



Cranborne Chase Area of Outstanding Natural Beauty



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17th March 2020

Dear Philip

Neighbourhood Plan Shaftesbury

Thank you for the opportunity to comment on the Neighbourhood Plan for Shaftesbury, submission version.

1. Shaftesbury is one of the market towns on the edge of this Areas of Outstanding Natural Beauty and small elements of the AONB fall within the Neighbourhood Plan Area. However, the AONB is a significant element in the context of Shaftesbury, surrounding it on its northern, eastern and southern sides. It is, therefore, relevant to remind you of the status of national importance of AONBs in general and this AONB in particular, and that information is found in Annex A.
2. Members of the AONB Team have had a variety of discussions with representatives of Shaftesbury Town Council and the Neighbourhood Plan Team. The AONB does, therefore **welcome** this Plan and commends the team on the format and layout of the Plan. In that context I will, however, make one observation. In the policy sections I find it a little unusual that much of the supporting text for a policy comes after the policy statement, rather than before it.
3. I see that a Screening Opinion for a Strategic Environmental Assessment determined that an SEA would not be necessary because the Neighbourhood Plan is not proposing any development allocations nor is it proposing any settlement boundary changes.

International Dark Sky Reserve 2019

4. For ease of reference I will try to make my comments in sequential order going through the Plan.
5. The Index of Policies on page 9 is particularly helpful. I note, nevertheless, that there do not appear to be specific policies on renewable energy or affordable housing. I found later that these are covered, to an extent, in other policies. It may, however, be beneficial to draw out those aspects into separate policies as they are particularly relevant at the current time and appear to be important for the foreseeable future.
6. Page 12 refers to the Neighbourhood Plan area and I have to admit I had not fully appreciated that the settlement boundary actually extends outside of the Neighbourhood Plan area. It seems that locations, particularly on the southern side, are more relevant to Shaftesbury than the adjoining parish. It might, therefore, have been prudent to have either a larger Neighbourhood Plan area or to explicitly engage in a liaison and cooperation arrangement with the adjoining parishes.
7. I find it a little surprising that on page 14 the only reference to affordable housing is in relation to sites outside of the development boundary and because of that there appears to be no specific policy on affordable housing at all. The perception of the AONB is that the lack of affordable housing in and around this AONB is the principle housing issue, particularly when developers seem quite keen to come forward with substantial developments of four bedroomed houses on the open market.
8. The summary of policies relating to Climate Change on page 16 is particularly helpful. Nevertheless it is noticeable, at this time when your Council has declared a climate emergency, there is no reference to the provision of technology on new housing and new employment buildings to capture and utilise renewable energy. Covering that issue could build on our AONB Management Plan policy PT 21. Shaftesbury is very much part of the setting of this AONB and in the same way that reference is made later in the document to protecting the dark night skies of the AONB providing policy guidance on renewable energy now would seem to be providing exactly one of the strands of guidance that Neighbourhood Plans are there to do.
9. A small point in ensuring that policies are mutually supported; I would **suggest** that policy SFTC3 on page 23 also takes account of any street lighting being dark night sky compliant.
10. I note that on page 26 it is made quite clear that because Shaftesbury has already achieved the quota of dwellings in the adopted Local Plan no new allocations for housing or employment are being proposed.
11. In relation to policy SFHE1, where an assessment of the social, economic and environmental impacts of proposed development outside of the settlement boundary is being promoted, I would **strongly advise** that this policy should be modified to indicate that such an assessment should not only be clear but also independent.

