

## INDEPENDENT EXAMINATION OF THE FONTMELL MAGNA NEIGHBOURHOOD PLAN REVIEW

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

### Further Clarification

I have a number of questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide written responses by **Friday 8 November 2024**.

*FMPC responses included in purple italics*

### **Appendix**

From my initial reading of the Fontmell Magna Neighbourhood Plan Review and the supporting evidence, I have the following six questions for Fontmell Parish Council (FMPC). I have requested the submission of responses by **Friday 8 November 2024**, although earlier responses would be much appreciated. All of the points set out below flow from the requirement to satisfy the Basic Conditions.

#### **Questions for Fontmell Magna Parish Council**

1. Please could the date of the submission of the Neighbourhood Plan Review to Dorset Council be confirmed? The Consultation Statement refers to August 2024.

*The Neighbourhood Plan and supporting documents were submitted to Dorset Council on 12 August 2024. Following some helpful feedback from Dorset Council, minor updates were made to one of the supporting documents, which was updated and resubmitted on 16 August.*

2. Please could the dates of the Regulation 16 Consultation be confirmed?

*The consultation period was organised by Dorset Council and ran from 30 August to 11 October 2024.*

3. The Plan consistently refers to the Cranborne Chase National Landscape. Is that the correct title? Or should the title be the Cranborne Chase and West Wiltshire Downs National Landscape?

*The Department for Environment Food and Rural Affairs have been referring to National Landscapes (rather than Areas of Outstanding Natural Beauty) since late 2023. However, the statutes, regulations, and government guidance have not been changed, so our understanding is that the two terms are synonymous. Given that the Cranborne Chase and West Wiltshire Downs National Landscape is marketed as the Cranborne Chase National Landscape, the NP has been updated to reflect this as the preferred term.*

*In this regard, FMPC note that Dorset Council have spotted that the NP still refers to AONB in Policy FM3, and this is also the case in other parts of the NP, and FMPC would be agreeable to updating such occurrences to refer to the CCNL for consistency:*

- *Photograph 8 caption (and associated List of Maps reference)*
- *Policy FM3*
- *Section 9 Table 4 (site 20)*
- *Policy FM19*
- *Appendix 4 Objective 3a*

4. Dorset Council (DC) submitted comprehensive comments about the Plan in the Regulation 16 representation. There are many suggestions for revisions to the Plan's text to ensure clarity by adjusting the phrasing or seeking additional clarification of Policies FM2, FM6, FM7, FM8, FM9, FM14, FM16 and FM17. I would be pleased to have the comments of FMPC on the suggested modifications to the policies.

#### **Policy FM2**

*Dorset Council have suggested some minor changes to improve clarity.*

*However, the first and middle sections of the policy were drafted as linked – i.e. that how the decision maker considers whether due regard has been given to the network of local wildlife corridors and sites of nature conservation interest should at least in part be based on national policy on safeguarding local wildlife-rich habitats and wider ecological networks, wildlife corridors and stepping stones that connect them. The amended wording severs this link. It may therefore be better to split the first sentence as follows:*

*“All new development should have due regard for the network of local wildlife corridors and sites of nature conservation interest identified on Map 4 to help safeguard local wildlife-rich habitats and wider ecological networks, wildlife corridors and stepping stones that connect them.”*

*The reference to providing net gains in biodiversity where required can either be deleted (as this is legislated for) or simplified to: “Opportunities to strengthen this network as part of the measures to provide net gains in biodiversity will be supported.” There is no objection to the inclusion of commas in the second sentence as suggested.*

#### **Policy FM6**

*Dorset Council suggest removing the word ‘lux’ from the policy.*

*There is no objection to this amendment.*

#### **Policy FM7**

*Dorset Council suggest removing ‘q.v.’ from the second to last bullet.*

*This was in the original (made) NP, and used to indicate that there is more information on these unlisted but locally significant buildings in the Conservation Area Appraisal. However there is no objection to this amendment as this is also made clear in the preceding paragraph.*

#### **Policy FM8**

*Dorset Council suggest amending the sentence “The orientation of the building should also look to provide roof slopes within 30degrees of south” to read “The orientation of buildings should ideally provide roof slopes within 30 degrees of south...”*

