NORTH DORSET LOCAL PLAN 2011 - 2026 PART 1

HISTORIC ENVIRONMENT
BACKGROUND PAPER

November 2013

This background paper is intended to be read and used in conjunction with the other background papers produced to support the North Dorset Local Plan 2011 to 2026 Part 1.

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Historic Environment Background Paper

1. Purpose

- 1.1 This document is one of a number of background papers produced to support Part 1 of the North Dorset Local Plan that sets out the strategic policies for the District for the period 2011 to 2026.
- 1.2 The Local Plan Part 1 has been developed from the draft Core Strategy and Development Management Policies Development Plan Document (DPD) (that was also known as the New Plan for North Dorset), which was published in March 2010. The Local Plan Part 1 has been drafted to reflect the major reforms to the planning system and to have regard to the recent global economic downturn.
- 1.3 In light of these changes the Council has investigated different ways of delivering positive outcomes for local communities through planning policy and has reassessed the need for future development, particularly housing and employment development.
- 1.4 This background paper provides a general overview of issues relating to the historic environment. It sets out the legislative and policy background at national, regional and local levels against which plans are prepared and summarises those parts of the evidence base which informed the relevant policies in the draft Core Strategy and Development Management Policies DPD and the Local Plan Part 1.
- 1.5 The Council previously produced a topic paper on Environment in 2009 (to support the draft Core Strategy), which was updated in 2012. The Council has now produced separate background papers relating to the natural and historic environment. This approach takes account of changes to national planning policy, notably through the provisions of the National Planning Policy Framework (NPPF) that was published in March 2012, and reflects the revised approach to policy in the Local Plan Part 1.
- 1.6 This background paper has been prepared to support the pre-submission publication of the Local Plan Part 1. It is a working document which will be updated as evidence is acquired and the consultation process proceeds.

2. North Dorset's Historic Environment

The Government's Vision for the Historic Environment

2.1 The value of the historic environment, and the contribution it makes to the cultural, social and economic life of the nation, is set out in 'The Government's Statement on the Historic Environment for England 2010'¹. The Government's vision is "that the value of the historic environment is recognised by all who have the power to shape it; that Government gives it proper recognition and that it is managed intelligently and in a way that fully realises its contribution to the economic, social and cultural life of the nation".

The Importance of North Dorset's Historic Environment

- 2.2 North Dorset's rich historic environment provides a valuable contribution towards England's cultural heritage. The character and distinctiveness of the District's churches, vernacular buildings and archaeological features set within a historic landscape create a unique environment that provides a tangible link with the past and a positive sense of place. It is one of North Dorset's key strengths, which needs to be preserved for future generations to enjoy and learn from.
- 2.3 The historic environment can support the regeneration and sustainable economic development of our towns and villages and is a key part of our tourism offer. However, it is also a non-renewable resource. Its fragile and finite nature is a particularly important consideration in planning decisions and conserving this resource for future generations accords with the principles of sustainable development.
- 2.4 Communities in North Dorset want to safeguard those elements of the historic environment that hold heritage value for them. They also recognise the need for proactive and informed management of the historic environment so that it continues to make a positive contribution to their lives. The historic environment may also provide positive opportunities for change, for example where the viable use of a heritage asset is secured to provide for its long term conservation and contribute towards a viable local economy.

North Dorset's Heritage Assets

Definition of a 'Heritage Asset'

2.5 National policy defines a 'heritage asset' as "a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include

¹ The Government's Statement on the Historic Environment for England 2010, DCMS (2010)

- designated heritage assets and assets identified by the local planning authority (including local listings)"².
- 2.6 North Dorset's heritage assets reflect the history of the area and contribute to local identity and distinctiveness. Within the District there are a number of features both with statutory protection and those which have significant heritage interest, whether of national or local interest, but are not statutorily designated.

Designated Heritage Assets

- 2.7 Designated assets fall into several categories and those present in North Dorset include:
 - Scheduled Monuments;
 - Listed Buildings;
 - Conservation Areas; and
 - Registered Historic Parks and Gardens.

Scheduled Monuments

2.8 There are about 180 scheduled monuments in North Dorset and examples include: deserted villages; fishponds; roman villas; earthworks and field systems; round barrows; long barrows and several hill forts including Hambledon Hill, Rawlsbury Camp and Banbury Hill. Other monuments include standing buildings including: Durweston Bridge; Fiddleford Manor; Milton Abbey; Milton Chapel; St. Leonards Chapel and Tarrant Abbey tithe barn. A full list is held on English Heritage's List of Scheduled Monuments.

Listed Buildings

2.9 There are around 2,500 listed buildings within North Dorset. Examples include: the simple vernacular cottage; the polite town house; shops; offices; churches; school buildings; council offices; farm buildings; bridges; telephone boxes; and mile posts.

Conservation Areas

2.10 There are 47 conservation areas within the District including town centres, villages as well as some larger country houses and their environs. A list of the Conservation Areas in North Dorset is attached as an appendix.

Registered Historic Parks and Gardens

2.11 Within North Dorset there are 8 historic parks and gardens of national interest.

Eastbury; Larmer Tree Grounds, Melcombe and Milton Abbey are all grade II*; and Anderson Manor, Stepleton House, Ranston and Rushmore Park are all grade II.

² Annex 2: Glossary – National Planning Policy Framework, DCLG (March 2012)

Non-designated Heritage Assets

- 2.12 There is also a range of non-designated assets. They contribute towards the heritage of the District, as a result of their local rather than national interest. Examples include:
 - non-scheduled archaeological remains, including those recorded in Dorset's Historic Environment Record;
 - non-listed buildings, such as Victorian farmhouses, late 18th Century country houses, cemetery chapels, shops and other locally significant buildings;
 - non-registered parks and gardens identified by the Dorset Gardens Trust³; and
 - other historic and cultural features of the landscape, such as sunken lanes, ancient hedgerows and water meadows.

