

1 Purpose of the Protocol

- 1.1 This protocol sets out the process for effective consultation between local planning authorities and the Dorset AONB Team to consider planning matters affecting the AONB.
- 1.2 The Protocol aims to:
 - Clarify roles and responsibilities in relation to statutory spatial planning;
 - Clarify the mechanisms for consultation and communication between the AONB Team and local planning authorities;
 - Promote a consistent approach to the application of policies for the Dorset AONB among the different authorities;
 - Identify areas where the AONB Team can provide additional support and guidance to assist planners in carrying out their functions in relation to the AONB;
 - Identify the roles of the AONB Team and Partnership Board in relation to the protocol.

2 Background

- 2.1 The Dorset AONB Partnership comprises Local Planning Authorities with a geographical responsibility for the Dorset Area of Outstanding Natural Beauty, the statutory agencies and other local stakeholders covering community, landowning, farming and biodiversity interests.
- 2.2 In accordance with the Partnership's Terms of Reference, it resources a dedicated team with particular areas of expertise related to protected landscape management, Relevant to this protocol, the AONB Team provides expert advice to the relevant Local Planning Authorities on matters of potential landscape and visual impact related to development.
- 2.3 As the team is advising its constituent Local Planning Authority members, this advice is considered the expert opinion of the Partnership's dedicated Team, not that of the Partnership itself.
- 2.4 The Team will make regular updates to the Partnership outlining advice given in accordance with this protocol.
- 2.5 The Dorset AONB Partnership's primary task is to champion and promote the conservation and enhancement of the natural beauty of the AONB. The Government has confirmed that AONBs are equivalent to National Parks in terms of their landscape quality, scenic beauty and their planning status. All public bodies and statutory undertakers must have regard to the primary purpose of the AONB designation in performing their role, as required by the Countryside & Rights of Way Act 2000¹.
- 2.6 This 'duty of regard' extends to all activities of the 'relevant authorities'; ie beyond planning aspects. This protocol refers to planning aspects only.
- 2.7 The AONB Partnership produces a statutory Management Plan² which sets out the overall vision, policy aims and objectives. The current Plan covers the period April 2014 – March 2019 and contains actions to deliver this vision. This planning protocol should be implemented with regard to the agreed and adopted policy aims and objectives. At the national level, planning policy in relation to AONBs is set out within the National Planning Policy Framework which gives the highest status of protection in relation to landscape and scenic beauty.

¹Section 85 of the Countryside and Countryside and Rights of Way (CROW) Act 2000 places a statutory duty on all 'relevant authorities' to have regard to the purpose of conserving and enhancing natural beauty when discharging any function affecting land within AONBs

²Section 89 of the CROW Act 2000 places a statutory duty on local planning authorities to act jointly to prepare a management plan for an AONB within or partly within their administrative areas.

3 Local Authority Planning Responsibilities

3.1 County Council planning responsibilities are:

- Preparation of Minerals and Waste Local Development Frameworks
- To provide advice as a section 4/4 authority in accordance with the Planning & Compulsory Purchase Act 2004 to the Regional Assembly on strategic planning matters and the need for sub-regional studies and guidance.
- Determining planning applications for mineral extraction and related development and waste management
- Determining planning applications for the County Council's own development, e.g. roads and schools
- Production of the Local Transport Plan.

3.1 District & Borough Council responsibilities include:

- Establishing spatial planning policies and strategies through the preparation of Local Development Frameworks and their supporting documents.
- Determination of the majority of planning and related applications for;
 - House extensions and alterations
 - Residential development
 - Employment, leisure and shopping development
 - Engineering operations
 - Telecommunication and energy schemes
 - Agricultural buildings
 - Change of use of land or a building
 - Conservation and Listed Building consent
 - Advertisement consent
 - Work on protected trees and removal of hedgerows
 - Determining whether prior notification of design and siting is required for: telecommunication schemes under part 24 of the GPDO and Agricultural buildings under part 6 of the GPDO.

