

# **Buckland Newton Neighbourhood Plan Examination:**

## *Response to issues raised prior to suspension of the examination*

**Report agreed by Buckland Newton Parish Council, 14<sup>th</sup> February 2017**

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## 1. Introduction

Following the withdrawal of the examiner from the Buckland Newton Neighbourhood Plan Examination in September 2016, the Parish Council were invited to consider withdrawing the Neighbourhood Plan to address the matters raised in the Examiner's letter of 27 July 2016. The three issues raised by the Examiner were

- 1) Concerns raised by about the process and conduct of Working Group members particularly around transparency, openness and conflicts of interest – which although outside the remit of the examination might need to be the subject of an investigation by West Dorset District Council
- 2) Concerns raised about the consultation statement and Regulation 14 period of consultation
  - a) whether the consultation statement submitted accords with the Regulation requirements ie:
    - contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
    - explains how they were consulted;
    - summarises the main issues and concerns raised by the persons consulted; and
    - describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.
  - b) whether the consultation that took place September / October 2015 was on the whole draft Plan or only the changes referred to in the Consultation Summary, and if this was on the whole Plan why is this was not regarded as the Regulation 14 consultation. And whether the Regulation 14 period of consultation has been carried out in accordance with the relevant Regulations i.e. a period of six weeks on a complete draft plan without any options in it.
- 3) Concerns regarding the dispute over land ownership of the 'Hountwell Pump'; as this type of issue should ideally be resolved before the Plan reaches examination.

In addition a number of clarification questions were raised by the Examiner, and these were responded to during July 2016

## 2. Process and conduct of Working Group members

Issues around transparency, openness and conflicts of interest were raised by about 10 parishioners during the Regulation 16 consultation. The points raised were primarily in relation to

- limited access to meetings and documentation / validation of results
- potential conflicts of interest within the working group
- possibility that consultations / questionnaires were selectively distributed

The following information is intended to address the points raised, in order to demonstrate that the Parish Council has sought to be transparent and open throughout the process of developing the neighbourhood plan.

### Access to meetings and documentation

At the beginning of 2011, Buckland Newton Parish Council decided to start on the preparation of a Community Plan for the parish, comprising a Parish Plan and, for those elements that had a land use dimension, a Neighbourhood Plan.

A Working Group was set up of both Parish Councillors and other Parishioners who were interested in taking part in this project. Although this did not have specific terms of reference, this was not raised as an issue given that any decisions taken would rest with the Parish Council. The Working Group meetings, led by Parish Cllr. John Baker and District Cllr. Jacqui Cuff, have always been open to all parishioners to participate.

The Parish Plan for Buckland Newton was completed in Autumn 2013 and approved by the Parish Council. The focus of the working group then switched to preparing and finalising the Neighbourhood Plan.

A total of nearly 40 parishioners and others have participated at some stage in these meetings and various offshoot “focus groups”. These are listed below:

John Baker PC  
Nick Baker  
Nicki Barker PC  
Paul Bongers de Rath  
Damian Brothers  
Janet Burnett  
Chris Burnett  
Alison Chant PC  
Jane Collins PC  
Jeremy Collins  
Andy Craig  
Jacqui Cuff DC

Rodney Cuff PC  
Lesley Docksey  
Andy Foot PC  
Charles Gorton  
Mark Hammick PC  
Chris Hildred  
Penny Horn  
Trevor Marpole PC  
Michael Moore  
Mark Needham PC  
John Nell  
Chris Osmond PC

David Oswald  
Brian Pace  
Maree Pollard  
Derek Sherry  
Cathy Shippey  
Tom Shippey  
Andrew Stone  
Sandie Stout  
Lin Townsend PC  
Stephen White  
Jane Willis

PC – Parish Councillor  
DC – District Councillor

### Other attendees:

Jo Witherden WDDC Planning/Planning Consultant  
Paul Derrien WDDC Housing Enablement  
Julian English POPP  
Emma Scott WDDC Community Development

Various preparatory work and documents were drawn up by a sub group comprising District Cllr. Jacqui Cuff, Parish Cllrs. Lin Townsend and John Baker, and our professional planning consultant Jo Witherden, in order to save time in Working Group meetings. These were circulated to the then current participating members of the Working Group in advance of the meetings, as a starting point for discussion and amendment.

