

**Dorset Council Response to:
Actions arising August 2019
hearings held as part of the
Examination of the Purbeck Local
Plan**

2nd October 2019

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Introduction

1. The Council has prepared this document following the examination hearings into the Purbeck Local Plan that were held between Tuesday 6th and Friday 9th August 2019. The Inspector who is examining the plan has prepared a list of matters, issues and questions for discussion during the hearing sessions (<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/cor10-2019-05-10-matters-issues-and-questions-final.pdf>).
2. The following matters and issues were discussed during hearings held in August 2019:
 - Matter E Housing: Issue 1 (housing allocations – Policies H4, H5, H6 and H7)) and Issue 4 (other housing policies – Policies H8, H10, H12, H13, H14 and H15).
 - Matter F Environment: Issue 1 (environment policies – Policies E1, E2, E3, E4, E5, E6, E7, E8, E9, E10, E11 and E12).
 - Matter G Economy: Issue 1 (need and supply of employment land - Policies EE1 and EE2), Issue 2 (town and local centres – Policy EE3) and Issue 3 (tourism – Policy EE4).
 - Matter H Infrastructure: Issue 2 (improving accessibility and transport – Policy I2) and Issue 3 (other infrastructure policies – Policies I3, I4, I5, I6 and I7).
 - Matter I Implementation, delivery and monitoring: Issue 1 (implementation and delivery) and Issue 2 (monitoring).
3. In the course of the hearings the Inspector identified a number of actions for the Council. These actions have been summarised into a schedule and published on the Council's website (<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/sd111-updated-actions-list-from-public-hearings-inspector-annotated-week-2-version-2-2019-08-14.pdf>).
4. The final set of hearing sessions into the Purbeck Local Plan are scheduled to take place between Wednesday 9th and Friday 11th October 2019. These hearing relate to the following matters and issues:
 - Matter A Legal compliance and procedural requirements: Issue 5 (habitats regulations).
 - Matter E Housing: Issue 1 (question 5 only, housing allocations – Policies H4, H5, H6 and H7), Issue 2 (housing land supply), Issue 3 (5 year housing land supply), Issue 4 (questions 1, 5 and 7 only, other housing policies – Policies H3, H9 and H11).
 - Matter H Infrastructure: Issue 1 (developer contributions – Policy I1).

5. This document provides the Council's response to actions 33 to 86 (as identified in the schedule), or where appropriate provides a link/sign posts to a separate document with the Council's response, as far as they relate to those issues which are due to be discussed at the October hearings. The Council intends to publish a separate document to address Actions 33, 34, 35, 46 and 47 – which relates to housing mix – as well as further memorandums of understanding between the Council and relevant parties on the sites allocated for homes in Policies H4 to H7.
6. This document also provides a response to some, but not all, of the remaining actions which relate to issues that were discussed at the August hearings. Where this document does not provide a response to an outstanding action it outlines how and when the Council intends to respond.
7. The Council has suggested a number of further modifications to the Purbeck Local Plan in response to some of the actions. The justification for the modifications has been presented in this document, along with the detailed changes to text, as well as the schedule of modifications which the Council has updated through the course of the examination [SD14]. In this document changes to modifications which the Council has already suggested **are shaded in yellow**. The Council has applied a different colour coding for the schedule of modifications [SD14].

Action 33 (Matter E)

Action 33: Review the definition of 'extra care'.

Council's response

8. The Council is preparing a separate paper in response to Actions 33, 34, 35, 46 and 47. This paper will be published before the hearing sessions on the local plan resume in October 2019.

Action 34 (Matter E)

Action 34: Review the capacity of the sites in light of extra care needed and consider implications.

Council's response

9. The Council is preparing a separate paper in response to Actions 33, 34, 35, 46 and 47. This paper will be published before the hearing sessions on the local plan resume in October 2019.

Action 35 (Matter E)

Action 35: Policy H5 - move criteria h to below f – explain community hub OR contributions towards existing community hub.

Council's response

10. The Council is preparing a separate paper in response to Actions 33, 34, 35, 46 and 47. This paper will be published before the hearing sessions on the local plan resume in October 2019.

Action 37 (Matter E)

Action 37: Review the wording of policies H4, H5, H6 and H7 in relation to 'up to' and the consistency between them and policies H1/V1.

Council's review

11. The Council has considered the Inspectors request under Action 37 to review the drafting of the parts of Policies H4 to H7 which refer to the number of homes permitted on each of the housing sites that are specifically allocated through the local plan.
 - Policy H4 states that 'up to 490 new homes' may be provided on the site at Moreton Station/Redbridge Pit.
 - Policy H5 states that 'a total of 470 new homes' may be provided on the sites at Wool.
 - Policy H6 states that 'up to' a total of 150 new homes may be provided on the sites at Lytchett Matravers.
 - Policy H7 states that 'up to 90 new homes' may be provided on the site at Upton.
12. In the course of the hearings relevant parties argued that the Council's drafting of the policies was inconsistent with the National Planning Policy Framework (NPPF). Specifically the obligation to positively prepare strategies to meet an areas development needs (Paragraph 35 (a)), to support the Government's objective of significantly boosting the supply of homes (Paragraph 59) and the effective use of land (Paragraphs 117, 122 and 123).
13. In its response to Matter E, Issues 1, Question 9 the Council has explained the reasons why it considers that the limits on the number of homes on each site are necessary and that it considers the requirement is consistent with policies H1 and V1 (which necessarily take into consideration the opportunities for further homes to be delivered through unplanned development).
14. The Council has prepared the following possible modifications should the Inspector accept the arguments that the drafting of Policies H4 to H7 need to be changed to ensure consistency with the NPPF, and/or to avoid ambiguity with other strategic policies in the plan.

Policy H4

'Land at Moreton Station/Redbridge Pit and caravan site, as shown on the policies map, will help to meet the District's development needs by providing ~~up to~~ about 490 new homes, a 65 bed care home, community facilities and supporting infrastructure.'

Policy H5

‘Land at Wool as shown on the policies map will help to meet the District’s development needs by providing ~~a total of~~ about 470 new homes in total across 4 sites, a 65 bed care home, community facilities and supporting infrastructure.’

Policy H6

‘Land as shown on the policies map will help to meet the District’s housing needs by providing ~~up to~~ about 95 new homes on Land to the East of Wareham Road, about 25 homes on Land at Blaney’s Corner and about 30 homes on Land to the East of Flowers Drove as well as supporting infrastructure and community facilities.’

Policy H7

‘Land at Upton, as shown on the policies map, will help to meet the District’s housing needs by providing ~~up to~~ about 90 new homes, community facilities and infrastructure.’

Action 38 (Matter E)

Action 38: Consider whether the Council should specifically identify SANG for housing allocations in policies/new policy. Define SANG on policies map.