³ These include Bryanston, Chettle, Fontmell Parva, Hinton St Mary Manor House, Spring Head, Stock House, Shaftesbury Town Walks and Wyke Hall

3. Legislation

Designation of Heritage Assets

3.1 The key pieces of legislation, under which heritage assets are designated, are outlined below.

The Ancient Monuments and Archaeological Areas Act 1979

3.2 The Secretary of State designates scheduled monuments under this Act.

Designation is made in recognition of the national importance of scheduled monuments;

The Planning (Listed Buildings and Conservation Areas) Act 1990

3.3 The Secretary of State designates listed buildings for their special architectural or historic interest under this Act. Conservation areas are also designated, primarily by local authorities, under this Act.

The Historic Buildings and Ancient Monuments Act 1953

3.4 Registered Historic Parks and Gardens are designated by English Heritage for their special historic interest under this Act.

Statutory Duties and Consent Regimes

3.5 The legislation outlined above also requires specific statutory duties to be exercised or specific statutory tests to be applied in assessing the impact of a development upon certain heritage assets. Under this legislation, assets may also be subject to a separate specific heritage-related consent regime.

Scheduled Monuments

3.6 In addition to any planning approval that may be required, scheduled monument consent is required under the Ancient Monuments and Archaeological Areas Act 1979 for most works and other activities that physically affect a scheduled monument. This consent must be obtained from the Secretary of State for Culture, Media and Sport through English Heritage.

Listed Buildings

3.7 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers to have 'special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'⁴.

⁴ Section 66 Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

3.8 Proposed works to listed buildings can require both planning approval and a separate specific listed building consent. This consent is usually obtained from the local planning authority.

Conservation Areas

- 3.9 For the purposes of determining an application within a conservation area, the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'.⁵
- 3.10 Within conservation areas, tighter planning controls exist over certain works and activities that often requiring planning consent, such as:
 - the demolition of buildings;
 - the felling of or works to trees; and
 - certain minor works or developments.

Historic Parks and Gardens

- 3.11 Historic parks and gardens are designated under the Historic Buildings and Ancient Monuments Act 1953 as designed landscapes of national interest. These sites are listed on a national register established under the National Heritage Act (1983).
- 3.12 Although no additional statutory protection is given to a site on the register of historic parks and gardens, they are protected under national policy as a designated heritage asset.

Non-designated Heritage Assets

3.13 Heritage assets that are not designated under statute receive no statutory protection. However, they may receive a degree of protection under national or local policy as 'non-designated heritage assets', as set out in Section 4 below.

⁵ Section 72 Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990

4. National, Regional and Local Planning Policy

4.1 This section identifies the key national, regional and local policies relating to the historic environment.

National Policy

The Reform of National Planning Policy and Guidance

- 4.2 Most national planning policy, in the form of Planning Policy Statements (PPSs) and Planning Policy Guidance Notes (PPGs), was replaced with immediate effect when the NPPF was published in March 2012. A full list of the national policy documents replaced is given in Annex 3 of the NPPF (pages 58 and 59).
- 4.3 PPS 5: Planning for the Historic Environment was one of the PPSs replaced by the NPPF. However, the PPS 5 'Planning Practice Guide' remains in place pending the outcome of the review of all existing planning practice guidance. On 28 August 2013, the Department for Communities and Local Government (DCLG) launched the draft National Planning Practice Guidance as a web-based resource. The site was open for public testing and comment until 14 October 2013.
- 4.4 At the time of writing, DCLG was considering the comments received on both the content of the draft National Planning Practice Guidance, and the usability and functionality of the web-based resource. Following consideration of these comments, it is intended to launch the site fully with the National Planning Practice Guidance issued by the Secretary of State. At that time, the intention is to also cancel all existing planning practice guidance (such as PPS 5) which will be replaced by the web-based resource material. Existing planning practice guidance (including PPS 5) remains in place until then.

The National Planning Policy Framework

4.5 National policy in relation to the historic environment is contained within the National Planning Policy Framework (NPPF).

The Environmental Role of Planning

4.6 Paragraph 7 of the NPPF states that 'there are three dimensions to sustainable development: economic, social and environmental' and part of the environmental role is seen as 'contributing to protecting and enhancing our natural, built and historic environment'.

National Core Planning Principles

4.7 Paragraph 17 of the NPPF sets out twelve core planning principles and one of these is that planning should 'conserve heritage assets in a manner appropriate to their

- significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'. Other national core planning principles are that planning should 'take account of the different roles and character of different areas' and 'always seek to secure high quality design'.
- 4.8 These principles are clearly relevant to proposals that may affect the historic environment and further support for quality design in such schemes is given in paragraph 56 of the NPPF which states that 'the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people'.

National Policy Approach to the Conservation and Enhancement of the Historic Environment

- 4.9 Paragraphs 126 to 141 in Section 12 of the NPPF relate to conserving and enhancing the historic environment. Paragraph 126 states that "local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - the desirability of new development making a positive contribution to local character and distinctiveness; and
 - opportunities to draw on the contribution made by the historic environment to the character of a place'.
- 4.10 Section 12 of the NPPF sets out the national policy framework for determining planning applications that may affect both designated and non-designated heritage assets. The national policy approach seeks to conserve heritage assets in a manner appropriate to their significance and sets out how decisions should be made:
 - Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset;
 - Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset; and
 - Where a development proposal will affect the significance of a non-designated heritage asset.
- 4.11 In reaching such decisions, councils are required to weigh public benefits against harm and Section 12 of the NPPF provides more detail on: how the significance of

heritage assets should be assessed; and how the positive, neutral or negative impacts of a proposal should be considered. It also contains further guidance on how councils should develop their positive strategy for the conservation and enjoyment of the historic environment.

PPS 5 Planning Practice Guide and the new National Planning Practice Guidance

- 4.12 The purpose of the PPS 5 Planning Practice Guide was to assist local authorities, owners, applicants and other interested parties in implementing national policy for the historic environment and to help in the interpretation of policies within PPS 5.
- 4.13 As a guide to interpreting how policy should be applied, the PPS 5 Planning Practice Guide still may be material to individual planning and heritage consent decisions, but this will no longer be the case once the new National Planning Practice Guidance is issued, as a web-based resource by the Secretary of State.
- 4.14 The Government considers that the National Planning Practice Guidance published in draft as a web-based resource is a material consideration, but (as a draft) is likely to have limited weight in planning and heritage consent decisions.