*There is no objection to this amendment.*

#### **Policy FM9**

*Dorset Council suggest amending the sentence “The inclusion of energy efficient measures on buildings, designed to be in keeping with the character of the area, such as frameless in roof PV panels or air-source or ground heat pumps, is encouraged.” to read “Energy efficient measures that are designed to be in keeping with the character of the area, such as frameless in-roof PV panels or air or ground-source heat pumps, are encouraged”*

*Given the policy focuses on building design, the reference to ground-source heat pumps is, on reflection, obsolete. The wording therefore would be better amended as “Energy efficient measures that are designed to be in keeping with the character of the area, such as frameless in-roof PV panels or unobtrusively-sited air-source heat pumps, are encouraged”*

*With regard to Dorset Council's suggestion that rain-water recovery systems should be encouraged (rather than ‘should be used’) due to uncertainty about cost and viability implications, a recent (September 2024) article on this has been published and is included as Appendix 1 to this response. This indicates that the cost of an average, fully functioning domestic system will be between £2,000 and £3,000 with a further £1,000 - £3,000 installation cost. The latter is likely to be much lower if done as part of the build rather than retrospectively given that part of the installation costs are associated with ground excavation to install tanks.*

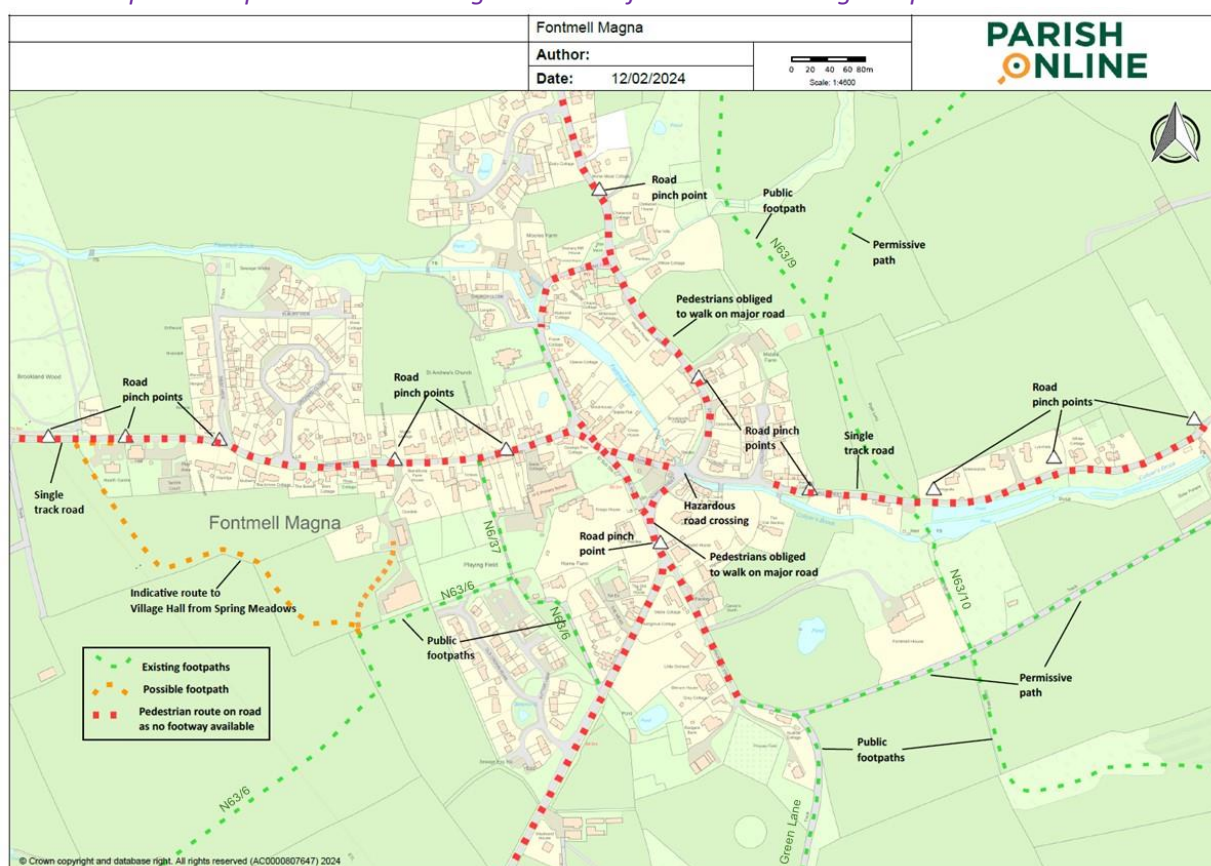
## Policy FM14

Dorset Council are seeking clarification on the route of the Shared footpath and cycle path to Village Hall from Gundels – and that this is neither described in the supporting text or mapped.

