

# Dorset Council's response to questions set in the letter from the examiner dated 15 January 2024

1 February 2024

1. Concerns have been expressed in Representation 1 (Cranborne Chase AONB) regarding the 'protection' of dark skies. Is this issue addressed in other planning documentation (e.g. the adopted North Dorset Local Plan) or is there a justification for strengthening the advice on the issue in this NP (for example in policy BWKM5) and if so, what wording would be supported by the two Councils?

NPPF (December 2023), para 191(c), states that planning policies and decisions should:

...limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

It is therefore clear that the principle of a policy that seeks to limit light pollution is supported by both the current NPPF and previous NPPFs (the line originates from paragraph 125 of the original 2012 NPPF).

Because of national policy at the time it was produced, the North Dorset Local Plan Part 1 (January 2016) policy 25 'Amenity' includes a section on 'artificial light intrusion'.<sup>1</sup> It states:

Where external lighting is proposed, development will be permitted provided that:

- a. the scheme is the minimum necessary to achieve its purpose; and
- b. light scatter, spillage and glare are minimised through the control of light direction and intensity; and
- c. the quality and intensity of the light and the daytime appearance of any light fittings and cables would not have a detrimental impact on local amenity or the character of the surrounding area.

In the case of other development, no light pollution should occur by virtue of lighting schemes incorporated into the development.

The LP policy is clear that external lighting should be limited to the minimum necessary, should be designed to limit spillage, etc., and that otherwise no light pollution should occur. In terms of setting out principles, this is quite a comprehensive policy. However, many rural communities feel strongly about light pollution and its impact on the environment, and therefore many neighbourhood plans in Dorset have included their own policies on dark skies / lighting schemes. The following table lists all neighbourhood plans made in the last two years in Dorset and quotes the relevant dark skies / lighting policies. Motcombe, while being slightly older, has been added to the table because it is a village relatively near to Buckhorn Weston & Kington Magna (approximately 6km to the west), and because its neighbourhood plan also includes a technically specific dark skies policy.

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<sup>1</sup> Available from <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/adopted-local-plans/north-dorset-adopted-local-plan>

<b>Neighbourhood Plan<sup>2</sup></b>	<b>Dark skies policy</b>
Chesil Bank (made 7/11/2023)	<p><b>CBNP17 ‘dark skies and lighting schemes’</b></p> <p>Consideration should be given to minimising light pollution. New external lighting should be avoided unless there is a significant safety issue, and any lighting schemes kept to the minimum necessary for safety and security reasons. Low level footpath lighting may be introduced within the villages and tourism sites if considered necessary for pedestrian safety.</p> <p>Where lighting schemes are necessary, they should be designed to project downwards and be turned off or dimmed when not actively needed. Light fittings such as solar cat’s-eye lighting, reflective paint and ground-based lighting are preferred; full-height lighting should be avoided. The design of new buildings in the countryside should take into account the need to minimise light projected from windows and doors, particularly from skylights and large, unshielded expanses of windows.</p>
Blandford + (made 3/10/2023)	<p>References in various allocation policies, e.g. Policy B2: “A design and landscape scheme comprises measures to satisfactorily mitigate any adverse impacts upon the AONB and minimise harm to the Grade II listed Langbourne House by way of the details of the design, layout, landscape treatment, materials and typical details of appearance and elevation of buildings and of <b>minimising light spill into the AONB;</b>”</p>
Pimperne (made 1/11/2022)	<p><b>Policy LC: Landscape Character</b></p> <p>Street lighting and flood lights should be avoided as generally inappropriate, having due regard to the significance of the expanse of dark night skies for the AONB. Where these cannot be avoided, they should be designed in accordance with the guidance set out in the Cranborne AONB Position Statement Number 1 on Light Pollution and Good Practice Note 7 - Good External Lighting and International Dark Sky Reserve criteria</p>
Stinsford (made 2/2/2022)	<p><b>Policy SNP4: Dark Skies</b></p> <p>Development should be designed to retain the dark skies, through minimizing exterior lighting / illuminations and including measures to control light spillage and glare, particularly in areas of open countryside and on the edge of settlements. Street lighting should not be provided in developments unless required to address site-specific safety or operational issues.</p>
Motcombe (made 10/12/2019)	<p><b>Policy MOT8: Dark Skies</b></p> <p>Development should be designed to conserve and enhance the intrinsic quality of the dark night skies. Lighting which is proposed to be installed should meet or exceed the level of protection appropriate to Environmental Zone 1 (as defined by the Institution of Lighting Professionals), with the addition that external lighting should not exceed a correlated colour temperature (CCT) of 3000K.</p>

It is clear from the policies quoted above that while they all support the same basic principles of limiting light pollution, they take many forms. There is no obvious model policy to choose from.

