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Report on Shaftesbury Neighbourhood Plan 2019-2031 First Review

**An Examination undertaken for Dorset Council with the support of
Shaftesbury Town Council on the November 2025 submission version of
the Review Neighbourhood Plan.**

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Contents

| | |
|---|----|
| Main Findings - Executive Summary | 3 |
| 1. Introduction and Context..... | 3 |
| Shaftesbury Neighbourhood Plan 2019 – 2031, First Review 2025 | 3 |
| The Independent Examiner | 4 |
| Submitted Documents..... | 4 |
| Planning Policy Context | 5 |
| 2. Procedural Considerations..... | 5 |
| Initial Determination..... | 5 |
| The Scope of the Examination | 7 |
| The Basic Conditions..... | 8 |
| Site Visit..... | 9 |
| Written Representations with or without Public Hearing | 9 |
| Examiner Modifications | 10 |
| 3. Compliance Matters and Human Rights | 10 |
| Qualifying Body and Neighbourhood Plan Area | 10 |
| Plan Period..... | 10 |
| Neighbourhood Plan Preparation and Consultation | 10 |
| Development and Use of Land | 11 |
| Excluded Development..... | 11 |
| Local Nature Recovery Strategy | 11 |
| Climate Change | 11 |
| Human Rights..... | 11 |
| 4. Assessment of the Basic Conditions..... | 12 |
| Assimilated Obligations | 12 |
| Main Issues..... | 12 |
| Policy Modifications and New Policies (Policies SFTC1, SFTC2, SFTC3, SFHE1, SFHE1a, SFHE1b, SFHE1c, SFHE1d, SFHE2, SFHE3, SFGI1, SFGI2, SFGI3, SFGI4, SFDH1, SFDH2, SFDH4, SFDH5, SFDH6, SFDH7, SFDH8 & SFCL3). | 13 |
| Unchanged Policies (Policies SFTC4, SFHE4, SFDH9, SFCL1 and SFCL2) | 17 |
| Alterations to the Text | 18 |
| All Other Matters..... | 18 |
| 5. Conclusions..... | 18 |
| Summary..... | 18 |
| Examiner Recommendation..... | 19 |
| Overview | 19 |
| Appendix: Examiner Modifications | 20 |

Main Findings - Executive Summary

I made an initial determination on 18 February 2026 that the modifications contained in the Shaftesbury Neighbourhood Plan 2019-2031, First Review 2025 (the Review Plan/First Review Plan) are not so significant or substantial as to change the nature of the extant Neighbourhood Plan which the Review Plan would replace.

From my examination of the Review Plan and its supporting documentation, including the representations made, I have concluded that subject to the Examiner Modifications (**EMs**) set out in this report, the Review Plan meets the Basic Conditions.

I have also concluded that:

- The Review Plan has been prepared and submitted for examination by a qualifying body – Shaftesbury Town Council (STC);
- The Review Plan has been prepared for an area properly designated – the parish of Shaftesbury as shown at Map Ref: NPSB on page 12 of the Review Plan;
- The Review Plan specifies the period to which it is to take effect – 2019-2031; and
- The policies relate to the development and use of land for a designated neighbourhood area.

Therefore, I recommend that Dorset Council (DC) should make the Review Plan with the **EMs** specified in this report (there will be no statutory requirement for a referendum).

1. Introduction and Context

Shaftesbury Neighbourhood Plan 2019–2031, First Review 2025

- 1.1 Shaftesbury is an attractive historic hill-top town, which sits within a beautiful countryside setting. The slopes around the town provide long views across the rural hinterland, particularly the Blackmore Vale, whilst within the town itself there are numerous examples of historic buildings and inviting open spaces. The designated Neighbourhood Plan Area covers the parish of Shaftesbury. The parish population in 2021 was 9,158.¹ It is the subject of the Shaftesbury Neighbourhood Plan which was “made” (approved and adopted) in June 2021 by Dorset Council (DC).
- 1.2 In the following years, the main source of Government planning policy, the National Planning Policy Framework (NPPF) has been updated. The Plan has been reviewed to ensure that it remains up to date and reflects the needs and aspirations of parish residents.

¹ 2021 Census: page 144 Appendix N of the Plan.

The Independent Examiner

- 1.3 As the Review Plan has now reached the examination stage, I have been appointed as the examiner of the Shaftesbury Neighbourhood Plan 2019-2031, First Review 2025 by DC with the agreement of the STC.
- 1.4 I am a chartered town planner and former government Planning Inspector. I am an independent examiner, with experience of examining many neighbourhood plans and do not have an interest in any of the land that may be affected by the Review Plan.