Progress of the plan has been regularly reported in the village newsletter, the Lydden Vale News, as well as on the website [bncommunityplan.co.uk](http://bncommunityplan.co.uk).

The minutes of the meetings held since the autumn 2014 public consultation, where decisions were made concerning the contents of the draft neighbourhood plan, are all available on the neighbourhood plan website.

The Parish Council is subject to the Freedom of Information Act and as such is required to make available any documents under the prescribed requirements.

### **Conflicts of interest**

Concerns about conflicts of interest made by parishioners have in particular been in regard to Cllr John Baker who chaired the Neighbourhood Plan Working Group.

Cllr Baker has been a resident of this parish for over 40 years, a member of the Parish Council since May 2011 and had worked as a planning technician for over 15 years in various local authority planning departments. Given the above he volunteered to lead the work on the community plan, incorporating the neighbourhood plan. It was minuted at the May 2011 AGM that "Cllr Baker is to organise a meeting to discuss the drawing up of a Neighbourhood Plan for the Parish".

The potential for a perceived conflict of interest arises on two counts. For the last 7 years Cllr Baker has been a director, together with his son, of a company specialising in bespoke timber frames for houses, manufactured in an industrial unit in the parish. The company is not a property developer, and has no expectations in gaining work from the approval of the neighbourhood plan. Cllr Baker also owns the site adjacent to his house (Site J in the draft plan). He has always been open about this, and because he has said that he would like to move into a smaller retirement dwelling sometime in the future, which could be built on this plot if permitted, he has consistently declared his interest at both working group and Parish Council meetings. Additionally, when Site J has been discussed both John and his son Nick have been excluded from the meetings, and have played no part in the discussions or the decision to include it in the plan. Cllr Baker has not completed any of the questionnaires and surveys, and has not voted on any of the decisions made by the working group concerning housing site selection for the draft plan, these relevant meetings being chaired by District Councillor Jacqui Cuff. The minutes of the meetings held since the autumn 2014 public consultation, where decisions were made concerning the contents of the draft neighbourhood plan, are all available on the neighbourhood plan website [www.bncommunityplan.co.uk](http://www.bncommunityplan.co.uk), and clearly record that Cllr. Baker declared his interest. Cllr. Baker has also consistently declared his interest at all relevant Parish Council meetings, which are open to the public, amounting to 25 times up until January 2017. The minutes showing this are all openly available on the community website [www.bucklandnewton.com](http://www.bucklandnewton.com).

No other relevant landowner attended any of the working group meetings. Mr Derek Sherry did attend the Housing Focus Group surveys, but declared his interest and specifically did not comment on his own sites, except to answer questions from the rest of the group.

Given the written responses at the Regulation 16 consultation stage, Cllr Baker asked the District Council's Monitoring Officer to investigate the matter in order that a formal response to these possible allegations could be made. However in the absence of a complaint being made to the District Council, the Monitoring Officer has advised that no formal action can be taken. This is confirmed in the District Council's response to the Examiner dated 26 August 2016.

### **Possibility that consultations / questionnaires were selectively distributed**

In the course of preparing the Neighbourhood Plan, a number of consultations were run as outlined in the Consultation Summary and associated documents.

#### **2012 Public Consultation:**

One questionnaire was delivered by volunteers to each household. The front cover of the questionnaire stated "One questionnaire per household is being issued, but if you require additional copies please contact your local distributor named below". Several households requested additional copies and these were supplied. The contact details of the volunteer who distributed the questionnaire was included on the form, and a collection date given for the form to be picked up, with an alternative of leaving completed forms in the special Community Plan box at the Gaggles of Geese or the Old Chapel Stores.

#### **Autumn 2014 Public Consultation:**

The public consultation events were well publicised through posters and banners displayed in locations around the parish and copy in the Lydden Vale News and on the Neighbourhood Plan website [www.bncommunityplan.co.uk](http://www.bncommunityplan.co.uk). Comments forms were freely available at all the public consultation events and extra copies were available at the Old Chapel Stores. Comments were also received and included other than on the provided forms. For those unable to make any of the 8 display sessions, alternative arrangements were advertised to view the display in the Parish Room at other mutually agreeable times by contacting the chairman of the working group; a total of 4 people took advantage of this arrangement.