The Council's response

15. The Council suggests a number of further modifications (MM75 to 79) in response to this Action. Each of the suggested modifications is presented below. The Council will make changes to the policies map to identify SANG, publish an updated policies map on its website and send details of the updated policies to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. The changes to the policies map will be subject to further public consultation before the Inspector can make recommendations on the local plan.

16. Policy H4 (Moreton Station/Redbridge Pit) additional criteria:

i. provide and manage in perpetuity an on-site SANG of at least 18ha in the eastern part of the site and 23.8 hectares of adjacent Heathland Support Area as indicated on the policies map. Both areas will be restored to heathland and/or acid grassland as appropriate. Other open space within the development will also be restored to acid grassland with a view to maximising biodiversity within the whole site. (MM75)

17. Supporting text to Policy H5 (Wool) to be inserted after paragraph 133:

SANG provision

The SANG provision at Wool as set out in the policy has added benefits. The SANG will be made up of 17 hectares of agricultural fields currently designated as Scheduled Ancient Monument and 15.7 hectares of Coombe Wood (of which Planted Ancient Woodland area is 12.2 hectares).

The development of the proposed SANG presents a significant opportunity to implement management to enhance the biodiversity value of Coombe Wood, e.g. through the restoration of existing plantation coniferous woodland to native broadleaved woodland towards meeting Ancient Woodland criteria, and creation of a series of rides and glades along proposed walking routes. It also secures the future management of the heritage assets within the Scheduled Ancient Monument whilst also protecting them from the damage otherwise arising from tillage. (MM76)

18. Policy H5 (Wool) additional criteria:

Development at Wool will provide and manage in perpetuity a SANG totalling 32.7 hectares as indicated on the policies map. Where features of biodiversity importance have been identified (e.g. trees with bat roost potential and badger

setts), detailed design and appropriate management (e.g. routing of footpaths and retention of existing broadleaved trees) would ensure that these features are protected and enhanced. (MM77)

19. Policy H6 (Lytchett Matravers) additional criteria:

c. provide and manage in perpetuity a 7.6ha SANG in perpetuity at Flower's Drove as indicated on the policies map. (MM78)

20. Policy H7 (Upton) additional paragraph (to be inserted in between clause b. and the last paragraph):

Land required to offset nitrogen could provide a 2.17 hectares extension to Frenches Field SANG as indicated on the map. (MM79)

Action 39 (Matter E)

Action 39: Publish all supporting studies for housing allocations. Including Wool ecological reports from 2016 and 2019 to Dr Warne.

Council's response

21. Documents listed below and published on the Council's website follow August 2019 hearings.

Wool

22. Ecological Deliverability Report, Land at Wool Dorset, September 2015 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/ecological-deliverability-report-sept-2015.pdf>
23. Ecological Deliverability Report, Land at Wool Dorset, May 2019 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/ecological-deliverability-report-may-2019.pdf>

Lytchett Matravers

24. Land to East of Wareham Road, Lytchett Matravers, Ecological Appraisal, Rev A, June 2017 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/ecological-appraisal-land-east-wareham-road.pdf>
25. Land at Blaneys Corner, Lytchett Matravers, Ecological Appraisal, Rev A, July 2017 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/ecological-appraisal-land-blaneys-corner.pdf>
26. Land at Flowers Drove and Sunnyside Farm, Lytchett Matravers, Ecological Appraisal, Rev A, July 2017 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/ecological-appraisal-flowers-drove-sunnyside-farm.pdf>
27. Site 1 (Land to East of Wareham Road) - Lytchett Matravers, Dorset, Highways, Flood Risk, Drainage and Utilities Technical Note - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/flood-risk-wareham-road.pdf>
28. Site 2 (Land at Flowers Drove and Sunnyside Farm) - Lytchett Matravers, Dorset, Highways, Flood Risk, Drainage and Utilities Technical Note - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/flood-risk-sunnyside-farm.pdf>
29. Site 3 (Land at Blaneys Corner) - Lytchett Matravers, Dorset, Highways, Flood Risk, Drainage and Utilities Technical Note - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/flood-risk-blaneys-corner.pdf>

30. Lytchett Matravers: Landscape and Green Belt Study Wareham Road, June 2017 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/landscape-and-greenbelt-study-wareham-road.pdf>
31. Lytchett Matravers: Landscape and Green Belt Study Blaneys Corner June 2017 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/landscape-and-greenbelt-study-blaneys-corner.pdf>
32. Lytchett Matravers: Landscape and Green Belt Study Sunnyside Farm/Flowers Drove, July 2017 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/landscape-and-greenbelt-study-sunnyside-farm.pdf>

Upton

33. Policeman's Lane Western and Eastern Parcels, Preliminary Ecological Assessment, September 2017 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/ecological-appraisal-upton.pdf>
34. Policeman's Lane, Upton, Dorset, Flood Risk Assessment, November 2017 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/flood-risk-upton.pdf>
35. Policeman's Lane: Landscape and Green Belt Study, August 2017 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/landscape-and-greenbelt-upton.pdf>

Action 42 (Matter E)

Action 42: Liaise with Parish Council and developer to consider a modification to Clause a. H6 regarding connectivity between Lytchett Matravers/Lytchett Minster.

Council's response

36. As drafted in the pre-submission Purbeck Local Plan Policy H6 a. states as follows:

‘improve accessibility between Lytchett Matravers and Lytchett Minster by forming or improving defined walking and cycling routes between the villages’

37. Paragraph 49 of the statement of the Council prepared in ‘Response to Inspector Matters, Issues and Question Matter E: Housing’ states:

‘The requirement to improve bicycle/pedestrian connectivity between Lytchett Matravers and Lytchett Minster in Clause a. of Policy H6 is justified by relevant evidence on the impacts of the development on local road networks and the requirements of national policy (paragraph 102 (c) NPPF 2019). Improving connectivity between the villages is also identified as an objective (listed as ‘desirable’) on page 7 of the Council’s Infrastructure Delivery Plan, [SD28]. Improving the opportunities for sustainable travel between the villages may reduce trips on the local road network, increasing its capacity. Since submitting its plan for examination the Council has identified a number of potential issues in delivering the infrastructure works it anticipated would improve connectivity between the villages. The Council is seeking to clarify the issues around this matter in advance of the hearings scheduled in August 2019.’

38. The Parish Council have suggested the following modification to Policy H6 a.

‘improve accessibility between Lytchett Matravers, Lytchett Minster, and Poole by forming or improving defined walking and cycling routes between the villages, this can be delivered through financial contributions and/or physical works.’

39. The Parish Council suggestion reflects preliminary work around delivery of a cycle way adjacent to Huntick. Turely acting on behalf of Wyatt Homes suggest the following modification:

‘improve accessibility in Lytchett Matravers by forming or improving walking and cycling routes ~~through~~ within the village and or its immediate surroundings. Off-site improvements can be delivered through financial contributions and/or physical works.’