<sup>2</sup> Made neighbourhood plans available from <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/neighbourhood-planning/dorset-council-made-neighbourhood-plans>

Dorset Council notes the map provided in Figure 5 of the submitted Buckhorn Weston and Kington Magna neighbourhood plan, which shows the levels of light pollution across the former North Dorset district area and beyond.<sup>3</sup> Generally, the levels of light pollution across rural parts of North Dorset are low, with the main sources being the towns (Gillingham, Shaftesbury, Blandford, Sturminster Newton, and Stalbridge), as well as Blandford Camp (MoD base) and HMP Guys Marsh just outside Shaftesbury. Some of the larger villages can be identified as areas of lower levels of light pollution. The locations of Buckhorn Weston and Kington Magna are identified on the map and the light pollution in this area is relatively low, generally the same as the surrounding countryside, although not as low as it is in more rural areas further south and further east (roughly corresponding with the Dorset AONB and the Cranborne Chase AONB areas).

While the representation in question comes from the Cranborne Chase AONB partnership, the plan area is outside of the AONB, with the nearest part of the plan area being 3.5 km south of the AONB.

With regards CC AONB's recommendations for strengthening draft policy BWKM5, Dorset Council notes that the proposed additions are quite detailed and technically specific. The point about having a maximum 'on' time for motion sensitive lights is sensible as clearly without a timer the motion sensor serves a limited purpose. It might be sensible to add this type of detail to the supporting text.

With regards to the issue of light emission from internal sources (e.g. roof lights, etc), it could be argued that the reference to "light sources" in part (c) of Policy BWKM5 is general enough to address this. Further detail confirming this could be set out in the supporting text.

The details on blinds that CC AONB recommends feels overly prescriptive. In Dorset Council's view, this level of detail is unnecessary at the policy level and could prevent other workable solutions from coming forward. Instead, it could be included in design guidance in the supporting text. Furthermore, the technical details regarding the height of ground-based and wall-mounted lighting, and the colour temperature of lights could be set out as examples of best practice in the supporting text. Again, it is felt overly prescriptive to include this level of detail in Policy BWKM5.

In addition to the above, Dorset Council has concerns about making extensive changes to Policy BWKM5 at this late stage of plan production. Dorset Council considers that extensive changes to policies are really only justified at this stage if they are required for the plan to meet the 'basic conditions'. The CC AONB representation does not suggest that the plan does not meet the 'basic conditions'. Therefore, the Council, does not consider that the changes proposed are justified at this stage.

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<sup>3</sup> An interactive version is available from: <https://www.cpre.org.uk/light-pollution-dark-skies-map/>

**2. Representation 8 (Mr P Talbot) suggests that the public consultation undertaken on the NP has been unsatisfactory. Are both Councils satisfied that the consultation undertaken has been at an appropriate level and in accordance with both the legal requirements and national advice, and that the opportunity for local residents and other interested parties to participate in the process, has been adequate?**

The examiner will appreciate that Dorset Council has not been involved in the day-to-day production of the plan and is therefore reliant on written reports of the consultation activities from the qualifying body and third parties. The submitted Consultation Report sets out details of consultation work, both prior to Regulation 14, as well as the Regulation 14 consultation. This is a lengthy document (79 pages) and feels fairly detailed. In Dorset Council's view, it gives the impression that sufficient public consultation has been undertaken.