#### **May – July 2015 Statutory Public Consultation;**

Again the public consultation events were well publicised - flyers were delivered to every household with details of the public consultation events, banners were put up around the parish, and notices put in the village news. The event was advertised in the Blackmore Vale Magazine dated 22nd May 2015 and on its website [www.blackmorevale.co.uk](http://www.blackmorevale.co.uk) from the 22nd May until the 28th May. One comments form was delivered to all households on the reverse of the flyer, and additional copies were freely available at all the public consultation events and at the Old Chapel Stores, as well as on the website.

The only selective notification of parishioners undertaken by the Parish Council was in regard to the September–October 2015 supplementary consultation, where all the parishioners who submitted comments on the draft plan were individually notified of the proposed changes and asked if they wished to make further comments. However the

proposed changes also were put into the village news which went to every household, and were advertised on the website.

Confusion may also have arisen due to the Regulation 16 consultation carried out by West Dorset District Council in February-March, as the District Council made the decision to additionally write or send an email to all individuals who had responded to the May – July 2015 Statutory Public Consultation, as well the legal requirement to contact organisations and to publicise the event in an appropriate manner.



### 3. Consultation statement and Regulation 14 consultation

#### a) meeting the Regulation 14 requirements

The legal requirements in the 2012 regulations are that a consultation statement is a document which—

“(a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;  
(b) explains how they were consulted;  
(c) summarises the main issues and concerns raised by the persons consulted; and  
(d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.”

The document entitled “**Overview of the plan preparation process and Consultation Summary**” makes clear on the front cover that it provides information on how the plan was prepared, the details of those consulted, how they were consulted, the main issues and concerns raised, and how these concerns and issues have been considered and where relevant addressed in the proposed plan. It is accompanied by more detailed reports for each stage of the plan’s preparation, and altogether these form the Consultation Statement as required by the Neighbourhood Planning Regulations. So in this respect the more detailed reports referred to are equivalent to appendices. These were:

- **Report on Public Consultation Autumn 2012** (electronic filename 2012 Public Consultation for Buckland Newton Community Plan Area) – this relates to the 2012 Public Consultation section in the Overview report
- **Public Consultation Autumn 2014, Identification, Selection and Assessment of Potential Housing Sites & Report on Public Consultation** (electronic filename 2014 Public Consultation: Housing Sites Selection and PC Report) – this relates to the Housing site identification and the Autumn 2014 Public Consultation sections in the Overview report
- **Public Consultation Autumn 2014 Housing Needs Survey** (electronic filename 2014 Public Consultation: Housing Needs Survey) – this relates to the Housing needs survey section in the Overview report
- **Public Consultation Autumn 2014, Summary of comments and representations received** (electronic filename 2014 Public Consultation: Summary of Comments and Representations) – this relates to the Autumn 2014 Public Consultation section in the Overview report
- **Statutory Public Consultation on draft plan, May – July 2015, Responses to comments received** (electronic filename May - July 2015 Statutory Consultation: Responses to Comments received) – this relates to the May – July 2015 Statutory Public Consultation section in the Overview report
- **Statutory Public Consultation on draft plan, May – July 2015, Comments received by Policy** (electronic filename May - July 2015 Statutory Consultation: Comments received by Policy) – this relates to the May – July 2015 Statutory Public Consultation section in the Overview report

The following table is intended to demonstrate how the overview document and detailed reports meet the legal requirements.

<b>Legal requirement</b>	<b>Overview document</b>	<b>Additional notes</b>
Contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;	Identifies when parishioners were consulted and which specific organisations were contacted at the relevant stages	Parishioner names where given have not been provided in the documentation but are available to the Examiner on request
Explains how they were consulted;	Explains the format of the consultations used at each stage ie use of flyers, events, use of comments forms	The detailed reports include copies of the comments forms and samples of posters used, full details are available to the Examiner on request
Summarises the main issues and concerns raised by the persons consulted; and describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan	The overview report highlights what are considered to be the main points and actions – see page 4 for list of main land use issues (summarised) from the 2012 issues consultation, page 7 table of main issues and actions from the 2014 housing sites and topics consultation, page 9 table of main issues and responses from the pre-submission consultation stage (May-Jul 2015), and page 10 simply confirmed that no relevant comments had been received on the possible amendments being considered prior to submission (Sep-Oct 2015).	The detailed reports include a fuller summary of all the consultation responses, relevant charts and graphs. A summary of all the comments at the pre-submission stage (May-Jul 2015), by organisation, is contained in “Comments received by Policy”, and these are collated into common issues in “Responses to comments received” which also makes clear how each of these points was considered and what changes were made. .