40. Turely justify the suggested changes as follows:

‘Regarding the revision to criterion a. of Policy H6, we note your suggestion. Whilst this does avoid explicitly referring to the link between the two villages, it is effectively the same as the current wording in terms of the delivery risk that comes from the applicant potentially needing to gain control over third party land to achieve whatever accessibility improvement(s) the Council deems appropriate at the time of the application. The use of the phrase “forming or improving walking and cycling routes through the village...” allows for a broad scope of works to be required and this is what is causing the concern to my client.

As we sought to express within our Examination Statement, it would be preferable to allow for flexibility for the Council to seek an alternative approach, i.e. financial contributions, should the preferred accessibility improvement scheme prove not to be deliverable due to third party land or any other issues. We note the possible routes indicated on the plan you attached. Whilst the blue line appears to have a better prospect of being delivered within the plan period, there appears to be no certainty that either of these elements of the connection between the two villages can be delivered.

In order to provide for this flexibility and overcome the above concerns, we request that your proposed wording to be further revised..’

Council’s suggested modifications to Policy H6 a.

41. After giving the matter consideration the Council, notwithstanding the preparatory work undertaken around forming a cycle way adjacent to Huntick Road, the Council considers that the modification suggested by Turely provides a flexible approach to delivery of the infrastructure needed to support the homes without being overly prescriptive (this will give all parties the opportunities of overcoming any issues around delivery).
42. The Council suggests the following modification (MM78) to clause a. of Policy H6:

‘improve accessibility in Lytchett Matravers by forming or improving walking and cycling routes ~~through~~ within the village ~~and~~ or its immediate surroundings. Off-site improvements can be delivered through financial contributions and/or physical works.’

Action 43 (Matter E)

Action 43: Consider a modification to remove or amend reference to Dorset Innovation Park from Policy H4 clause a.

Council's response

43. Amend criteria a. to read (MM65):

Subject to the requirements of other policies in this plan, development on this site will be expected to:

a. improve accessibility between the site and nearby employers, services, (including Moreton Railway Station ~~and Dorset Innovation Park~~) and facilities by forming or improving defined walking and cycling routes;

Action 44 (Matter E)

Action 44: Explain what community facilities and supporting infrastructure is likely to include in the supporting text for policies H4 to H7. Consider whether modification required to allocations policies.

Council's response

44. Policy H4: Moreton Station/Redbridge Pit - The community facilities and supporting infrastructure which the Council expects the development to fund through financial contributions, or directly deliver, includes:

- Suitable Alternative Natural Green Space (SANGs) delivered on site;
- Sports pitches/play areas/open space delivered on site;
- Charging points for electric vehicles delivered on site;
- Financial contributions toward funding an extension to General Practitioners Surgery and local school; and
- Improvements to the local highways network and public transport hubs.

45. Policy H5: Wool - The community facilities and supporting infrastructure which the Council expects the development to fund through financial contributions, or directly deliver, includes:

- Suitable Alternative Natural Green Space (SANGs) delivered on site;
- Sports pitches/play areas/open space delivered on site;
- Charging points for electric vehicles delivered on site;
- Financial contributions toward funding an extension to General Practitioners Surgery and to local schools; and
- Improvements to the local highways network and public transport hubs.

46. Policy H6: Lytchett Matravers - The community facilities and supporting infrastructure which the Council expects the development to fund through financial contributions, or directly deliver, includes:

- Suitable Alternative Natural Green Space (SANGs) delivered on site;
- Charging points for electric vehicles delivered on site;
- Financial contributions toward funding an extension to General Practitioners Surgery and to local schools; and

- Forming/Improving walking and cycling routes within/around the village.
47. Policy H7: Upton - The community facilities and supporting infrastructure which the Council expects the development to fund through financial contributions, or directly deliver, includes:
- Suitable Alternative Natural Green Space (SANGs) delivered on site;
 - Charging points for electric vehicles delivered on site; and
 - Financial contributions toward funding an extension to General Practitioners Surgery and to local schools.
48. The Council does not consider further modifications to the local plan in order to make it sound, or legally compliant, as relevant community facilities and supporting infrastructure are referred to in Policies H4 to H7 and their supporting text.

Action 45 (Matter E)

Action 45: Consider the need to cross reference policies throughout the plan to ensure that policies are clear.

Council's response

49. The Council considers that the planning policies and supporting text of the Purbeck Local Plan should be read as a whole – it does not consider that further modifications are necessary in order to make policies in the local plan clear and unambiguous.

Action 46 (Matter E)

Action 46: Consider removing most of the first paragraph of Policy H10 – leading the final sentence.

Council's response

50. The Council is preparing a separate paper in response to Actions 33, 34, 35, 46 and 47. This paper will be published before the hearing sessions on the local plan resume in October 2019.

Action 47 (Matter E)

Action 47: Consider the implications of interplay between H10 and H9 and potential modifications to both policies (the Council may need to consider a further action following hearings relating to H9).

Council's response

51. The Council is preparing a separate paper in response to Actions 33, 34, 35, 46 and 47. This paper will be published before the hearing sessions on the local plan resume in October 2019.

Action 48 (Matter E)

Action 48: Consider if the wording ‘where necessary’ proposed in MM 53 (d.)/58 (c.) is sufficiently clear and unambiguous.

Council’s response

52. In response to this action the Council suggests the following further modifications (shaded yellow) to Policies H8 (MM53) and H12 (MM58):

Policy H8: Small sites next to existing settlements

~~‘Applications for small sites will be permitted where adjacent to existing homes in the closest town or village (as defined in the settlement hierarchy in the glossary of this plan), and not appear isolated in the countryside, provided the following apply:~~

Outside the Green Belt, applications for residential development will be permitted on sites adjoining the settlement boundaries of towns, key service villages, local service villages and other villages with a settlement boundary (as listed in the settlement hierarchy), provided that:

a. the scale of proposed development is proportionate to the size and character of the existing settlement, up to a maximum of ~~30 homes:~~

- i) 30 homes on any single small site adjoining a town;
- ii) 20 homes on any single small site adjoining a key service village;
- iii) 15 homes on any single small site adjoining a local service village;
- iv) 5 homes on any single small site adjoining other villages with a settlement boundary;

b. individually and cumulatively, the size, appearance and layout of proposed homes ~~does must~~ not harm the character and value of any landscape or settlements potentially affected by the proposals; and

c. the development would contribute to the provision of a mix of different types and sizes of homes (including affordable homes) to reflect the Council’s expectations in Policy~~icies~~ H9 and H11 or, where expressed in a neighbourhood plan, those of the relevant local community; and

d. the effects of proposed homes, individually and in combination with other development, on European sites are screened to assess whether they are likely to be significant. ~~Where necessary~~ Planning applications must include full details (including upkeep over the lifetime of the development) of avoidance or mitigation measures to avoid or suitably reduce address adverse effects..