This was in the original (made) version of the NP but it is accepted that further clarification would be useful.

The main purpose of this route is to provide an off-road alternative to West Street. Part of this is achievable through improvements to the existing public right of way network N63/6 which runs along the northern edge of Spring Meadows and allows connection through to the school. The development of Blandford Farm (Site 22) is anticipated to provide the remaining connection to both the Fontmell Magna Under Fives Pre-School (which adjoins Gundels) and on to the village hall. This should be of a sufficient width and surfaced appropriately to allow cyclist as well as pedestrian use (and therefore also accessible to wheelchair users and buggies). This is shown on Map 8 although the connecting route to the pre-school was not inadvertently missed as a result of the map amendment.

Suggest bullet is amended to read: “all-weather footpath between Village Hall and footpath N63/6 with connection to the Fontmell Magna Under Fives Pre-School and on to N63/7 which links to the School.” Update Map 8 as shown through addition of PRow numbering and pre-school link:



## Policy FM16

Dorset Council suggest that the local connection ‘cascade’ for allocating affordable housing is amended to ‘the rest of Dorset’ as opposed to North Dorset, given that the North Dorset area no longer exists as an administrative entity. Whilst the North Dorset area still exists in planning terms (as the area covered by the North Dorset Local Plan), there is no fundamental objection to this amendment.

Dorset Council also suggest that the final sentence of the policy is amended to remove the justification and that the ‘need’ is qualified as ‘local need’. There is no objection to addressing these concerns, and it is suggested that the policy wording should be amended to read: “Any new applications to build 4+ bedroom properties should be justified by evidence to support the local need for their construction.” and add the following text to the end of paragraph 8.11: “As the percentage

*of 4+ bedroom properties has grown significantly over the past decade and is already well above the figure for Dorset and the projected local need, there is no tangible benefit to building more large homes unless a clear local need can be evidenced.”*

### **Policy FM17**

*Dorset Council have suggested some minor changes to improve clarity. There is no objection to these amendments.*

*Responses to other changes to the supporting text suggested by DC are also included in Appendix 2 but assumed to be possible as minor modifications.*

5. Policy FM10. In view of a reconsideration of the Habitats Regulations Assessment by DC and the conclusion that there would be a likely significant (adverse?) effect on the nearby Special Area of Conservation (SAC), the Council suggests one of two solutions (1) and (2). I am minded to accept option 2 and the policy addition which is to insert after “Fontmell Down” “... subject to a Habitats Regulations Assessment concluding that the proposal would not result in additional recreational pressure on the Fontmell and Melbury Downs SAC that would result in an adverse effect upon the integrity of the European Site.” Does FMPC have any comments?

*The Parish Council’s preference is to include reference to links onto Fontmell Down, and therefore Option 2 which allows for this subject to the HRA requirements is preferred.*

6. Policy FM20. DC suggests the deletion of part of the second paragraph of the policy dealing with phasing. I note that this sentence is within Policy FM20 of the made Plan and has been carried forward into the Review. However, I question the practicality of implementing the phasing of developing a small site of no more than 10 dwellings based on local need. I also wonder whether it is environmentally desirable to have a small trickle of houses being built, rather than completing the landscaping, road surfaces and footpaths and residential gardens with minimal longer term disruption. I would be grateful for the comments of FMPC on the suggested deletion and any other points made by DC in respect of this policy.

*The Parish Council agree that a phasing condition is not necessary in this context.*

*The Parish Council would not object to splitting the fourth paragraph into two sentences to read: “The layout and design should enable the retention of the tree belt along the southern boundary and hedgerow boundaries, except for access to site 20. A landscape scheme should be agreed that reinforces the site’s screening and enclosure as viewed from public rights of way.”*

*The Parish Council would prefer to retain the cross-reference to associated policies, but note the discrepancy in relation to Policy FM2 in the fifth paragraph, which could be amended to read “The hedgerows are potentially important as wildlife corridors and should be safeguarded and if possible enhanced in line with policy FM2 Local Wildlife Corridors....”*