Submitted Documents

- 1.5 I have considered all policy, guidance and other reference documents relevant to the examination, including those submitted which comprise:
- the Shaftesbury Neighbourhood Plan 2019-2031, First Review 2025, as proposed to be modified (November 2025);
 - the summary of proposals and reasons for the modifications as set out in the Plan²;
 - the Shaftesbury Neighbourhood Plan Review Modifications Statement (November 2025);
 - the statement from DC on the nature of the proposed modifications (January 2026);
 - a map on page 12 of the Plan area, which identifies the area to which the proposed Neighbourhood Plan Review relates;
 - a copy of the extant Shaftesbury Neighbourhood Plan 2019-2031, as made;
 - the Consultation Statement (undated);
 - the Basic Conditions Statement (June 2025);
 - the Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) Screening Report (December 2024, updated May 2025);
 - the Green Infrastructure Audit (undated);
 - the Housing and Employment – background paper (undated);
 - the Transport Appendix (undated);
 - the Parking Study (March 2019);
 - the AECOM Design Statement (February 2019);
 - all the representations which have been made in accordance with the Regulation 16 consultation; and
 - the responses from STC and DC received on 18 March 2026 in answer to my questions of clarification dated 25 February 2026, including the additional five comments received on 8 April 2026 in relation to the changes to the legal compliance requirements and the Basic Conditions.³

² See paragraphs 2.4 – 2.8 below.

³ View all the listed document at: <https://www.dorsetcouncil.gov.uk/w/shaftesbury-neighbourhood-plan-2019-2031>

Planning Policy Context

- 1.6 The Development Plan for this part of Dorset Council, not including documents relating to excluded minerals and waste development, includes the North Dorset Local Plan Part 1 (NDLP) adopted in 2016 and saved policies from the North Dorset District-Wide Local Plan 2003. The Local Plan was produced by the former North Dorset District Council. The NDLP is being replaced by the Dorset Council Local Plan (DCLP). The Local Development Scheme⁴ for DC suggests an adoption date for the Local Plan in winter 2027. In August 2025, DC began an Options Consultation exercise for the Local Plan which ended in October 2025.⁵ Given the emerging DCLP is at a relatively early stage, I afford only limited regard to the relevant advice in the PPG for the purposes of this examination.⁶
- 1.7 Planning policy for England is set out principally in the NPPF and is accompanied by the Planning Practice Guidance (PPG) which offers guidance on how this policy should be implemented. A revised NPPF was published in December 2024. All references in this report are to the latest iteration of the NPPF and the accompanying PPG.

2. Procedural Considerations

Initial Determination

- 2.1 As the proposal has been submitted as a modification of the made Neighbourhood Plan, I undertook an initial determination under Paragraph 10(1) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"). This concerned whether the modifications contained in the Review Plan are so significant or substantial as to change the nature of the Neighbourhood Plan which the Review Plan would replace.
- 2.2 If there is no change to the nature of the made Plan, the modification proposal can be examined under the streamlined process set out in Schedule A2 of the 2004 Act (no referendum). Otherwise, the examination would proceed under Schedule 4B of the Town and Country Planning Act 1990 (as amended), whereby an examination and referendum would be required.
- 2.3 STC and DC are required to publish statements setting out their reasoned views on this matter. For STC, the provision is contained in Regulation 15(1)(f) of the Neighbourhood Planning (General) Regulations 2012 (as

⁴ View at: <https://www.dorsetcouncil.gov.uk/w/the-local-development-scheme-for-dorset-council>

⁵ View at: <https://www.dorsetcouncil.gov.uk/w/dorset-council-local-plan-options-consultation-2025>

⁶ Relevant advice is set out in PPG Reference ID: 41-009-20190509.

amended) (“the 2012 Regulations”). For DC, the provision is at Regulation 17(e)(ii).

- 2.4 The views of STC were publicised at the Regulation 14 stage⁷ (see the first three pages of the Consultation Statement and the Introduction to the Shaftesbury Neighbourhood Plan First Review (December 2024) and also an earlier version of the Modifications Statement dated November 2024). The reasons for the review are further publicised in the Conformity Analysis tables in the Basic Conditions Statement (pp 7 – 20). This information indicates that the modifications made require examination but not a referendum.
- 2.5 To inform the determination, I considered all the relevant submitted documents and representations. In particular:
- the Consultation Statement, which demonstrates that STC alerted respondents to the nature of the changes being made to the Plan through the review;
 - the comments throughout the submission draft Neighbourhood Plan First Review (Regulation 15), which explain very briefly the reasons for reviewing the Neighbourhood Plan, along with the more detailed Shaftesbury Neighbourhood Plan First Review Modifications Statement, November 2025⁸;
 - the written statement on this matter provided by DC to comply with Regulation 17(e)(ii).
- 2.6 The draft Plan does not propose any significant changes, the main ones being focused changes to the maps accompanying:
- Policy SFTC1 (Development within the Town Centre) and SFTC2 (Uses allowed within the Primary Shopping Area);
 - Policy SFTC3 (Town Centre shop fronts and public realm design);
 - Policy SFHE1 (Meeting local housing needs);
 - Policies SFHE1a – d (Housing allocations);
 - Policy SFHE2 (Housing sites – key principles of development);
 - Policy SFHE3 (Meeting local employment needs);
 - Policy SFGI1 (Local Green Spaces and Important Treed Areas);
 - Policy SFGI2 (Shaftesbury’s slopes, views and rural setting);
 - Policy SFGI3 (Landscaping requirements);
 - Policy SFDH2 (Incorporating sustainability in designs);
 - Policy SFDH4 (The design of outdoor spaces);
 - Policy SFDH5 (Parking provision); Policy SFDH6 (Scale, design and detailing of buildings);
 - Policy SFDH7 (Building materials);
 - Policy SFDH8 (Archaeological assessment and preservation); and
 - Policy SFCL3 (Provision of walking and cycling routes),

⁷ Regulation 14(a)(v).