~~Where proposals would be within the green belt, only limited infilling, on sites positioned in-between existing buildings, within and around the edges of towns and~~

~~villages will be permitted. Existing towns and villages are listed under 'settlement hierarchy' in the glossary of the Purbeck Local Plan.'~~

Policy H12: Rural exception sites

'the effects of proposed homes, individually and in combination with other development, on European sites are screened to assess whether they are likely to be significant. ~~Where necessary~~ Planning applications must include full details (including upkeep over the lifetime of the development) of mitigation to avoid or ~~suitably reduce~~ ~~mitigate~~ adverse effects.'

Action 49 (Matter E)

Action 49: Consider if rural exception and ‘entry level’ (title and paragraph 172) sites is correct and why Policy H12 is labelled differently (taking account of paragraph 71b of the NPPF).

Council’s review

53. The Council has considered the Inspectors request under Action 49 in respect to ‘entry-level exception sites’. The Council recognises that the National Planning Policy Framework (NPPF) provides specific guidance in respect to ‘entry-level exception sites’ at paragraph 71 a) to b). To clarify the relationship between local and national planning policy, and to ensure that planning Policy H12 is interpreted unambiguously, the Council suggests a number of modifications. The Council considers that these modifications are necessary to ensure that the Purbeck Local Plan is consistent with national planning policy and to avoid unnecessary duplication between local and national policy.

Council’s suggested Modifications to the supporting text of Policy H12

54. Title on page 75 of the local plan:

‘Rural ~~and entry level~~ exception sites’ (MM84)

55. Paragraph 172:

‘172. The affordable housing provided on rural exception sites should only be used to meet a clearly identified local need and occupied in perpetuity as an affordable home. Local need must be proved through an acceptable and up-to-date survey of parish housing need. The survey should demonstrate whether there are people living in the parish / village who are in housing need and unable to compete in the general housing market (to rent or buy) due to the low level of their income. ~~Such considerations would include identification of the needs for "entry level" homes suitable for first time buyers that are not already being met by other ongoing or proposed development in Purbeck.~~’ (MM84)

56. Paragraph 178:

~~‘178. The NPPF provides policy for councils when assessing planning applications for entry level exception sites. The policy includes direction on: the types of affordable housing permitted on entry level exception sites, the position / scale / design of development, site size for entry level exceptions sites and a prohibition on entry level exception sites in National Parks / AONB / green belt.’~~ (MM84)

Action 50 (Matter E)

Action 50: Liaise with Mr Tulley outside of the hearings reference Policy H12, criterion b in reference to criteria for selection of exceptions sites and whether further criteria are needed.

Mr Tulley's suggestions

57. In accordance with the action the Council has contacted Mr Tulley on this matter. Mr Tulley's full response (submitted with an e-mail dated 7th September 2019) is appended to this statement (appendix 1). In summary it makes the following recommendations:
- a) Changes to the final paragraph of Policy H12: Mr Tulley considers that as an exception to planning policy on rural housing, the Council should expect all of the homes on rural exceptions sites to be affordable unless the applicant is able to demonstrate that some market housing is needed to deliver the affordable homes (Mr Tulley refers to relevant planning practice guidance around undertaking viability assessments which clarifies that land owners and purchasers should take account of policy requirements as part of land transactions, and that the premium for the landowner should provide a reasonable incentive in comparison with 'other options available' (Planning Practice Guidance on Viability, Paragraph: 013 Reference ID: 10-013-20190509).
 - a) Further criteria: Mr Tulley suggests adding further criteria to Policy H12 in respect to:
 - I. requiring new homes on rural exception sites to be closely (Mr Tulley suggests 'adjoining' or 'contiguous') related with existing settlements/'built form';
 - II. applicants demonstrating that they have considered all 'reasonable options' for meeting a need for affordable homes before making an application for a rural exceptions site;
 - III. applicants demonstrating that they have selected the most suitable site for development (having regard to landscape/ecosystems/sustainability);
 - IV. the Council taking particular account of the impacts of development on designated landscapes, heritage assets and nature conservation when assessing the suitability of rural exception sites; and
 - V. the Council securing the tenure of affordable homes in perpetuity.
58. Mr Tulley has suggested the following modifications to Policy H12:

Policy H12: Rural exceptions sites

In order to meet local community needs in rural areas, except in the parishes of Swanage, Wareham and Upton, the development of rural exception sites for affordable housing will be **supported, subject to the following:**

- a) *the site is well related to or adjoining the defined development boundary; or where the settlement is not subject to a development boundary, the site is well related to the extent of the contiguous built form;*
- b) the Council is satisfied that the proposal is capable of meeting an *up to date* identified, current, local need for affordable homes within the parish, or immediately adjoining rural parishes, *and it is demonstrated that the local need could not be satisfied without the exceptional release of land;*
- c) the site is not remote from existing buildings, and there is an opportunity to use sustainable modes of transport (walking, cycling and public transport) to access jobs, services and facilities, unless the applicant can demonstrate that there are no other suitable alternatives in the parish for addressing local need;
- d) *a site selection assessment demonstrates that all reasonable options and the most suitable site in terms of landscape, ecosystems and overall sustainability has been chosen;*
- e) *environmental and heritage assets are not subject to significant harm, are conserved or enhanced, with particular respect to the setting and special qualities of nationally important landscapes, biodiversity and heritage designations;*
- f) *the scale of the development including the number and mix of homes on each exception site should reflect community needs, the size of the village it most closely relates to, available infrastructure and services and individually and cumulatively, the size, appearance and layout of proposed homes must not harm the character and value of any landscape character or settlements potentially affected by the proposals;*
- g) the effects of proposed homes, individually and in combination with other development, on European sites are screened to assess whether they are likely to be significant. Where necessary planning applications must include full details (including upkeep over the lifetime of the development) of mitigation to avoid or suitably reduce adverse effects;
- h) there are secure arrangements to ensure that the benefits of affordable housing will be enjoyed *in perpetuity* by subsequent as well as initial occupiers; *and*
- i) *if any market housing is proposed, this must be demonstrated, through a financial appraisal, as being the minimum amount required to enable the delivery of the maximum amount of affordable housing, in accordance with the definition of a rural exception site.* The applicant will be expected to fund the independent verification of the submitted viability assessment by a person appointed by the Council.

Council's Response

59. *Promoting sustainable development in rural areas (suggested clause a))* - The Council notes that paragraph 78 of the NPPF states that 'To promote sustainable development

in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities’.

