

Ms S Upshall, Clerk
Marnhull Parish Council
Via email

Date: 31 July 2025
Ref: MARN-NP-Reg15
Officer: Philip Reese
☎ 01258 484224
✉ neighbourhoodplanning@dorsetcouncil.gov.uk

Dear Ms Upshall,

Marnhull Neighbourhood Development Plan

I write in connection with the submission of the proposed Marnhull Neighbourhood Development Plan and accompanying documents prescribed under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012.

Paragraphs 5 and 6 of Schedule 4B to the Town and Country Planning Act 1990 require the local planning authority (LPA) to check the compliance of the proposed neighbourhood plan, and the processes undertaken to date, with the provisions of that Act and the relevant sections of the Planning and Compulsory Purchase Act 2004. The LPA is then required to notify the qualifying body (in this case, Marnhull Parish Council) whether it is satisfied that the proposed plan is compliant. This letter therefore comprises the formal view of Dorset Council acting as the LPA.

A detailed compliance check is attached. In summary, Dorset Council can confirm that:

- The proposed plan **does not** comprise a 'repeat proposal' as defined under Paragraph 5 of the Town and Country Planning Act 1990;
- The proposed plan **has** been prepared by a qualifying body who is authorised under Section 61F of the Town and Country Planning Act 1990 to deliver a neighbourhood development plan;
- There **are no** other provisions under Section 61F of the Town and Country Planning Act 1990 relevant to the proposed plan.
- The relevant documentation, as required under Schedule 4B of the Town and Country Planning Act, 1990 and as prescribed by Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (General) (Amendment) Regulations 2015 ('the Regulations'), **has** been submitted.
- The proposed plan **does** meet the definition of a neighbourhood development plan under Section 38A of the Planning and Compulsory Purchase Act 2004;
- The Plan **does** accord with Section 38B of the Planning and Compulsory Purchase Act 2004 in that it: specifies a plan period; does not include any

provision for excluded development; and does not relate to more than one neighbourhood area,

- The statutory consultation undertaken to date **does** comply with the requirements prescribed by Regulation 14 of the Regulations.

The proposed Marnhull Neighbourhood Development Plan can therefore now be publicised under Regulation 16 of the Regulations with a view to then making the plan available for independent examination.

Dorset Council is required to publicise the Plan on its website, along with details of how to respond, for a minimum period of six weeks. We are proposing to run the consultation between Friday 8 August and Friday 19 September. We hope that the Parish Council can help with publicising the consultation, for example by displaying information posters on village noticeboards, etc. Please let us know at the earliest opportunity if you consider these dates unsuitable.

Once the consultation is underway, we will make arrangements to find a suitable examiner. We will be in touch with the Parish Council or your nominated representatives with regards to agreeing who to appoint.

Congratulations on successfully reaching submission stage.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P Reese', is written over a light grey rectangular background.

Philip Reese
Senior Planning Policy Officer

Marnhull Neighbourhood Plan 2024-2038 (submitted 14 July 2025)

	Reference	Test	LPA Comments	Legally Compliant?
1	Town and Country Planning Act 1990, Schedule 4B, Paragraph 5	Has a proposal that is the same or similar been submitted in the last two years that has either been refused or has it failed at referendum?	No other plan has been submitted in the last two years for the parish of Marnhull.	Yes
2	Town and Country Planning Act 1990, Schedule 4B, Paragraph 6 (2)(a) and Section 61F	Is the qualifying body authorised for the purposes of a neighbourhood development order to act in relation to the neighbourhood area concerned? Section 61F states that “a parish council are authorised to act in relation to a neighbourhood area if that area consists of or includes the whole or any part of the area of the council.”	The neighbourhood area covered by the submitted plan is covered solely by Marnhull Parish Council. It is the ‘qualifying body’ and is authorised to act in relation to the neighbourhood area.	Yes
3	Town and Country Planning Act 1990, Schedule 4B, Paragraph 6 (2)(b) and Section 61F	Does the proposal by the body comply with provision made by or under Section 61F? Section 61F includes a restriction that a proposal cannot be made in relation to a neighbourhood area if there is at that time another proposal by the council in relation to that area	There are no outstanding neighbourhood plan proposals for this neighbourhood area. As this is a parished area, the parts of Section 61F relating to neighbourhood forums are not applicable.	Yes

