

Fontmell Magna Neighbourhood Plan Review

Basic Conditions Statement

Prepared by: Dorset Planning Consultant Ltd, on behalf of Fontmell Magna Parish Council

Plan period: 2017-2031

Date of report: July 2024

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1. Introduction

When a Neighbourhood Plan modification proposal is submitted to the Local Planning Authority, it needs to be accompanied by a statement, known as the Basic Conditions Statement, which explains how the neighbourhood development plan as proposed to be modified meets the requirements of paragraph 11 of Schedule A2 to the 2004 Act. This means:

- the legal requirements (as prescribed) have been complied with in connection with the Plan;
- the Plan has had appropriate regard to national policies and advice contained in guidance issued by the Secretary of State, and is in general conformity with the strategic policies in the Development Plan for the area
- the Plan will contribute to the achievement of sustainable development, and would not breach, and is otherwise compatible with, retained EU obligations and the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

2. Legal Requirements

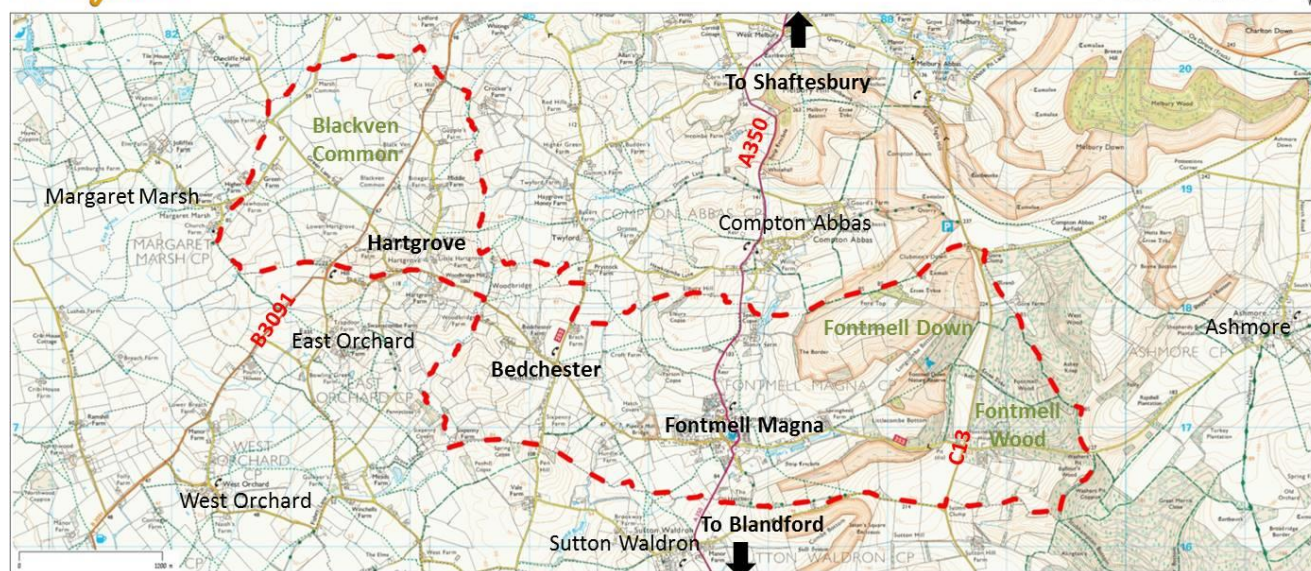
Have the modification proposals been submitted by a qualifying body?

The modifications proposals have been prepared and submitted for examination by Fontmell Magna Parish Council, which is the qualifying body. The Neighbourhood Plan Area was designated by the former North Dorset District Council on 22 June 2016, The former District Council was replaced by Dorset Council on 1 April 2019, and this statutory designation was carried over.

Map 1 – Neighbourhood Plan Designated Area

ParishOnline

Fontmell Magna CP



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Is what is being proposed relate to the development and use of land or sites in the Neighbourhood Plan Area? Do any of the policies extend beyond the neighbourhood area or cover an area where there is a neighbourhood development plan already in place?

The Neighbourhood Plan proposal relates to planning matters (the use and development of land) and its policies relate only to the designated Neighbourhood Plan area or parts thereof. The Neighbourhood Plan policies relate only to Fontmell Magna parish (which is the designated Neighbourhood Plan Area) and to no other area.

Do any of the policies relate to excluded development?

The Neighbourhood Plan policies do not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or other strategic / significant development that falls within Annex 1 to Council Directive 85/337/EEC.

Does the proposed neighbourhood plan state the period for which it is to have effect?

The Neighbourhood Plan makes clear in paragraph 1.14 that it is intended to cover the period up to 2031, with the front cover referring to the period as 2017 to 2031. There were a number of minor anomalies in the plan where in places it refers to 2016 as the start date, and the opportunity has been taken to correct these to 2017.