60. As drafted the first paragraph of Policy H12 indicates that affordable housing will be permitted around existing settlements. The Council does not object to Mr Tulley’s suggested clause a), but considers that the final part of the paragraph which states that rural exception sites should be *‘well related to the extent of the contiguous built form’* is unclear (and therefore inconsistent with paragraph 16 d) of the NPPF). Incorporating part of clause f) (as it relates to promoting sustainable development in rural areas) the Council suggests the following modification as an alternative:
- a) the site is closely related to, or adjoining, a settlement defined in the settlement hierarchy (including those ‘other villages with a settlement boundary’) and the number of homes on each exception site should reflect community needs, the size of the village it most closely relates to, available infrastructure and services.
61. *Justification for rural exception sites (suggested clauses b) and d))* – The NPPF is clear where planning policies, or decisions, need to be explicitly justified¹ and the policy tests which should be passed. In regard to rural exception sites, the NPPF states that local planning authorities should ‘support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs’ (Paragraph 77).
62. Rural exception sites must meet an identified local need for affordable homes, but the NPPF does not include a requirement for development to be justified through the examination of reasonable alternative sites or for applicants to demonstrate through evidence that they have selected the most suitable site for development (having regard to landscape, ecology and sustainability). The Council considers that Mr Tulley’s suggestion for revisions to clause b), and the additional clause d), are overly restrictive, not justified by national planning policy and may discourage rather than support the delivery of rural exception sites.
63. For these reasons the Council considers that Mr Tulley’s suggestion for clause b) and d) are inconsistent with national planning policy. It will not be suggesting these as modifications are necessary in order to make the local plan sound.
64. *Areas/assets of particular importance (suggested clause e))* – Paragraph 6 of the NPPF identifies the policies relating to ‘assets and areas’ of particular importance referred to in Paragraph 11, b), i. These include policies for: habitats sites (including Site of Special Scientific Interest), land designated as Green Belt, Local Green Space, Areas of Outstanding Natural Beauty/National Parks/Heritage Coast, irreplaceable habitats, designated heritage assets (and heritage assets of archaeological significance) and areas at risk from flooding.

¹ For example Paragraph 136 states that Green Belt boundaries should only be changed where exceptional circumstances have been fully evidenced and justified. As justification policy making authorities are required to demonstrate that they have fully examined all other reasonable alternatives for meeting an identified need for development. Similarly when assessing applications for ‘major development’ in Nation Parks, the Broads and the Area of Outstanding Natural Beauty, Paragraph 172 b) requires decision makers to take account of the cost and scope for developing outside the designated area or meeting the need another way.

65. The Council has also prepared policies in its local plan which relate to these areas/assets of particular importance, and take account of nature and local characteristics of Purbeck. They include the following:
- Policy E1: Landscape – the policy explicitly refers to designated landscapes including the Dorset Area of Outstanding Natural Beauty and Purbeck Heritage Coast;
 - Policy E2: Historic Environment – the policy refers to designated and non-designated heritage assets;
 - Policy E4: Assessing flood risk; and
 - Policies E7 to E10 relating to: Conservation of protected sites, Dorset Heathlands, Poole Harbour and Biodiversity and Geodiversity.
66. The Council is satisfied that the policies in its local plan are necessary and justified by relevant and up-to-date evidence relating to the local area. Taking this local evidence into consideration, it is also satisfied that they serve a clear purpose in accordance with Paragraph 16 f) of the NPPF. Proposals for rural exception sites would, where relevant, be assessed against these policies, as well as relevant parts of the NPPF.
67. The Council does not consider that clause e) is needed because these matters will be considered on a case by case basis having regard to other relevant national and local planning policies. It also considers that the assessment criteria suggested by Mr Tulley are not consistent with the criteria based policy assessments described in the NPPF in respect to designated landscapes, habitat sites and heritage assets.
68. For these reasons the Council will not be suggesting this modification is necessary in order to make the local plan sound.
69. *Assessing the impacts of rural exceptions sites (clause f))* – Mr Tulley has suggested modifications to this clause which introduce requirements in respect to the design of new homes on rural exception sites. The revised drafting of the clause also refers to access to infrastructure/services and the number of homes on a rural exceptions site. The Council considers these considerations relate to the objective of promoting ‘sustainable development in rural areas’ (paragraph 78 of the NPPF) and have been addressed through the suggested changes to clause a.
70. As noted above, the Council has prepared specific policies which relate to areas/assets of particular importance in Purbeck. The Council’s local plan also includes E12, which sets out criteria for achieving high quality design. Proposals for rural exception sites would be assessed against this policy, as well as relevant parts of the NPPF in chapter 12 ‘Achieving well-designed places’.
71. The Council does not consider that Mr Tulley’s suggested modification is necessary in order to make the local plan sound. As an alternative to clause f. suggested by Mr Tulley, the Council has prepared the following possible modification (in green below), should the Inspector accept the arguments that the drafting of Policy H12 needs to

include more specific direction around the design of new homes on rural exception sites:

'The scale, size, appearance and layout of proposed homes, both individually and cumulatively, must not harm the character of any landscapes, or settlements, potentially affected by the proposals.'

72. *Suggested changes in regard to habitats sites and tenure of affordable homes* - The Council does not object to either of the suggested changes relating to European sites (which it has already suggested as a modification that is needed to ensure legal compliance with the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018) and the securing the tenure of affordable homes on rural exception sites.
73. *Mix between affordable homes and market homes on rural exception sites* - The Council sought to encourage delivery of affordable homes by seeking to define the proportion of market housing needed to bring forward rural exception sites. The Council's approach is evidenced by viability analysis.
74. The Council acknowledges Mr Tulley's argument on this issue, in particular issues around elevated 'hope' premiums for landowners applied to existing use valuations. Taking account of Mr Tulley's response the Council suggests the following modification:
- i) 68if any market housing is proposed to facilitate delivery of affordable homes the applicant must demonstrate, through a viability assessment, that the number of market homes is restricted to the minimum required to facilitate delivery of the proposed affordable homes. Rural exception sites must primarily provide affordable housing. The applicant will be expected to fund the independent verification of the submitted viability assessment by a person appointed by the Council.'