Guidance from English Heritage

- 4.15 National policy has been interpreted by English Heritage. A high-level overview of national policies relating to the historic environment was produced when the NPPF was published in March 2012⁶. In July 2012 guidance was produced on heritage in local plans⁷, which stressed the importance of:
 - assessing the significance of heritage assets in an area; and
 - ensuring that a local plan contains a positive strategy for the conservation, enhancement and enjoyment of the historic environment, including policies that are clearly identified as strategic.
- 4.16 English Heritage has produced many other documents offering guidance on a range of other subjects, such as the setting of heritage assets⁸ and local listing⁹.

Regional Policy

Regional Planning Guidance for the South West (RPG 10)

4.17 Regional Planning Guidance for the South West (RPG 10) was published by the Government Office for the South West in September 2001. It became the Regional Spatial Strategy (RSS) and subsequently part of the Regional Strategy as a result of

⁶ English Heritage Commentary on the National Planning Policy Framework, English Heritage (March 2012)

⁷ Heritage in Local Plans: How to Create a Sound Plan Under the NPPF, English Heritage (July 2012)

⁸ The Setting of Heritage Assets: English Heritage Guidance, English Heritage (October 2011)

⁹ Good Practice Guide to Local Heritage Listing, English Heritage (May 2012)

- legislative changes and remained so until it was revoked in May 2013. The intention of Government was to replace RPG 10 with a new RSS for the South West. This document progressed as far as 'proposed changes', but was never adopted.
- 4.18 Section 4 of RPG 10 dealt with the natural and built environment and Policy EN 3 provided guidance on how local authorities and other agencies should prepare plans and policies in relation to the historic environment. Policy EN 4 also sought quality in the built environment.
- 4.19 Although RPG 10 formed part of the RSS (and then Regional Strategy), the Council prepared its draft Core Strategy to reflect the emerging policies in the new RSS, in anticipation of it being adopted and becoming part of the Development Plan. The relevant emerging policies are outlined below.

Draft Regional Spatial Strategy (RSS) for the South West

- 4.20 The draft Regional Spatial Strategy (RSS) for the South West was published by the South West Regional Assembly in June 2006. Policies in Section 7 sought to enhance the distinctive environments and cultural life of the region.
- 4.21 Policy ENV 1 sought to protect and enhance the natural and historic environment and supported their positive management. It required local authorities, when considering development proposals, to first seek to avoid loss of or damage to environmental assets, then mitigate any unavoidable damage, and compensate for loss or damage through offsetting actions. Policy ENV 1 also prioritised the preservation and enhancement of sites of international or national historic importance.
- 4.22 Policy ENV 5 dealt specifically with the historic environment and sought its preservation and enhancement. It indicated that local authorities and other partners should identify and assess the significance of the historic environment and its vulnerability to change, using characterisation to understand its contribution to the regional and local environment and to identify options for sensitive management.

Draft RSS Proposed Changes

- 4.23 Following the Examination in Public of the draft RSS, the Secretary of State produced a set of Proposed Changes for public consultation in July 2008.
- 4.24 The existing text of Policy ENV 1 remained unchanged, although an additional paragraph was added in relation to internationally important wildlife sites. Policy ENV 5 also remained unchanged.

Revocation of Regional Strategies

4.25 At the time the draft Core Strategy was written, Government policy was that policies at the local level should not repeat or reformulate national policy (i.e. in relation to the historic environment, PPG 15 – Planning and the Historic

- Environment (September 1994) and PPG 16 Archaeology and Planning (November 1990): both later to be superseded by PPS 5 Planning for the Historic Environment). The Core Strategy was also required to be in general conformity with the RSS (and later the Regional Strategy) and was prepared to reflect the policies in the Proposed Changes document, produced in July 2008.
- 4.26 The simplification of national policy, the abolition of regional planning and the revocation of regional strategies has had major implications for the preparation of policy in relation to the historic environment at the local level. These reforms have resulted in a reduction of the scope of the 'higher level' policy framework, requiring the Council to provide more detail in the Local Plan Part 1 to ensure that the historic environment is adequately protected and enhanced through planning policies and development management decisions at the local level.

Local Policy

Draft Core Strategy

- 4.27 Draft Core Policy 14 in the draft Core Strategy related to the conservation and enhancement of the environment, in particular wildlife, landscapes and heritage assets. It drew on the results of earlier consultation in which the community had supported the protection of locally important, but undesignated, sites.
- 4.28 The draft policy sought to protect archaeological sites, listed buildings, conservation areas and nationally registered historic parks and gardens in accordance with national policy. It also sought to ensure that development proposals would not have an adverse effect on the character, appearance or setting of an unlisted building of architectural or historic importance or a designated landscape, historic park or garden of regional or county importance.
- 4.29 Draft Development Management (DM) Policy 3 related to design and emphasised the importance of understanding the local context so that the Council, developers and the public could make informed judgements about what may be acceptable in design terms.
- 4.30 The supporting text to the policy required the submission of design and access statements and also identified potential sources of contextual information including: the District-wide Landscape Character Assessment; town and village design statements; site specific design and development briefs; local planning guidelines on particular forms of development, such as shop fronts; and conservation area appraisals.

The Local Plan Part 1

4.31 The Local Plan Part 1 includes separate policies on the natural and built environment, both of which provide much more detail than draft Core Policy 14 in the draft Core Strategy. This new approach takes account of the reforms of the planning system and provides a more comprehensive policy framework at the

- District level, both for development management decisions and to inform the preparation of neighbourhood plans.
- 4.32 Policy 5 sets out a positive strategy for the conservation and enhancement of the historic environment, central to which is the conservation of heritage assets. The Council's approach to the conservation of heritage assets and other aspects of the positive strategy for the conservation and enhancement of the historic environment are discussed in more detail in Section 6.
- 4.33 Section 6 also explains changes to other relevant policies including those relating to design and the District's four main towns.