Were the modifications consulted on as per the requirements in Part 5 Section 14 of Neighbourhood Planning Regulations?

As set out in the Consultation Statement, the consultation was publicised, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area, and included:

- i. posters displayed on verges and village notice boards, including those of the surrounding villages and hamlets.
- ii. adverts were placed in Valley Views (delivered to 5 local parishes) accompanied by the questionnaire, and also the Blackmore Vale Magazine (two consecutive weeks).
- iii. a public meeting was held at the village hall on 16th March 2024.
- iv. documents were published on the Parish Council's website, including the revised Neighbourhood Plan, a Modifications Statement, the Housing Needs Target paper, FAQ's and a questionnaire for completion.
- v. statutory consultees were alerted to the start of the consultation by email on 14 February 2024.

The following bodies were considered, and where applicable consulted (taking into account whether their interests may be affected by the modification proposal), as per the list provided in paragraph 1 of Schedule 1;

Potential consultee	Considered as potential interest
Mayor of London	n/a
Local planning authority, county council or parish council any part of whose area is in or adjoins the area of the local planning authority	Dorset Council, and the adjoining Parish Councils of Ashmore, Cann, Compton Abbas, East Orchard/Margaret March and Sutton Waldron
Coal Authority	n/a
Homes and Communities Agency	n/a
Natural England	Natural England – and including Cranborne Chase National Landscape Partnership
Environment Agency	Environment Agency
Historic England	Historic England
Network Rail Infrastructure Limited	n/a
Strategic highways company (or Secretary of State for Transport) any part of whose area is in or adjoins the neighbourhood area;	National Highways

Marine Management Organisation	n/a
Electronic communications providers	Mobile Operators Association (the trade association for the UK's mobile network operators - EE, Virgin Media O2, Three and Vodafone), Openreach, BT, Three and Vodafone
Health Service providers, including integrated care board and National Health Service Commissioning Board	Dorset Public Health Planning and Dorset HealthCare
Electricity or Gas Infrastructure Providers	SSE, Southern Gas Networks
Water or Sewerage undertakers	Wessex Water
Voluntary bodies some or all of whose activities benefit all or any part of the neighbourhood area	Dorset Garden History Society, Forestry Commission, National Trust, Woodland Trust
Bodies which represent the interests of <ul style="list-style-type: none"> • different racial, ethnic or national groups; • different religious groups; • persons carrying on business in the area; and • disabled persons in the area. 	Magna Housing, Stonewater Housing, Sovereign Housing Group, Aster Housing Association

3. Consideration of National and Strategic Policies

The Neighbourhood Plan must have regard to national policy and guidance from the Secretary of State and be in general conformity with the strategic policies of the development plan that covers the area.

National Planning Policy and Guidance

National planning guidance comes primarily from the published National Planning Policy Framework (last updated December 2023), but where appropriate, reference is made to the online National Planning Policy Guidance (NPPG) and Ministerial Statements.

The Development Plan for the Neighbourhood Plan area

The North Dorset Local Plan Part 1, prepared by North Dorset District Council and adopted January 2016, contains the bulk of the strategic planning policies for the area. It includes topic-based policies, place-based policies and development management policies that together are considered to provide the strategic policy framework. The saved policies in the 2003 Local Plan are not considered strategic - in many cases the Local Plan Part 1 makes clear that these can be reviewed through Neighbourhood Plans.

Dorset County Council has a Minerals Strategy (adopted May 2014) that also forms part of the development plan for the area, together with the more recently adopted Minerals Site Plan and the Bournemouth, Dorset and Poole Waste Plan (the latter replacing the 2006 Waste Local Plan that was in place when the Neighbourhood Plan was made). Neither the waste plan or minerals strategy contain proposals for the Neighbourhood Plan Area, other than defining minerals safeguarding areas.

The NPPG also states that it is important to minimise any conflicts between policies in a neighbourhood plan and an emerging Local Plan, and that the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. A first draft of the new Dorset Council Local Plan was published for consultation in January 2021, and includes strategic allocations at the towns (Tier 2 settlements). There were no strategic allocations made at the larger villages (Tier 3) which included Fontmell Magna (village), but the policies would allow windfall and infilling within existing settlements defined by local plan or neighbourhood

plan development boundaries. At its Cabinet meeting on 12 March 2024, Dorset Council took the decision to move across to the new plan-making system, and would start preparing a new-style local plan with an expected completion date of May 2027.. As such, the Local Plan remains at a relatively early stage and is not being given any significant weight in planning decisions at this time.

Approach to the assessment

The following conformity assessment summarises how the Neighbourhood Plan relates to the relevant national planning guidance and strategic development plan policies.