	Reference	Test	LPA Comments	Legally Compliant?
		that is outstanding. Other parts of Section 61F relate to neighbourhood forums.		
4	Town and Country Planning Act 1990, Schedule 4B, Paragraph 6 (2)(c), and the Neighbourhood Planning (General) Regulations (as amended) – Regulation 15	Has the qualifying body submitted the following in a satisfactory form? (i) A map or statement identifying the area to which the plan relates; (ii) A consultation statement which contains details of those consulted, how they were consulted, summarises the main issues or concerns raised, and how these have been considered and, where relevant, addressed in the proposed neighbourhood development plan; (iii) The proposed neighbourhood development plan; (iv) A statement explaining how the neighbourhood development plan meets the 'basic conditions' [i.e. the Town and Country Planning Act, 1990 Schedule 4B, Paragraph 8(2)]; and (v) EITHER an environmental report prepared in accordance with Paragraphs (2) and (3) of Regulation 12 of the Environmental Assessment of Plans and	The qualifying body has submitted the following: (i) The map on page 4 of the submitted plan identifies the area to which the plan relates. A similar map is also on page 3 of the Basic Conditions Statement. (ii) A 61-page Consultation Statement. It summarises details of various consultation events starting in July 2023 through to the Regulation 14 consultation held between February and March 2025. It provides details of the persons and bodies who were consulted, how they were consulted, summarises the main issues and concerns raised, and describes how these issues and concerns were considered and addressed in preparing the submission version of the neighbourhood plan. (iii) A 128-page neighbourhood development plan for Marnhull subtitled 'Submission (Regulation 16) draft, Marnhull Parish Council, June 2025'. It includes 13 policies and 15 appendices.	(i) Yes (ii) Yes (iii) Yes (iv) Yes (v) Yes

	Reference	Test	LPA Comments	Legally Compliant?
		Programmes Regulations 2004 OR a Statement of Reasons for determination under Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations 2004 that the Plan is unlikely to have significant environmental effects.	(iv) A 19-page Basic Conditions Report dated June 2025 considers legal requirements, including how the draft neighbourhood policies conform to national and local policies. It also considers obligations relating to the EU, sustainable development, and human rights. (v) A 52-page SEA Report produced by AECOM (dated July 2025).	
5	Neighbourhood Planning (General) Regulations (as amended) – Schedule 2 (Habitats) and The Conservation of Habitats and Species Regulations 2017 – Regulation 106	The qualifying body must provide such information as the competent authority may reasonably require for the purposes of an assessment under Regulation 105 of the Conservation of Habitats and Species Regulations 2017 OR to enable it to be determined whether that assessment is required.	Dorset Council considers that sufficient information has been provided in this regard.	Yes
6	Town and Country Planning Act 1990, Schedule 4B, Paragraph 6 (2)(d) and the Neighbourhood Planning (General) Regulations 2012 – Regulation 14.	Has the qualifying body complied with the requirements of the Town and Country Planning Act, 1990, Schedule 4B and the Regulations regarding the scope of pre-submission consultation?	The qualifying body has submitted a Consultation Statement which provides details of the Regulation 14 consultation. - On page 13 it states that the regulation 14 consultation took place between 10 February and 31 March 2025; - Page 13 provides details of the efforts made to publicise the consultation, including through flyers, articles in the Marnhull messenger, the parish council website, emails, Facebook, and drop-in events;	Yes

	Reference	Test	LPA Comments	Legally Compliant?
			- Page 14 lists the bodies (in Paragraph 1, Schedule 1 of The Neighbourhood Planning (General) Regulations 2012) who were consulted (also on pages 4-5 of the Basic Conditions Statement); and - The bodies listed include Dorset Council. Page 13 of the Consultation Statement provides copies of the flyers and information notices used at Regulation 14, which includes: - the deadline for making a response (31 March 2025); - an explanation that copies of the draft neighbourhood plan could be viewed online and at various venues around the village.	
7	Planning and Compulsory Purchase Act 2004, Section 38A (2)	Does the plan meet the definition of a 'neighbourhood development plan' (NDP) in that it sets out policies in relation to the development and use of land in the neighbourhood area?	The submitted plan meets the definition of a 'neighbourhood development plan' in that it sets out policies in relation to the development and use of land in the whole or part of the specified neighbourhood area.	Yes
8	Planning and Compulsory Purchase Act 2004, Section 38B (1)(a)	Does the submitted NDP specify the period for which it is to have effect?	The plan period for the submitted plan is specified on the front cover as 2024 to 2038.	Yes
9	Planning and Compulsory Purchase Act 2004, Section 38B (1)(b)	Does the submitted NDP include any provisions relating to 'excluded development' as defined by Section 61K of the Town and Country	The submitted plan does not contain any policies or proposals relating to 'excluded development' as specified in S.61K.	Yes

	Reference	Test	LPA Comments	Legally Compliant?
		Planning Act, 1990? This includes development classed as 'county matters' (waste and minerals) and nationally significant infrastructure projects.		
10	Planning and Compulsory Purchase Act 2004, Section 38B (1)(c)	Does the submitted NDP relate to more than one neighbourhood area?	The submitted plan relates only to one neighbourhood area.	Yes
11	Town and Country Planning Act 1990, Schedule 4B, Paragraph 1(2)(b)	Is the draft neighbourhood plan accompanied by a statement which contains a summary of the proposals and sets out the reasons why a plan should be made in the proposed terms?	Pages 1–2 of the Basic Condition Statement provides a summary of the plan and the reasons why it should be made in the proposed terms.	Yes

Dated: 31 July 2025