



Cerne Valley Neighbourhood Plan

‘Basic Conditions’ Statement

**Produced on behalf of the Cerne Valley Parish Council
by the Cerne Valley Neighbourhood Plan Working Group
as supporting documentation to the
Cerney Valley Neighbourhood Plan
8th November 2013**

- **Maps detailing the extent of the Cerne Valley Parish, proposed Defined Development Boundaries, detailing Green Spaces and Community Facilities can be found at Appendices 1, 4 and 5 of the Neighbourhood Plan and may be read in conjunction with this document.**

Introduction

Paragraph 8 of Schedule 4b of the Town and Country Planning Act 1990 (inserted by the Localism Act 2011) says that when a neighbourhood plan proposal is submitted to the local planning authority, it needs to be accompanied by two statements. These are:

- A consultation statement
- A statement on how the plan meets legal requirements (sometimes referred to as a basic conditions statement).

This is the basic conditions statement, which explains how:

- the plan meets the legal requirements in terms of its contents and coverage
- the plan has had appropriate regard to national policy and is in general conformity with the strategic policies in the development plan for the local area
- the plan will contribute to the achievement of sustainable development and is compatible with EU obligations

Contents and coverage – meeting the legal requirements

Has the draft plan been submitted by a qualifying body?

Yes – Cerne Valley Parish Council.

Is what is being proposed is a neighbourhood development plan?

Yes - the plan proposal relates to planning matters (the use and development of land) and has been prepared in accordance with the statutory requirements and processes set out in the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning Regulations 2012.

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

Yes – 10 years from date of adoption.

Do any of the policies relate to excluded development?

No - the neighbourhood plan proposal does not deal with county matters (mineral extraction and waste development), nationally significant infrastructure or development that falls within Annex 1 to Council Directive 85/337/EEC.

Do any of the policies relate extend beyond the neighbourhood area or cover an area where there is a neighbourhood development plan already in place?

No - the neighbourhood plan proposal relates to the Cerne Valley Neighbourhood Area and to no other area. There are no other neighbourhood plans relating to that neighbourhood area.

National and Local Policy context

In May 2013 a draft Cerne Valley Neighbourhood Plan was published for consultation. The following is a review of the extent to which it complies with national policy and guidance (primarily the National Planning Policy Framework (NPPF)) and is in general conformity with the strategic policy of the development plan for the area. The development plan for the area is the 2006 West Dorset Local Plan. The district council has submitted a revised Local Plan for examination, and if found sound this could be adopted in early 2014. Because this may be the development plan at the time of adoption, it is also included in this review.

The Cerne Valley Neighbourhood Plan contains nine policies; reference is also made to a number of Development Principles. The accompanying text has not been included in the following review, but has been taken into account in interpreting the policies.

Policy 1 Other than in exceptional cases, future housing development in Cerne Abbas and Godmanstone should be within the Defined Development Boundaries described in the Plan.

Policy implications

This policy potentially restricts new housing (when read in conjunction with Policy 5 and subject to the interpretation of 'exceptional cases') to within the delineated areas (Defined Development Boundaries) of Cerne Abbas and Godmanstone or through the re-use of historic farm buildings.

Relevant NPPF statements

49: Housing applications should be considered in the context of the presumption in favour of sustainable development

54: In rural areas, plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate.

55: In rural areas, housing should be located where it will enhance or maintain the vitality of rural communities, avoiding new isolated homes in the countryside unless there are special circumstances such as:

- the essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or
- the exceptional quality or innovative nature of the design of the dwelling.