12. The AONB is well aware that the Shaftesbury community are concerned about the slow or lack of delivery of public benefits that were promised with previous development schemes. The AONB does, therefore, have considerable sympathy with the feelings behind policy SFHE2. The policy does, however, seem just a bit overly cautious about putting the emphasis on the provision of affordable housing. It could, for example, say that affordable dwellings would be the only additional housing development that would be supported prior to the adoption of a new Dorset Local Plan. It could also pick up the guidance in NPPF paragraph 63 and apply the five dwellings threshold for the provision of affordable housing rather than ten.
13. The concern about the tardiness surrounding delivery of public benefits from developments could also be more crisply worded to make it clear that the Neighbourhood Plan expects the Planning Authority to require developers to enter into binding legal agreements against specific timescales prior to the commencement of development so that the community is clear which benefits are to be provided at what points in time.
14. Policy SFHE4 relates to safe guarding the route of an eastern bypass. Because the provision of a bypass on the eastern side has significant implications for this AONB relating to not just the connection points north and south of the town, but also to the route such a modified highway network would take, **this AONB cannot support that policy**. Furthermore the AONB is very aware of the high level objective within the adopted Local Plan to improve connectivity between Blandford Forum, Sturminster Newton, Shaftesbury and Gillingham as the major towns within the North Dorset area. I have proposed on a number of occasions that a major highway improvement should be considered between the four towns rather than simply an eastern link from Blandford to Shaftesbury. A more westerly route could provide a spur to Sturminster Newton whilst travelling on the western side of Shaftesbury, linking to Gillingham and progressing to the A303. In the context of the Neighbourhood Plan that would mean focusing on a bypass route to the west, rather than the east, of Shaftesbury. That approach would avoid the sensitive landscapes of this AONB in addition to linking the four main towns of North Dorset.
15. Turning to section 4, Green Infrastructure, there seems to be a bit of a misunderstanding in connection with local green spaces, page 41. In NPPF paragraphs 99 – 101 is quite clear that it is not a requirement of Local Green Space designation for the land to be ‘not needed for development’. Furthermore the wording in the NPPF is clear that a site such as the public access area and viewpoint at Littledown that is being provided as part of the development can be identified as Local Green Space. That location is within this AONB and the AONB **advises** that it would be sensible to identify it as a LGS.
16. The AONB particularly **welcomes** policy SFG12 which focuses on the slopes and views around and to and from Shaftesbury and the surrounding countryside. This policy relates to some important issues in relation to the special character of Shaftesbury and its relationship with this AONB. However there appear to be some typographic errors in the policy. The map reference in the first sentence of the policy does not appear to relate to any of the maps

provided. It would also seem that the second sentence of the policy should read 'any development that will not preserve' is the intention of the policy. I also note that on page 45 in the third paragraph the (I) should in fact be (F). On page 47 there are two maps and a key. It would appear to me that the colouring on the central map is incorrect in relation to the area above the word 'character' as this is clearly the top end of a chalk river valley.

17. On page 48 the map should, I suggest, indicate that the western sector of Littledown, where public access is being provided should be coloured as being sensitive to development, being a plateau edge location.
18. The AONB, being an International Dark Sky Reserve, **welcomes** policy SFG14. The elevated position of Shaftesbury makes it particularly valuable as a star gazing location to gain the emotional, intellectual, recreational and tourism benefits and Shaftesbury should be dark night sky compliant. Whilst the policy as currently worded seeks to set that out I would, therefore, **suggest** that the second point of the policy is amended to read 'Where lighting is considered necessary, **it should be dark night sky compliant** and its design should minimise its impact both on the amenity of the occupants of neighbouring properties and in terms of light spillage and glare'.
19. The Design and Heritage section focuses largely on historical and architectural matters. The approach to character zones is seen as both instructive and helpful. The AONB notes that in the suite of policies aimed at providing clear direction on the appropriateness of designs and materials there does not appear to be any comment on roof lights. Roof lights have the capacity to contribute significantly to light pollution and hence impact adversely on dark night skies and the International Dark Sky Reserve designation. The AONB **recommends** policies could, therefore, include a reference to designs avoiding roof lights for the reasons just stated. Lantern style roof lights in flat roof structures also have significant capacity to contribute to light pollution. If it is felt that restricting these design elements is too prescriptive then it should be clear that such features can only be included in designs when they are fitted with integral blinds that can be operated at night to avoid light pollution.
20. The AONB **welcomes** the proactive approach of the Neighbourhood Plan to the provision of projects, and projects HE1 and HE2 relating to affordable homes and a Community Land Trust are particularly **welcomed**. Project G14, protection of our Dark Skies, is also seen as particularly positive and is likely to be part of this AONB's year on year reduction of light pollution.
21. The AONB is also **impressed** by Appendix F which comprises the Shaftesbury views audit, including not just views from Shaftesbury but also views of Shaftesbury itself from the surrounding countryside. The AONB is mindful that in a number of significant appeal reports relating to proposals in the North Dorset area views to and from key landscape features have been of some significance in influencing the appeal outcome.

Thank you again for the opportunity to comment on this Neighbourhood Plan and I would, of course, be happy to discuss any of the points raised.

Yours sincerely

[REDACTED]

Richard Burden
Principal Landscape and Planning Officer [REDACTED]

For and on behalf of the CCWWD AONB Partnership Board

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ENCS: Annex A AONB status and significance
Annex B Partner Organisations

Annex A AONB status and significance

The Cranborne Chase and West Wiltshire Downs AONB is nationally important. It has been designated under the National Parks and Access to the Countryside Act 1949 to conserve and enhance the outstanding natural beauty of this area which straddles two County, two county scale Unitary, and three District councils. It is clear from the Act, subsequent government sponsored reports, and the Countryside and Rights of Way Act 2000 that natural beauty includes wildlife, scientific, and cultural heritage.

It is also recognised that in relation to their landscape characteristics and quality, National Parks and Areas of Outstanding Natural Beauty are equally important aspects of the nation's heritage assets and environmental capital.