Issues from Stakeholder and Community Consultation

Consultation 2007 - 'Issues and Options'

- 5.1 The community's views on the key issues arising out of the national and emerging regional policy framework were sought when the Council undertook consultation on the issues and options for a 'stand-alone' core strategy in June July 2007. This consultation on issues and options was based on the draft Regional Spatial Strategy for the South West.
- 5.2 With regard to (both natural and built) environmental assets, the Council sought views (under Issue 8) on whether the Core Strategy should focus primarily on the protection of designated sites, or whether it should take a wider view on environmental protection. The majority of respondents considered that the Core Strategy should take a wide view of environmental protection which would encompass enhancement as well as protection. Climate change, biodiversity and landscape character were considered important as was the need to protect locally important, but undesignated, sites.
- Views were also sought (under Issue 9) on whether the protection of environmental assets should be prioritised above the development needs of the local community, or whether the Council should seek to protect environmental assets where possible, when meeting the development needs of the local community. The views of respondents were equally divided with regard to these options, although it was pointed out that environmental protection was controlled in most cases by national policy.

Consultation 2010 – The Draft Core Strategy

- 5.4 Draft Core Policy 15: Conserving and Enhancing the Environment sought to protect nationally recognised heritage assets from harmful development in accordance with legislation and national policy and also indicated that regard would be had to the impact of development on locally important heritage assets.
- 5.5 Some respondents felt that the policy wording should be tightened to give stronger protection to heritage assets, whilst other welcomed the recognition given to non-designated heritage assets, such as buildings that are not listed. English Heritage suggested that a strategic framework for the effective management of the historic environment should be developed.

Consultation 2012 – Key Issues

5.6 The Autumn 2012 consultation focused on key issues for the revision of the draft Core Strategy, but it was also noted in the main consultation document that other

- amendments would be required to reflect the reduced scope of national policy and to reflect the impending revocation of regional strategies.
- 5.7 Draft Core Policy 14: Conserving and Enhancing the Environment relied, to a large extent, on this 'higher level' policy framework. However, the changes outlined above gave the Council the opportunity to develop its own, more detailed local policies in relation to the conservation and enhancement of the built environment, including heritage assets, in the Local Plan Part 1.

6. The Local Plan Part 1 and the Historic Environment

Introduction

- 6.1 This section outlines how the Local Plan Part 1 has been drafted to provide a strategic policy framework for the conservation and enhancement of the historic environment. It:
 - explains how the structure of the document has been changed to give greater emphasis to environmental issues;
 - outlines changes to the vision and objectives to more accurately reflect national policy and respond to the reforms of the planning system;
 - provides more background to the drafting of Policy 5 The Historic
 Environment, both in relation to the conservation of heritage assets and other
 aspects of the Council's positive strategy for the conservation and enjoyment of
 the historic environment; and
 - discusses changes to other policies in response to the reforms of the planning system.
- 6.2 English Heritage advice on how to create a sound plan under the NPPF stresses the importance of policies relating to the historic environment clearly being identified as strategic¹⁰, both in order to conform to the policies in the NPPF and to avoid the risk of them being overridden by neighbourhood plan policies.
- 6.3 This is an issue not only for policies relating to the historic environment, but also for all other policies in the Local Plan Part 1, which are considered to form part of the strategic policy framework for the District. The status of policies in the document is clarified in paragraph 1.13, which states "Part 1 of the Local Plan as a whole (including all the policies, supporting text and any maps, diagrams and figures) sets out the strategic priorities for the future development of North Dorset."

Structure of the Local Plan Part 1

- As a result of the reforms of the planning system, the Council has, in the Local Plan Part 1, re-ordered the main topic-based 'core policies' from the draft Core Strategy.
- 6.5 In the draft Core Strategy, the single policy to protect and enhance the environment (draft Core Policy 14) followed on from the sections relating to 'managing growth', 'housing needs' and 'infrastructure'. The Local Plan Part 1 now includes a separate section (Section 4) on 'Environment and Climate Change', which

¹⁰ Heritage in Local Plans: How to Create a Sound Plan Under the NPPF, English Heritage (July 2012)

- precedes sections relating to 'meeting housing needs', 'supporting economic development' and infrastructure'.
- approach to sustainable development (in Section 3) and environmental context within which growth is delivered (in Section 4) are now discussed prior to the polices relating growth. Section 4 includes a specific policy on the historic environment (Policy 5), giving separate emphasis to it as part of the wider environmental context within which growth takes place.

Vision and Objectives

6.7 In the Local Plan Part 1, the Council has modified the vision for North Dorset to more accurately reflect national policy and has expanded the objectives for the Local Plan Part 1 from five to six, in response to reforms of the planning system.

Modifying the Vision

- 6.8 Part of the vision in the draft Core Strategy is that in 20 years' time North Dorset will "have a protected and enhanced locally distinctive built and natural environment that retains the qualities that make the District's urban and rural areas even more attractive and desirable places to live, work and visit".
- This part of the vision did not accurately reflect national policy in the NPPF, Section 12 of which deals with 'Conserving and enhancing the historic environment'. This part of the vision has been modified and now seeks, that in 15 years' time North Dorset will "have a conserved and enhanced locally distinctive historic and natural environment that retains the qualities that make the District's urban and rural areas even more attractive and desirable places to live, work and visit".

Expanding the Objectives

- 6.10 Prior to the reforms of the planning system, there was a strong emphasis on 'spatial planning' and this was reflected in the first two objectives of the draft Core Strategy, which focused on 'thriving market towns' and 'sustainable rural communities'. These were followed by the third objective of 'protecting and managing the built and natural environment', which also related to climate change issues.
- 6.11 In the Local Plan Part 1, the climate change element has been separated to form the first objective, followed by the second objective, which is now 'conserving and enhancing the historic and natural environment'. This change gives the Local Plan Part 1 objectives that are more closely aligned to Sections 11 and 12 of the NPPF. The re-ordering also means that the first two environment-related objectives precede those relating to growth, emphasising that growth (including growth that may affect the historic environment) needs to be considered within that context.