The made Neighbourhood Plan was previously assessed in February 2018 against the 2012 version of the NPPF, and the (unchanged) North Dorset Local Plan Part 1.

The main focus of the assessment is therefore on the modifications to the policies in light of the updated NPPF and the strategic policies (i.e. excluding the development management policies) of the North Dorset Local Plan Part 1.

Checks have also been made to ensure that the remaining (unmodified) policies remain compliant with changes in national policy and guidance (focusing on the differences between the 2012 and 2023 versions of the NPPF). These have not been reconsidered in terms of the North Dorset Local Plan Part 1 given that no changes are proposed and the Plan previously passed its Examination.

Conformity assessment

The main changes proposed to the plan, and most relevant national and local plan policies, are summarised below:

Section 2	The Rural Character of the Parish
<p>Summary of national policy and guidance noted</p>	<p>Conserving and enhancing the natural environment (NPPF section 15)</p> <p>NPPF 180. Planning policies and decisions should contribute to and enhance the natural and local environment, by: protecting and enhancing valued landscapes; recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of trees and woodland.</p> <p>NPPF 182. Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.</p> <p>NPPF 183. When considering applications for development within Areas of Outstanding Natural Beauty, permission should be refused for major development⁶⁴ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.</p> <p><i>Footnote 64: For the purposes of paragraphs 182 and 183, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.</i></p> <p>NPPF 185. To protect and enhance biodiversity, plans should identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, and identify and pursue opportunities for securing measurable net gains for biodiversity.</p> <p>NPPF 191. Planning policies and decisions should identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>
<p>Summary of potentially relevant adopted development plan policies</p>	<p>Policy 4 The Natural Environment</p> <p>Protects environmental assets which include valued landscapes and other features which make the natural environment special. Seeks to establish a coherent ecological network of designated sites and stepping stone sites linked via corridor features. Buffers should be provided to environmental assets to improve their biodiversity value and facilitate adaptation to climate change. Development should be shaped by the natural environment so that its benefits are enhanced and not degraded. Landscape character will be protected through the retention of the features that characterise the area. Where significant impact is likely, that impact must be mitigated and important landscape features incorporated in the development scheme.</p>

	<p>Policy 15 Green Infrastructure Development will be required to enhance existing and provide new green infrastructure to improve the quality of life of residents and deliver environmental benefits. Neighbourhood Development Plans should consider measures that assist in delivering key green infrastructure benefits, including the designation of Local Green Space, where appropriate.</p>	
Neighbourhood Plan	Main change	Assessment of general conformity
Policy FM2. Local Wildlife Corridors and Protected Species	Simplification of the policy to reflect the latest changes on biodiversity net gain and mitigation, including reference to incorporating wildlife-friendly features into the design and layout of new buildings and landscaping schemes.	<p>This policy builds on the national and local plan requirements to enhance biodiversity. It was originally based on local knowledge and data from the Dorset Environmental Records Centre to identify local wildlife corridors and spaces where protection and possible mitigation may be focused. The updates take into account the national BNG requirements and seek to ensure that the policy does not unnecessarily duplicate these, and latest Dorset Council guidance.</p> <p><i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i></p>
Policy FM4. The setting of the AONB	Amended policy title and text to reference new name (Cranborne Chase National Landscape)	<p>This is a minor change – whilst national planning policy and legislation continues to refer to AONBs this is not considered an issue in terms of how the policy is interpreted. National policy has been updated in reference to this point and now includes specific reference to the need to ensure development within their setting is sensitively located and designed to avoid or minimise adverse impacts on the designated areas. Policy 4 of the Local Plan also references the setting and as such this policy continues to provide additional guidance in relation to this matter in an area where development pressures are likely to be highest.</p> <p>The revisions to the S85 duty for ‘relevant authorities’ in CRoW Act 2000 implemented by LURA 2023 also means that the LPA ‘must seek to further the purposes of designation’ when making decisions affecting land in the AONB, which would include the impact of development in its setting.</p> <p><i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i></p>
Policy FM5. Local Landscape Features	Amendment of ‘footpaths at the side of the road’ to ‘footways’ for clarity.	The policy is in line with the general approach to protecting landscape character by identifying locally important features. There have been no significant changes to nationally planning policy in the intervening period.