⁸ I consider, in essence, STC has sought to substantially comply with the requirements of Regulations 14(a)(v) and 15(1)(f).

together with factual updates since the Plan was first drafted and occasional improvements to the clarity of phrasing.

- 2.7 The Modification Statement (page 10) states that the STC “considers that the proposed modifications are not so significant or substantial as to change the nature of the Plan”. Similarly, DC has compared the policies in the made Plan with those of the Review Plan, summarised the key differences in the Regulation 16 response (pages 14 – 19) and concluded that the changes constitute material modifications which do not change the nature of the Plan and would require examination but not a referendum.
- 2.8 Having assessed all the written documents submitted, including the representations and relevant statements, I am content that the modifications proposed in the draft Plan are material but do not change the nature of the made Plan. I set out my determination in my procedural letter of 18 February 2026 to DC and STC. Therefore, the examination can proceed under the terms of Schedule A2 to the 2004 Act which I set out below and, as a consequence, should I recommend that the draft Plan be made (with or without Examiner Modifications), a referendum stage will not be a necessary part of the statutory process.
- 2.9 I note that the made Neighbourhood Plan identifies a clear succinct vision with broad objectives broken down into more detail and which supported the policy areas. The vision in the Review Plan adds “respecting ... its nationally known views” and the objectives remain very similar. The overall nature of the Review Plan including its scope, issues, aims and policy context is similar to the made Plan.

The Scope of the Examination

- 2.10 As the independent examiner, I am required to produce this report and recommend either:
- (a) that the local planning authority should make the draft plan; or
 - (b) that the local planning authority should make the draft plan with the modifications specified in this report; or
 - (c) that the local planning authority should not make the draft plan.
- 2.11 The scope of the examination is set out in Paragraph 11(1) of Schedule A2 to the 2004 Act. The examiner must consider:
- Whether the plan meets the Basic Conditions.
 - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) (‘the 2004 Act’). These are principally:

- it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land and does not go beyond the scope of what may be included in a draft plan⁹;
 - it specifies the period during which it has effect;
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
 - it does not include provisions and policies for 'excluded development';
 - so far as the qualifying body considers appropriate, having regard to the subject matter of the neighbourhood development plan, it is designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change¹⁰; and
 - so far as the qualifying body considers appropriate, having regard to the subject matter of the neighbourhood development plan, it takes account of any local nature recovery strategy, under section 104 of the Environment Act 2021, that relates to all or part of the neighbourhood area.¹¹
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
 - Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended)('the 2012 Regulations').

2.12 I have considered only matters that fall within Paragraph 11(1) of Schedule A2 to the 2004 Act, with one exception. That is the requirement that the draft Plan is compatible with the Human Rights Convention.

The Basic Conditions

2.13 The 'Basic Conditions' are set out in Paragraph 11(2) of Schedule A2 to the 2004 Act. In order to meet the Basic Conditions, the draft Plan must:

⁹ See s.38B(A1) and s.38B(2C)(a) of the 2004 Act.

¹⁰ This additional requirement was commenced on 25 March 2026 by virtue of *The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026*, which brought into force section 98 of the Levelling-up and Regeneration Act 2023.

¹¹ See footnote above.

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the draft plan were not to be made;¹²
- Be compatible with, and not breach, assimilated obligations¹³; and
- Meet prescribed conditions and comply with prescribed matters.

2.14 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.¹⁴

Site Visit

2.15 I made an unaccompanied site visit to the Neighbourhood Plan Area on 17 February 2026 to familiarise myself with the Plan area and visit relevant sites and locations referenced in the Review Plan and evidential documents.

Written Representations with or without Public Hearing

2.16 This examination has been dealt with by written representations. At the Regulation 16 stage, no representors suggested that a hearing would be necessary. Sufficient written evidence has been provided which I have supplemented by my site visit. In all respects, the representations clearly articulate their submissions to the Review Plan. There are no exceptional reasons to justify convening a public hearing.¹⁵

¹² This Basic Condition applies from 25 March 2026 by virtue of *The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026*, which brought into force section 99 of the Levelling-up and Regeneration Act 2023. This replaces the former Basic Condition which required a neighbourhood plan to be in general conformity with the strategic policies of the development plan for the area.

¹³ See: The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023, which replaced the previous reference to 'EU' obligations.