If any of the above is not clear the Parish Council would welcome the opportunity to answer further questions.

## **b) status / legality of supplementary consultation Sept-Oct15**

The main procedural concern raised by the Examiner was in relation to the status and legality of the September - October 2015 Supplementary Public Consultation, referred to in the overview report. The concern appears to be either that this was after the Regulation 14 consultation that ran during May-July 2015 and therefore might not accord with the legislative requirements, or that the issues and responses were not recorded (as the previous examiner in her letter of August 2016 wrongly attributes the Comments received by Policy as possibly covering the September - October 2015 Supplementary Public Consultation, when it is clear from the title it relates to the May-July 2015 consultation).



Further discussion with the District Council highlighted that the Policy team were concerned in particular that there is no scope to undertake any supplementary consultation following Regulation 14, as their understanding was that this had to be the final consultation.

The reason that the Parish Council took the decision to run an additional, supplementary non-statutory consultation following the Regulation 14 consultation was to provide an opportunity for people to express any concerns that they may have about the changes that were to be made, arising from the representations received during the Regulation 14 Statutory Consultation and intervening changes in government policy relating to the threshold for affordable housing on small sites. Although the changes were relatively minor, the Parish Council did not want to assume that these minor changes to the draft plan would not be an issue later on at the referendum stage. There did not appear to be any legal impediment to running such a consultation, as the legislation does not specify that the Reg 14 consultation has to be 'final', and the NPPG simply makes clear that it has to be a complete draft with no options (which was the case for the May – July consultation that was run as the Reg 14 consultation). The publicity used for the supplementary consultation (Appendix 1) was not included in the consultation summary, and so not seen by the previous Examiner and no opportunity given to provide further explanation.

Given that this is a procedural matter, a legal opinion has since been sought and is attached.

The legal opinion received considered the Examiner's concerns. Stephen Morgan of Landmark Chambers concludes that "I do not consider that the carrying out of supplementary consultation is necessarily unlawful. The wording of regulation 14 does not expressly preclude this. However, I recognise that it could be argued that it is implicit in the wording and so there is an element of risk on this aspect." and he then considers the potential for prejudice and concludes that "I find it difficult to identify any difficulty that arises from the process adopted by the PC. Indeed, they were attempting to give opportunity for further public involvement rather than curtailing or prejudicing it. Only one person responded and that response was not directly related to the changes proposed and consulted upon. It does seem a disproportionate response in my view to suggest that this supplementary consultation therefore vitiates the consultation process and the submission NP cannot therefore be lawfully examined. On the facts as I understand them, I find such a conclusion to be difficult to justify."

The Parish Council preferred approach was to progress with the examination on this basis to avoid further delay and costs. It is noted that in the intervening period further changes have occurred in regard to national policy / affordable housing thresholds, and the Parish Council would welcome the opportunity to discuss the best course of action with the District Council and Examiner in this regard. If any of the above is not clear the Parish Council would welcome the opportunity to answer further questions.

## 4. Hountwell Pump and Track

The land known as Hountwell Pump and Track has been designated as an important Local Green Space in the submitted plan because of its historic importance as the only source of potable water to the hamlet of Henley until the mains water supply arrived in 1940.

The OS map second edition 1888-1913 (as publicly available to view on Dorset Explorer <http://explorer.geowessex.com/>) shows the pump on that map (the *P* to the left of and below the centre):



Records show that the Parish Council has been involved in the upkeep and maintenance of the well, and later the pump, since 1899. Although initially it was a public well on land in private ownership, the Parish Council became owners in the early 1930s. However the deeds were stolen in the 1970s and a Statutory Declaration of Ownership was made in 1979.

Mr and Mrs Higgs of Hountwell, who own adjoining land, have been trying to claim ownership of this land since 2013, and this has prevented the Parish Council from accessing grant funding to restore the track and well. They have stated their objection to the Local Green Space designation on the basis that they own the land at both the Regulation 14 and 16 consultations, claiming the Parish Council has no legal interest in the land. However, they have not been able to produce any evidence to show their ownership.

