

Neighbourhood Plans:  
**DECISION STATEMENT**

4 February 2021



## **SHAFTESBURY NEIGHBOURHOOD PLAN 2019 to 2031**

Dorset Council is satisfied that the Shaftesbury Neighbourhood Plan 2019 to 2031, as modified, meets the basic conditions, is compatible with the Convention rights and complies with the definition of a neighbourhood development plan.

A referendum will therefore be held. The date of the referendum is to be confirmed.

### **Background**

The Shaftesbury Neighbourhood Area was designated in November 2017 in accordance with Part 2 of the Neighbourhood Planning (General) Regulations 2012 (the 'Regulations'). The relevant body is confirmed as Shaftesbury Town Council and the designated neighbourhood area covers Shaftesbury civil parish.

In January 2020, Shaftesbury Town Council submitted its draft neighbourhood plan and supporting material to Dorset Council. Dorset Council was satisfied that the documents submitted met the requirements of Regulation 15 of the 'Regulations'. The Town Council was notified of Dorset Council's conclusion and informed that the plan could proceed to examination.

The submitted documents were made available for consultation from 7 February to 20 March 2020, and an independent examiner, Mr David Hogger BA MSc MRTPI MCIHT, was appointed to examine the Plan. The examiner's report was received on 13 August 2020.

In summary, the examiner's report concluded that the Shaftesbury Neighbourhood Plan 2019 to 2031 would meet the basic conditions and other legal requirements, subject to his recommended modifications as set out in the Appendix of this decision statement.

Dorset Council considered each of the recommendations and modifications contained in the examiner's report. In considering the conclusions of the independent examiner, Dorset Council agreed that the legal requirements and basic conditions had been met. The final version of the neighbourhood plan agreed by Dorset Council includes the examiner's recommended modifications as set out in Appendix A of this document.

Dorset Council is therefore satisfied that the plan as amended...

- (i) meets the basic conditions (as set out in Schedule 4B to the Town & Country planning Act 1990); and
- (ii) is compatible with the Convention rights (within the meaning of the Human Rights Act 1998); and
- (iii) complies with the provision concerning Neighbourhood Development Plans made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004, and

...can now proceed to a referendum.

## The area covered by the Shaftesbury Neighbourhood Plan 2019 to 2031

The neighbourhood plan area covers Shaftesbury civil parish only.

### Details of the Neighbourhood Plan Referendum

The independent examiner considered that it was appropriate for the referendum to be held over the neighbourhood area. The referendum will therefore be held over the neighbourhood area, being the same area as the parish of Shaftesbury.

In accordance with Regulation 13 of The Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, the earliest date the referendum can be held is 6 May 2021. However, as this is an ongoing pandemic, the legislation may be amended or revoked in response to changing circumstances.

When a date for the referendum is decided then information about it will be published on the Council's website and made available for inspection no fewer than 28 days beforehand.

### Where to find more information...

Copies of the specified referendum documents including this decision statement, the examiner's report and the neighbourhood plan can be viewed online at [www.dorsetcouncil.gov.uk/shaftesbury-neighbourhood-plan](http://www.dorsetcouncil.gov.uk/shaftesbury-neighbourhood-plan)

## APPENDIX A

### Examiner's Recommendations

Below are the recommendations and modifications taken from the Examiner's report.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Pages 10 and 11	<p>Relocate the two Population Tables on pages 10 and 11 to a new <b>Appendix N: Population Statistics</b> on page 133.</p> <p>Add <b>Appendix N</b> to list of Appendices on page 87</p> <p>Include new paragraph on population growth in section 1.6 to read:</p> <p><b>The first population Table in Appendix N shows the anticipated population growth in the town from 2011 to 2031 and this equates to about a 38% increase. The second Table highlights an 18% increase in Shaftesbury's population from 2011 to 2016, which is the highest in Dorset.</b></p>
PM2	Page 10	<p>In the Table, at the head of the third and fourth columns, replace <del>household(s)</del> with <b>dwelling(s)</b>.</p>
PM3	Page 12 Before section 1.7	<p>Add new paragraphs of introductory text to read:</p> <p><b>Strategic Planning Policies</b></p> <p><b>In preparing the 2016 Local Plan, North Dorset District Council looked to its main towns (including Shaftesbury) to function as the main service centres and to be the main focuses for growth. As part of this work, consideration was given to the amount of development that was needed and would be appropriate for each town. Local Plan Policy 2: Core Spatial Strategy identifies Shaftesbury as one of the four main towns in North Dorset, where growth will be focussed.</b></p> <p><b>For Shaftesbury, it has long been recognised that the potential for expansion is limited by the landscape and biodiversity constraints. There are only a limited number of potentially developable sites where the town could grow.</b></p> <p><b>The main planning objectives for the town are included in Policy 18 of the Local Plan, whilst Policy 12 of that document supports town centre enhancement and growth.</b></p>