*The phrase ‘best endeavours’ is a term used in law, and sets out the expectation that the steps to be taken should be those which a prudent, determined and reasonable owner, acting in his own interests and desiring to achieve that result, would take, unless there is clearly no prospect of success. It also indicates that it may be necessary for that party to incur costs and even act against its own commercial interests in order to fulfil that obligation. This is helpfully explained in various articles such as <https://fmsolicitors.co.uk/best-or-reasonable-endeavours-what-a-difference-a-word-makes/> and [https://www.landmarkchambers.co.uk/wp-content/uploads/2018/07/Reasonable\\_endeavours\\_law\\_2012.pdf](https://www.landmarkchambers.co.uk/wp-content/uploads/2018/07/Reasonable_endeavours_law_2012.pdf). Under this policy, this would imply that the negotiation with the relevant landowners must take place (unless those third parties refused to engage) and that the negotiations should continue to explore all avenues to achieve the*



desired outcome, and should not be ended for financial reasons unless the costs would make the scheme wholly unviable.

Regarding provision of pedestrian route, subject to the suggested amendment to Policy FM14, this would benefit from cross-referencing that policy.

## Appendix 1

<https://www.renewableenergyhub.co.uk/main/rainwater-harvesting-information/cost-of-installing-rainwater-harvesting-system>



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Read Time : 3 Minutes

## Cost of Installing Rainwater Harvesting System in the UK

Calculating the cost of a setting up a rainwater harvesting system can be difficult as it depends on a range of factors apart from the initial outlay for the tank and pump system. If you are retrofitting to an old build this can also include:

- The cost of putting in the new conduit or piping to feed utilities like the toilet or washing machine.
- Shaping water collection from your roof with new guttering that feeds into your **rainwater harvesting tank**.
- Excavating the area outside your property if you are planning to have the water tank underground.

### Installing a Water Meter is Free

Before you begin then you will need to have a water meter installed if you are going to get a return on investment on your utility bill. This is normally done for free when you contact your provider and can offer substantial savings in itself if you have a small family or low water usage already.

#### Further Reading

- » Types Of Rainwater Harvesting System
- » Cost Of Installing Rainwater Harvesting System In The UK

## Cost of Domestic Rainwater Harvesting Systems in the UK

The cost of equipment for a rainwater harvesting system can vary between £2-3,000 for an average sized family home. As a rough guide we outline the cost for a number of systems below:

- The simplest type of **rainwater harvesting** is the water butt which is a free standing container that can be easily hooked up to a drainage system to collect runoff. These vary from about £70-80 for a 200 litre container to around £350 for a 1,000 litre system. They do not plug into any piping system and are generally used to provide water for the garden.
- A slightly more hi-tech kind of water butt is one that has a water pump installed. A 700 litre capacity system which includes filters can cost around £750 and allows you to make simple connections for a range of home uses.
- According to the UK Rainwater Harvesting Association the cost of an average, fully functioning domestic system will be between £2,000 and £3,000 excluding the price of installation. Other things that will also affect the overall cost is the amount of piping you will have to put in and the conversion of your roof to collect water. Most domestic situations suit a pump feed system rather than a gravity feed one.



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#### Further Reading

- » Types Of Rainwater Harvesting System

Below we have a table of the various costs of rainwater harvesting systems in the UK

Component	Price Range (GBP)
Basic Rainwater Harvesting System (Domestic)	£1,000 - £3,000
Advanced Rainwater Harvesting System (Domestic)	£3,000 - £6,000
Basic Rainwater Harvesting System (Commercial)	£5,000 - £10,000
Advanced Rainwater Harvesting System (Commercial)	£10,000 - £20,000
Underground Storage Tank	£1,500 - £4,000
Above Ground Storage Tank	£500 - £2,000
Filtration System	£100 - £500
Pump System	£200 - £1,000
Installation Costs	£1,000 - £3,000

Find out about the [different types of rainwater harvesting here](#).

## Cost of Installing RHS in your Home 2024

The cost of installing a **rainwater harvesting system** is also going to depend on a number of factors, most notably whether you are going to have it above ground or below.

You need to take account of the amount of excavation needed if you are going to bury your system in the garden and this can add an extra £1-£2,000 to your installation. You can explore our [database of installers](#) in your area to compare prices.