Local government (including planning authorities), Ministers of the Crown, individual councillors, any public body and their employees, statutory undertakers, and holders of public office also have a statutory duty in section 85 of the CRoW Act to have regard to the purposes of AONB designation, namely conserving and enhancing natural beauty, in exercising or performing any functions in relation to, or so as to affect, land in an AONB.

This [AONB's Management Plan](#) is a statutory document that is approved by the Secretary of State and is adopted by the constituent councils. It sets out the Local Authorities' Objectives and Policies for this nationally significant area, as required by section 89 (2) of the CRoW Act. The national Planning Practice Guidance [Natural Environment paragraph 040, (21.07.2019)] confirms that the AONB and its Management Plan are material considerations in planning.

The National Planning Policy Framework (2019) is clear that the 'presumption in favour of sustainable development' does not automatically apply within AONBs, as confirmed by paragraph 11 footnote 6, due to other policies relating to AONBs elsewhere within the Framework. Paragraph 11 (b) indicates that for plan-making being in an AONB 'provides a strong reason for restricting the overall scale, type or distribution of development.' It also indicates in 11 (d) that for decision-making the application of policies in the NPPF that protect areas such as AONBs 'provides a clear reason for refusing the development proposed.'

NPPF paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, which include AONBs, in a manner commensurate with their statutory status. AONBs, along with National Parks, have the highest level of national protection.

Paragraph 171 explains that plans should distinguish between the hierarchy of international, national and local sites whilst taking a strategic approach to enhancing habitats and green infrastructure, and planning for the enhancement of natural capital across local authority boundaries.

It is explicit (paragraph 172) that great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty. The conservation and

enhancement of wildlife and cultural heritage are important considerations in these areas. Furthermore, the scale and extent of development within these designated areas should be limited, and planning permission should be refused for major development other than in exceptional circumstances.

The Planning Practice Guidance, updated 21.07.2019, helpfully includes landscapes, environmental gain, Areas of Outstanding Natural Beauty, and their settings in the Natural Environment section. In particular, paragraph 042 highlights the importance of settings, their contributions to natural beauty, and the harm that can be done by poorly located or designed development especially where long views from or to the AONB are identified. Paragraph 041 is clear that policies for protecting AONBs may mean that it is not possible to meet objectively assessed needs for development, and any development in an AONB will need to be located and designed in a way that reflects its status as a landscape of the highest quality.

More detailed information in connection with AONB matters can be found on the AONB [web site](#) where there is not only the adopted AONB Management Plan but also Position Statements and Good Practice Notes ([Planning Related Publications](#)). In particular when considering construction within the AONB I would draw attention to our [Good Practice Note on Colour in the Countryside](#)

This AONB is, as I expect you know, in one of the darkest parts of Southern England and hence the visibility of stars, and the Milky Way, is a key attribute of this AONB. In October 2019 it was designated the 14th International Dark Sky Reserve in the world. The AONB Partnership is, therefore, very concerned about light pollution. Development that could contribute to light pollution, and hence impact adversely on those dark night skies, has to be modified so that such impacts are eliminated. Building designs, especially those with extensive areas of glazing, may need to be amended. Any external lighting should be explicitly approved by the Local Planning Authority and comply with the [AONB's Position Statement on Light Pollution](#) and the more recent [Good Practice Note on Good External Lighting](#) and [Paper by Bob Mizon on Light Fittings](#).

Greater details of the landscape, buildings and settlement characteristics can be found in the [Landscape Character Assessment 2003](#) and the [Cranborne Chase and Chalke Valley LCA 2018](#). Those documents are available and can be viewed in [FULL](#) on our [web site](#).

Annex B

Cranborne Chase **Area of Outstanding Natural Beauty**

AONB Office, Rushmore Farm, Tinkley Bottom, Tollard Royal, Salisbury SP5 5QA

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The Cranborne Chase Area of Outstanding Natural Beauty Partnership Board is made up of the following Partner Organisations

Unitary, County, and District Council Membership (1 Member and 1 Officer Representative each)

- Wiltshire Council (Wef.01.04.09 incorporating Wiltshire County Council, West Wiltshire District Council, and Salisbury District Council).
- Dorset Council (Wef 01/04/19 incorporating Dorset County Council, East Dorset District Council, and North Dorset District Council),
- Hampshire County Council
- Somerset County Council
- New Forest District Council
- Mendip District Council
- South Somerset District Council

Other Organisations

- Natural England (2 Representatives)
- Historic England (1 Representative)
- Campaign to Protect Rural England (1 Representative)
- Cranborne Chase Landscape Trust (1 Representative)
- Forestry Commission (1 Representative)
- The Country Land and Business Association (1 Representative)
- National Farmers Union (2 Representatives)
- Community Representatives from the Wiltshire and Dorset Associations of Town & Parish Councils (ATPCs) (2 Representatives)