- 6.12 This point is also made in the supporting text to Policy 1 Presumption in Favour of Sustainable Development. In working proactively with developers to find solutions, the Council will seek to deliver sustainable outcomes. Paragraph 3.12 states that "the Council will look to work proactively with an applicant to jointly and simultaneously seek gains in all three aspects of sustainable development in relation to that applicant's proposal. This will be particularly important in relation to ... potential impacts on environmental assets, especially those that are protected by legislation and / or are considered irreplaceable".
- 6.13 This reflects English Heritage's view of how the presumption in favour of sustainable development should be applied, as outlined in its commentary on the NPPF¹¹. This commentary notes that the NPPF does not contain an express presumption in favour of the conservation of designated heritage assets as PPS 5 did, but the presumption in favour of sustainable development is a presumption in favour of development that meets the objectives and policies of the NPPF which has, as one of its twelve core principles, the conservation of heritage assets.

Policy 5 – The Historic Environment

6.14 Policy 5 sets out the Council's positive strategy for the conservation and enjoyment of the historic environment, to which the conservation of heritage assets is central. In relation to the conservation of heritage assets, Policy 5 draws on national policy set out in Section 12 of the NPPF, but also provides more detail on how the Council will: assess the significance of heritage assets; consider the impact of proposed development on the significance of a heritage asset; and weigh benefits against harm in decision-making.

The Conservation of Heritage Assets

Defining Heritage Interest

- 6.15 The NPPF defines 'significance' as the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. The term 'archaeological interest' is defined in the glossary of the NPPF, but the other terms are not.
- 6.16 Since it is necessary to assess the significance of a heritage asset in order to make planning decisions on development proposals affecting such assets, the Council considered that it would be helpful for the Local Plan Part 1 to define the other 'interests' that contribute towards the significance of a heritage asset. The definitions of architectural, artistic and historic interest used in the supporting text to Policy 5 have been taken from Annex 2: Terminology of PPS5.
- 6.17 In August 2013, DCLG launched draft National Planning Practice Guidance as a webbased resource, which included a section on conserving and enhancing the historic

¹¹ English Heritage Commentary on the National Planning Policy Framework, English Heritage (March 2012)

environment. The draft guidance did not define the other 'interests' that contribute towards the significance of a heritage asset, but definitions may be given in the final version of the guidance. The supporting text to Policy 5 establishes that the Council will use the definitions from PPS 5, but in the event that these terms are defined (or redefined) in national policy or guidance, the Council will seek to establish the value of a heritage asset on the basis of the new or redefined terms.

Assessing the Significance of Heritage Assets - the Dorset Historic Environment Record and Other Sources of Information

- 6.18 National policy indicates that both developers and local councils have a role to play in assessing the significance of a heritage asset. Paragraph 4.139 of the Local Plan Part 1 makes it clear that developers should use all available sources of information to establish the interest and value of a heritage asset including the Dorset Historic Environment Record.
- 6.19 The Dorset Historic Environment Record, often abbreviated to HER, is a record of all known archaeological finds and features and historic buildings in Dorset, relating to all periods from the earliest human activity to the present day. It is maintained by Dorset County Council's Historic Environment Team. It is available to all local authorities in Dorset and the general public and has a dedicated page on dorsetforyou.com¹².
- The HER aims to provide comprehensive coverage for all aspects of the archaeological and built environment. In Dorset the HER, as well as containing information on archaeological finds and features and historic buildings (all known as 'Monuments'), records episodes of recognition and recording (known as 'Events') and the various sources from which information about them has been drawn (known as 'Sources').
- 6.21 The Dorset HER is a direct descendant of the Dorset Sites and Monuments Records (SMRs) which was created in the 1970s in response to the lack of archaeological information available to owners, developers and planners, and the consequent loss of archaeological remains through urban and rural development. Today the Dorset HER is a unique repository of (and signposts to) information relating to landscapes, buildings, sites and finds spanning more than 700,000 years of human activity.
- 6.22 The content complements and enriches the collections of museums, archives, local studies libraries and local history centres, and underpins the work of all local authorities in the County. In particular, the Dorset HER can be used to:
 - advance knowledge and understanding of the historic environment;
 - support the conservation, management and enhancement of the historic environment;

¹² http://www.dorsetforyou.com/her

- Inform strategic policies and decision-making relating to spatial planning, development and land management;
- Support heritage-led regeneration, environmental improvement and cultural tourism initiatives;
- Contribute to education and social inclusion; and
- Promote public participation in the exploration, appreciation and enjoyment of local heritage.
- 6.23 Paragraph 4.139 makes it clear that other sources of information are available and should be used. It gives the example of the Historic Landscape Characterisation Study for the Cranborne Chase and West Wiltshire Downs AONB¹³.

Conserving Hidden and Unidentified Heritage Assets

6.24 Paragraph 169 of the NPPF recognises that local authorities should be able to predict the likelihood that currently unidentified heritage assets will be discovered in the future. With this in mind, the supporting text to Policy 5 (paragraphs 4.158 to 4.162) includes a section on hidden and unidentified heritage assets, highlighting the need for assessments to be made of any development site that may contain hidden or unidentified heritage assets.

Understanding the Significance of Heritage Assets

- 6.25 Part of the Council's positive strategy for the conservation and enjoyment of the historic environment are measures to increase the understanding of the significance of heritage assets. The three main measures to achieve this, outlined in paragraphs 4.164 to 4.167 of the Local Plan Part 1 are:
 - preparing conservation area appraisals;
 - encouraging local communities to produce town and village design statements;
 and
 - producing local guidance to help conserve heritage assets.

Conservation Area Appraisals

- 6.26 The Council is undertaking an on-going review of North Dorset's conservation areas. The quality and interest of each area will be assessed by examining the following matters:
 - historic layout of boundaries and routes;
 - characteristic materials and forms;
 - mix of uses;
 - contribution of recent developments; and
 - hard and soft landscaping.

¹³ Cranborne Chase and West Wiltshire Downs AONB Historic Landscape Characterisation Project – E Rouse on behalf of the Cranborne Chase and West Wiltshire Downs AONB and English Heritage (July 2008)

- 6.27 Appraisals have recently been produced for the six conservation areas in the Tarrant Valley (namely: Stubhampton; Tarrant Keynston; Tarrant Rushton; Tarrant Monkton; Tarrant Hinton; and Tarrant Gunville)¹⁴. These appraisals, and all earlier appraisals, include management guidelines to guide future development.
- 6.28 There is a dedicated page on dorsetforyou.com relating to conservation areas in North Dorset¹⁵.