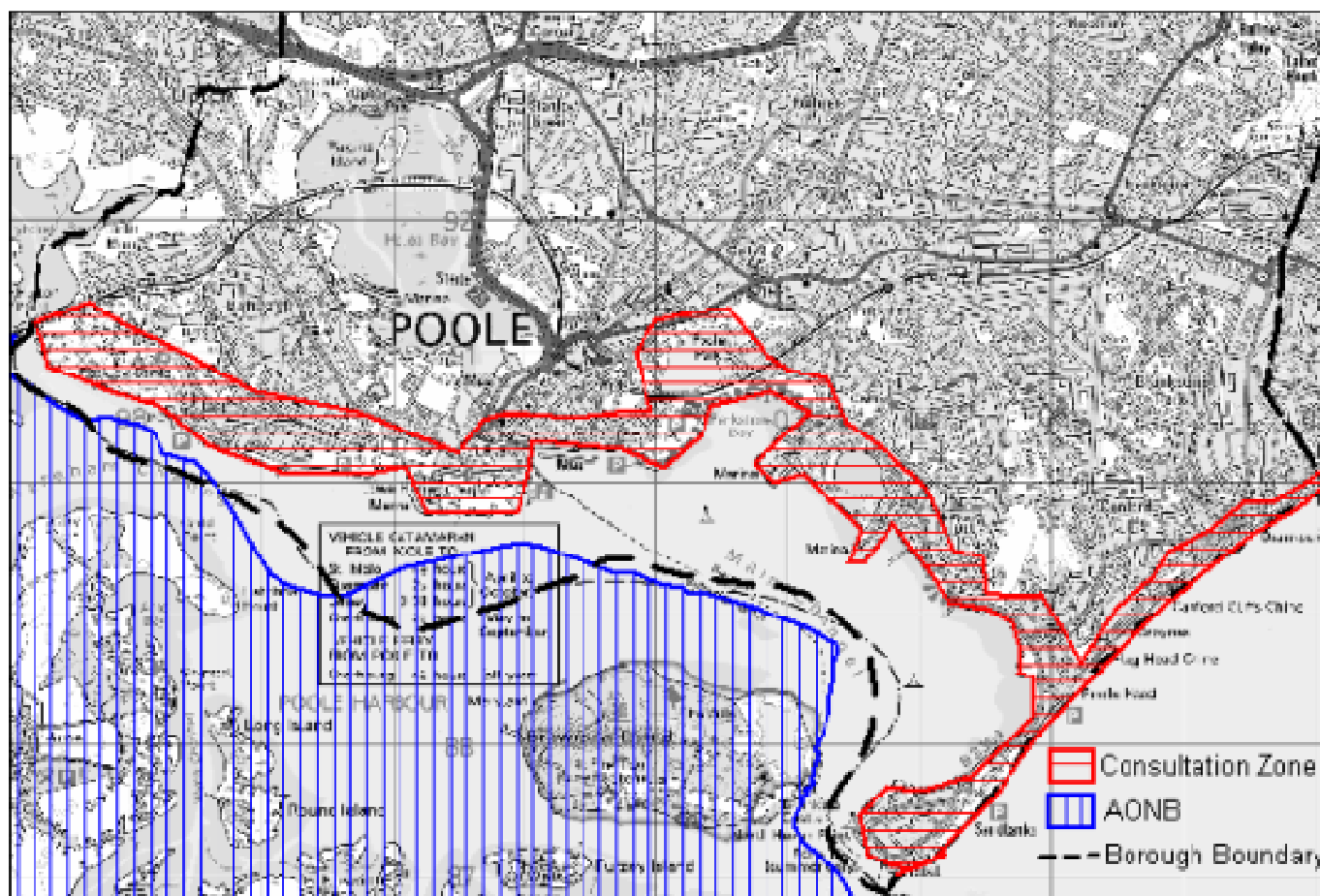
4 The Planning Authority's Role in the Protocol

4.1 The planning authority will:

- Take account of AONB management policies and guidance and liaise with the AONB Team on major planning matters regarding the AONB.
- Encourage ongoing dialogue between relevant officers (landscape, policy, development management etc) and the AONB Team.
- Ensure all relevant existing and new staff are aware of the protocol
- Invite comments and contributions from the AONB Team in respect of all consultations on planning policy documents which may affect the natural beauty of the Dorset AONB.
- Publish its weekly list of planning applications online so that it is accessible to the AONB Team / Partnership.
- Consult the AONB team for advice on planning applications where in the opinion of the local planning authority, they may have a significant impact on the AONB and/or where the provision of advice would assist the decision-making process.
- Consult the AONB Team for advice on planning applications when requested to do so by statutory agencies
- Publish or make available the AONB Team's comments on planning applications online through the relevant planning portal / public register