¹⁴ This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

¹⁵ See Paragraph 12(2)(a) of Schedule A2.

Examiner Modifications

- 2.17 Where necessary, I have specified Examiner Modifications (**EMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have included this modification separately in an Appendix.

3. Compliance Matters and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Shaftesbury Neighbourhood Plan 2019 – 2031, First Review 2025, has been prepared and submitted for examination by STC, which is a qualifying body for an area that was designated by the former NDDC in November 2017. NDDC was replaced by DC on 1 April 2019 which carries over the statutory designation.
- 3.2 It is the only Neighbourhood Plan for the area and does not relate to land outside the designated Neighbourhood Plan Area.

Plan Period

- 3.3 The Review Plan clearly specifies the period to which it is to take effect, which is from 2019 to 2031 and is unaltered from the existing made Plan.

Neighbourhood Plan Preparation and Consultation

- 3.4 Details of the Review Plan preparation, events, activities and consultation are set out in the STC Consultation Statement (CS), as submitted to DC.
- 3.5 Regulation 14 consultation took place between 2 December 2024 and 31 January 2025. The main issues and concerns raised by residents and statutory consultees and how they were considered by STC are included as a table on pages 4-24 of the CS.
- 3.6 At the Regulation 16 stage, between 12 December 2025 and 30 January 2026, ten representations were received, including one from DC, and are provided in the submitted Regulation 16 Consultation Schedule.
- 3.7 During the examination, changes were made to the legal compliance requirements and Basic Conditions, applying from 25 March 2026. In order to provide an opportunity for the qualifying body, the local planning authority and any other interested parties to comment, DC contacted those who had made representations at the Regulation 16 stage.
- 3.8 A 2-week period was advertised on Dorset Council's website inviting further comments, focused only on the legislative changes. Five responses

were received including those from DC and STC. I have taken these into account in my assessment.

- 3.9 I confirm that the legal requirements have been met by the consultation process. In addition, there has been regard to the advice in the PPG on plan preparation and engagement.

Development and Use of Land

- 3.10 The Review Plan sets out policies in relation to the development and use of land in accordance with Section 38A of the 2004 Act and does not exceed the appropriate scope of a neighbourhood plan.¹⁶

Excluded Development

- 3.11 The Review Plan does not include provisions and policies for “excluded development”.¹⁷

Local Nature Recovery Strategy

- 3.12 DC has confirmed that the Dorset Local Nature Recovery Strategy was not published until December 2025, after the submission of the Plan in November 2025. However, DC considers that STC has discharged the legal requirements as thoroughly as it could reasonably do so given the circumstances. I consider that none of the Plan’s policies are in direct conflict with the strategy.

Climate Change

- 3.13 Having regard to the responses received to my letter of 16 March 2026, I am satisfied that, overall, the Plan as proposed to be modified does not conflict with the aims of securing development which contributes to the mitigation of, and adaptation to, climate change.

Human Rights

- 3.14 The Basic Conditions Statement (BCS) advises that no issues have been raised in relation to the possible contravention of Human Rights in the preceding consultations and given the conclusions on the Plan’s regard to national planning policy, it is reasonable to conclude that the making of the Plan should not breach human rights. I have considered this matter independently and I have found no reason to disagree with the statement in the BCS and I am satisfied that the policies will not have a discriminatory impact on any particular group of individuals.

¹⁶ See s.38B(A1) and s.38B(2C)(a) of the 2004 Act.

¹⁷ The meaning of ‘excluded development’ is set out in s.61K of the 1990 Act.

4. Assessment of the Basic Conditions

Assimilated Obligations

4.1 The Shaftesbury Neighbourhood Plan First Review was screened for Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) by DC, following a report compiled on behalf of STC, which found that it was unnecessary to undertake a full SEA or HRA. Having read the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report, December 2024 (updated May 2025), I support this conclusion. The statutory consultees raised no objections to the Review Plan. From my independent assessment of this matter and having read the Review Plan, the supporting information and the summaries of the representations, I have no reason to disagree. Therefore, I am satisfied that the Shaftesbury Neighbourhood Plan First Review is compatible with the assimilated obligations that are relevant to this Plan.

Main Issues

- 4.2 Having considered whether the First Review Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the remaining Basic Conditions, particularly the regard it pays to national policy and guidance and the contribution it makes to the achievement of sustainable development. I test the First Review Plan against the Basic Conditions by considering specific issues of compliance of all the Plan's policies.
- 4.3 As part of that assessment, I consider whether the policies are sufficiently clear and unambiguous, having regard to advice in the PPG. A neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.¹⁸
- 4.4 Accordingly, having regard to the Shaftesbury Neighbourhood Plan First Review, the consultation responses, other evidence and the site visit, I consider that the main issues in this examination are whether the draft Plan's policies: (i) have regard to national policy and guidance; (ii) do not result in the development plan for the area proposing less housing development than would have been the case if the plan were not to be made; and (iii) would contribute to the achievement of sustainable development. I shall consider firstly the modified policies and, secondly, the unchanged policies to ensure they remain compliant.