Town and Village Design Statements

- 6.29 The Council has encouraged local communities to prepare town and village design statements and has, in appropriate cases, adopted them as Supplementary Planning Documents (SPDs). Whilst communities are not precluded from preparing such statements in the future, they may now prefer to undertake characterisation studies of their local areas as 'evidence' to support design-based policies in neighbourhood plans.
- 6.30 The following town and village design statements have been produced in North Dorset:
 - Bourton VDS adopted as SPD on 30 September 2011;
 - Child Okeford VDS adopted as SPD on 30 November 2007;
 - Gillingham TDS adopted by Cabinet on 19 March 2012 and endorsed by Council on 30 March 2012, as an evidence base study;
 - Iwerne Minster VDS adopted as SPD on 30 September 2011;
 - Sturminster Newton TDS adopted as SPD on 25 July 2008;
 - Winterborne Houghton VDS adopted as SPG and subsequently published in May 2002;
 - Winterborne Stickland VDS adopted as SPG on 14 March 2002.
- 6.31 The TDSs for Gillingham and Sturminster Newton have informed the development of the policies for each town (i.e. Policies 17 and 19) in the Local Plan Part 1. The Gillingham TDS has also informed proposals for the southern extension of the town (i.e. Policy 21) and is the basis for the design principles for the Gillingham Strategic Site Allocation (SSA). Policy 21 establishes that the design principles, together with the concept statement and concept plan developed through engagement with key stakeholders and the local community, provide the 'brief' for the preparation by developers of a master plan framework for the SSA.
- 6.32 The Council has produced a guidance note for the preparation of town and village design statements¹⁶, which outlined what's required both from local communities

¹⁴ The Tarrant Valley Conservation Area Appraisal and Management Guidance, North Dorset District Council (2012)

¹⁵ http://www.dorsetforyou.com/conservationareas/north

¹⁶ Adopting Village and Town Design Statements as Supplementary Planning Documents: Planning Guidance Note, North Dorset District Council (March 2007)

and the Council to ensure that they are capable of being adopted as SPDs. The Council also obtained a screening opinion¹⁷ from English Heritage, the Environment Agency and Natural England confirming that and town or village design statements prepared in accordance with the guidance would not require strategic environmental assessment (SEA).

6.33 There is a dedicated page on dorsetforyou.com relating to town and village design statements in North Dorset¹⁸.

Local Guidance

- 6.34 **Ethics of Building Conservation** The District Council, jointly with other local authorities in Dorset has published information on the ethics that should be considered by applicants and agents in relation to building conservation. This information is available on the dorsetforyou.com website¹⁹.
- 6.35 **Alterations and Extensions to historic Buildings** The Council has produced a draft guide on works to historic buildings.
- 6.36 **Shop Front Design** The Council has also produced a draft guide on shop front design, which covers the issues of shop signage and security shutters. Policy 12 Retail, Leisure and Other Commercial Developments requires that proposals for the replacement, alteration or restoration of a shop front should be designed having had due regard to the Council's advice on shop front design.

Designating and Identifying Additional Heritage Assets

Additional Conservation Areas

- 6.37 Paragraph 127 of the NPPF seeks to ensure that the concept of conservation is not devalued through the designation of conservation areas that lack special interest. Part of the Council's positive strategy for the conservation and enjoyment of the historic environment is to identify and designate additional heritage assets, which may include new conservation areas.
- 6.38 Paragraph 4.167 of the Local Plan Part 1 notes that a new conservation area was designated at Stubhampton in 2012. This area was identified and appraised as part of the wider appraisal of conservation areas in the Tarrant Valley. This appraisal process enabled the special interest of the area to be assessed and ensured that the concept of conservation was not devalued.

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¹⁷ Town and Village Design Statements in North Dorset as Supplementary Planning Documents Screening Determination, North Dorset District Council (January 2011)

¹⁸ http://www.dorsetforyou.com/396497

¹⁹ http://www.dorsetforyou.com/396780

- 6.39 Paragraph 4.167 of the Local Plan Part 1 also notes that a new conservation area was designated at Wyke, Gillingham in 2012. This area was also identified as a result of a thorough appraisal of its special interest²⁰.
- 6.40 The Council will continue to engage with communities preparing town and village design statements and neighbourhood plans. Additional heritage assets may be identified through these processes and any local characterisation work undertaken by local communities may assist in establishing whether there is a special interest that justifies the designation of a heritage asset.

Local List

- 6.41 The Council intends to develop a 'local list' of non-designated heritage assets, as part of its positive strategy for the conservation and enjoyment of the historic environment. This will draw on information provided by local civic societies and other bodies with an interest in heritage conservation, such as the Dorset Gardens Trust, which has identified a number of parks and gardens of local interest.

 Communities may also wish to identify non-designated heritage assets through the preparation of neighbourhood plans.
- The Council wishes to ensure that any asset on the local list has a genuine heritage value and paragraph 4.168 of the Local Plan Part 1 makes it clear that assets would only be included which:
 - are of historic importance;
 - offer a cultural connection to the past;
 - are locally significant architecturally; or
 - add significantly to the character or appearance of an area.
- 6.43 More detailed criteria will be established for the inclusion of heritage assets on the local list, having regard to guidance from English Heritage²¹.

Taking Account of the Historic Environment When Drawing up Plans

6.44 The historic environment has been taken into account in the drawing up of the Local Plan Part 1. New sections have been added to the policies relating to the four main towns (Blandford, Gillingham, Shaftesbury and Sturminster Newton) highlighting the need to protect and enhance the historic built environment. Policies also seek to protect important archaeological features within and close to the proposed southern extension of Gillingham.