The main legal requirements for consultation for the qualifying body are set out in Regulation 14 of the NP Regulations 2012. This requires a 6-week formal consultation prior to submission. In addition to that, Paragraph 047<sup>4</sup> of the Planning Practice Guidance states:

A qualifying body should be inclusive and open in the preparation of its neighbourhood plan or Order and ensure that the wider community:

- is kept fully informed of what is being proposed
- is able to make their views known throughout the process
- has opportunities to be actively involved in shaping the emerging neighbourhood plan or Order
- is made aware of how their views have informed the draft neighbourhood plan or Order.

Dorset Council fully supports the principles set out in the PPG and would encourage all qualifying bodies to adhere to these principles. However, ultimately, they are guidance rather than legal requirements, and in any case it is the responsibility of the qualifying body to adhere to them. Dorset Council, as the LPA, can advise but it is only responsible for ensuring that the legal requirements have been met when it receives the plan at the submission stage.

In the second paragraph of Mr Talbot's representation he refers to "minimum of consultation". While he may feel that there has been inadequate consultation, Dorset Council believes that the legal requirements have been met by the qualifying body. Had we any concerns, we would have raised them with the qualifying body at the earliest opportunity.

Mr Talbot's representation begins by alleging that responses to documents were limited to one per household. This is a practice that Dorset Council would not generally recommend as the principle of most planning consultations is that the voices of individuals should be heard. However, it's not clear from Mr Talbot's representation which consultations he is referring to. Part 1-2 of the Consultation Report describes a residents survey undertaken in April 2022. It begins by stating "Following two NP consultation events held on 19 February 2022, BW&KM PC decided to carry out a survey of local residents." In terms of the responses received, it states: "It is not clear if there are any instances where more than one survey was completed in each household." For that consultation, it appears there was nothing to prevent multiple residents from a single household from responding. The survey form is printed in Appendix 1 (page 24 onwards), and is clearly addressed to "all residents" with no reference to responses being limited to one per household.

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<sup>4</sup> Reference ID: 41-047-20140306

The next pre-Reg 14 consultation was regarding the settlement boundaries and took place in November 2022. Details are set out in Part 1-3 of the Consultation Report. The responses are provided, with each section starting with the heading “Views of people...” rather than “Views of households...”

Details of the Regulation 14 consultation are set out in Part 2 of the Consultation Report. Questions asked on the Survey Form are set out on page 40 onwards. Dorset Council downloaded a copy of the online response form on 12 June 2023, so we can confirm that the questions set out in the report are the same as those asked at the time. Nothing on the survey form suggests that responses are limited to one per household. Likewise, the summary of responses provided in Part 2-2 on page 43 onwards discusses residents’ rather than households’ responses.

Even if Mr Talbot’s allegation is true for some of the consultation activities, no evidence has been provided that anyone has been disadvantaged by this arrangement. For example, Mr Talbot does not state that someone in his household held different views to himself, and was therefore prevented from responding at the appropriate time.

The Regulation 16 consultation that Dorset Council ran following plan submission certainly was also open to everyone, and so that would have provided residents with the opportunity to express issues with the plan or the plan making process. Despite publicity, and printed copies of the plan being provided at four public locations across the two villages, only three residents responded, and only Mr Talbot’s representation raised concerns over the consultation process.

Further in his representation, Mr Talbot alleges that the submitted plan “fails to build on the aims originally set out by the residents,” and “the document has failed to inspire the residents in any way.” . While it is inevitable that some people will disagree with any given plan, Dorset Council advises qualifying bodies to try to carry the general support of the community through the process because ultimately, whether or not their plan meets the legal requirements and passes the examination, it has to be endorsed by the community through a referendum before it can be made.

## Questions for Dorset Council (4)

**3.** Paragraph 13 of the NPPF (December 2023) confirms that Neighbourhood Plans ‘should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies’.

Is Dorset Council satisfied that this advice has been followed?

Yes.

NPPF para 13 is written in the context of “the presumption”, with its main message being that neighbourhood plans “should support the delivery of strategic policies” – or, in other words, they shouldn’t block strategic development. A similar sentiment is expressed in para 29, which states: “Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.” This is also similar to the basic condition which states that neighbourhood plans should be in “general conformity” with the strategic policies contained in the development plan. As this is essentially a basic conditions matter it is covered in the submitted Basic Conditions Statement; Table 1<sup>5</sup> considers the conformity of the NP policies with Local Plan Strategic Policies. Dorset Council has commented on previous versions of this table and supports it in its latest form.