After considerable research the Parish Council presented evidence to the Land Registry which led to Title Absolute being awarded to the Parish Council in October 2016.

See Appendix 2: Land Registry Title document and plan

In January 2017 Mr and Mrs Higgs applied to the Land Registry for adverse possession of part of the track leading to the well; this does not include the access and track immediately adjoining the lane, and nor does it include the well area at the other end. The Parish Council is robustly objecting to the application and believes it has evidence to show the application is without merit. Further updates can be provided if the case is considered by

the Land Registry to warrant further investigation, prior to any decision being made on the Neighbourhood Plan.

However even if the land proposed for Local Green Space is determined as in private ownership, this does not preclude it from designation – the NPPG is clear on this point “land could be considered for designation even if there is no public access” (Paragraph: 017 Reference ID: 37-017-20140306) and “A Local Green Space does not need to be in public ownership. However, the local planning authority (in the case of local plan making) or the qualifying body (in the case of neighbourhood plan making) should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space.” Given the Statutory Declaration of Ownership in 1979 it is self-evident why Mr and Mrs Higgs were not formally consulted on the proposed designation, however they were aware of it and did comment at both the Regulation 14 and 16 stages, so their views on the proposed designation are known. The NPPG does not say that a Local Green Space designation cannot be made if there are objections.

## 5. Additional points of clarification raised July 2016

### Buckland Newton Neighbourhood Plan Examination Parish Council and WDDC response to questions from the Examiner

1. Please confirm the full date on which the Neighbourhood Plan area was designated.

*4<sup>th</sup> February 2013*

2. Please confirm how many questionnaires were undertaken and the dates of the questionnaire(s) and the percentage response(s).

*This is largely covered in the Overview Summary:*

*([https://www.dorsetforyou.gov.uk/media/211333/Overview-of-Plan-Preparation-Process-and-Consultation-Summary-Buckland-Newton-NP/pdf/Overview\\_of\\_plan\\_preparation\\_process.pdf](https://www.dorsetforyou.gov.uk/media/211333/Overview-of-Plan-Preparation-Process-and-Consultation-Summary-Buckland-Newton-NP/pdf/Overview_of_plan_preparation_process.pdf)) and supplementary reports.*

*The following general consultations using questionnaires were run (i.e. excluding focused consultations such as 'Call for Sites' leaflet and Housing Needs Survey):*

- *Autumn 2012 Public Consultation ran from 27<sup>th</sup> September to the 31<sup>st</sup> October 2012: 109 responses received (approximately 36% of households, 18% of total population)\**
- *Autumn 2014 Public Consultation ran from 8<sup>th</sup> to 30<sup>th</sup> September 2014: 108 responses received (approximately 36% of households, 18% of total population)\**
- *Pre-submission Consultation ran from 21 May to 04 July 2015: 37 responses not including statutory consultees (approximately 12% of households, 6% of total population)\**

*\*Please note response rates are very approximate. Although the numbers are the questionnaires/comments forms received, some came from joint names within a household (counted as one response) whilst in other cases there were several responses from a single household. Household response rates are almost certainly less than stated. Further detailed analysis can be carried out if required.*

3. Please advise whether there are any European sites near the Plan area. I understand that the Cerne and Sydling Downs Special Protection Area is located to the west and adjacent of the Plan area. Is this correct? Are there any other European sites within, adjacent or nearby the Plan area?

*Please see the attached map which depicts the closest European sites to the Plan area.*

*The Cerne and Sydling Downs Special Areas of Conservation (SAC) is located to the southwest and adjacent the Plan area. The Holnest SAC is located 2km to the northwest and Rooksmoor SAC 4km to the northeast of the Plan area.*

*As a matter of clarification the Cerne and Sydling Downs is a SAC and not a Special Protection Area (SPA).*

4. Is the Defined Development Boundary on page 12 of the Plan the same as defined in the Local Plan?

*The intention was that it remains unchanged. An error in plotting however has been spotted with the omission of one property in the north, "Brooklands", on the east side of the B3143. It would be preferable to retain this within the boundary as there is no justification for the change.*

5. What is the significance of "no grant funding" being required to deliver the affordable

homes in Policy H3?