## Other Ways to Save Water

Whilst installing a rainwater harvesting system to reduce your mains usage has a number of advantages, you can also save a lot of money and reduce costs by taking a more holistic approach to your daily consumption. These can include:

- Install a low flush toilet or put a plastic bottle filled with water into your cistern (reducing the amount of water it fills with). An average flush of a toilet uses around 13 litres of water each time you pull that handle.
- When you brush your teeth, don't leave the water running. It sounds like a simple thing to do but many people waste water by letting the tap run for a whole two minutes while they polish those dentures.
- Buy a water efficient washing machine or dishwasher and only use when there is a full load, using the economy setting.
- If you have dripping taps then make the effort to buy new washers and mend them – it may not seem a lot but over a year can make you savings.

Simple changes to your daily routine can make a big difference to your water usage. That's one of the reasons we recommend having a water meter installed, even if you have a larger size family, as it forces you to concentrate on the resources you use.

## Appendix 2

*Para 1.3 – clarification on Fontmell Down status.*

*Agreed – amended text could read as follows:*

*1.3 Much of the area east of the A350 is of high environmental value and is nationally protected as part of the Cranborne Chase National Landscape (an Area of Outstanding Natural Beauty). Fontmell Down is part of the larger area 'Fontmell and Melbury Downs' which is designated as a Site of Special Scientific Interest and a Special Area of Conservation (protected under the EC Habitats Directive).*

*Para 2.26 – Dorset Council have queried the use of the term 'trespassing', which refers to "no light either visible outside the lit area or trespassing onto buildings".*

*Having re-reviewed the ILP the preferred term for trespass (in this context) is light intrusion / spill causing a nuisance. It is therefore suggested that this is amended to "no light either visible outside the lit area or intruding/spilling into buildings and causing a nuisance to building occupants"*

*Para 2.27 – suggested minor re-ordering for clarification*

*Agreed - 2nd and 3rd sentences to be moved forward, so the paragraph would read as follows:*

» [Cost Of Installing Rainwater Harvesting System In The UK](#)

» [Benefits Of Rainwater Collection In The UK](#)

» [How Does Rainwater Recycling Work?](#)

» [Large Scale & Commercial Rainwater Harvesting UK](#)

» [Are Rainwater Harvesting Systems Worth It In The UK?](#)

» [What Are The Potential Uses Of Recycled Rainwater In The UK?](#)

### Related Blog Posts

### Further Reading

» [Types Of Rainwater Harvesting System](#)

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2.27 In considering new development, the first factor to consider is whether external lighting is necessary. If there is a case for its inclusion (for example for security or safety reasons) its design should minimise its impact, both on the amenity of the occupants of neighbouring properties, and in terms of light spillage and glare. Floodlights are particularly problematic as the majority of domestic and industrial fittings are of a 'point and shoot' design which is inconsistent with the desire to conserve and enhance the quality of the dark night skies. As such, floodlight fittings with the correct optics to be dark-sky-friendly should be the first consideration. Timed PIR lights, down-lighters or 'wall washers' are examples of lighting schemes that generally have less impact. A Developer's Guide...

Para 3.3 Dorset Council suggest that the CAA could be included as an Appendix to the Neighbourhood Plan Review to ensure that it is always available to the reader.

The CAA is already cited as a supporting document in Appendix 1, but for ease a footnote providing the link can be included in the text as follows: The appraisal was adopted by the former North Dorset District Council at its Cabinet Meeting on 5 February 2018, and can be found

<https://www.dorsetcouncil.gov.uk/w/conservation-areas-north-dorset>.

Agree suggested amendment to the second sentence to read: "It should be used in conjunction with the Neighbourhood Plan..."

Para 4.9: Agreed correction of typo to 'different areas'

Para 6.10: Agree updating timeline for DCLP adoption to 2027.

Para 9.21: Agree it would be sensible to note the outcome of the decision, ie amend second and third sentences to read:

"In late 2023 an outline application P/OUT/2023/06625 was made to build on the intervening land. This included an indicative layout showing a potential link between both sites - but without reaching an agreement with Pennyfarthing Homes who retains ownership of the access road. This application was refused in July 2024, nonetheless the Parish Council would hope that all of the landowners can work together to come to a sensible agreement to deliver the aspirations of the community, respecting the fact that further housing on the intervening land is not needed at this time."

Appendix 4 – agree deletion to Policy 19 reference in row 1(c).