The PPG on Neighbourhood Planning provides further guidance on this basic condition, including explaining what is meant by ‘general conformity’ (para 074), what is meant by ‘strategic policies’ (para 075), and how a strategic policy is determined (para 076). Taking this guidance into account, Dorset Council’s view is that the adopted strategic policies for this plan area are Policies 1 to 21 of the North Dorset Local Plan Part 1 (adopted January 2016). None of these LP policies propose any development schemes or growth in the BW & KM neighbourhood plan area. Nor is the area subject to significant policy constraint other than the general countryside policies which apply to all areas outside of the defined settlement boundaries.

LP Policy 20 provides the overarching policy for development in the countryside. In the supporting text above it, paragraph 8.191 states:

Whilst countryside policies apply to land outside the defined settlement boundaries, the production of neighbourhood plans will enable communities to take forward proposals to meet local needs and influence the planning of the area in which they live and work.

Neighbourhood plans can help local communities:

- to develop a shared vision for their neighbourhood;
- choose where new homes, shops, offices and other development should be built (in addition to development that is permitted under countryside policies, as discussed above);
- identify and protect local green spaces or include policies to protect local character; and
- influence what new buildings should look like.

Considering the NP policies in turn, policies **BWKM 1 & 2** look to define new settlement boundaries for Buckhorn Weston and Kington Magna respectively. Buckhorn Weston and Kington Magna had settlement boundaries defined in the 2003 North Dorset Local Plan. The 2016 LP Policy 2 removes the settlement boundaries at smaller settlements, such as BW & KM, and states that these

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<sup>5</sup> Also included in the main NP document as Table 3.

settlements will be subject to countryside policies unless new settlement boundaries are defined in neighbourhood plans (or in Part 2 of the Local Plan, which has not been produced). Paragraph 3.59 of the supporting text confirms that a “local community” would be able to establish a new settlement boundary through a neighbourhood plan. The LP therefore explicitly provides the scope for settlement boundaries to be defined for smaller settlements through neighbourhood plans. NP Policies BWKM 1 & 2 are therefore consistent with the LP and NPPF para 13.

NP Policy **BWKM 3** provides a policy to control design and form of new development within the settlement boundaries. It is consistent with LP Policy 7 which states: “Where settlement boundaries exist, or are created or modified in neighbourhood plans, local communities are encouraged to develop more detailed policies relating to infilling and should be sensitively designed to the local context and to respect the amenity of adjoining properties.” Policy BWKM 3 is also consistent with NPPF para 13 as it helps shape and direct development outside of the strategic policies.

NP Policy **BWKM 4** provides a policy specifying local housing requirements. It is consistent with NPPF para 13 as it helps shape and direct development outside of the strategic policies.

NP Policy **BWKM 5** provides criteria for external lighting schemes. It is broadly consistent with LP Policy 25 ‘Amenity’ (which we consider to be a non-strategic policy). It is consistent with NPPF para 13 as it helps shape and direct development outside of the strategic policies.

NP Policy **BWKM 6** sets out requirements for Sustainable and Energy Efficient Buildings. It is consistent with LP policy 3 ‘Climate Change’ which states: “Neighbourhood plans will be required to consider local community actions that will help to mitigate and adapt to climate change.” It is also consistent with NPPF para 13 as it helps shape and direct development outside of the strategic policies.

NP policies **BWKM 7 & 8** identify ‘important gaps’ and ‘local green space’ respectively. They are consistent with LP Policy 15 ‘Green Infrastructure’ which states: “Neighbourhood plans should consider measures that assist in delivering key green infrastructure benefits as outlined in this policy, including the designation of local green space, where appropriate.” They are also consistent with NPPF para 13 as they help shape and direct development outside of the strategic policies.

In summary, Dorset Council is satisfied that the advice in NPPF paragraph 13 has been followed. As set out above, we have detected consistency and not conflict between policies in the proposed neighbourhood plan and strategic policies in the local plan.

4. Is the statement in paragraph 79 of the NP (page 21), regarding 'consistency' with the latest position on the local housing requirement, supported by Dorset Council?

Yes.

