

**INDEPENDENT EXAMINATION OF THE BUCKHORN WESTON AND KINGTON MAGNA  
NEIGHBOURHOOD PLAN**

EXAMINER: David Hogger BA MSc MRTPI MCIHT

Linda Munster  
Buckhorn Weston and Kington Magna Parish Council

Philip Reese  
Senior Planning Policy Officer  
Dorset Council

Examination Ref: 01/DH/BWKANP

15 January 2024

Dear Ms Munster and Mr Reese

**THE BUCKHORN WESTON AND KINGTON MAGNA NEIGHBOURHOOD PLAN EXAMINATION**

Following the submission of the Buckhorn Weston and Kington Magna Neighbourhood Plan (the NP) for examination, I would like to clarify several initial procedural matters. I also have a number of questions for Buckhorn Weston and Kington Magna Parish Council (PC) as Qualifying Body and a smaller number for Dorset Council (DC). These are attached as an Annex to this letter, and I would like to receive the responses by **Monday 5 February 2024**.

**1. Examination Documentation**

I can confirm that I have received a complete submission of the NP and accompanying documentation, including the Basic Conditions Statement (October 2023) and the Consultation Report (October 2023). I note that the Basic Conditions Statement includes conclusions confirming that there is no requirement for a Strategic Environmental Assessment to be undertaken. I have a copy of the Regulation 16 representations. I am satisfied that I have enough relevant evidence to enable me to commence the examination.

Subject to my detailed assessment of the NP, I have not identified any very significant flaws that might lead me to advise that the examination should not proceed.

**2. Site Visit**

I intend to undertake a site visit to the neighbourhood plan area in the week commencing 22 January 2024. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

### 3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

### 4. Further Clarification

I have a number of questions seeking further information and clarification from the PC and DC. I have set these questions out in the Annex to this letter. I would be grateful if a written response could be provided by **Monday 5 February 2024**.

### 5. Examination Timetable

As you will be aware, the intention is to examine the NP (including undertaking the site visit) with a view to providing a draft report (for 'fact checking') within around 6 weeks of submission of the draft Plan. However, I have raised a number of questions to which I must provide the opportunity for the preparation of a full and considered response. Consequently, the examination timetable may be extended but please be assured that I will seek to mitigate any delay as far as is practicable. The IPE office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter and any subsequent responses, are placed on the websites of the Parish Council and Dorset Council.

Thank you in advance for your assistance.

Your sincerely

**David Hogger**

Examiner

## ANNEX

From my initial reading of the submission draft of the Buckhorn Weston and Kington Magna Neighbourhood Plan (the NP) and the supporting evidence, I have 2 questions to which I require a joint response from both the Parish Council and Dorset Council; 4 questions for Dorset Council and 7 questions for the Parish Council. I have requested the submission of a response **by Monday 5 February 2024**. All the points set out below flow from the requirement to satisfy the Basic Conditions.

### Questions for both Dorset Council and Buckhorn Weston and Kington Magna Parish Council (2)

*I would prefer a joint response to these questions but if that cannot be successfully achieved then independent responses should be submitted by the two Councils.*

1. Concerns have been expressed in Representation 1 (Cranborne Chase AONB<sup>1</sup>) regarding the 'protection' of dark skies. Is this issue addressed in other planning documentation (e.g. the adopted North Dorset Local Plan) or is there a justification for strengthening the advice on the issue in this NP (for example in policy BWKM5) and if so, what wording would be supported by the two Councils?
2. Representation 8 (Mr P Talbot) suggests that the public consultation undertaken on the NP has been unsatisfactory. Are both Councils satisfied that the consultation undertaken has been at an appropriate level and in accordance with both the legal requirements and national advice, and that the opportunity for local residents and other interested parties to participate in the process, has been adequate?

### Questions for Dorset Council (4)

3. Paragraph 13 of the NPPF (December 2023) confirms that Neighbourhood Plans 'should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies'.

Is Dorset Council satisfied that this advice has been followed?

4. Is the statement in paragraph 79 of the NP (page 21), regarding 'consistency' with the latest position on the local housing requirement, supported by Dorset Council?
5. Having regard to chapter 5 of the NP (page 21), is Dorset Council satisfied that sufficient justification is provided regarding the route of the proposed settlement boundaries? Are there any issues I should be aware of, regarding the adoption of a consistent approach across Dorset, to the matter of settlement boundary designation?
6. Is the designation of Important Gaps, in policy BWKM7 (page 37) consistent with the approach taken elsewhere in Dorset (assuming such designations have been considered elsewhere)?

### Questions for Buckhorn Weston and Kington Magna Parish Council (7)

7. Bearing in mind the need for succinctness, is chapter 3 'Consultation with the Community' necessary? Wouldn't a cross-reference to the Consultation Report suffice?
8. NPPF advice on sustainability<sup>2</sup> refers to 'economic, social and environmental objectives'. I note that in the list of NP objectives (page 20) there is no reference to the role that movement,

<sup>1</sup> Now rebranded as Cranborne Chase National Landscape.

<sup>2</sup> NPPF chapter 2.

employment and community facilities can play in securing higher levels of sustainability. What is the reason for this apparent exclusion and, subject to your response, how might this be addressed?

**9.** It is not clear to me how the 'prioritisation' of 2 and 3 bedroom homes will be achieved. Could policy BKWM 4 or its supporting text (page 32) be clarified in this regard?

**10.** Have the owners of the proposed Local Green Space (policy BWKM 8 on page 38) been advised of this proposed designation?<sup>3</sup> Were any comments submitted and if so, how were they addressed?

**11.** Mr Talbot (Representation 8) raises a number of issues in his representation (from page 19 of the document entitled 'Responses to the Regulation 16 consultation'). They are numbered 1) to 15). Could the Parish Council provide a brief response to the matters raised in those sections of his response?

**12.** Mr Hannam (Representation 9) raises a number of issues in his representation, including with regard to the provision of a village hall and 5 houses. Could the Parish Council comment on the concerns of Mr Hannam and confirm that those concerns have been considered by the Parish Council?

**13.** Dorset Council (Representation 10) raise a number of issues for consideration, including in relation to the dismissed Planning Appeal at Cross's Garage<sup>4</sup>; the settlement boundaries; the important gaps (paragraphs 134-136); and the revised NPPF. Could the Parish Council provide a brief response to all the issues raised in the Dorset Council submission?

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<sup>3</sup> See PPG Reference ID: 37-019-20140306.

<sup>4</sup> Appeal ref: APP/N1215/W/18/3202418.