*The intention of the phrase “no grant funding” is to be clear in policy text that the lack of any grant funding should not be used as a viability reason for proving less affordable housing than that sought through policy i.e. schemes should be self sufficient.*

*This reflects the guidance given by the Homes and Communities Agency (HCA) that public grant funding is unlikely to be available for affordable housing scheme where other sources of income / cross-subsidy can be used.*

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/343896/affordable-homes-15-18-framework.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/343896/affordable-homes-15-18-framework.pdf)

*It was considered important that this was fully understood in pursuing such a scheme, in order that there could be reasonable confidence in its delivery.*

6. There does not appear to be a Policy RES2 or a Policy HS1? Please advise.

*As partly explained in the contents page of the Plan the intention is to revisit the sequential numbering.*

*Policy RES2: Field to rear of 1-6 Majors Common on B3143 and Policy HS1: Field to the east of Landscombe Vale were policies in the pre-submission draft. These were combined into single policy RES1 to provide the best approach to securing the affordable housing delivery as all 3 sites were in a single ownership.*

7. Site I (Land at Knap Farm) is identified in the table on page 13 of the Plan as a rural exception site which is subject to Policy H3. Policy HS2 then includes this site as an “other identified housing sites” indicating it is suitable for 3 dwellings, one of which should be an affordable housing unit. The introductory text to this section of the Plan (page 30) explains that the sites included in this section are not suitable to be treated as rural exception sites. Please advise about this apparent discrepancy in the Plan. Is Site I a rural exception site (in which case it would seem to be in conflict with Policy H3) or is it a housing site which should then accord with the first paragraph of Policy H3.

*This site is considered an anomaly, and the asterisk under the table at the top of page 30 tries to show this, together with the policy justification.*

*The site has space for two new build homes, which as a rural exception site could be one affordable and one open market home. As the barn could also be converted to a ‘restricted’ dwelling type (affordable, holiday let or rural worker) under Local Plan policy, this opportunity was also factored into the potential mix. However with 3 houses, under RES the requirement for 2 of the 3 to be affordable was considered potentially unviable given the higher costs of converting barns.*

*This is why it is considered that it falls more within the ‘other’ sites, but in delivering either 2 or 3 homes at least one should be affordable.*

*If the current proposals are considered to raise an unacceptable conflict, an alternative solution could be to treat the ‘new build’ element as RES (under Policy H3), and not include the potential conversion in the mix.*

8. Policy C4 seeks to protect Local Green Spaces. The supporting text to the policy identifies four such spaces. Was it the intention that the policy would (only) relate to these four areas?

*Yes –other sites were suggested (e.g. through the pre-submission consultation) but not considered to meet the NPPF criteria.*

9. Is the “Abbas Ecology Report” referred to in some of the bundle of documents forming part of the Consultation Statement including the Public Consultation Autumn 2014 Identification, Selection and Assessment of Potential Housing Sites & Report on Public Consultation in the public domain?

*The full report was shared with the District Council and working group members. The summary of issues was considered sufficient in terms of what was published.*

10. Please update me on the latest position in relation to planning application WD/D/15/000165 in relation to Site G, Old Farm Buildings, Brockhampton Dairy Farm.

*The planning application was approved subject to conditions on the 11<sup>th</sup> February 2016 by Development Control Committee. Delegated authority was given to the Head of Planning (Development Management and Building Control) to approve subject to conditions and the completion of a unilateral undertaking to secure a financial contribution of £25,000 to the provision of off-site affordable housing.*

*The planning application was reconsidered by Planning Committee on the 16<sup>th</sup> June 2016 in the light of changes to national policy on affordable housing and WDDC's response to those changes. As a proposal for 4 dwellings the application of the threshold in national policy would not require any contribution towards affordable housing. The application was approved without the need for any Section 106 agreement and subject to the conditions previously agreed.*

11. Please update me on planning application WD/D/15/000376 referred to on page 26 of the Plan. Is the application site the same as Site E?