The issue of a housing requirement figure for a neighbourhood plan area stems from NPPF paras 67 and 68. Para 67 states that the strategic policy-making authority should establish a housing requirement figure for their whole area. Within this overall requirement, there should be a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Para 68 adds that where it has not been possible to provide a neighbourhood area with a requirement figure (e.g. because the neighbourhood area was designated after the strategic policies were adopted), then an indicative figure should be provided, if requested by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

The adopted LP is the North Dorset Local Plan Part 1 (adopted Jan 2016). It both predates the designation of the BW & KM neighbourhood area, and paras 67 & 68 of NPPF (these were first added to the July 2018 version of NPPF). It therefore does not provide a housing requirement figure as required by para 67, and therefore an indicative figure should be provided if requested, as required by para 68.

NPPF Para 68 refers to taking into account the most recently available planning strategy when calculating an indicative figure. With reference to the most recent adopted LP, North Dorset Local Plan Part 1 – Policy 6 covers Housing Distribution, and states that “At least 5,700 net additional homes will be provided in North Dorset between 2011 and 2031 to deliver an average annual rate of about 285 dwellings per annum.” It adds that the vast majority of housing growth will be concentrated at the four main towns and provides indicative figures for those towns. Everywhere outside of the towns should deliver at least 825 dwellings between 2011 to 2031 (or approximately 14% of total houses required). As noted in our response to Question 3, the LP removes the settlement boundaries for BW & KM. In areas outside of the settlement boundaries, the only types of new housing that are acceptable are rural exception sites, occupational dwellings, and re-use of existing buildings. The spatial strategy in the adopted LP therefore does not plan for any specific level of growth in BW & KM, but instead permits small scale development when it is needed (e.g. occupational dwellings and rural exception sites) or where there are opportunities to re-use developed sites (e.g. barn conversions).

Dorset Council has been working on a Dorset Council Local Plan (DCLP), which it is hoped will eventually replace the North Dorset LP (plus the other district LPs in Dorset). A draft 'options consultation' document was published in January 2021.<sup>6</sup> The spatial strategy in this draft is similar to that in the adopted North Dorset LP, in that it identifies a hierarchy of settlements, with towns being on the higher tiers and larger villages identified on the lower tiers. Smaller settlements, such as BW & KM, are not identified and so are assumed to be 'countryside'. The draft countryside policies are similar to those in the NDLP, in that development is generally restricted unless considered necessary to the location. Section 2.10 on DCLP sets out a methodology for calculating housing requirement figures for neighbourhood areas. Paragraph 2.10.5 states that it is proposed that the housing requirement figures for neighbourhood areas should be the sum of:

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<sup>6</sup> Available from: <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/dorset-council-local-plan/about-the-dorset-council-local-plan-january-2021-consultation>



- completions since the beginning of the plan period;
- extant planning permissions;
- housing allocations;
- capacity on major sites (as evidenced through the SHLAA); and
- a windfall allowance on minor sites.

Appendix 2 of the consultation document includes a table of housing requirement figures for neighbourhood areas which have been calculated using this methodology. The table however does not include BW & KM because the neighbourhood area wasn't designated until June 2021.

Dorset Council used the methodology from the DCLP consultation to provide an indicative figure to BW & KM in October 2022, and this is set out in Appendix A of the NP. The total requirement figure for 2021 to 2038 is 12, which is the sum of extant planning permissions (at 1<sup>st</sup> April 2022) of 6, and a windfall allowance (based on past completion rates) of 6. A higher figure was not considered appropriate considering the position of BW & KM in the settlement hierarchies, both in the adopted North Dorset LP and in the draft DCLP.

In September 2023 Dorset Council published a new Housing Land Supply Report setting out the position for 1<sup>st</sup> April 2023.<sup>7</sup> According to our latest monitoring, the number of extant permissions for BW & KM has fallen to 3 dwellings. This is because some of the permissions have lapsed and some have been completed between 1<sup>st</sup> April 2022 and 31 March 2023. Dorset Council recorded 2 completions in Buckhorn Weston in the 2022-23 period. Therefore, the indicative requirement could be recalculated as 11 (2 completions + 3 extant consents + 6 windfall). This is obviously a very small change from the year before.