Relevant 2006 Local Plan strategic policies

SS1 – development should take place within the defined development boundaries of villages

SS3 – development outside the defined development boundaries will be strictly controlled, having regard to policies in the local plan for the protection of the countryside, the sustainable location of new development and the re-use of land and buildings

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Meet local housing needs for all as far as is possible
- Support sustainable, safe and healthy communities with accessibility to a range of services and facilities

Strategic Approach:

Development opportunities in the more rural areas will be focused primarily at the larger villages, and should take place at an appropriate scale to the size of the village (unless identified as a strategic allocation). It is expected that neighbourhood development plans and other appropriate planning tools will be used to help bring forward new development, and may allocate additional sites, or extend an existing (or add a new) development boundary to help deliver this growth. Away from existing settlements, development opportunities will be more limited to those activities that will help continue to support the rural economy or help in the long-term management of the countryside and its unique character.

A continuing supply of housing land is needed to help meet the changing demographic and social needs of the area, and to help reduce the need to travel and promote economic growth and social inclusion. The type, size and mix of housing will be expected to reflect local needs as far as possible and result in balanced communities. Opportunities will be taken to secure affordable homes to meet local needs. This will include ensuring all new open market housing sites make a contribution (through providing new affordable homes or, where this is not possible, making a financial contribution), and through a range of flexible policies that encourage affordable housing to come forward where there are suitable opportunities.

Potential conformity issues identified at draft consultation stage

The policy in the Plan was updated to clarify the restriction does not apply to affordable housing delivered through rural exception sites.

Policy 2 New build development must be constructed to a quality design and of materials which are sympathetic to the character of the environment they built in. Designs should have regard to appropriate height and density and should include a treescape assessment when appropriate.

Policy implications

This policy places emphasis on the design of new buildings being in keeping with local character. Reference is also made to the need for a treescape assessment to be submitted alongside planning applications for new buildings.

Relevant NPPF statements

58. Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on

stated objectives for the future of the area and an understanding and evaluation of its defining characteristics.

59. Design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.

154. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.

193. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.

Relevant 2006 Local Plan strategic policies

DA1 provides for the retention and protection of existing woodland, trees and hedgerows and other features of merit where their removal would significantly harm the character or enjoyment of the site or surrounding area, or prejudice or damage wildlife interests.

DA2 requires development to provide sufficient hard and soft landscape treatment to successfully integrate with the character of the site and its surrounding area.

DA3 Within existing settlements, development will be permitted provided that it seeks to optimise the potential of the site to accommodate development, and local distinctiveness is not unacceptably compromised by the proposal

DA7 New development will be expected to display a high quality of design that complements and respects the distinctive character of the locality.

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Achieve high quality and sustainability in design, reflecting local character and distinctiveness of the area

Strategic Approach:

Development should be of high quality design to help achieve sustainable, safe and inclusive communities, enhancing quality of life for residents and visitors, and designed in keeping with or to positively contribute towards the local identity of the area

Potential conformity issues identified at draft consultation stage

The Plan has been amended to replace the wording "treescape" with that of "arboricultural" assessment. Further amendments to the Plan reflect the need for new housing site developments to require an arboricultural assessment. This assessment is intended to preserve existing significant trees and identify new planting opportunities. The assessment also requires an implementation plan as part of the planning application. The Plan also states that this requirement will also be applicable to other forms of development e.g. business developments.

Policy 3 The existing Defined Development Boundary for Cerne Abbas will be extended in its North and West corners.

Policy implications

The extensions to the Cerne Abbas Defined Development Boundary mean that planning applications for development will be considered more favourably as the land is not considered to be countryside.

Although housing development is more likely (due to viability) development is not limited to this use. No specific allocation is made, and other policies considerations will still apply.

The Design and Conservation Officer notes the following:

On balance the impact of any development to the northern or western edges of Cerne Abbas will need to be assessed under Paragraph 134 of the NPPF in respect of any harm to the significance of the heritage assets (the character and appearance of the Conservation Area and its setting, and the setting of the Giant, Scheduled Ancient Monument) against the public benefits of potential development. In addition the impact of any development on the important local buildings in Acreman Street shall be considered under Paragraph 135 which requires the local planning authority to consider the scale of any harm or loss and the significance of the heritage asset.