		<p>A number of more detailed policies from the earlier 2003 Local Plan have been saved, for example in relation to safeguarding the character of the town.</p> <p>The Neighbourhood Plan has to work within the strategic framework provided by the adopted Local Plan. Our aims very much fit within this framework and should ensure that changes to the town and surrounding area are positive ones that respect the environment and unique history of the area.</p>
PM4	<p>Page 12</p> <p>After section 1.7</p>	<p>Add a new paragraph to read:</p> <p><b>Basic Conditions</b></p> <p><b>Legislation requires Neighbourhood Plans to be accompanied by a Basic Conditions Statement which confirms, for example, that the document meets legal requirements, has regard to national and strategic policies; and will contribute to the achievement of sustainable development. A copy of the Statement can be found on Dorset Council's web-site.</b></p> <p><a href="https://www.dorsetcouncil.gov.uk/shaftesbury-neighbourhood-plan">https://www.dorsetcouncil.gov.uk/shaftesbury-neighbourhood-plan</a></p>
PM5	<p>Page 26</p>	<p>Delete entire paragraph below 'The context' and replace it with:</p> <p><b>Policy 6 of the North Dorset Local Plan advises that the scale of housing development in Shaftesbury will be at least 1,140 homes between 2011 and 2031. That figure is not an upper limit.</b></p>
PM6	<p>Page 23</p> <p>Policy SFTC3</p>	<p>Start the policy:</p> <p><b>In Shaftesbury Town Centre Any street lighting....</b></p>
PM7	<p>Page 29</p> <p>Supporting text and Policy SFHE1</p>	<p>Add the following wording to the end of the paragraph above Policy SFHE1:</p> <p><b>All of these changes will potentially impact on the town's sensitive environment and for that reason inappropriate development outside the settlement boundary will be resisted. Where development outside the boundary is proposed it will have to be accompanied by detailed supportive evidence, as referred to in the following policy.</b></p> <p>Amend start of Policy SFHE1 to read:</p> <p><del>No changes should be made to the settlement boundary while there remains a substantial housing supply in comparison to the adopted Local Plan requirement. In</del></p>

		<p><del>these</del> circumstances where <b>it can be clearly demonstrated that</b> the Local Plan housing supply policies are not <del>considered</del> up-to-date and an application.....</p>
PM8	Page 30	<p>Amend the second sentence of the fourth paragraph to read:</p> <p><b>The new Dorset Council Local Plan is will consider the role of Shaftesbury and will be subject to a public examination.</b> <del>subject to detailed examination and will look at how Shaftesbury strategically fits within the wider area.</del></p> <p>Amend the last sentence of the fourth paragraph to read: In the meantime <del>the following</del> Policy <b>SFHE1</b> tries to.....</p>
PM9	Page 33 Policy SFHE2	<p>Modify the start of Policy SFHE2, to read:</p> <p>The following key principles should be applied to any future <b>proposed small to medium size housing sites (i.e. up to 1 hectare in size):</b></p> <p>Replace first bullet point with:</p> <ul style="list-style-type: none"> <li>- <b>They should be integrated into an existing built-up area;</b></li> </ul> <p>Clarify the second bullet point:</p> <ul style="list-style-type: none"> <li>- The mechanisms that will be used to ensure that planning obligations and conditions are monitored and complied with <del>are</del> <b>should be</b> set out clearly;</li> </ul> <p>In the second part of Policy SFHE2 replace introductory sentence as follows:</p> <p><del>Large sites over 1ha in size should be properly master planned. This means:</del></p> <p><b>On sites of 100 dwellings or more:</b></p> <ul style="list-style-type: none"> <li>- The development should be ...</li> </ul> <p>Amend the penultimate bullet point to read:</p> <p>Information on the variation in scale of building heights (including information on the impact of local topography and views); <b>all</b> landscape features to be retained; and proposed green spaces, corridors and landscaping; <del>is</del> <b>should be clearly identified</b> <del>set out for all phases prior to the commencement of development.</del></p> <p>Delete the last bullet point of the policy:</p> <p><del>The mix of housing should include dwelling types likely to</del></p>