There has been no update to the proposed spatial strategy / settlement hierarchy in the draft DCLP, nor has there been an update to the proposed methodology for calculating housing requirements for neighbourhood areas. Therefore, Dorset Council is content for the figure set out in Appendix A of the NP to be used as it represents a figure appropriate to meeting local housing needs. The Council also supports the general approach of the NP to meet this requirement, which is through re-instating the settlement boundaries, as this should support a modest level of infill development.

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<sup>7</sup> Available from <https://www.dorsetcouncil.gov.uk/-/nd-annual-monitoring-report-and-development-statistics>

5. Having regard to chapter 5 of the NP (page 21), is Dorset Council satisfied that sufficient justification is provided regarding the route of the proposed settlement boundaries? Are there any issues I should be aware of, regarding the adoption of a consistent approach across Dorset, to the matter of settlement boundary designation?

As noted above, BW & KM had settlement boundaries defined in the 2003 LP, but as with other smaller settlements, they were deleted by the 2016 LP. The 2016 LP explicitly allows local communities to re-instate deleted settlement boundaries in neighbourhood plans. BW & KM is the first neighbourhood plan to come forward in North Dorset to re-instate their settlement boundaries. All other NPs in North Dorset have been for towns and larger villages which retained their settlement boundaries in 2016. Some of these NPs have chosen to modify their settlement boundaries, and the changes have been largely to extend the settlement boundary over new site allocations, or to make small adjustments (for example, to correct small anomalies).

Some neighbourhood plans in the former West Dorset district have created / re-instated settlement boundaries (known as Defined Development Boundaries in West Dorset). These are:

Name <sup>8</sup>	Date made	Summary of changes to Defined Development Boundary (DDB)
Cerne Valley	8/1/2015	Extends the DDB of Cerne Abbas around small parcels of undeveloped land on the edge of the village to allow for a modest number of new houses. Creates a new DDB around the smaller village of Godmanstone to allow for limited infill.
Loders	21/7/2016	Re-introduces a DDB for the main settlement areas of the parish.
Askerswell	10/01/2019	Creates a DDB around part of the village of Askerswell to allow for around 4-5 new dwellings.

Therefore, there are a few examples of other smaller villages who have created or re-instated their DDBs in Dorset. The Cerne Valley NP also extends the village DDB around several parcels of undeveloped land in order to allow for residential growth on the edges of the village, without explicitly allocating the land for development. This is similar to what the BW & KM NP is seeking to do, which proposes to extend the settlement boundary around the former garage site south of the railway line in Buckhorn Weston.

Consultants for the BW & KM neighbourhood planning group produced a Settlement Boundary Methodology Note (June 2022), which is included as one of the supporting documents to the NP.<sup>9</sup> It references both the 2003 settlement boundaries and a proposed draft methodology for reviewing settlement boundaries produced by North Dorset District Council in March 2019. Dorset Council supports this methodology as it appears to be reasonable and based on best practice.

As part of our response to the Regulation 14 consultation, we submitted a series of maps which showed the former 2003 settlement boundaries alongside the proposed new settlement boundaries, as we thought it would make it easier to identify the differences. These maps are reproduced on pages 72 to 74 of the Consultation Report. On inspection, it is clear that the boundaries are roughly similar, but in general the newer boundaries extend further outwards, often including large gardens

<sup>8</sup> Made neighbourhood plans available from <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/neighbourhood-planning/dorset-council-made-neighbourhood-plans>

<sup>9</sup> Available from <https://www.dorsetcouncil.gov.uk/web/guest/-/buckhorn-weston-and-kington-magna-neighbourhood-plan>

on the edge of the settlements. On the whole, Dorset Council supports these changes as it is sensible for the settlement boundary to follow property boundaries (such as fences and hedges) where possible.

However, we have reservations over the proposed settlement boundary around the former garage site at Buckhorn Weston. This is because including it appears to run contrary to the BW & KM Settlement Boundary Methodology Note. One of the methodology's key considerations is the need to "Avoid inclusion of open areas that could result in larger scale development." In terms of how to consider this matter, it states:

There will be a threshold (an informal one based on judgement) above which infill land, backland, or other plots suitable for redevelopment, becomes something more strategic, and this would be considered a site allocation.