The two proposed extensions to the Defined Development Boundary are outside the Cerne Abbas Conservation Area but contribute to its setting. District Local Plan Policy SA21 and Paragraph 135 requires the local planning authority to consider the scale of any harm or loss and the significance of the heritage asset.

The proposed northern extension to the development boundary is part of Sealens Mead (1798 Cerne Abbas survey), the north eastern corner of which is the new village hall with associated car parking and the southern part of which is a wetland area that drops down to meet a tree lined stream (location map). Duck St is immediately to the west of the land and Kettle Lane immediately to the north.

The proposed western extension beyond Acreman Street represents an enlargement of the medieval suburb including Francombe Farm and the linear development along this north-south route, beyond the historic plots boundaries. This area is particularly visible from the higher ground to the north on the A352. The parallel rows of older houses and cottages Nos 11-19 & Nos 10-18 Acreman Street are all identified as important local buildings and are therefore afforded protection as non-designated heritage assets in the NPPF.

Relevant NPPF statements

16. Neighbourhoods should develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; and plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Relevant 2006 Local Plan strategic policies

Para 5.3. In order for a Defined Development Boundary to be retained at a settlement in this Plan, the minimum requirement relating to community facilities is that the settlement must have a school. The extent to which a settlement has other community facilities is also a consideration, as is accessibility from the villages to a town where there is a greater range of facilities. This includes the distance to the town, the quality of the road access, the frequency of public transport and whether there is a rail link. Other physical factors such as the extent of liability to flood, settlement form and whether the village is within the AONB have been taken into account.

Para 5.3.5. The settlements where Defined Development Boundaries are delineated include Cerne Abbas.

SS1: Within the villages with Defined Development Boundaries, development appropriate in scale for the particular village for housing, employment purposes and the provision of new community facilities and services will be permitted. Development should take place within the defined development boundaries as shown on the Proposals Map.

SA21: Proposals for development within a Conservation Area, or outside but which would affect its setting or views into or out of the Area, will not be permitted unless they preserve or enhance the character or appearance of the Area by being appropriate in mass, proportions, use, detailed design and materials to the site and its surroundings

SA23: Development will not be permitted which would have an adverse effect upon Scheduled Monuments or upon other archaeological sites of national importance and their settings.

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Support the local economy to provide opportunities for high quality, better paid jobs
- Meet local housing needs for all as far as is possible
- Support sustainable, safe and healthy communities with accessibility to a range of services and facilities

Strategic Approach:

Development opportunities in the more rural areas will be focused primarily at the larger villages, and should take place at an appropriate scale to the size of the village (unless identified as a strategic allocation). It is expected that neighbourhood development plans and other appropriate planning tools will be used to help bring forward new development, and may allocate additional sites, or extend an existing (or add a new) development boundary to help deliver this growth.

Potential conformity issues identified at draft consultation stage

None, but for the avoidance of doubt the Plan has been amended to clarify that other policy considerations in the Local and Neighbourhood plan's will still apply.

Policy 4 The Defined Development Boundary for Godmanstone will be adopted and used in relation to future planning applications. The village should have slow incremental growth in character with its history and therefore new development will be restricted to a density of no more than three dwellings an acre.

Policy implications

The inclusion of a defined development boundary will mean that planning applications for development will be considered more favourably as the land is not considered to be countryside. Although housing development is more likely (due to viability) development is not limited to this use. No specific allocation is made, and other policies considerations will still apply. The density restriction will limit the number of new homes that could come forward.

The Design and Conservation Officer notes the following:

An important reference is the Cerne Abbas, Charminster, Sydling St Nicholas and Godmanstone Conservation Area Appraisal. There are several key buildings – Holy Trinity Church, and the important local village hall (former school) opposite, The Manor House, Manor Farm and the Old rectory. Also worthy of mention is the garden of Godmanstone Manor House and the green in Church Lane.

Relevant NPPF statements

16. Neighbourhoods should develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; and plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.