¹⁸ PPG Reference ID: 41-041-20140306.

Policy Modifications and New Policies (Policies SFTC1, SFTC2, SFTC3, SFHE1, SFHE1a, SFHE1b, SFHE1c, SFHE1d, SFHE2, SFHE3, SFGI1, SFGI2, SFGI3, SFGI4, SFDH1, SFDH2, SFDH4, SFDH5, SFDH6, SFDH7, SFDH8 & SFLC3).

- 4.5 **Policy SFTC1** supports development proposals within the town centre area. Superficial focussed grammatical alterations have been made to the list of aspirations within the policy and additional focused changes to the boundary of the town centre area. The policy continues to have regard to national guidance¹⁹ and meet the Basic Conditions.
- 4.6 **Policy SFTC2** defines the primary shopping area (PSA) and main frontages and lists the uses which are allowed within the PSA. No changes have been made to the policy but focussed changes have been proposed to the main shopping frontages and PSA. The policy continues to have regard to national guidance²⁰ and meets the Basic Conditions.
- 4.7 **Policy SFTC3** aims to preserve and enhance the character and design of the town centre. Focussed alterations have been proposed to improve the clarity of the policy. The policy continues to have regard to national guidance²¹ and meets the Basic Conditions.
- 4.8 **Policy SFHE1** allocates five sites with the potential for housing, four of which (Land south east of Wincombe Lane; Land adjoining Lidl; Barton Hill House and grounds; and the Post Office/Police Station site) are then considered by **Policies SFHE1a – SFHE1d** each of which has regard to national guidance²², would not result in the development plan for the area proposing less housing development, and meets the Basic Conditions, subject to alterations to Policy SFHE1c for reasons of clarity and to recognise the possible presence of bat roosts. **(EM1)**
- 4.9 The list of housing allocations also includes “the former ATS Euromaster site in the town centre (if not retained as town centre car parking)”. However, I note the Regulation 16 response from the landowner that the land will, in due course, pass to the Shaftesbury Charitable Trust to be held “forever” as a car park and its income used for charitable purposes. STC commented that, taking into account the observed car park usage by shoppers/visitors to the town, the site would be more appropriately included within the town centre car parks notated on Map SFTC. I agree.
- 4.10 Therefore, the former ATS Euromaster site should be deleted from Policy SFHE1 (and the list on page 31) and the Map SFHE1 (page 38), together with the comment about the site on page 32. A new paragraph should be added after the Boynes Hollow paragraph on page 31 as follows:
“Planning permission was granted for 24 dwellings at the former ATS site in March 2023 (P/FUL/2021/01338), but this permission has now lapsed and the site has been acquired by a new owner, and is now in active use

¹⁹ NPPF: paragraph 90.

²⁰ NPPF: paragraph 90.

²¹ NPPF: paragraphs 203 & 212.

²² NPPF: paragraphs 30, 61, 69, 74, 70 and 85.

as a car park to serve the town centre." In addition, the site should be deleted from page 32, the New Road car park should be added to Map SFTC (page 21), the green box on Map SFTC should be updated and the supporting text on page 26 should include a reference to the New Road car park.

- 4.11 As a further update, the final sentence of the first paragraph on page 32 should be amended and merged with the first sentence of the second paragraph as follows: *"The 55 homes on the site adjoining Higher Blandford Road have now been constructed, and Persimmon Homes have now commenced construction of houses on the site further to the east. This area was allocated for employment uses only ..."*.
- 4.12 Additionally, taking into account representations by DC and further comments from STC, I shall rephrase Policy SFHE1 by amending the first paragraph to: *"Sufficient land has been identified within the Neighbourhood Plan which, if delivered, together with the extant ..."* and amending the third paragraph to: *"Given the identified supply exceeds the current housing need requirement, applications for residential development outside the settlement boundary will only be supported where they are consistent with policies in the development plan."* **(EM2)** With these modifications, Policy SFHE1 would have regard to national guidance²³, would not result in the development plan for the area proposing less housing development, and would contribute to sustainable development.
- 4.13 I raised with STC and DC the desirability of updating the Shaftesbury Settlement Boundary where development has occurred and where planning permissions have been granted. STC supplied detailed maps showing a revised boundary, but logically the boundary changes necessary should extend beyond the Plan area, as the settlement boundary extends into adjoining parishes each with their own made Neighbourhood Plans: Melbury Abbas and Cann; and Motcombe. As DC correctly states, the updating of the settlement boundary is not required to meet the Basic Conditions. Therefore, I shall not update the Settlement Boundary and it may be that this is done in the emerging Dorset Local Plan.
- 4.14 A representation was received from Nightingale Land promoting land at Wincombe Lane for residential development. However, as DC indicates, the majority of the land is outside the Plan area in the adjoining county of Wiltshire and it would be unreasonable to expect the Neighbourhood Plan to address strategic cross boundary issues. I agree with STC that the eastward expansion of Shaftesbury, together with the future of the related Shaftesbury Eastern Bypass corridor is a strategic matter appropriately considered through the Local Plan.