		<i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i>
Policy FM6. Dark Skies	Additional detail added to policy with reference to Dark Sky Reserve status of the Cranborne Chase National Landscape, including reference to correlated colour temperature max (2700K Lux) and requirement to ensure any light spillage is directed downwards.	Although the approach on lighting is more prescriptive than the Local Plan Development Management policy, this continues to be justified by the sensitivity of the landscape and AONB designation. The policy does not prohibit all lighting but requires that it is necessary and appropriately designed. National policy on this aspect has not changed in this regard, and makes specific reference to intrinsically dark landscapes (which is clearly applicable in this area). <i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i>

Section 3 and And	The Built Character and Historic Environment	
	Getting around – Roads, Buses, Walking and Cycling	
Summary of national policy and guidance noted	<p>Promoting sustainable transport (NPPF section 9)</p> <p>NPPF 108. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that the potential impacts of development on transport networks can be addressed and opportunities to promote walking, cycling and public transport use are identified and pursued. Patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. Parking should be integral to the design of schemes, and contribute to making high quality places.</p> <p>NPPF 109. The planning system should actively manage patterns of growth, focusing significant development on locations which are or can be made sustainable. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.</p> <p>NPPF 110. Planning policies should provide for attractive and well-designed walking and cycling networks.</p> <p>NPPF 111. If setting local parking standards for residential and non-residential development, policies should take into account the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.</p> <p>Achieving well-designed and beautiful places (NPPF section 12)</p> <p>NPPF 131. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this.</p>	

	<p>NPPF 135. Requires planning policies and decisions to ensure that developments: (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and (f) create places that are safe, inclusive and accessible and which promote health and well-being.</p> <p>NPPF 136. Planning policies should ensure that new streets are tree-lined⁵³, that opportunities are taken to incorporate trees elsewhere, and the long-term maintenance of trees is secured wherever possible.</p> <p><i>Footnote 53: Unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate</i></p> <p>NPPF 139. Explains that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents which use visual tools such as design guides and codes.</p> <p>Meeting the challenge of climate change, flooding and coastal change (NPPF section 14)</p> <p>NPPF 158. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures. Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.</p>
<p>Summary of potentially relevant adopted development plan policies</p>	<p>Policy 3: Climate Change Development proposals should seek to reduce greenhouse gas emissions including through appropriately sited renewable and low carbon energy developments. Development should seek to minimise the impacts of climate change overall through: incorporation of measures to reduce water consumption, and to reduce the impact of excessive heat on the urban environment through the incorporation of green infrastructure and passive shading and ventilation. Neighbourhood plans will be required to consider local community actions that will help to mitigate and adapt to climate change.</p> <p>Policy 5 The Historic Environment Seeks to protect the setting of heritage assets which could include a landscape which has been identified as having a degree of significance meriting consideration in planning decisions.</p> <p>Policy 7 Delivering Homes</p>

	<p>Design and layout of housing development should be of a density that respects local character and amenity. Infilling within settlement boundaries, should respect the amenity of adjoining properties, and local communities are encouraged to develop more detailed policies relating to infilling through Neighbourhood Plans.</p> <p>Policy 13 Grey Infrastructure</p> <p>The adequacy, availability and provision of grey infrastructure will be key considerations when planning applications are considered. Development will be expected to maintain, enhance and provide grey infrastructure, as appropriate to the particular development, by way of direct (on/off site) or indirect (by way of financial contribution) provision.</p> <p>A more sustainable approach to transport in North Dorset will be developed by supporting measures to make more effective use of the existing route network including: improvements to traffic flows at ‘pinch points’ and key junctions; and schemes to improve environmental quality on busy routes or to improve road safety; and providing and enhancing walking and cycling facilities in the main towns and in rural areas.</p>	
Neighbourhood Plan	Main change	Assessment of general conformity
<p>Policy FM8. Development layout</p>	<p>Additional text to reference the orientation of buildings to provide roof slopes to maximise opportunities for solar energy through roof-mounted photovoltaics.</p>	<p>The policy provides guidance on layout styles, density and parking provision. There is flexibility for different approaches to be taken. The parking space requirements have been based on evidence of higher reliance on the car and the rural nature of the roads (narrow and lacking pavements) where unmanaged levels of on-street parking can cause real problems in terms of visual impact and pedestrian movements. The policy has been strengthened in relation to inclusion of climate change mitigation measures. This links in particular to Policy 3 on climate change, and Dorset Council’s declared climate emergency.</p> <p><i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i></p>
<p>Policy FM9. Building design</p>	<p>Insertion of reference to Table 3b within the policy that includes examples of diagrams / illustrations of vernacular designs (that the design of development should have regard to). Additional wording added with reference to energy-efficient measures, water recovery systems and installation of EV charging points.</p>	<p>The policy is based on a thorough understanding of the defining characteristics, as evidenced through the Conservation Area Appraisal and wider rural hinterland. It is not considered to be so restrictive as to stifle innovation, and allows for exceptions by using the word ‘should’ rather than ‘will’. The policy has been strengthened in relation to local character in built design and climate change mitigation measures. This reflects both the great emphasis on the importance of good design in national policy, and Policy 3 on climate change.</p> <p>Whilst national policy now specifically references that new streets are tree-lined, this is not typical of the character of the village and has not therefore been</p>