		<del>be suitable for older people and also for those working from home.</del>
PM10	Page 35 Map SFHE3	<b>Modify Map SFHE3</b> to identify only those uses covered by Policy SFHE3 (i.e. existing and proposed employment areas).  There should also be (as an addition to the existing note entitled 'Map of employment areas') <b>a cross-reference to Policy SFTC1</b> and an addition to the note stating that, <b>other employment generating uses, such as healthcare, schools and community facilities are protected under Policies SFCL1 and SFCL2 but that if they are genuinely no longer required, alternative community/employment uses would be supported.</b>
PM11	Page 35 Map SFHE3	<b>Modify Map SFHE3</b> to accurately show the boundary of the employment allocation to the south of the A30; the correct boundary of the Wincombe Business Park; and the agreed boundary of Blackmore Vale Dairy.  The employment designation on the former cattle market site should be deleted.
PM12	Page 36 Policy SFHE4	Amend the first part of Policy SFHE4 to read:  The bypass corridor to the eastern side of the town will be <del>preserved</del> <b>protected</b> and its <del>early</del> provision supported.
PM13	Page 39	Modify the penultimate and last paragraphs by inserting <b>Fields in Trust</b> between 'national' and 'standards' in both cases.
PM14	Page 42 Policy SFGI1	In the first and last paragraphs of the policy add the following to the two identical references in parenthesis:  (as referenced in the separate GI audit document <b>attached as Appendix L</b> ).
PM15	Page 123 Appendix L and Map SFGI1  (page 43)	Delete the two school playing field sites and the tennis courts from the list of LGS and from Map SFGI1 – sites 10, 11 and 14.
PM16	Page 123 Appendix L	<b>Replace the current Appendix L</b> with the more comprehensive Table that was forwarded by the Town Council in response to my initial Questions. On the amended Table include a row across the top of columns 5 to 9 to read: <b>Particular Local Significance</b> .
PM17	Map SFGI1	Amend the reference numbers on the Map in light of the deletion of sites 10, 11 and 14.

	(page 43)	
PM18	Page 123 Appendix L Site 27	Amend the boundary of Rolt Millennium Green to remove land currently owned by Ms Hellier from the LGS, as shown on Figure 2 that was included in the Regulation 16 response from Atlas Planning Group (SY1).
PM19	Page 44 Policy SFGI2	Correct the Map number reference in the first paragraph: SFGI2.
PM20	Page 44 Policy SFGI2	Modify the second and third paragraphs of Policy SFGI2 to read:  On the steep slopes (as shown on map SFGI2) any development <b>that does not</b> will preserve the remaining open or wooded areas and their distinct rural character, <del>and further building in this area will generally be resisted.</del>  On the shallow slopes <b>and plateau edge</b> (as shown on map SFGI2), the design, scale and location of the development should not adversely affect the generally undeveloped character of the slopes <b>and should respect the highly sensitive nature of the plateau edge.</b> It should not ....
PM21	Page 67 Policy SFDH2	Place the last two sentences of the policy in the supporting text leaving the policy to read:  <b>Development should be sustainable, safe, inclusive and accessible in design.</b>
PM22	Page 70 Policy SFDH5	Delete reference to Manual for Streets.
PM23	Page 72 Policy SFDH7	Amend policy: <del>celebrate</del> <b>respect.</b>
PM24	Page 74 Policy SFDH9	Revise the policy to read:  <b>Locally important historic buildings, identified in this Plan, should be conserved and enhanced.</b>  <del>Support will be given wherever practicable to the protection and enhancement of the locally important historic buildings identified in this plan.</del>
PM25	Page 83 Map SFCL2	<b>Update the Key Tourist Facilities Map</b> to include the Hardy Way and White Hart Link footpaths (as proposed by STC in its response to my initial Questions).

PM26	Page 85 Policy SFCL3	<p><b>Update Map SFCL3 Existing and Proposed Footpaths and Cycleways.</b></p> <p>To reflect the current situation as set out by STC in response to Examiner's Questions.</p>
PM27	Page 85	<p>Add a new paragraph under the new title of <b>Monitoring and Review</b> to read:</p> <p><b>Shaftesbury Town Council, as the body responsible for leading the Neighbourhood Plan process, will consider the need to monitor this plan on a yearly basis. As part of this process the Town Council will consider the progress made on the preparation of the Dorset Council Local Plan; whether there have been any significant changes to National Planning Policy; and the views of local residents and businesses. Progress on the various projects identified in this Plan, together with the effectiveness of the policies, will also be assessed. It is likely that a review of this Plan in partnership with Dorset Council will commence when the new Dorset Council Local Plan has been adopted, as this will update the overarching strategy for how Shaftesbury will develop in the future.</b></p>