*The planning application WD/D/15/000376 was approved by delegated authority on the 3 August 2015. Housing monitoring carried out in March 2016 indicates that the site is now under construction. The planning application site is not the same site as Site E which is a 0.4ha field directly to the north of the planning application site. There is access to Site E through the planning application site.*

Buckland Newton Parish Council & West Dorset District Council

8 July 2016

*Buckland Newton Parish Council*

## **Buckland Newton Neighbourhood Plan**

# **Additional Public Consultation**

Since the recent public consultation on our draft neighbourhood plan, the government policy on affordable housing contributions has been quashed by the High Court following a challenge by two councils. This has meant that the new West Dorset District Council (WDDC) local plan has had to be modified, and our draft neighbourhood plan is therefore no longer in conformity with the local plan.

It will be necessary to change some policy wording and explanation in our submitted plan. We are taking advice from WDDC as to the exact wording, but the main changes will be:

- ❶ The single dwelling sites J, K and L will now be required to make an Affordable Housing Contribution when they are developed. The amount of this contribution will be decided by WDDC policies and could be in the region of £15,000 for a 3 bed home. It will be earmarked for enabling affordable housing in our area. This is in addition to the possible Community Infrastructure Levy required to be paid for each open market home, up to £12,500 on a 3 bed home; a proportion of this levy directly benefiting our community.
- ❷ Sites A, B and H will be grouped under a single policy (as are sites C and D) as they are under the same ownership. By considering these together as a rural exception site the affordable housing should be more readily delivered. The Working Group and Parish Council have always known that these sites are related, but with the policy changes the coordinated delivery of affordable housing can be formalised. The three sites, when considered as a whole, will provide 6 affordable homes and 5 open market homes.

Additionally, on a different topic:

- ❸ Dorset County Council (DCC) has requested that the allotments site currently covered by Policy C4: Protection of Local Green Spaces be moved to come under Policy C1: Existing Community Facilities.

The site, owned by DCC, was originally purchased as a site for a replacement school. Whilst it must be stressed there are no current plans for a new school, the C4 designation restricts the flexibility of the future use of that site; the C4 designation as a Local Green Space is intended to apply far beyond the plan period. It is the provision of allotments that is important, and as such could be safeguarded under C1 rather than C4.

Comments and representations made during the last public consultation are still under consideration. The Parish Council will make appropriate amendments to the plan based upon those comments before submission to WDDC. The submitted plan will be available to view on the website [bncommunityplan.co.uk](http://bncommunityplan.co.uk).

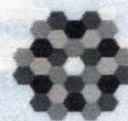
**If you wish to comment on the above please do so no later than 30th October 2015.** Please send comments to John Baker either by email to [john@lydden.org.uk](mailto:john@lydden.org.uk) or in writing to Lydden Cottage, Buckland Newton, DT2 7BS.

The next Working Group meeting is provisionally booked for the 15<sup>th</sup> October; please see website for details or contact John Baker.



## Appendix 2: Land Registry Title document for Hountwell Pump

Land Registry



### Official copy of register of title

Title number DT421886

Edition date 08.04.2016

- This official copy shows the entries on the register of title on 13 OCT 2016 at 09:52:59.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 13 Oct 2016.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry, Weymouth Office.

### A: Property Register

This register describes the land and estate comprised in the title.

DORSET : WEST DORSET

- 1 (08.04.2016) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Land lying to the west of Hountwell, Henley, Dorchester.

### B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

#### Title absolute

- 1 (08.04.2016) PROPRIETOR: BUCKLAND NEWTON PARISH COUNCIL care of The Parish Clerk, Hartmoor Farm, Pulham, Dorchester DT2 7ED.
- 2 (08.04.2016) The value as at 8 April 2016 was stated to be under £80,000.

### C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (08.04.2016) The land is subject to rights of way.
- 2 (08.04.2016) The land is subject to the following rights granted by a Conveyance of other land dated 6 January 1953 made between (1) John Douglas Chick (Vendor) and (2) Alfred John House (Purchaser):-  
  
"TOGETHER WITH all such rights as the Vendor may have in or over the roadway coloured green on the said plan leading to the property hereinbefore described".  
  
NOTE: The roadway coloured green referred to is tinted brown on the title so far as it falls within the land in this title.
- 3 (08.04.2016) The land is subject to the rights granted by a Conveyance of other land dated 29 October 1981 made between (1) Peter Norman Tom Yapp and David Anthony Phillips and (2) Dennis Frederick Radford and

1 of 2



Title number DT421886

## C: Charges Register continued

Doreen May Radford.