		<p>specifically referenced over and above the existing reference to hedgerow trees and native deciduous trees already referenced in Policy FM5.</p> <p><i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i></p>
<p>Policy FM10. Creating safer roads and pedestrian routes</p>	<p>Detail added regarding consideration of West Street and Mill Street which are shared spaces and the consideration of pedestrian / cyclist needs / impacts from development along these routes, including access to local facilities and links onto Fontmell Down.</p>	<p>The policy recognizes the importance of walking as the most practical and sustainable mode of transport for getting around the village. It also recognizes that the rural character of the roads means that many do not have clear pedestrian footways and are effectively ‘shared surface’ environments, and that the main road is difficult to cross due to the limited visibility. The approach therefore seeks to address these issues through encouraging suitable connections for safe walking or cycling access to local facilities, including taking a more strategic view of possible future links in deciding where routes within a development site are planned. This appears in line with the general approach in both national and local policies promoting safe and suitable access, in keeping with the character of the area.</p> <p><i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i></p>

<p>Section 5</p>	<p>Flood risk, drainage and sewage treatment</p>
<p>Summary of national policy and guidance noted</p>	<p>Meeting the challenge of climate change, flooding and coastal change (NPPF section 14)</p> <p>NPPF 165. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.</p> <p>NPPF 167. All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property.</p> <p>NPPF 173. Where appropriate, applications should be supported by a site-specific flood-risk assessment⁵⁹. <i>(59) A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the EA as having critical drainage problems; land identified in a SFRA as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.</i></p> <p>NPPF 175. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.</p>

	Conserving and enhancing the natural environment (NPPF section 15) 191. Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.	
Summary of potentially relevant adopted development plan policies	<p>Policy 3: Climate Change Development should seek to minimise the impacts of climate change overall through avoidance of areas at risk of flooding from all sources and the incorporation of measures to reduce flood risk overall.</p> <p>Policy 13 Grey Infrastructure The adequacy, availability and provision of grey infrastructure will be key considerations when planning applications are considered. Development will be expected to maintain, enhance and provide grey infrastructure, as appropriate to the particular development, by way of direct (on/off site) or indirect (by way of financial contribution) provision. The Council will work with the Environment Agency and other relevant bodies to make provision for dealing with flood risk, the transfer and treatment of wastewater and the introduction of sustainable drainage systems. Sustainable drainage solutions appropriate to the development and underlying ground conditions should be incorporated into all new development of ten dwellings or more and connect with the overall surface water management approach for the area.</p>	
Neighbourhood Plan	Main change	Assessment of general conformity
Policy FM 11. Sustainable drainage	Additional detail added in relation to requiring flood risk modelling / calculation and details of maintenance and control measures to ensure these work effectively. Location of infiltration measures to avoid flooding to the highway or built development. Design of any engineered elements to be unobtrusive and using materials in keeping with the vernacular.	This policy considers in particular the local flood risk issues that are prevalent in Fontmell Magna and which are not fully mapped or understood due to the complexity of the topography and underlying substrata that gives rise to springs and seasonal high water tables. As such, the standard approach to map-based flood-risk determination, and the use of soakways and other infiltration-based sustainable drainage systems may not be appropriate. It is for these reasons that the policy goes beyond the standard requirements – which was accepted by the previous Examiner as appropriate. The main changes provide further clarification on appropriate details and design. <i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i>
Policy FM 12. Development impacting	Policy updated to ensure that the timing of further development beyond the current capacity in the wastewater	Wessex Water as the relevant body for the treatment of wastewater in the area has been consulted and advised on the issues in relation to sewage treatment works. The supporting text notes the capacity situation as per the latest published

on the sewage treatment works	recycling centre is phased to connect after the necessary upgrades are made.	information, and Wessex Water have confirmed that they appreciate efforts to ensure that agreement is reached to facilitate the delivery of infrastructure in a timely way, although enforcement would be a planning matter (as they have no right to refuse connection). <i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i>
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Section 6	Community Facilities	
Summary of national policy and guidance noted	<p>Promoting healthy and safe communities (NPPF section 8)</p> <p>NPPF 97. Planning policies and decisions should plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments, and ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.</p> <p>NPPF 99. It is important that a sufficient choice of school places is available to meet the needs of existing and new communities.</p> <p>NPPF 102. Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities.</p> <p>NPPF 104. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.</p>	
Summary of potentially relevant adopted development plan policies	<p>Policy 14: Social Infrastructure Existing community halls, places of worship and other non-commercial community facilities are protected and new facilities provided where there is an identified need. In the countryside, such facilities may be permitted on the edge of the built-up area of Stalbridge or the District’s villages to support a rural community, where no suitable sites exist within the relevant settlement.</p> <p>Policy 15: Green Infrastructure The Council will seek to enhance the provision of green infrastructure in the countryside (including at Stalbridge and the District’s villages), especially where it helps to improve recreational opportunities.</p>	
Neighbourhood Plan	Main change	Assessment of general conformity

