



Briefing Note for ‘relevant authorities’ on the duty ‘to seek to further the purpose’ of National Landscapes and guidance on when to consult the Dorset National Landscape Team

This briefing note is intended to support decision makers, particularly within the Development Management process. The Dorset National Landscape Team is a non-statutory consultee, hosted by Dorset Council. We are partly funded by Dorset Council and also receive funding from DEFRA. The Team employs one member of staff to review and respond to planning issues, this being our Landscape Planning Officer. Due to the relatively large area falling within the Dorset National Landscape, we are not resourced to comment on a significant volume of consultations. As a result, our focus is on larger developments, generally those classified as ‘major’. For smaller applications, it may be necessary for the planning officer to exercise judgement in relation to the landscape and visual impacts of a proposal. In doing so, there are two key resources published by the National Landscape Team that can be referred to: our Landscape Character Assessment (LCA) and our Management Plan 2026–2031 (details provided below).

The Legal Duty

The Levelling Up and Regeneration Act (LURA) introduced a notable change for National Landscapes, which became effective from 26th December 2023. This relates to the responsibilities of any ‘relevant authority’, as referred to by the Countryside and Rights of Way (CRoW) Act 2000, when discharging a function that affects a National Landscape. Relevant authorities include all levels of government (town/parish councils, district/county/unitary councils, government agencies, ministers) and statutory undertakers.

Section 85 CRoW Act 2000:

“Any relevant authority exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England must seek to further the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.”.

The ‘seek to further’ duty replaced the previous requirement to simply ‘have regard’ to the purpose of a National Landscape. This new duty suggests a more proactive approach, encouraging explanation of how positive or negative effects have been appraised and apportioned weight when reaching a decision. It encourages authorities to explore actions, adaptations, and/or mitigation that seek to conserve and enhance natural beauty. It is understood that Regulations are being developed to expand upon

the guidance presently available from DEFRA:

<https://www.gov.uk/government/publications/the-protected-landscapes-duty/guidance-for-relevant-authorities-on-seeking-to-further-the-purposes-of-protected-landscapes>.

Purpose of Dorset National Landscape

The duty references the primary purpose of a National Landscape, which is “to conserve and enhance natural beauty”, as initially established within the National Parks and Access to the Countryside Act, 1949. Supplementary (non-statutory/secondary) purposes of the AONB designation were developed in the 1990s and are as follows:

- In pursuing the primary purpose, account should be taken of the needs of agriculture, forestry and other rural industries, and of the economic and social needs of the local community.
- Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment.
- Recreation is not an objective of designation, but the demand for recreation should be met in an AONB so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.

When to consult Dorset National Landscape Team

The National Landscape Team is a non-statutory consultee. However, due to resources, we can normally only provide detailed comments on major applications. Proposals of the following nature should not be consulted upon automatically:

- Developments proposing fewer than 10 homes
- Householder applications
- Replacement dwellings
- Small-scale renewable energy proposals
- Previously undeveloped (greenfield) sites with a site area of less than 0.5 ha
- Brownfield sites with a site area of less than 1 ha
- New structures (e.g., barns, commercial/industrial units) with internal floorspace less than 1000m²
- Vertical structures with a height of less than 20m (e.g., smaller-scale masts and turbines)

In cases which fall beneath the consultation thresholds, the National Landscape Team’s Landscape Planning Officer can be approached for guidance, such as on the interpretation of our published materials or for informal appraisal of design proposals.

Assessing Landscape Impact: Key Resources

Where a development falls below these thresholds and a decision is to be made without input from the Dorset National Landscape Team, decision makers should utilise the following resources to fulfil their CRow Act Section 85 duty:

1. The Dorset National Landscape Character Assessment (LCA) - [Landscape Character Assessment | Dorset National Landscape \(dorset-nl.org.uk\)](#). This document divides the National Landscape into discrete character areas, describing the unique key characteristics of each. It includes specific planning and management guidelines. The interactive map allows users to click through to the relevant chapter.
- The Dorset National Landscape Management Plan 2026–2031 - [Dorset-National-Landscape-Management-Plan-2026-2031-FINAL.pdf](#). The document is a material consideration in planning. In particular, chapter 7.3, entitled "Planning for Landscape Quality", contains objectives and policies designed to support planning decisions.

Key Policies from the Management Plan 2026–2031

Within the various policies there is a central theme that development management decisions should seek to conserve and enhance the National Landscape. For example, there are policies that we should:

- “Support development that conserves and enhances the National Landscape”
- “Ensure sensitive siting and design that respects local character”
- “Only support development that does not conserve and enhance the National Landscape if it is necessary and in the public interest, with major proposals subject to detailed consideration of exceptional circumstances and public interest grounds”

There are also policies that require appropriate and high-quality landscape and visual assessments. Such information may be required to enable development management decisions to:

- “Test proposals against their ability to conserve and enhance landscape and scenic beauty, giving significant weight to the area’s special qualities in planning decisions”
- “Refuse proposals harmful to landscape character unless benefits clearly outweigh the protection afforded to the National Landscape”
- “Require mitigation, conditions, planning gain, or compensation where residual impacts remain”

Mitigation Hierarchy

Where proposals present potential adverse implications, Management Plan Policies C1a and C4b emphasise a robust approach to addressing harm, following the following sequential hierarchy:

- Primary design considerations (avoidance) should be the first step
- If impacts cannot be avoided, they must be minimized through secondary design
- Residual adverse effects may justify consideration of wider enhancements and/or compensation

N.B. For major cases, detailed analysis of exceptional circumstances is required (i.e. as part of the NPPF major development test), meaning that substantial information and analysis is recommended.

Briefing ends

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