²³ NPPF: paragraphs 30, 61, 69, 70, 74, 85, and Annex 1; and in accord with the December 2024 updated *Housing need* section of the PPG standard method calculation.

- 4.15 **Policy SFHE2** sets out the key principles of development at housing sites. **Policy SFHE3** aims to encourage conditions for attracting and retaining employment. When compared to the made Plan, focussed alterations simplify the operation of Policy SFHE2²⁴ and clarify the application of Policy SFHE3.²⁵ Each policy has regard to national guidance as referenced and meets the Basic Conditions.
- 4.16 **Policy SFGI1** identifies Local Green Spaces (LGS) and Important Treed Areas (ITA) shown on Map SFGI1 (page 50). There has been a slight rewording of the policy compared to the made Plan and a small number of ITA and LGS have been added or modified. None of these designations have been proposed for housing through the development plan and therefore would not result in the development plan for the area proposing less housing. The policy has regard to national guidance²⁶ and meets the Basic Conditions.
- 4.17 **Policy SFGI2** seeks to protect the slopes of Shaftesbury and is similar to the made Plan but with the addition of a paragraph dealing with land stability. The policy has regard to national guidance²⁷ and meets the Basic Conditions.
- 4.18 **Policy SFGI3** aims to ensure that development respects and enhances the Green Infrastructure Network. There are a small number of focussed changes which strengthen the wildlife/biodiversity elements of the policy, to which DC suggests adding a phrase seeking the protection of biodiversity in the design of green spaces within development. STC supports the amendment and I agree. **(EM3)** The policy would have regard to national guidance²⁸ and would meet the Basic Conditions.
- 4.19 **Policy SFGI4** aims to protect dark skies. The policy is similar to the made Plan other than altering Area of Outstanding Natural Beauty to National Landscape and changing 3,000K to 2,700K. A suggestion by DC to add a phrase seeking to avoid and minimise impacts on biodiversity is supported by STC and to which I agree. **(EM4)** The policy would have regard to national guidance²⁹ and would meet the Basic Conditions.
- 4.20 **Policy SFDH1** is unchanged in the draft Review Plan. The Plan identifies Character Zones) in which certain identified issues are to be addressed through Policy SFDH1. Following discussions between DC and STC about minor adjustments to Character Zones 4 (Grosvenor Road, Barton Hill and Cockram's Field), 6 (Cann) and 8 (East of Christy's Lane) (See Map Ref: SFDHZ – page 65), the parties agreed that the policy should be amended to: *"Development in a Character Zone (as shown on Map SFDHZ) will respect and respond to the positive aspects of character associated with*

²⁴ NPPF: paragraphs 61, 69, 74 and 140.

²⁵ NPPF: paragraph 85.

²⁶ NPPF: paragraphs 106, 107, 135 and 136.

²⁷ NPPF: paragraphs 187 and 196.

²⁸ NPPF: paragraphs 187 and 192.

²⁹ NPPF: paragraph 198.

the specific area of Shaftesbury ...". I agree with the suggestion. The policy would have regard to national guidance³⁰ and would meet the Basic Conditions. **(EM5)**

- 4.21 **Policy SFDH2** aims to include sustainability in design. Focussed additions to the policy help to amplify it and which then has regard to national guidance³¹ and meets the Basic Conditions.
- 4.22 **Policy SFDH3** considers the scale, positioning and orientation of buildings. I agree with the deletion of the reference to microclimates suggested by DC due to it being an unreasonable requirement for the likely development scenarios in Shaftesbury. **(EM6)** Subject to that change, the policy would have regard to national guidance³² and meet the Basic Conditions.
- 4.23 **Policy SFDH4** considers the design of outdoor spaces. The policy includes focussed additions to the made Plan of which one, concerning street furniture, waste bins and signage, has attracted an objection from DC with which I agree. Therefore, I shall amend the second sentence of the policy which would then have regard to national guidance³³ and meet the Basic Conditions. **(EM7)**
- 4.24 **Policy SFDH5** deals with parking provision for cars, motorcycles and bicycles. DC noted that the policy includes a reference to the lengthy local transport note LTN 1/20 on cycle infrastructure design and has suggested altering the policy to refer specifically to Chapter 11 of the guidance. I agree and shall modify the policy which would then have regard to national guidance³⁴ and meet the Basic Conditions. **(EM8)**
- 4.25 **Policy SFDH6** considers the scale, design and detail of buildings and, when compared to the made Plan, "local" has been added within the phrase "traditional local buildings" as a focussed alteration. The policy has regard to national guidance³⁵ and meets the Basic Conditions.
- 4.26 **Policy SFDH7** considers building materials and includes using those with "high sustainability credentials", a term questioned by DC and which culminated in an alteration to the policy agreed with STC which is detailed in the Appendix. **(EM9)** The policy would then have regard to national guidance³⁶ and would meet the Basic Conditions.
- 4.27 **Policy SFDH8** seeks an archaeological assessment at proposed development where historic remains may be present. The policy has a focussed change which would require notification of the Dorset Council's

³⁰ NPPF: paragraph 135.