Council's suggested Modifications to Policy H12 and supporting text

75. Paragraph 177:

'177. Where a developer considers that some market homes are needed to bring forward a rural exception site, the Council will only support the application where it is satisfied that the market homes are needed in order to deliver affordable homes ~~will use 30% as the starting point for any site specific negotiations.~~ Where a developer considers that market homes are needed to bring forward a rural exception site the Council expects the proportion to be justified through a viability assessment. Having regard to its high level viability study, the Council will not permit applications for rural exception sites ~~that fail to~~ unless they primarily deliver affordable homes ~~deliver proportions that significantly differ from the affordable housing policy.'~~ (MM84)

76. Policy H12:

‘Policy H12: Rural exceptions sites

In order to meet local community needs in rural areas, except in the parishes of Swanage, Wareham and Upton, the development of rural exception sites for affordable housing will be supported, subject to the following:

- a) the site is closely related to, or adjoining, a settlement (as defined in the settlement hierarchy and including those ‘other villages with a settlement boundary’) and the number of homes on each exception site should reflect community needs, the size of the village it most closely relates to, available infrastructure and services;
- b) the Council is satisfied that the proposal is capable of meeting an up to date identified, current, local need for affordable homes within the parish, or immediately adjoining rural parishes;
- c) the site is not remote from existing buildings, and there is an opportunity to use sustainable modes of transport (walking, cycling and public transport) to access jobs, services and facilities, unless the applicant can demonstrate that there are no other suitable alternatives in the parish for addressing local need;
- d) the effects of proposed homes, individually and in combination with other development, on European sites are screened to assess whether they are likely to be significant. Planning applications must include full details (including upkeep over the lifetime of the development) of mitigation to avoid or mitigate adverse effects;
- e) there are secure arrangements to ensure that the benefits of affordable housing will be enjoyed in perpetuity by subsequent as well as initial occupiers; and
- f) if any market housing is proposed to facilitate delivery of affordable homes the applicant must demonstrate, through a viability assessment, that the number of market homes is restricted to the minimum required to facilitate delivery of the proposed affordable homes. Rural exception sites must primarily provide affordable housing. The applicant will be expected to fund the independent verification of the submitted viability assessment by a person appointed by the Council.’ (MM58)

Action 51 (Matter E)

Action 51: Council to consider cumulative effect of small sites and rural exception sites.

Council's response

77. The Council has prepared and published SD93 (<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/examination-documents-submitted-during-hearings/sd93-mitigation-strategy-green-belt-12-08-2019.pdf>) which outlines its approach to mitigating the effects on European sites from housing development on unallocated sites.
78. A clause in policy H8 requires the decision maker to take account of the cumulative effects of housing development on the character of the landscape/the town or village that the development relates to. The Council does not consider that further modifications to either policy are necessary in order to make the Purbeck Local Plan sound or legally compliant.

Action 52 (Matter G)

Action 52: Make modifications within the table to EE1 to take account of the updated allocation figures for Bere Regis Neighbourhood Plan and Wareham Neighbourhood Plan.

Council's response

79. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 53 (Matter G)

Action 53: How would proposals on other employment land be dealt with if the policy only relates to safeguarded employment land - Consider the drafting of the second part of EE2 and the policies scope in respect to safeguarded and employment uses which are not subject to safeguarding.

Council's response

80. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 54 (Matter G)

Action 54: Consider whether MM13 is specific to safeguarded land and whether the wording proposed within MM13 is sufficiently specific should this be ‘and’ or ‘or’?

Council’s response

81. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 55 (Matter G)

Action 55: Place the requirements for 350sqm of retail floor space within policy H4 and H5 and/or within EE3. Alter wording so it reads ‘additional convenience floor space’ not ‘additional need’.

Council’s response

82. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 56 (Matter G)

Action 56: Refer to the settlement hierarchy within the third paragraph of EE3 and within EE4 and consider interplay with proposed changes to Policy V1.

Council's response

83. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 57 (Matter G)

Action 57: Alter the wording in EE3, paragraph 4, relating to ground floor changes of use to state 'will be permitted'.

Council's response

84. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 58 (Matter G)

Action 58: Policy EE3 - alter the wording in clause d so the word 'and' follows onto the next criterion.

Council's response

85. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 59 (Matter G)

Action 59: Policy EE3 - refer to 'surplus to requirement' or refer to the NPPF paragraph 97(a) within the loss of retail floor space. State the NPPF should be considered as well as the criteria listed within the policy I4.

Council's response

86. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 60 (Matter G)

Action 60: Remove paragraph 215 – this is superseded.

Council's response

87. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 61 (Matter G)

Action 61: Consider scope of the policy (hotels, bed and breakfast and other forms of tourist accommodation) and amending wording within Policy EE4 to state ‘for tourist related activities and tourist accommodation provided it...’

Council’s response

88. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 62 (Matter G)

Action 62: Consider whether second sentence of para 187 is in fact policy in supporting text? Consider relationship between the paragraph and policy EE4.

Council's response

89. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 63 (Matter H)

Action 63: Remove the wording within the brackets in MM60 that refers to parking guidelines. This can be dealt with in the supporting text.

Council's response

90. Amend (MM60) clause i:

'provide for adequate parking levels ~~(in line with the Bournemouth, Poole and Dorset Residential Car Parking Strategy, and non-residential parking guidelines outline adequate parking levels across Purbeck).~~'

Action 64 (Matter H)

Action 64: Consider the need to add a clause to Policy I3 about protection of / planting of more native trees of local provenance.

Council's response

91. Add an additional clause e (MM15) to policy I3 so as to read:

'New development will, commensurate with its size and location, be expected to protect and strengthen the existing green infrastructure network by

c. connecting together and enriching biodiversity and wildlife habitats; ~~and~~

d. improving connections, green corridors and links between different components of the green infrastructure network; and

e. replacing and planting additional locally native trees and hedgerows where appropriate.'

Action 65 (Matter H)

Action 65: Consider a modification to I4 removing reference to Fields in Trust.

Council's response

92. Amend first sentence of the first paragraph in policy I4 (MM17) to read:

'New facilities

Residential development will be required to make provision for formal and informal recreation, sport and/or open space facilities on-site ~~to achieve the identified~~ following ~~Fields in Trust benchmark guidelines.'~~

Action 66 (Matter H)

Action 66: Consider whether wording of policy I5 is sufficiently robust?

Council's response

93. The Council suggests that the following modifications are needed to ensure that the policies and supporting text relating to Policy I5 are sufficiently clear/unambiguous and consistent with relevant planning policy relating to Green Belt and the natural environment.

256 The Council is aware of a proposal for the siting of a holiday park at the junction of the A35 and B3075 roads which, by way of compensatory mitigation measures, offers the potential to meet the identified need for a strategic SANG in this part of the District. Any future holiday park, and associated release of green belt, will only be permitted to facilitate the delivery of the SANG. The proposal is at an early stage and is in the green belt. The Council's green belt review concludes that the provision of a strategic SANG would provide the exceptional circumstances required to amend the green belt boundary for the adjacent siting of a holiday park. The Council will need to be satisfied that the proposal;

- a. has the potential to make positive and beneficial use of the green belt;
- b. increases access to the countryside for informal recreation in a location that provides an alternative to valuable heathland habitat nearby;
- c. enhances biodiversity within the proposed holiday park; ~~and,~~
- d. provides sufficient heathland mitigation both for the holiday park and small scale residential development in the area;

e. meet other habitats regulations requirements of the holiday park set out in local plan policies,

f. meets the SANG criteria set out in the Dorset Heathlands Planning Framework 2015-2020 SPD and any subsequent updated SPD, and

f. is financially viable. (MM71)

257. ~~Any future holiday park and/or SANG project would require agreement on delivery of the proposals, including management plans and costings, to be agreed with both Natural England and the Council.~~ The holiday park promoters will be required to fund a masterplan for the delivery of a SANG and holiday park of up to 100 units to include development proposals, management plans

and costings that is agreed with Dorset Council and Natural England prior to a planning application being made. (MM72)

Policy I5: Morden Park strategic suitable alternative natural green space (SANG) and holiday park

The area shown on the policies map will be developed as a strategic SANG and holiday park subject to agreement between the applicant, the Council and Natural England.

