



# EXAM 26 - BCP Council response to examination queries

BCP Local Plan Examination

18 February 2025



This document (EXAM 26) provides the response of BCP Council officers to the requests and queries raised by the Inspector's as part of the Stage 1 examination hearings. The requests/queries are shown in bold with the Council's response below.

**1. Provision of BCP Council's opening statements**

Complete - EXAM22

**2. Provision of powerpoint presentation which formed part of a Duty to Cooperate meeting with Dorset Council**

Complete - EXAM23

**3. Query regarding the location of employment centre mapping**

Employment mapping forms our internal mapping for the sustainability appraisal (SD5) to determine distances of sites from employment centres for assessing the options (objective 6, sub objective 2). This mapping isn't available publicly within the examination documents.

**4. Request for the key milestones for preparation/updates of habitats regs related SPDs**

The proposed changes to the planning system seek to move away from SPDs - [Levelling-up and Regeneration Bill: reforms to national planning policy - GOV.UK](#):

**Supplementary planning documents**

13. In the reformed planning system, authorities will no longer be able to prepare supplementary planning documents (SPDs). Instead, they will be able to prepare Supplementary Plans, which will be afforded the same weight as a local plan or minerals and waste plan. We are proposing that when the new system comes into force (expected late 2024), existing SPDs will remain in force for a time-bound period; until the local planning authority is required to adopt a new-style plan. Current SPDs will automatically cease to have effect at the point at which authorities are required to have a new-style plan in place. For example, if a planning authority's plan is more than 5 years old when the new system comes into force and that planning authority is required to begin new-style plan-making straight away, their SPDs will expire on the date at which they are required to adopt a new-style plan i.e. 30 months after they commence plan preparation. Where an authority is working towards the 30 June 2025 deadline and they miss it, their SPDs will expire 30 months after that date i.e. at the end of December 2027.

Confirmation is required before we can commit to a timetable for updating the SPDs. When submitting the Draft Local Plan it was assumed there would be five years to 2030 to update and use the SPDs. However, the December 2024 NPPF transitional arrangements requires the Council to commence a partial review this spring which mean the SPDs will expire within 30 months after the preparation of plan making. It may therefore be necessary to consider other options rather than updating SPDs that would soon expire.

In light of the proposed planning reforms we are already discussing with neighbouring authorities and Natural England in what guise to prepare guidance on the New Forest Recreational impacts, the River Avon phosphates issue and the future update to the Dorset Heathlands Interim Air Quality Strategy (published as guidance ONE6). It is expected that this will be published as guidance on the website to support the implementation of the BCP Local Plan.

The existing habitat sites SPDs remain up to date and relevant in supporting the Draft Local Plan and can be rolled forward to support the Draft Local Plan without any urgent need for an update. This has been confirmed by Natural England.

It is worth noting that all of the habitat sites SPDs were prepared on the basis there was a policy gap while a local plan was being prepared. We now have current local plans in place that cover the Dorset Heathlands, Poole Harbour Recreation and Nitrogen Reduction in Poole Harbour issues. In addition Policy NE2 of the Draft BCP Local Plan provides up-to-date policy. The three SPDs, while providing useful interpretation and implementation of local plan policy are no longer essential.

Moving forward we may propose some modifications to Policy NE2 and the supporting text to ensure any important policy interpretation is included in the Draft Local Plan. We will then prepare guidance to help with interpretation and implementation. We may need to include the SAMMs costs within Policy NE2 (for plan viability reasons) but would welcome this discussion under Stage 2 of the examination should we proceed. Natural England are happy to work with us on these modifications to ensure we have robust policy in place within the local plan and the necessary guidance in lieu of the SPDs.

In terms of the legal tests at Stage 1, the Draft Local Plan HRA (SD6) supports the plan. The HRA will be updated to include the proposed modifications and thereby ensure the local plan is legally compliant upon adoption.

## **5. Request for timeline for air quality work update**

An update note has been provided and published – EXAM25.

Further refinement of the modelling is required and is due to be completed in Spring 2025 and inform the Stage 2 examination. The findings will be reviewed against the Dorset Heathlands Interim Air Quality Strategy (ONE6) and if additional mitigation measures are necessary the strategy will be updated accordingly. Modifications will be required to Policy NE2 and the supporting text which will be subject to a final HRA. As outlined above we expect the local plan to be supported by guidance rather than an SPD.

## **6. Request for further information relating to the points raised in the representation from Meyrick Estate & Trustees of the 1970 Settlement in relation to Sea Lamprey**

Natural England will send the response directly to the Programme Officer.

## **7. Request of latest housing land supply position**

Complete – EXAM24

**8. Request for copy of BCPs new Local Development Scheme when available**

The LDS will be published on 25 February in advance of 5 March Cabinet.