³¹ NPPF: paragraph 132.

³² NPPF: paragraphs 135 and 162.

³³ NPPF: paragraphs 96 and 103.

³⁴ NPPF: paragraph 111.

³⁵ NPPF: paragraph 131.

³⁶ NPPF: paragraph 131 and 167.

archaeologist and Dorset Museum. The policy has regard to national guidance³⁷ and meets the Basic Conditions.

- 4.28 **Policy SFCL3** considers the provision of walking and cycling routes and has a focussed change to strengthen it. The policy has regard to national guidance³⁸ and meets the Basic Conditions.

Unchanged Policies (Policies SFTC4, SFHE4, SFDH9, SFCL1 and SFCL2)

- 4.29 Five other policies in the made Plan remain unchanged. Each policy has regard to national guidance, would contribute to the achievement of sustainable development and would meet the Basic Conditions.

- 4.30 The following table sets out the details of how these five policies have regard to national guidance to enable the Basic Conditions to be met.

Table 1.

| Policy | Subject | National guidance (NPPF paragraph number) |
|--------|--------------------------------------|---|
| SFTC4 | Town Centre Parking | 113 |
| SFHE4 | Shaftesbury Eastern bypass corridor | 111 |
| SFDH9 | Locally important historic buildings | 202, 216 |
| SFCL1 | Community facilities | 96, 98, 103, 104 |
| SFCL2 | Tourist facilities and attractions | 85, 88 |

- 4.31 In addition, the term Area of Outstanding Natural Beauty (AONB) was changed to National Landscape (NL) in November 2023.³⁹ The Plan recognises this in most of the references, but several have “escaped”. Therefore, on pages 72, 103 and 112, the phrase “Cranborne Chase AONB” should be replaced by “Cranborne Chase National Landscape”. On page 94, the note alongside the map of tourist related facilities should be amended to “The Cranborne Chase National Landscape (CCNL) – an International Dark Sky Reserve – is also shown”. And on page 111, “Cranborne Chase Area of Outstanding Natural Beauty” should be replaced by “Cranborne Chase National Landscape”. **(EM10)**

³⁷ NPPF: paragraph 207.

³⁸ NPPF: paragraph 111.

³⁹ Notwithstanding this rebrand is a matter of policy, since relevant statutes continue to reference ‘Area of Outstanding Natural Beauty’.

Alterations to the Text

- 4.32 A consequence of the acceptance of the recommended modifications would be that amendments might have to be made to the explanation within the Plan in order to make it logical, such as the corrections to calculations of car park space and available housing land as a result of the change to the former ATS Euromaster site. Other amendments might also include minor contextual updates correcting minor inaccuracies (for example the typo in Policy SFHE3 and the corrections to the references to Town Centre Map SFTC), cross referencing and any renumbering of paragraphs and policies. None of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes.⁴⁰
- 4.33 I also canvassed with STC and DC the possibility of updating Appendices L and N. Appendix L describes the Local Green Spaces (LGS) and Important Treed Areas (ITA). The description of LGS 54: Land off Higher Blandford Road (immediately east of the junction with the A30) is out of date. The updating detail is not required for the Plan to meet the Basic Conditions but may be undertaken as a non-material change. (See paragraph 4.32 above).
- 4.34 Appendix N deals with the calculations underpinning the Housing Targets and Population Statistics which lead to a consequent revision to figures in the main body of the report. The overall conclusions about Housing in the Plan remain unaltered. The updating details are not required for the Plan to meet the Basic Conditions and I consider they may be undertaken as non-material changes.⁴¹

All Other Matters

- 4.35 In this examination, I have focussed on differences in the policies between the made Neighbourhood Plan and the Review Plan. Nevertheless, I have considered afresh the whole of the draft Plan. I have reviewed each policy in terms of its consistency with national policy and guidance. Other than the issues that are discussed above, I am satisfied that there are no other matters which affect the Basic Conditions.

5. Conclusions

Summary

- 5.1 The Shaftesbury Neighbourhood Plan 2019–2031 First Review 2025 has been duly prepared in compliance with the procedural requirements. My examination has assessed whether the Review Plan meets the Basic Conditions and other legal requirements. I have had regard for all the

⁴⁰ PPG Reference ID: 41-106-20190509.

⁴¹ See paragraph 4.32 above.

responses made following consultation on the Review Plan and the evidence documents submitted with it.

- 5.2 I have set out modifications to Policies SFHE1, SFHE1c, SFGI3, SFGI4, SFDH1, SFDH3, SFDH4. SFDH5 and SFDH7 to ensure the Review Plan meets the Basic Conditions and other legal requirements.

Examiner Recommendation

- 5.3 I recommend that DC should make the Review Plan with the modifications specified in the Appendix to this report.