²⁰ The Wyke Conservation Area Appraisal can be viewed online here - http://www.dorsetforyou.com/media.jsp?mediaid=183534&filetype=pdf

²¹ Good Practice Guide for Local Heritage Listing, English Heritage (May 2012)

Town Policies

- 6.45 Section 2.8 of the draft Core Strategy included policies (draft Core Policies 15 to 18) for each of the four main towns. These policies were all written in the same format and included sections on: housing; employment; retail and other town centre uses; and infrastructure. In the Local Plan Part 1, the policies for the four main towns (Policies 16 to 19) now also include sections on: the sustainable development strategy for each town; and environment and climate change.
- 6.46 It is likely that each of the four main towns will prepare a neighbourhood plan and it is therefore important that the Local Plan Part 1 provides a more comprehensive strategic policy framework for each town to inform these plans. Each policy states that "the town's natural and historic built environment will be protected and enhanced". The supporting text on environment and climate change to each policy briefly describes the heritage assets present, including scheduled monuments, conservation areas and listed buildings and makes it clear that all proposals for growth will need to consider the impact on these features and designations.
- 6.47 The Council has produced a separate background paper which examines how sites for growth have been selected at the four main towns. The historic environment was one of the factors that was taken into consideration in this process.

Gillingham Strategic Site Allocation (SSA)

- 6.48 The Local Plan Part 1 sets out the proposals for the southern extension of Gillingham in the form of a strategic site allocation (SSA). Policy 21 sets out how the development of the SSA will be taken forward. It is a largely greenfield site and the key heritage assets that may be affected by development are Kings Court Palace Scheduled Monument and sections of Gillingham Park's 'park pale'. The sections of the 'park pale' within the SSA area are not subject to any designation, although sections to the south-east of the site are designated as a scheduled monument.
- 6.49 The 'environment' section of Policy 21 requires that the master plan framework that will be developed for the site should show how the natural and historic environment will be conserved and enhanced by "the retention (in situ) and enhancement of significant archaeological features and their settings, including Kings Court Palace Scheduled Monument and Gillingham Park boundary bank."

Heritage-led Regeneration

- 6.50 The Local Plan Part 1 has identified opportunities for regeneration close to the centres of each of the four main towns. The sites, which are identified in Policy 11 The Economy, are:
 - Brewery site, Blandford St Mary;
 - Station Road area, Gillingham;
 - Station Road area, Sturminster Newton; and
 - Land between the Town Centre and Christy's Lane, Shaftesbury.

6.51 These sites all have different characteristics and heritage conservation will be an important consideration in the regeneration of the Brewery site, Blandford St Mary and the Station Road area, Sturminster Newton.

Brewery Site, Blandford St Mary

6.52 This site lies entirely within a conservation area and includes a complex of historic (not statutory listed but of local significance) buildings from which the local brewer, Hall & Woodhouse, still operates. The brewery complex was completed in October 1900 and provides a fine example of late Victorian brewery. A scheme for the mixed-use regeneration of the whole site has planning permission, which includes the retention and conversion of the brewery buildings, largely to residential use.

Station Road Area, Sturminster Newton

- 6.53 Historically, Sturminster Newton played an important role in serving the surrounding agricultural hinterland and once was the home of the largest livestock market in Britain. This, and the nearby creamery, closed in the late 1990s and since then these sites have been the focus for regeneration.
- 6.54 The former livestock market site is now largely redeveloped with a mix of uses including: the Exchange, a multi-purpose community building; a medical centre; a supermarket and other smaller scale retail units; and small scale offices.

 Subsequent to this development, the local community commissioned consultants to prepare a design and development brief for the town's Station Road area²².
- 6.55 The brief included the creamery site and this has been redeveloped with a mixed-use scheme that retains and re-uses the original creamery building in a commercial use. The remainder of the site adjoins the town's conservation area and includes some buildings of heritage interest associated with the former Somerset and Dorset Railway.
- 6.56 The Station Road area is identified for redevelopment in Policy 19 Sturminster Newton of the Local Plan, which also requires any scheme to be designed in accordance with the Station Road Area Design and Development Brief.

Neighbourhood Plans

- 6.57 Neighbourhood plans will be prepared by local communities in all four of the District's main towns, which may develop proposals for heritage-led regeneration. As explained in Chapter 1, the Local Plan Part 1 has been prepared to provide a strategic policy framework for the preparation of neighbourhood plans.
- 6.58 The local communities in Gillingham and Sturminster Newton have already prepared town design statements, which both identify character areas and include

²² Station Road Area Design and Development Brief, prepared for SturQuest by Matrix Partnership (April 2008)

- a set of design-related policies to guide future development²³. The characterisation work in the Gillingham TDS drew on the relevant report prepared as part of the Dorset Historic Towns Survey.
- 6.59 The Dorset Historic Towns Survey is a project which is supported by English Heritage and forms part of a national programme surveying the archaeology, topography and historic buildings of England's historic towns and cities (also known as an Extensive Urban Survey or EUS). As part of the Dorset Historic Towns Survey, reports have been prepared for the four main towns of Blandford, Gillingham, Shaftesbury and Sturminster Newton and also for the small town of Stalbridge and the village of Milton Abbas.
- 6.60 Town and village design statements, the Dorset Historic Towns Survey reports and other characterisation work, for example in conservation area appraisals, will provide evidence of the value and significance of the historic environment, which can be used to inform policies in neighbourhood plans.

Enabling Development

- 6.61 Paragraph 140 of the NPPF establishes national policy in relation to enabling development, which would secure the future conservation of a heritage asset. Policy 5 sets out the Council's position with regard to enabling development in more detail.
- 6.62 It makes it clear that enabling development will only be considered in relation to designated heritage assets which are considered to be at risk, or in relation to other heritage assets which are considered to be at risk identified on a local risk register maintained by the Council. Designated heritage assets which are considered to be at risk are identified in English Heritage's Heritage at Risk Register²⁴. A local risk register is also maintained by the Council²⁵.

National List

- 6.63 In English Heritage's Heritage at Risk Register, three conservation areas in North Dorset are considered to be at risk, which are:
 - Blandford Forum;
 - · Gillingham; and
 - Milton Abbas.
- 6.64 Five listed buildings are considered to be at risk, which are:

²³ Gillingham Town Design Statement, Gillingham Town Design Statement Steering Group (June 2012) and the Sturminster Newton Town Design Statement, prepared for SturQuest by Matrix Partnership (July 2008)

²⁴ English Heritage's national 'at risk' register can be viewed online here - http://www.english-heritage.org.uk/caring/heritage-at-risk/

²⁵ The Council's local at risk' register can be viewed online here - http://www.dorsetforyou.com/media.jsp?mediaid=170776&filetype=pdf

- Church of St Peter and St Paul, Market Place, Blandford Forum;
- Church of St Mary Magdalen, Fifehead Magdalen;
- Sturminster Newton Castle, Sturminster Newton;
- Barn and outbuilding range, Tarrant Abbey Farm, Tarrant Crawford; and
- Manor Farm Barn, Winterborne Clenston.
- 6.65 English Heritage's Heritage at Risk Register also identifies 46 scheduled monuments in North Dorset as being at risk.