NOTE: Copy filed under DT311059.

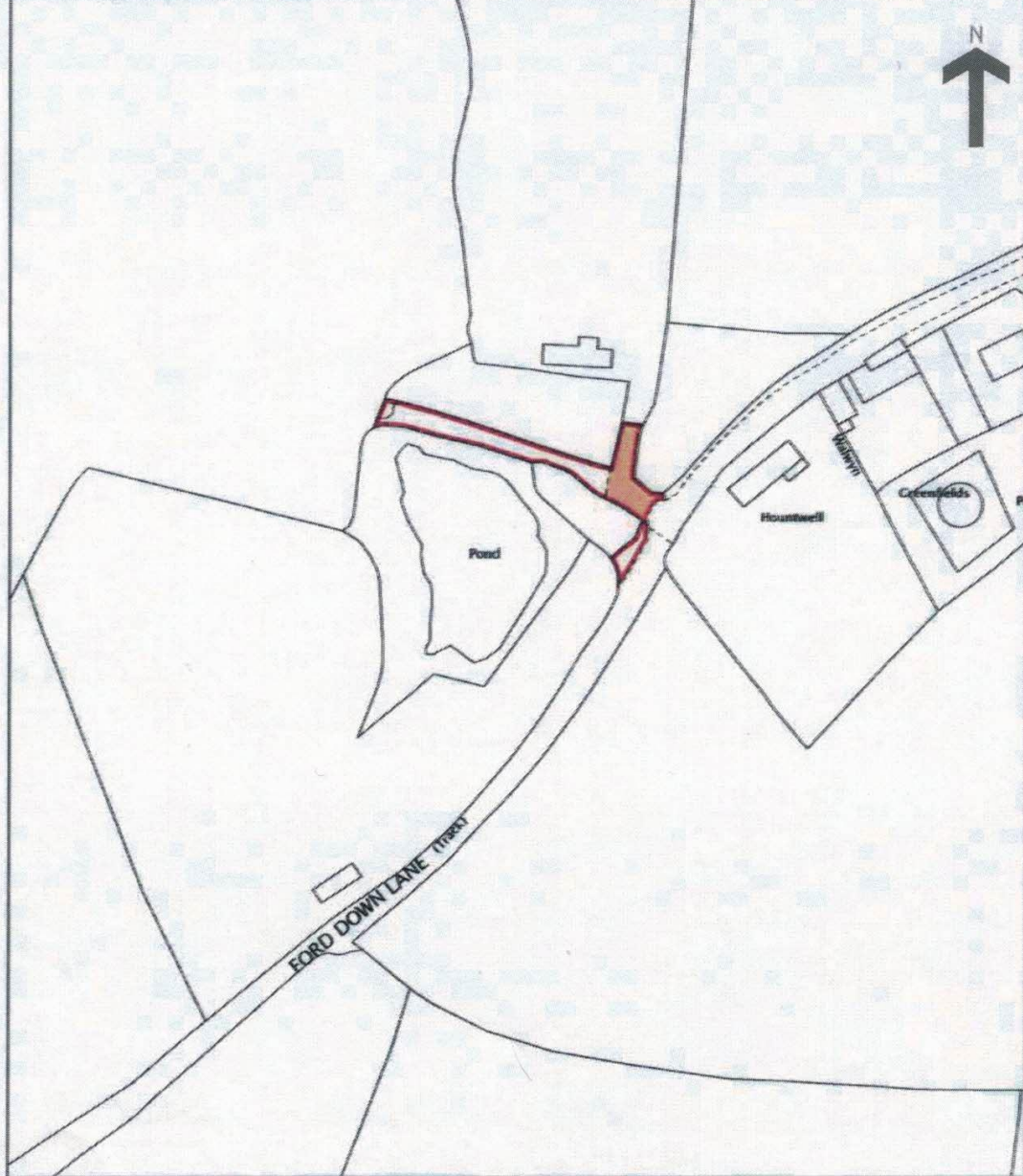
End of register

Land Registry  
Official copy of  
title plan

Title number **DT421886**  
Ordnance Survey map reference **ST6904SW**  
Scale **1:1250 enlarged from 1:2500**  
Administrative area **Dorset : West Dorset**



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This official copy is **incomplete** without the preceding notes page.