Overview

- 5.4 Inevitably, considerable time and effort has been devoted to the development and production of this very well written and illustrated Review Plan and I congratulate those who have been involved. I appreciated the comprehensive documentation which was submitted from both Councils at the various stages of the examination, lengthened by the revision to the Basic Conditions and legal requirements; and especially the constructive comments made in response to my questions. The Review Plan should continue to prove to be a useful tool for future planning and change within Shaftesbury over the coming years.

Andy Mead

Examiner

Appendix: Examiner Modifications

| Examiner Modification number (EM) | Policy/other reference | Modification |
|-----------------------------------|------------------------|---|
| EM1 | Policy SFHE1c | <p>Amend the first paragraph to:</p> <p>“Barton Hill House and Grounds are allocated for residential use. The original Victorian building should be retained, in accordance with Policy SFDH9. Any new buildings should respect and enhance the design of the original Victorian building and the setting of the Listed wall and Ice House within the grounds.”</p> <p>Add a fourth paragraph:</p> <p>“An ecological assessment should be undertaken to ascertain the presence or otherwise of bat roosts within trees and buildings onsite. Where possible, bat roosts should be retained. Lighting of the site should respond to the presence of roosting bats and the location of any identified flight paths and foraging areas.”</p> |
| EM2 | Policy SFHE1 | <p>The former ATS Euromaster site should be deleted from Policy SFHE1 (and the list on page 31) and from the Map SFHE1 (page 38). The comment about the site on page 32 should also be deleted.</p> <p>A new paragraph should be added after the Boynes Hollow paragraph on page 31:</p> <p><i>“Planning permission was granted for 24 dwellings at the former ATS site in March 2023 (P/FUL/2021/01338), but this permission has now lapsed and the site has been acquired by a new owner, and is now in active use as a car park to serve the town centre.”</i></p> |

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| | | <p>The New Road car park should be added to Map SFTC (page 21), the green box on Map SFTC should be updated and the supporting text on page 26 should include a reference to the New Road car park.</p> <p>The final sentence of the first paragraph on page 32 should be amended and merged with the first sentence of the second paragraph as follows:</p> <p><i>"The 55 homes on the site adjoining Higher Blandford Road have been constructed, and Persimmon Homes have now commenced construction of houses on the site further to the east. This area was allocated for employment uses only ..."</i></p> <p>Amend the first paragraph of the policy to:</p> <p><i>"Sufficient land has been identified within the Neighbourhood Plan which, if delivered, together with the extant ..."</i></p> <p>Amend the third paragraph to:</p> <p><i>"Given the identified supply exceeds the current housing need requirement, applications for residential development outside the settlement boundary will only be supported where they are consistent with policies in the development plan."</i></p> |
| EM3 | Policy SFGI3 | Amend the third bullet point to: <i>"Protect and enhance biodiversity."</i> |
| EM4 | Policy SFGI4 | Amend the first paragraph to: <i>"Development should be designed to conserve and enhance the quality of the dark night skies and prevent glare affecting the Cranborne Chase National Landscape (CCNL). It should also ensure any lighting"</i> |

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|-----|--------------|---|
| | | arising from the development minimises impacts on biodiversity. In particular:..." |
| EM5 | Policy SFDH1 | Amend the policy to: <i>"Development in a Character Zone (as shown on Map SFDHZ) will respect and respond to the positive aspects of character associated with the specific area of Shaftesbury where the development is planned and not repeat (and where possible reduce) the negative issues as set out in section 5.2."</i> |
| EM6 | Policy SFDH3 | Delete from the third bullet point: "the microclimates formed and ...". |
| EM7 | Policy SFDH4 | Replace the second sentence with: "Street furniture, including waste bins and signage, should be designed to be in keeping with the street furniture designs found in Shaftesbury, and the Town Council can be approached to advise on how to help achieve this." |
| EM8 | Policy SFDH5 | Amend the first sentence to: "... and taking account of Chapter 11 of LTN 1/20 guidance on cycle parking provision, where appropriate." |
| EM9 | Policy SFDH7 | Amend the policy to: "Development should use materials that respect the area's heritage, are high quality, are appropriate to the building and its setting, and are durable and, where possible, local or recycled. Attention should be paid to the sustainability and embodied carbon of the materials used, favouring options that will conserve energy and other resources taking into account the lifespan of the building, and |

| | | |
|------|-----------------|--|
| | | minimise risks from the impacts of climate change, such as through appropriate insulation qualities to avoid overheating." |
| EM10 | AONB references | <p>On pages 72, 103 and 112, the phrase "Cranborne Chase AONB" should be replaced by "Cranborne Chase National Landscape".</p> <p>On page 94, the note alongside the map of tourist related facilities should be amended to "The Cranborne Chase National Landscape (CCNL) – an International Dark Sky Reserve – is also shown".</p> <p>On page 111, "Cranborne Chase Area of Outstanding Natural Beauty" should be replaced by "Cranborne Chase National Landscape".</p> |