Policy FM 13. Important community facilities	Updates to recognize that the Blackmore Vale Partnership is not currently operating from the Fontmell Surgery and Clinic.	The policy is broadly in line with the Local Plan policy and approach and makes clear those facilities that the community consider should be safeguarded, and the likely requirements in terms of new / expanded facilities. <i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i>
Policy FM14. Social Infrastructure	Additional infrastructure requirement added relating to upgrades to footpaths to ensure all-weather, all-year-round access. Play area upgrades have been completed.	This policy has been added (following a suggestion by the Local Planning Authority) in recognition that the mechanism for providing the necessary infrastructure improvements may still need to be through S106 agreements whilst the Community Infrastructure Levy remains unimplemented. <i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i>

Section 8 and Section 9	Housing needs Amount and location of new development	
Summary of national policy and guidance noted	<p>Deliver a sufficient supply of homes (NPPF Section 5)</p> <p>NPPF 60. To support the Government’s objective of significantly boosting the supply of homes, it is important that sufficient land can come forward where it is needed to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community.</p> <p>NPPF 63. The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.</p> <p>NPPF 65. Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer).</p> <p>NPPF 66. Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership (subject to certain exemptions).</p> <p>NPPG – First Homes A minimum of 25% of all affordable housing units secured through developer contributions should be First Homes.</p> <p>NPPF 82. In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.</p>	

	<p>NPPF 83. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.</p> <p>Building a strong, competitive economy (NPPF Section 6)</p> <p>NPPF 88 Planning policies and decisions should enable: the sustainable growth and expansion of all types of business in rural areas; the development and diversification of agricultural and other land-based rural businesses; sustainable rural tourism and leisure developments which respect the character of the countryside; and the retention and development of accessible local services and community facilities.</p>
<p>Summary of potentially relevant adopted development plan policies</p>	<p>Policy 2 Core Spatial Strategy States that all development proposals should be located in accordance with the spatial strategy - which identifies Stalbridge and eighteen larger villages (including Fontmell Magna) as the focus for growth to meet the local needs outside of the four main towns. At Stalbridge and all the District’s villages, the focus will be on meeting local (rather than strategic) needs.</p> <p>Policy 6 Housing Distribution In the countryside (including Stalbridge and the villages) the level of housing and affordable housing provision will be the cumulative number of new homes delivered to contribute towards meeting identified local and essential rural needs. At least 825 dwellings will be provided in the countryside (including Stalbridge and the villages) during the period 2011 – 2031</p> <p>Policy 7 Delivering Homes Says that all housing should contribute towards the creation of mixed and balanced communities. The Council will seek to support the delivery of about 40% of market housing as one or two bedroom properties and about 60% as three or more bedroom properties, with an emphasis on the provision of two and three bedroom properties. About 60% of affordable housing should be delivered as one or two bedroom properties and about 40% as three or more bedroom properties. These proportions will be the starting point for negotiations on all sites with 10 or more dwellings. On sites of less than 10 dwellings, a mix of house sizes appropriate to each specific site will be sought.</p> <p>Policy 8 Affordable Housing Requires that development that delivers eleven or more net additional dwellings and which has a maximum combined gross floorspace of more than 1,000 square metres, including housing on mixed-use sites, will contribute to the provision of affordable housing.</p> <p>Policy 11: The Economy Existing employment sites and sites identified for future employment uses will be protected from other forms of development, but permission may be given for community uses, such as community halls; healthcare facilities, such as doctors’ and vets’ surgeries; education and training facilities; and small-scale retail, which is ancillary to a B Class use.</p>