47. To boost significantly the supply of housing, local planning authorities should ... set out their own approach to housing density to reflect local circumstances.

134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

135. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

154. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.

Relevant 2006 Local Plan strategic policies

Para 5.3. In order for a Defined Development Boundary to be retained at a settlement in this Plan, the minimum requirement relating to community facilities is that the settlement must have a school. The extent to which a settlement has other community facilities is also a consideration, as is accessibility from the villages to a town where there is a greater range of facilities. This includes the distance to the town, the quality of the road access, the frequency of public transport and whether there is a rail link. Other physical factors such as the extent of liability to flood, settlement form and whether the village is within the AONB have been taken into account.

Para 5.3.5. The settlements where Defined Development Boundaries are delineated do not include Godmanstone.

Para 5.3.6. The number of settlements at which infill development for open market housing will be permitted has, therefore, been restricted in order to encourage a more sustainable pattern of development. At the same time, the policy framework allows the provision of development that will provide affordable housing to meet local needs, provide local community facilities, or support the local economy, within or adjoining a wider range of settlements. This will allow local needs to be met while restricting open market housing in less sustainable locations.

SA21: Proposals for development within a Conservation Area, or outside but which would affect its setting or views into or out of the Area, will not be permitted unless they preserve or enhance the character or appearance of the Area by being appropriate in mass, proportions, use, detailed design and materials to the site and its surroundings

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Support the local economy to provide opportunities for high quality, better paid jobs
- Meet local housing needs for all as far as is possible

- Support sustainable, safe and healthy communities with accessibility to a range of services and facilities

Strategic Approach:

Development opportunities in the more rural areas will be focused primarily at the larger villages, and should take place at an appropriate scale to the size of the village (unless identified as a strategic allocation). It is expected that neighbourhood development plans and other appropriate planning tools will be used to help bring forward new development, and may allocate additional sites, or extend an existing (or add a new) development boundary to help deliver this growth.

Potential conformity issues identified at draft consultation stage

The addition of a development boundary at Godmanstone does not fully conform with the adopted 2006 Local Plan, given that the settlement does not have a school or broad range of community facilities, although there is reasonable road access to both the larger villages of Charminster and Cerne Abbas and to the main town of Dorchester. Given that development will be limited by the density restriction, this change is considered to be broadly in conformity with the 2006 Local Plan. It is noted that this would not be a potential issue with the emerging Local Plan.

In response to request to clarify how the density test could be interpreted the Plan has been amended to provide further clarification.

Policy 5 Planning applications for quality conversions of historic farm buildings, including barns, in rural areas should be favourably considered for residential and/or business uses.

Policy implications

This policy makes clear that residential or business the re-use of historic farm buildings should be given significant weight if the conversion would be of a high standard.

Relevant NPPF statements

55. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as ... where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting.

Relevant 2006 Local Plan strategic policies

SS4 on the adaptation and change of use of rural buildings would limit re-use of rural buildings to:

- those within or on the edge of Cerne Abbas (with preference given to employment and live/work units over and above open market housing); or
- farm diversification projects which support the farm enterprise in the long term where the buildings adjoin an existing building(s) or are close to the local highway network; or
- in the case of local needs housing only, locations with safe and convenient access to local facilities, as far as practicable by means other than the private car.

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Support the local economy to provide opportunities for high quality, better paid jobs
- Meet local housing needs for all as far as is possible

- Support sustainable, safe and healthy communities with accessibility to a range of services and facilities

Strategic Approach:

Away from existing settlements, development opportunities will be more limited to those activities that will help continue to support the rural economy or help in the long-term management of the countryside and its unique character.

Potential conformity issues identified at draft consultation stage.

None. It should be noted the policy is more flexible than the adopted 2006 Local Plan, given that there is no restriction in relation to access and no preferential test. The proposed policy is considered to still be broadly in conformity with the 2006 Local Plan and would not be a potential issue with the emerging Local Plan.