Any future holiday park will only be permitted to facilitate the delivery of the SANG.

The SANG provided will need to be designed and managed following criteria to be agreed with Dorset Council and Natural England. The key features include:

- Stock proof fencing to enable free running dogs;
- New woodland planting;
- Dog access to the stream;
- Footpath routes;
- Visitor management and monitoring;
- Hardening up of boundaries to divert the public from heathland;
- Possible grazing compartments; and
- New car park to intercept users which may be up to 30 spaces over time.

This list is not exhaustive.

The masterplan will include a management plan for the holiday park including:

- Restoration of ancient woodland;
- Restoration of heathland to the west of the lake and stream;
- Biodiversity gains;
- Eradication of rhododendron; and
- Measures to manage visitor access to sensitive areas.

This list is not exhaustive

The promoter of the holiday park will need to demonstrate that the holiday park can support the SANG provision in perpetuity. (MM73)

Action 67 (Matter F)

Action 67: 'Consider reviewing the drafting of Policy E1 taking account of Mr Tulley's response.'

Mr Tulley's response

94. Mr Tulley's Regulation 19 response (ID 1191258, PLPP 526) to the submission draft Purbeck Local Plan suggests the following modifications to Policy E1:

The Council attaches great weight to conserving and enhancing landscape and scenic beauty in the Area of Outstanding Natural Beauty. The scale and extent of any development within these designated areas will be limited. Development, other than major development (where the NPPF provides guidance), will only be permitted in the Area of Outstanding Natural Beauty (AONB) where proposals would conserve or enhance the natural beauty of the area and would be appropriate in terms of:

1. appearance, scale, height, layout;
2. any other effects on the character, such as noise, light and traffic;
3. assessment of any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated; and
4. compliance with other policies in this Purbeck Local Plan.

The Council will also take account of the cumulative, and indirect, effects of development along with measures to avoid, reduce or compensate for any harmful impacts on the natural beauty of the AONB.

95. Mr Tulley considers that the changes are justified because:

Draft Policy E1 looks to set out a presumption in favour of sustainable development within the AONB. This is not in accord with NPPF 11 and NPPF 172.

In the context of plan making NPPF 11(b) (i) makes clear that the presumption does not apply where *"the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area"*. NPPF Footnote note 6 lists out the relevant designated assets, which includes AONB.

NPPF 172 requires that*"Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues"*

Policy E1 should therefore be redrafted to make explicit the presumption does not exist in the AONB.

96. The Council has noted Mr Tulley's suggested changes to the first paragraph of the policy (as stated in Paragraph 172 of the NPPF) and taken these into consideration in the modifications which it has suggested to Policy E1 (these have been presented as part of the response to Action 69).
97. The Council does agree with Mr Tulley that there is a justification for inserting a further criteria (criteria 3) into the policy in relation to the environmental and landscape considerations, and opportunities for leisure/recreation. The Council considers that the drafting of Policy E1 (taking account of the modifications presented in response to Action 69) takes account of the general duties, imposed on public bodies, in Section 85 (1) of the Countryside and Rights of Way Act 2000, and national planning policy and guidance. The Council does not consider that the further clause (criteria 3) is necessary.

Action 68 (Matter F)

Action 68: 'Consider reviewing the drafting of Policy E1 taking account of Mr Bowyer's comments on visual intrusion.'

Mr Bowyers comments and the Council's consideration of modifications to E1 to take account of 'visual intrusion'

98. Mr Bowyer made separate (ID 1190901 and 1191247) Regulation 19 responses on the Purbeck Local Plan on behalf of Studland Parish Council and the Pan Purbeck Action Campaign. None of the responses raised issues relating to Policy E1. In the course of the examination hearing held on Friday 9th August Mr Bowyer orally raised a question over the drafting of Policy E1, more specifically the need to reference to visual intrusion as a consideration in the policy.
99. The term visual intrusion is not defined in either the NPPF or PPG. The Council has referred to 'Guidelines for Landscape and Visual Impact Assessment' (Landscape Institute and Institute of Environmental Management and Assessment, Third Edition 2013) in preparing its response to this action. As a starting point the guidelines use the following definition landscape from the European Landscape Convention:
- 'Landscape is an area, as perceived by people, whose character is the result of the action and of natural and/or human factors' (Council of Europe, 2000).
100. Paragraph 2.19 of the guidelines go onto state that:
- 'Character is not just about the physical elements and features that make up a landscape, but also embraces the aesthetic, perceptual and experiential aspects of the landscape that make different places distinctive.'
101. The guidelines describe visual amenity, in reference to peoples' views and their visual amenity, as 'the overall pleasantness of the views they enjoy of their surroundings.' (Paragraph 2.20). The guidelines also clarify the two components of Landscape and Visual Impact Assessments (LVIA) as: i) 'assessment of landscape effects' ('assessing effects on the landscape as a resource in its own right'), and ii) 'assessment of visual effects' ('assessing effects on specific views and on the general visual amenity experienced by people').
102. The Council has also referred to Landscape Institute Technical Guidance Note – Residential Visual Amenity Assessment (RVAA): Technical Guidance Note 2/19 (15 March 2019)². Appendix 1 of this note refers to Inspectors and Reporters decisions around Residential Visual Amenity. Many of these refer to judgements around the potential effects on private residential amenity.
103. Taking account of relevant national planning policy and guidance, Landscape Institute Guidelines and technical notes, the Council considers: visual intrusion/impact gives rise

² <https://landscapewpstorage01.blob.core.windows.net/www-landscapeinstitute-org/2019/03/tgn-02-2019-rvaa.pdf>

to potentially wider impacts measured at a landscape scale, whereas visual amenity relates to private views, and is measured at the local scale (as a component of residential amenity).

104. PPG provides guidance in determining what may, and may not, constitute a 'material planning consideration' for decision making. PPG states that:

'The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.' (Determining a planning application, Paragraph: 008 Reference ID: 21b-008-20140306).