	<p>Economic development in the countryside will be supported by enabling rural communities to plan to meet their own local needs, particularly through neighbourhood planning and the re-use of existing buildings, the retention and small-scale expansion of existing employment sites; the provision of certain forms of tourist accommodation, and equine-related developments.</p> <p>Policy 20 The Countryside Recognises Stalbridge and the eighteen larger villages as the focus for growth outside of the four main towns. Development in the countryside outside the defined settlement boundaries is only permitted if it is of a type appropriate in the countryside, as set out in the relevant policies of the Local Plan, summarised in Figure 8.5. or if it can be demonstrated that there is an 'overriding need' for it to be located in the countryside.</p>	
Neighbourhood Plan	Assessment of general conformity	
Policy FM 16. Housing Types	The policy has taken into account the latest available information on local housing need, as researched and evidenced. The mix of house sizes is broadly in line with the Local Plan policy, and justified on the basis of more detailed appraisal of local housing need.	
Neighbourhood Plan	Main change	Assessment of general conformity
Policy FM16. Housing Types	Updated in line with latest Dorset Local Housing Needs Assessment (November 2021) and Census data reinforcing the need for 1 and 2 bedroom homes as part of the housing mix.	<p>The policy has taken into account the latest available information on local housing need, as researched and evidenced. The mix of house sizes is broadly in line with the Local Plan policy, and justified on the basis of more recent evidence.</p> <p><i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i></p>
Policy FM17. Spatial strategy for new development	Policy updated to more clearly set out the spatial strategy and exceptions to new house building outside of the settlement boundary.	<p>The policy sets out the level of local housing need and how this is to be delivered, taking into account the Local Plan requirements and the possible uplift suggested by the latest population projections. It seeks to direct development to sustainable sites within the settlement boundary or which otherwise lie to the west of the A350 (because sites to the east would have a much greater adverse impact on the setting of the AONB and lead to further households having to cross the busy A350 with no safe crossing point to access local services), and also specifies that these should be within easy walking distance of the main service amenities in the village (ie not some distance from the existing settlement) and not within areas known to be at risk from flooding or otherwise protected. These planning factors are in general accord with various national and local plan policies, and the limitations placed on new open market homes in the countryside.</p>

		<i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i>
Policy FM18. Settlement boundary	Additional wording to clarify the consideration of policies outside of the settlement boundary (as per the Local Plan spatial strategy for development in the countryside).	<p>The Local Plan allows amendments to the settlement boundaries to be made through Neighbourhood Plans, as appropriate to the Spatial Strategy set out in Policies 2, 6 and 20. Exceptions allowing development outside of these settlements must accord with Policy 20 – and these are set out in Table 8.5 of the Local Plan, and for housing and employment include:</p> <ul style="list-style-type: none"> – Rural affordable housing exception schemes (NDLP Policy 9) – Occupational dwellings (NDLP Policy 6 & 33) – Re-use of heritage assets (NDLP Policy 5,6 & 29) – Re-use of redundant or disused buildings (NDLP Policy 11 & 29). <p>No further amendments to the settlement boundary are proposed at this time.</p> <p><i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i></p>
Policy FM20. Land at Blandfords Farm Barn (Site 22)	Amendments in relation to access arrangements taking into account the partial provision of the access road from Site 20 (Spring Meadows) and importance of delivering that option to reduce unnecessary traffic along West Street. Clarification on the intended use of the barn for employment / community facilities, which should be compatible with the rural nature of the village and nearby residential uses.	<p>This site allocation more than caters for the remaining housing need estimated within the plan period - providing a degree of flexibility and allowance for any uplift in projected housing need. It was subject to sustainability testing through the Strategic Environmental Assessment process, which concluded that none of the policies should result in an adverse impact (subject to the mitigation measures proposed and incorporated into the policies), and the changes to the policy would not alter these findings. The Local Plan makes clear that site allocations can be made through Neighbourhood Plans ahead of the intended site allocations that form part of the Local Plan review - therefore there is no perceived conflict with Policy 20.</p> <p><i>The policy is considered to remain in general conformity with the Local Plan and have regard to national planning policy.</i></p>

The remaining policies, and consideration of changes in national policy and guidance, are summarised below:

Policy	Main changes to National Policy	Assessment
Policy FM1. Local Green Spaces	There are no significant changes to national policy on Local Green Spaces as set out in the NPPF (now paragraphs 105-107)	No need to reconsider in light of previous Examiner’s conclusions that the policy met the basic conditions.
Policy FM3. Important Views	There are no significant changes to national policy on valued landscapes as set out in the NPPF (now paragraph 180(a)). A new paragraph has been inserted into the NPPF regarding the setting of the AONB, and revisions made to the S85 duty for ‘relevant authorities’ in CRoW Act 2000 implemented by LURA 2023 also means that the LPA ‘must seek to further the purposes of designation’ when making decisions affecting land in the AONB, which would include the impact of development in its setting.	The case for the protection of these views has, if anything, been given additional support through the changes in national planning policy.
Policy FM7. The Conservation Area and Locally Important Features	There are no significant changes to national policy on proposals that may impact on heritage assets, as set out in the NPPF (now paragraphs 200-214) – other than the additional wording regarding historic statues, which is not relevant here.	No need to reconsider in light of previous Examiner’s conclusions that the policy met the basic conditions.
Policy FM15. Facilitating home working	National planning policy now specifically refers to the need to allow for new and flexible working practices such as live-work accommodation (now paragraph 86(d))	The policy is intended to take a more proactive towards allowing home-working than allowed for under the Local Plan policies, and the case for this has, if anything, been given additional support through the changes in national planning policy.

