcouncil.gov.uk/w/sturminster-marshall-neighbourhood-plan>

## **10. Report Sign Off**

- 10.1 This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Portfolio Holder.