Policy 6 Future planning applications must consider flood risk issues, particularly if they have implications for Flood Risk Zones.

Policy implications

This Policy highlights the need to reflect potential flood risks as a planning consideration.

Relevant NPPF statements

100. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

101. The aim of the Sequential Test is to steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

102. If, following application of the Sequential Test, it is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding; the Exception Test can be applied if appropriate. For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and
- a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both elements of the test will have to be passed for development to be allocated or permitted.

Relevant 2006 Local Plan strategic policies

AH1. Development will not be permitted unless an appropriate flood risk assessment demonstrates that it will not be subject to, or result in, an unacceptable risk of flooding on site or elsewhere.

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Protect and enhance the outstanding natural and built environment – this will be the over-riding objective in those areas of the plan which are particularly sensitive to change

- Reduce vulnerability to the impacts of climate change, both by minimising the potential impacts and by adapting to those that are inevitable– this will be the over-riding objective in those areas of the plan which are at highest risk

Strategic Approach:

Development will be directed away from areas where there is likely to be significant risk to human health or the wider environment through flooding.

Potential conformity issues identified at the draft consultation stage.

The related Development Principle had a stronger stance in that it suggests that all planning applications should be refused in flood risk zones with the exception of flood defence schemes. The Development Principle on flood risk zones should only apply to schemes which would increase flood risk. It should also clarify which flood risk zones it is referring to (as, for example, flood zone 1 shows the area where there is less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year – and the majority of England and Wales falls within this area).

In response the Plan has been amended following observations by both WDDC and Environment Agency

Policy 7 Land in Simsay, Cerne Abbas will be safeguarded for the building of a new Cerne Abbas First School.

Policy implications

The site is outside the development boundary and has outline permission for a new school. This policy will ensure that it is not developed for other uses that would otherwise be acceptable in this location while the need for a new first school exists. There is reasonable prospect of the school being built.

Relevant NPPF statements

72. The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should give great weight to the need to create, expand or alter schools.

Relevant 2006 Local Plan strategic policies

C5 recognises the desirability of locating such community facilities within or on the edge of villages where it would be within reasonable and safe walking distance of its main catchment population.

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Support sustainable, safe and healthy communities with accessibility to a range of services and facilities

Strategic Approach:

Community facilities that help promote social interaction as well as minimise the need to travel by car should be provided within local communities.

Potential conformity issues identified at the draft consultation stage.

None, therefore no further action taken.

Policy 8 No development will take place in areas designated as Local Green Spaces in this Plan. In addition Community Facilities highlighted in the Plan must be protected, recognising their importance to the sustainability of the area.

Policy implications

This policy designates local green spaces (boundaries of which are identified on a map) and lists key community facilities that should be retained.

Relevant NPPF statements

28. To promote a strong rural economy, local and neighbourhood plans should ... promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

70. To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should ... guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

76. Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period.

77. The Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land.

78. Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts (eg: to preserve their openness)

204. Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

206. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Relevant 2006 Local Plan strategic policies

C6 Planning permission will not be granted for proposals, including changes of use, resulting in the loss of local community facilities (such as shops, garages, public houses and community buildings) where it would result in an unacceptable decline in the standard of services for local people and visitors unless:

- it can be demonstrated that there is no local need for the facility or the retention of the facility is not economically viable; and
- there is no reasonable likelihood of an appropriate alternative community facility being economically viable.

C7a/b similar seeks to retain playing fields, open space and recreation facilities unless alternative provision of at least equivalent community benefit is made available in a suitable and equally accessible location or there is an excess of such facilities in the area and no need for alternative open space or recreational uses which could take place at the site.

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Support sustainable, safe and healthy communities with accessibility to a range of services and facilities
- Protect and enhance the outstanding natural and built environment, including its landscape, biodiversity and geodiversity, and the local distinctiveness of places within the area – this will be the over-riding objective in those areas of the plan which are particularly sensitive to change

Strategic Approach:

Existing local facilities will be protected through a flexible approach which recognises the changing needs in society.