Conformity conclusions

The analysis of the plan and modification proposals in relation to national planning policy and guidance and the strategic policies of the local plan, as shown in the preceding tables, does not highlight any fundamental conformity issues.

The NPPG makes clear that in considering whether a policy is in general conformity with strategic policies, a view should be taken on whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with and the degree, if any, of conflict and the rationale and evidence to justify that approach. As such, even where there is a degree of conflict, if the changes are considered to be relatively minor in nature and justified by locally-specific evidence, they should still be considered as being in general conformity.

On this basis, there are no apparent reasons to conclude other than the Neighbourhood Plan as modified would meet the basic conditions of having regard to national policy and guidance from the Secretary of State and being in general conformity with the strategic policies of the development plan for the area.

4. EU and sustainability obligations

The ‘making’ of the Neighbourhood Plan must not breach or conflict, and must be compatible, with EU obligations, must not have a significant effect on a European site, and must contribute to the achievement of sustainable development. It must not breach human rights, within the meaning of the Human Rights Act 1998.

The previously made Plan was subject to a full Strategic Environmental Assessment, including the relevant scoping stage, assessment of options, and assessment of the pre-submission draft plan. The reports were sent to the statutory consultees (the Environment Agency, Natural England and Historic England) and made publicly available at the relevant times. This showed how the policies could impact on the environmental, social and economic characteristics of the parish, and considered the combined impacts of the plan’s policies. It concluded that:

“There are no likely significant adverse impacts identified as a result of the assessment process. Overall the policies should secure significant positive benefits particularly in terms of securing opportunities for further housing to meet local needs (including a significant proportion of affordable homes), in a manner that should respect and reinforce the areas’ local landscape character, biodiversity and heritage.”

A screening assessment in relation to modifications proposals was undertaken by Dorset Council in March 2024 and was subject to consultation with the Environment Agency, Historic England and Natural England. The report similarly concluded that the Fontmell Magna Neighbourhood Plan is unlikely to have significant adverse impacts, and therefore that the Plan, as modified, does not require an environmental assessment.

It also follows that given an SEA would not be required, there should be no requirement for a Habitats Regulations Assessment. Dorset Council is responsible for such an assessment (with Fontmell Magna Parish Council required to provide such information as may reasonably be required).

Turning to the wider assessment of whether the Neighbourhood Plan contributes to the achievement of sustainable development, the following assessment draws upon the conclusions of the original SEA and also considers the broader social and economic objectives of sustainability as set out in the NPPF.

	Environmental	Social	Economic	Notes
Section 2: The Rural Character of the Parish				
FM1. Local Green Spaces	✓	-	-	General environmental benefits, including biodiversity, landscape and heritage benefits. Potential adverse social impacts relating to safety in the absence of street lighting re Dark Skies policy have been mitigated through the policy wording.
FM2. Local Wildlife Corridors / Species	✓	-	-	
FM3. Important Views	✓	-	-	
FM4. The setting of the CCNL	✓	-	-	
FM5. Local Landscape Features	✓	-	-	
FM6. Dark Skies	✓	-	-	
Section 3: The Built Character and Historic Environment				
FM7. Heritage	✓	-	-	Environmental benefits relating to landscape, heritage and climate change through good design.
FM8. Development layout	✓	-	-	
FM9. Building design	✓	-	-	
Sections 4 – 6: Transport & Infrastructure				
FM10. Safer roads / walking routes	✓	✓	-	Environmental benefits related with good design, minimising water usage, and promoting walking and cycling opportunities. Social / economic benefits of safeguarding key infrastructure and improved highway safety.
FM11. Sustainable drainage	✓	✓	-	
FM12. Wastewater Recycling Centre	-	✓	-	
FM13. Important community facilities	-	✓	-	
FM14. Social Infrastructure	-	✓	-	
Sections 7 - 9: Employment, Housing and new development				
FM15. Facilitating home working	-	-	✓-	Wide benefits of focusing development of the type / mix to meet local needs at the largest settlement where it is well-related to existing facilities, and less likely to impact adversely on the CCNL and higher grade agricultural land
FM16. Housing Types	-	✓	-	
FM17. Spatial strategy	✓	✓	✓	
FM18. Settlement boundary	-	✓	✓	
FM20. Land at Blandfords Farm Barn	-	✓	✓	

No issues have been raised in relation to the possible contravention of Human Rights in the preceding consultations, and given the conclusions on the plan's general conformity with the strategic policies of the Local Plan and regard to National Planning Policy, it is reasonable to conclude that the making of the plan should not breach human rights.