The consideration would be based on matters of scale, impact, fairness, transparency etc. As a guide to thinking, **including land that could accommodate more than two dwellings is akin to a site allocation**, requiring a different procedure. [our emphasis]

As the site has been subject to two planning applications, one for 8 dwellings and the other for 7 dwellings, its development capacity appears to exceed the two dwelling limit described in the methodology by some margin, and therefore the site should be formally allocated. A formal site allocation would have the benefit of being able to specify an appropriate number of dwellings for the site, which could be informed by taking into account site constraints (such as impact on the landscape, highways capacity, residential amenity, etc.).

In our experience, the approach of extending the settlement boundary to permit development growth on the edge of the settlement is unusual, however, it is not unique, as evidence by the Cerne Valley NP.

6. Is the designation of Important Gaps, in policy BWKM7 (page 37) consistent with the approach taken elsewhere in Dorset (assuming such designations have been considered elsewhere)?

The origin of the sites selected as Important Gaps in the BW & KM NP is that they are currently Important Open or Wooded Areas (IOWAs) – a designation which originates from Policy 1.9 of the 2003 LP. The IOWA designation is somewhat unique to North Dorset. It was only used for land within settlement boundaries. It covered public open space (which has obvious public amenity) but also private land such as large residential gardens and fields which it was felt added to the character of the settlement. Policy 1.9 states:

Designated Important Open or Wooded Areas will be protected from development.

The retention of policy 1.9 was discussed in para 7.135 of the 2016 LP, which states:

Policy 1.9: Important Open or Wooded Areas (IOWA) of the 2003 Local Plan has been saved. The IOWA policy protects the site from development. However, at the examination of the adopted 2003 Local Plan the Inspector recommended a review of IOWA designations, particularly their contribution in visual or amenity terms to the public areas within a town or village, with a view to deleting those which did not require complete protection. This review will be undertaken as part of Local Plan Part 2 or through neighbourhood plans. In the interim, where a robust review of the contribution of a designated site is undertaken to support a planning application, this will be taken into account in the decision-making process.

As mentioned above, work on Local Plan Part 2 has not progressed, and therefore the only means of reviewing and potentially retaining IOWA sites is through a neighbourhood plan. As the IOWAs are specific to North Dorset, there is no intention for the DCLP to review/retain them.

Table 6 in the submitted NP considers all seven of the IOWAs in BW & KM in turn. For sites 3 and 4, the recommendation is for Local Green Space status (a nationally recognised designation). For site 7, it is considered that because the site has no public access and is not visible from the lane, there is no merit in continuing to afford it special protection. The remainder of the sites (four) are identified for Important Gap status. This is not a designation defined nationally or in the LP. NP Policy BWKM7 states (with emphasis on the words which explain why the sites have been chosen):

The following sites ... are designated as Important Gaps which **make a significant contribution to the character of their settlement in the context of wider Landscape Character**. Development will only be supported which avoids a reduction in, and function of, the Important Gaps.

Several other neighbourhood plans in Dorset have used the term 'Important Gap' (or a similar sounding phrase) in order to protect specific areas of land from development. These include:

Name / Date made <sup>10</sup>	Name of designation / Policy	Details
<b>Bourton</b> 26/01/2018	<b>Green Fingers</b> Policy 10: "Every effort shall be made to ensure that the green spaces between housing and the views into the countryside, which the Green Fingers provide, are preserved to retain the intrinsic character of the settlements identified in the VDS."	The Green Fingers are outside the settlement boundary. The supporting text explains that Bourton is the amalgamation of a number of hamlets, and that the intention is to maintain gaps between these hamlets and prevent the village becoming a strip development. The gaps provide far-reaching views into the countryside and contribute towards the rural character of the village.
<b>Bridport Area</b> 5/5/2020	<b>Green Gaps (anti-coalescence measures)</b> Policy L4: "The distinctive identities of existing individual settlements within the parishes of Allington, Bradpole, Bothenhampton & Walditch, Symondsburry, Bridport and West Bay should be retained. Proposals within the green gaps identified on Map 11 must demonstrate through appropriate Landscape Visual Impact Assessment (LVIA) that the proposal would not diminish the visual gaps between settlements."	Aim is to protect gap between settlements.
<b>Broadwindsor</b> 1/10/2019	<b>Important Gaps</b> Policy BGNP6: "New buildings, structures or land uses that would undermine the rural, undeveloped and open nature of the countryside, should not be permitted within the defined gaps shown on the Policies Map. Exceptions to this will only be supported where there are no alternative sites and the development would be in the overriding public interest, and provided that the landscaping and design of the development retain the rural character and function of the gap as far as possible."	Supporting text explains that the intention is to maintain gaps between the various settlements / hamlets.
<b>Hazelbury Bryan</b> 8/3/2019	<b>Defined Gap</b> Policy HB13: "New buildings, structures and land uses will not be permitted within the defined gaps shown on Figure 9 where these would undermine	Aim is to protect gap between settlements.