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- 4.2 Planning applications that may have a significant impact upon the AONB will be defined as:
- Residential developments involving 10 or more dwellings or (where the number of dwellings is not indicated) where the site is more 0.5Ha.
 - Other development where the floor space proposed is more than 1000 square metres or where the site is more than 1Ha.
 - Minerals and waste management – applications over 1Ha involving new or extended mineral extraction areas, or restoration of old or existing sites, or any site used for the management of waste.
 - Other infrastructure including all roads, pipelines, telecommunications masts, renewable energy installations and other prominent structures in the landscape
 - Applications where a structure or associated lighting or noise may impact on the character and tranquillity of the AONB either in its own right or the effect of cumulative impact.
- 4.3 Where appropriate, the authority will encourage liaison between relevant officers and the AONB Team during pre-application discussions and in the preparation of development briefs.
- 4.4 In cases where the AONB Team, Statutory Agencies or LA Officers have suggested alternative ways of achieving the ends of the proposed development with lesser impact to the AONB, or additional mitigation measures, these will be explored with the applicant prior to determination. If considered not appropriate the reasons for not adopting the suggested measures should be set out in the planning report.
- 4.5 Poole Borough Council's administrative area is outside of the AONB but the Council will consult the AONB Team on all developments that its officers consider likely to have an impact on the visual quality and tranquillity of the AONB. These will primarily include major and significant applications (see below) within a mapped zone of the Borough:



5 The AONB Team's Role in the Planning Protocol

5.1. The AONB Team will:

- Encourage ongoing dialogue between the AONB Team and relevant local authority officers (landscape, policy, development management, etc).
- Ensure all relevant and new AONB staff are aware of the protocol.
- Review and consider consultation documents prepared as part of Local Development Framework preparation and other relevant documents. Where appropriate the AONB Team will undertake further discussion with relevant local authority officers and prepare and submit clear technical advice to the Local Planning Authority within the required time scales.
- The AONB Team will endeavour to identify and provide advice on alternatives, mitigation and/or compensation opportunities.
- Encourage pre-application discussions with the relevant planning authority
- In consultation with appropriate local planning authority case officers, landscape architects and urban designers, arrange site visits and submit technical advice on planning applications received as described in section 4.3 / 4.4 above within the required time scales. Any comments will generally be discussed in advance with the case officer prior to submission. Comments will normally be submitted electronically and made available online.
- Where appropriate provide support towards planning appeals and LDF examinations, where there are significant planning issues for the AONB. Where a local planning authority has not consulted the AONB Team on an application or consultation draft, the Team may decline to support appeals and examinations on these cases.
- Work with local planning authorities to raise the profile of the AONB designation and statutory Management Plan, for example by assisting with training and through attendance of liaison meetings at the request of the planning authority.
- Work with local authorities to provide tools to aid policy formation and decision making, such as landscape character assessment and management guidelines, capacity / sensitivity studies and guidance on topics such as agricultural diversification, rural-urban fringe issues and renewable energy development.
- Make known all public enquiries regarding planning issues to the relevant authority officer/s
- Publish the AONB Teams formal consultation responses online (www.dorsetaonb.org.uk)

5.2. The AONB Team will not:

- Provide opinion or comment, formally or informally, directly to applicants or their agents without first consulting the relevant planning authority
- Represent the views of third parties in responding to consultation,

6 Criteria for responses

- 6.1 In considering planning matters, the AONB Team will base its responses around the primary purpose of the designation – the conservation and enhancement of natural beauty. As such, it will be led by the Countryside & Rights of Way Act 2000, the National Planning Policy Framework, the Dorset AONB Management Plan, the Dorset AONB Landscape/Seascape Character Assessment, best practise guidance, and the relevant Local Development Framework.
- 6.2 Responses will set out the nature of the impacts on the character and qualities of the AONB and whether / how they could be mitigated. From this, the AONB Team will provide clear technical advice for consideration by the local planning authority.
- 6.3 The AONB Team will submit all input on planning applications directly to the local planning authority and will endeavour to facilitate e-consultation.
- 6.4 Comments submitted by the AONB Team will be reported to the Partnership Board at its regular meetings.

7 Agreement

This protocol was approved by the Dorset AONB Partnership Board on XXX

Signed

Date

Tim Frost, Chairman, Dorset AONB Partnership

This protocol has been formally endorsed and adopted by:

Dorset County Council

Signed

Date

Name / Position

West Dorset District Council

Signed

Date

Name / Position

Purbeck District Council

Signed

Date

Name / Position

North Dorset District Council

Signed

Date

Name / Position

Weymouth & Portland Borough Council

Signed

Date

Name / Position

Planning Protocol for the Dorset AONB

Poole Borough Council

Signed

Date

Name / Position

Devon County Council

Signed

Date

Name / Position

Somerset County Council

Signed

Date

Name / Position

East Devon District Council

Signed

Date

Name / Position

South Somerset District Council

Signed

Date

Name / Position