Potential conformity issues identified at the draft consultation stage.

Plan amended to reflect that development in areas designated as Local Green Space may be possible if it does not undermine the original reasons for designation. Also amended the Plan to indicate any future designation of new additional green spaces should be secured through the planning process thereby ensuring applications passed the relevant legal test.

Policy 9 Planning applications relating to existing and new businesses which are in keeping with the Cerne Valley Economic Strategy should receive favourable consideration subject to them being sympathetic to the character and distinctiveness of the area.

The overall economic strategy for the Cerne Valley is:

- To support the expansion of “home based” activity, particularly using the benefits of superfast broadband access.
- Make it attractive to establishing new small businesses including rural based industries.
- Stimulate farm diversification where appropriate.
- Encourage holiday accommodation in all its forms.
- Challenge change of business use when requested, but always in the context of the best interest of the valley economy versus the future viability of that business.
- Promote a climate whereby derelict business properties are encouraged to be restored to a productive economic role, where this is possible.

Policy implications

This policy will mean that certain types of economic development may be more favourably considered, subject to them being of good design, and as such potentially given more weight. However other policies considerations will still apply.

Relevant NPPF statements

28. Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship

Relevant 2006 Local Plan strategic policies

The local plan policies allow office / workshop / industrial development both within and outside defined development boundaries (policies ET3 and ET4) subject to highway, environmental and amenity considerations. Tourist attractions are required to be close to existing buildings (policy ET8) and built holiday accommodation is restricted to the re-use of rural buildings outside Defined Development Boundaries (policy ET9).

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Support the local economy to provide opportunities for high quality, better paid jobs

Strategic Approach:

A continuing supply of land and premises suitable for employment uses is needed, of a type and scale appropriate to the characteristics of the local area, to provide sufficient opportunities for employment needs to be met locally, to reduce the need to travel and promote economic growth and social inclusion. This will be delivered through the allocation and provision of new sites (with the greater proportion of development at the towns), the suitable protection of existing employment sites (taking into account their significance), and flexible policies to allow development to come forward on other suitable sites.

Potential conformity issues identified at draft consultation stage.

For the avoidance of doubt the Plan has been amended to clarify those other policy considerations in the local plan and other policies safeguarding area's assets such as Dorset AONB, Conservation areas etc. will still apply and may be given greater weight than the Plan.

Development Principles:

Aspects of these principles are included in relevant policies. The weight to be accorded to those elements that are not covered by policy is unclear, but they would nonetheless be a planning consideration. These are:

- All new-build houses will be constructed to minimum standards in accordance with Code 4 of the Governments "Code for Sustainable Houses".
- Any application to build open market housing where the numbers exceed three should meet the WDDC target of including a minimum of 35% of affordable housing. The Plan notes the most recent housing needs assessment indicates 14 affordable homes are needed in the Cerne Valley.
- There should be a presumption in favour of the construction of affordable housing, provided applications accord with the principles contained within the Plan.
- No planning application should be approved if it compromises the status of the valley as it applies to being an AONB and its other designated areas of conservation.
- Developers will be responsible for ensuring Environmental Impact Assessments are conducted as part of all future planning applications, when appropriate.
- Planning applications should require existing and planned utilities such as electrical and telephone cables to be put underground.

Policy implications

The principle on the Code for Sustainable Homes sets a minimum requirement. The Principle on affordable housing ensures that such homes are provided on sites of 3 or more houses, and indicates that applications for affordable housing should be considered favourably. The principle regarding the AONB and Conservation Areas indicates that development that would cause significant harm to their character should not be permitted. The final principle requires that existing and new cabling is put underground.

Relevant NPPF statements

54: In rural areas, plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate.

95. To support the move to a low carbon future, local planning authorities should ... when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards.