<sup>10</sup> Made neighbourhood plans available from <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/neighbourhood-planning/dorset-council-made-neighbourhood-plans>

Name / Date made <sup>10</sup>	Name of designation / Policy	Details
	<p>the rural, undeveloped nature of the countryside or diminish the distinction between the two settlements.”</p> <p>Supporting text explains that the intention is to maintain gaps between the various settlements / hamlets.</p>	
<p><b>Loders</b> 21/07/2016</p>	<p><b>Important Open Gaps</b></p> <p>Policy E1: “The landscape character of the area, the important gaps between built up areas, the rural views and local green spaces are given the highest priority in accordance with adopted Local Plan policy ENV1. Accordingly, development will be supported where it does not undermine the important landscape character of the area in particular where .... the gaps along the road fronts between the built-up areas which are important in defining the distinctive character of each settlement, and the rural, non-built-up nature are conserved and enhanced.”</p>	<p>The supporting text explains that the open gaps make sure that one settlement does not ‘run into’ the next, but each retain their own identity.</p>
<p><b>Piddle Valley</b> 10/05/2018</p>	<p><b>Important Gaps</b></p> <p>Policy 2: “Development that would reduce the openness of the gaps separating the settlements of Piddlehinton, White Lackington and Piddletrenthide (as shown on the accompanying plans) will not be supported. Development which adds to the openness of these gaps, for example through the removal of redundant buildings and structures which do not contribute to local character or heritage, will be supported.”</p>	<p>The supporting text notes that the Valley is not one continuous settlement, but a number of distinct settlements, each with its own history and community spirit.</p>
<p><b>Pimperne 1<sup>st</sup> Review</b> 1/11/2022</p>	<p><b>Important Gap</b></p> <p>Policy LC: “Development should not harm the views of Pimperne village as appreciated on the approach from the south along the A354, or reduce the open nature of the gap between Blandford Forum and the village of Pimperne, as indicated on Map 2, and should respect the treed and distinctive character of Letton Park within this gap.”</p>	<p>The supporting text notes that the existing gap between Pimperne and Letton Park is fragile but forms an important break in development.</p>
<p><b>Stinsford</b> 21/06/2022</p>	<p><b>Important Open Gaps</b></p>	<p>Aim is to protect gap between settlements.</p>

Name / Date made <sup>10</sup>	Name of designation / Policy	Details
	Policy SNP3: "The string of small settlements along the river valley should retain their individual character, and care should be taken to avoid reducing the undeveloped nature of the gaps between the settlements, particularly with reference to those described in Table 3."	
<b>Yeminster &amp; Ryme Intrinseca</b> 5/4/2022	<b>Important Open Gap</b> Policy EN7: "The open gap between Yetminster and Ryme Intrinseca as shown on map 4 (areas 9 and 10) will be maintained. Development proposals which include new buildings, structures and land uses that would undermine the rural, undeveloped nature of this gap between these settlements will not be permitted."	Aim is to protect gap between settlements.

It becomes clear through analysis of the other neighbourhood plans in Dorset that other 'open gap' policies are intended to maintain gaps between settlements (or to prevent coalescence). This is in contrast to the policy in the BW & KM NP, which is to protect sites within settlements. This is not necessarily a reason to reject the Important Gaps policy in the BW & KM NP, but it is interesting to note that the policy differs to other, similar sounding policies in other neighbourhood plans in Dorset.