Local List

6.66 The Council's local Heritage at Risk Register was last produced in 2011 and following review a revised list was produced and endorsed in November 2013. The 2013 register is the sixth version of the document and contains 41 entries, mostly buildings but also some archaeological features. It also includes a list of buildings that are no longer at risk and have been removed from the register.

Emergency Measures

6.67 Paragraph 4.176 of the Local Plan Part 1 makes it clear that the Council will make use of its statutory powers to help secure the conservation and enjoyment of the historic environment.

Enforcement, Urgent Works and Repairs Notices

6.68 Policy 1 – Presumption in Favour of Sustainable Development establishes that the Council will always work proactively with applicants jointly to find solutions. However, in situations where a listed building is considered to be under immediate threat or at serious risk, it may be necessary for the Council to exercise its statutory powers and issue enforcement, urgent works or repairs notices.

Article 4 Directions

- 6.69 The Council may make Article 4 directions to remove permitted development rights in all or part of a conservation area, where important features are being degraded.
- 6.70 Sunken lanes and high hedges are a feature of the historic core of the village of lwerne Minster. As a result of concern that the character of the village would be severely damaged if there was indiscriminate construction of driveways and parking places within the conservation area, an Article 4 direction was made in 1984. This withdrew permitted development rights for such constructions and requires the submission of planning applications for all work of this nature.
- 6.71 This issue has subsequently been examined in more detail in the Iwerne Minster VDS. The VDS has more accurately mapped the sunken lanes within the village and includes a policy to protect them from harmful development²⁶.

²⁶ See Map 10 and Policy IM8: Sunken Lanes in the Iwerne Minster Village Design Statement, Iwerne Minster Village Design Group (September 2011)

Other Policies

- 6.72 A number of changes have also been made to other policies to help secure the conservation and enjoyment of the historic environment. These changes:
 - seek the retention and enhancement of existing markets, which in North Dorset are located in historic towns centres;
 - seek the provision of public art in the public realm, for example as part of town centre enhancement schemes; and
 - recognise that the historic environment forms an important element of the local context that needs to be understood when seeking to develop good design solutions.

Policy 12 – Retail, Leisure and Other Commercial Developments

- 6.73 Paragraph 23 of the NPPF indicates that local planning authorities should retain and enhance existing markets to help secure the vitality of town centres: an issue, which is echoed in English Heritage guidance²⁷. Policy 12 seeks to retain and enhance existing markets and will not permit development on the sites where they operate that would prejudice their future operation.
- 6.74 Details of the outdoor weekly markets that operate in North Dorset are set out in Figure 6.3 of the Local Plan Part 1.

Policy 13 - Grey Infrastructure

6.75 Policy 13, relating to grey infrastructure, includes a new section that seeks the provision of public art in the public realm. It also requires developers to consider the visual impact of infrastructure, such as street lighting, in developments such as town centre enhancement schemes, at the design stage.

Policy 24 - Design

- 6.76 Draft DM Policy 3 in the draft Core Strategy related to design and the supporting text emphasised the importance of understanding the local context so that the Council, developers and the public could make informed judgements about what may be acceptable in design terms.
- An amended version of draft DM Policy 3 now appears as Policy 24 Design in the Local Plan Part 1. The supporting text relating to understanding the local context has been expanded (paragraph 10.57) to include specific reference to the historic environment. It now states "an understanding of the local context is fundamental to establishing good design for any particular development site. It should concentrate on the site's existing features, characteristics and immediate surroundings but equally consider how the site sits within the wider landscape or

²⁷ Heritage in Local Plans: How to Create a Sound Plan Under the NPPF, English Heritage (July 2012)

townscape, the historic environment and how people will interact with the place being created."

Appendix - Conservation Areas in North Dorset

Conservation Areas	Date of Designation	
Ashmore	21/05/1993	
Blandford Forum, Blandford St. Mary & Bryanston	12/10/1990	
Charlton Marshall	06/01/1995	
Child Okeford	02/04/1971	
Compton Abbas	06/01/1995	
Durweston	03/03/1989	
Farnham	08/01/1988	
Fifehead Magdalen	28/04/1995	
Fontmell Magna	06/05/1977	
Gillingham	09/04/1985	
Hazelbury Bryan	06/01/1995	
Hilton	04/06/1971	
Hinton St. Mary	09/04/1976	
Ibberton	06/01/1995	
Iwerne Minster	09/04/1976	
Kington Magna	06/01/1995	
Mappowder	06/01/1995	
Marnhull	05/02/1971	
Milton Abbas	03/04/1970	
Milton on Stour	06/01/1995	
Motcombe	28/04/1995	
Okeford Fitzpaine	10/05/1974	
Pimperne	06/01/1995	
Shaftesbury	01/08/1970	
Shillingstone	27/07/1990	
Shroton (Iwerne Courtney)	04/12/1970	
Stalbridge	26/05/1978	
Stalbridge Weston	26/05/1978	
Stourpaine	06/01/1995	
Stour Provost	09/04/1976	

Conservation Areas	Date of Designation
Stourton Caundle	06/01/1995
Stubhampton	20/08/2012
Sturminster Newton	09/04/1976
Sutton Waldron	06/01/1995
Tarrant Gunville	01/09/1972
Tarrant Hinton	03/12/1971
Tarrant Keyneston	06/01/1995
Tarrant Monkton	03/12/1971
Tarrant Rushton	06/01/1995
Turnworth	06/01/1995
West Stour	06/01/1995
Winterborne Houghton	24/02/1995
Winterborne Stickland	01/09/1972
Winterborne Whitechurch	06/01/1995
Winterborne Zelston	03/03/1989
Wyke (Gillingham)	21/05/2012