115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty (AONBs), which have the highest status of protection in relation to landscape and scenic beauty.

131. In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

154. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan.

193. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.

204. Planning obligations should only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

206. Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Relevant 2006 Local Plan strategic policies

The Local Plan's objectives include one to promote energy efficiency, the use of renewable energy and other measures to reduce the impact of development on the wider environment.

HS3 states that on proposed new housing developments, including conversions, within the Defined Development Boundaries of villages, the District Council will negotiate to secure in the region of 35% of affordable housing to meet identified local needs if there are 3 or more dwellings, or a site area of 0.1 or more hectares, on a site.

SA1 Development which would harm the natural beauty of the AONB will not be permitted. Development will only be permitted if its scale, siting and design conserves the quality of the landscape.

SA21 Proposals for development within a Conservation Area, or outside but which would affect its setting or views into or out of the Area, will not be permitted unless they preserve or enhance the character or appearance of the Area by being appropriate in mass, proportions, use, detailed design and materials to the site and its surroundings.

Relevant 2013 emerging local plan strategic approach

Strategic Objectives:

- Meet local housing needs for all as far as is possible
- Protect and enhance the outstanding natural and built environment, including its landscape, biodiversity and geodiversity, and the local distinctiveness of places within the area – this will be the over-riding objective in those areas of the plan which are particularly sensitive to change
- Achieve high quality and sustainability in design, reflecting local character and distinctiveness of the area

Strategic Approach:

Development should protect and enhance the natural environment - its landscape, seascapes and geological conservation interests, its wildlife and habitats and important local green spaces - by directing development away from sensitive areas that cannot accommodate change. Where development is needed and harm cannot be avoided, appropriate mitigation to off-set any adverse impact to the landscape, wildlife and green infrastructure network will be required.

High priority will be given to protecting and enhancing the area's heritage assets – including its Listed Building and Conservation Areas, and other features with local historic or cultural associations, particularly where it contributes to the area's local distinctiveness.

Development should be of high quality design to help achieve sustainable, safe and inclusive communities, enhancing quality of life for residents and visitors, and designed in keeping with or to positively contribute towards the local identity of the area.

Opportunities will be taken to secure affordable homes to meet local needs. This will include ensuring all new open market housing sites make a contribution (through providing new affordable homes or, where this is not possible, making a financial contribution), and through a range of flexible policies that encourage affordable housing to come forward where there are suitable opportunities.

Potential conformity issues identified at draft consultation stage.

Following further consultation with WDDC, the Plan was amended to reflect the desired status of Development Principles as vis-à-vis Policies in that they should be a planning consideration. Further amendments were made to the Plan made to address feedback concerning all new open market housing sites making a financial contribution and to clarify the desirability, as opposed to requirement, for electric or telephone cables to be sited underground where reasonable and practical.

Contribute to the Achievement of Sustainable Development and compatible with EU obligations

The National Planning Policy Framework states that there should be a presumption in favour of sustainable development. Sustainable means ensuring better lives for us and not worse lives for future generations. Development means growth and therefore sustainable development is about positive growth – making economic, environmental and social progress for this and future generations.

In respect of this Plan a sustainability checklist has been completed, based on the issues identified in the sustainability appraisal that has been prepared for the wider the Local Plan area. The sustainability checklist was included in Appendix 6 of the draft plan.

An SEA screening opinion was sought from the following organisations during the formal consultation period:

- Natural England
- English Heritage
- Environment Agency
- Dorset AONB
- West Dorset District Council
- Dorset County Council

In response, in essence the collective view of these organisations was that a SEA screening was not necessary in respect of this Plan when considered in conjunction with the emerging Local Plan. A summary of the responses from these organisations can be found by reference to Appendix C of the Consultation Summary. In addition in response to feedback from English Heritage to the effect that the impact of additional housing should be assessed as neutral as opposed to positive the Sustainability Checklist in the Plan was amended accordingly.