105. Taking account of guidelines/technical notes, and PPG around the considerations that are relevant to land use planning in the public interest, the Council has suggested a number of modifications to Policy E1 which will require the decision maker to take account of the effects of development on the 'visual quality' of the surroundings to avoid visual intrusion and adverse effects on visual amenity. The Council has not sought to specifically distinguish between visual amenity and intrusion in the suggested modifications to Policy E1. The assessment of developments effects on landscape will need to be individually considered, taking account of the nature of the proposed development and its surroundings, when taking decisions on planning applications. Policy E12, clause e, of the local plan also identifies local amenity as a consideration which should be taken into account when assessing the suitability of proposed developments design.
106. The Council has presented the suggested modifications to E1 as part of its response to Action 69.

Action 69 (Matter F)

Action 69: 'Consider whether the drafting of Policy E1 needs to be updated to take account of recently published PPG on World Heritage Sites.'

Summary of recently updated PPG on the Historic Environment

107. The bullet points below provide a summary (the Council's summary of the guidance is presented in italics) of recently published planning practice guidance relating to the historic environment and World Heritage Sites.

- **How are World Heritage Sites protected and managed in England?** (Paragraph: 026 Reference ID: 18a-026-20190723) – *Clarifies that councils should take account of World Heritage Sites in plan making and when determining planning and related consent applications (including applications for listed building consent).*
- **How is the importance of World Heritage Sites reflected in the National Planning Policy Framework?** (Paragraph: 027 Reference ID: 18a-027-20190723) – *National policy defines World Heritage Sites and heritage assets, and sets out policies for conservation and enhancement through decision and plan making.*
- **Why are World Heritage Sites important?** (Paragraph: 028 Reference ID: 18a-028-20190723) – *Described World Heritage Sites. Clarifies that 'World Heritage Properties' are referred to in the National Planning Policy Framework and in this guidance as 'World Heritage Sites' and are defined as designated heritage assets in the National Planning Policy Framework.*
- **How is the importance of each Site recognised internationally?** (Paragraph: 029 Reference ID: 18a-029-20190723) – *Describes how the exceptional cultural/or natural significance (defined as attributes and components: the tangible remains, visual and cultural links that embody the sites value) is recorded in a Statement of Outstanding Universal Value.*
- **How many World Heritage Sites are there and where are they?** (Paragraph: 030 Reference ID: 18a-030-20190723) – *The guidance refers to the designated World Heritage Sites which fall wholly or partly in England (including the single natural World Heritage Site – Dorset and East Devon Coast).*
- **How does the terminology used by UNESCO relate to the policies of the National Planning Policy Framework?** (Paragraph: 031 Reference ID: 18a-031-20190723) – *Specifies different terminology, and specifically cultural heritage as an element of a World Heritage Sites significance. Guidance also clarifies that national planning policy recognises that a heritage assets significance is derived from both its physical presence and setting.*
- **What principles need to be considered in developing a positive strategy for the conservation and enjoyment of World Heritage Sites?** (Paragraph: 032

Reference ID: 18a-032-20190723) – *‘Appropriate policies for the protection and sustainable use of World Heritage Sites, including enhancement where appropriate, need to be considered in relevant plans.’ This part of the PPG goes onto provide specific guidance around developing plan policies to protect and enhance World Heritage Sites and their Outstanding Universal Value (policies should protect a site/buffer from inappropriate development, be balanced [informed by difference needs], take account of cumulative impact which might give rise to significant effects, enhance a site through positive management [where possible/appropriate] and protect sites from climate change [taking account of the impacts of mitigation and adaptation on integrity and authenticity]).*

- **How is the setting of a World Heritage Site protected?** (Paragraph: 033 Reference ID: 18a-033-20190723) – *Describes the requirement to ‘protect’ the immediate setting of a World Heritage Site and suggest designation of a buffer zone ‘wherever this may be necessary’.*
- **What are World Heritage Site management plans?** (Paragraph: 034 Reference ID: 18a-034-20190723) – *Describes management plans and states that ‘relevant policies in management plans need to be taken into account in preparing development plans for the historic or natural environment (as appropriate) and in determining relevant planning applications.’*
- **What approach can be taken to assessing the impact of development on World Heritage Sites?** (Paragraph: 035 Reference ID: 18a-035-20190723) – *Outlines the information needed to accompany planning applications affecting World Heritage Site and guidance around assessing the requirement for Environmental Impact Assessment.*
- **What consultation is required in relation to proposals that affect a World Heritage Site?** (Paragraph: 036 Reference ID: 18a-036-20190723) – *Provides guidance on the consultation around planning applications affecting World Heritage Sites.*
- **Are permitted development rights restricted in World Heritage Sites?** (Paragraph: 037 Reference ID: 18a-037-20190723).
- **Where can I find further information about World Heritage Sites?** (Paragraph: 038 Reference ID: 18a-038-20190723).

Council’s consideration of changes to PPG around World Heritage Sites

108. PPG provides guidance to councils when ‘developing plan policies to protect and enhance World Heritage Sites and their Outstanding Universal Value’ (Paragraph: 032 Reference ID: 18a-032-20190723). In Purbeck, the Dorset and East Devon Coast World Heritage Site³ runs between Ballard Down in the east to White Nothe in the west

³ The Sites Outstanding Universal Value is summarised as follows: ‘The cliff exposures along the Dorset and East Devon coast provide an almost continuous sequence of rock formations spanning the Mesozoic Era, or some 185 million years of the earth’s history. The area’s important fossil sites and classic coastal

(Map 1, Appendix 1). In Purbeck most of the designated Site is formed from a narrow strip of land that runs parallel with the shoreline (the width of this strip of land varies - intermittently increasing at a number of points).

109. In generality the Council is satisfied that its approach to protecting the World Heritage Site from inappropriate development (as drafted in policy E1) is consistent with the principles outlined PPG (Paragraph: 032 Reference ID: 18a-032-20190723). More specifically when preparing the policy the Council has had regard to:
- *The impact of development in its strategies for providing new homes and employment and the opportunities to enhance the World Heritage Site* - The Council is not proposing policy allocations for development within, or in close proximity, to the designated World Heritage Site that might directly or indirectly⁴ have an adverse impact on its significance. It is satisfied that development on the land allocated for new homes and employment uses will not have an adverse impact on the Outstanding Universal Value of the Site or its setting. After considering the nature/likely impact of development in its strategies for meeting housing needs and supporting economic growth, the Council does not consider that there is a justification for planning policies relating to a management program to enhance, or address the effects of development identified in its strategies for the World Heritage Site.
 - *The effects of climate change* – The Sites ‘Outstanding Universal Value’ relies in part on the natural processes connected with coastal erosion (which expose geological and geomorphological features). The Site broadly corresponds with the land which the Council has designated as a Coastal Change Management Area (CCMA). Policy E6 states that ‘other development’ will not be permitted in the CCMA where it would ‘affect the natural balance and stability of the coastline, or the rate of change to the shoreline elsewhere.’ The requirements of this policy, taken together with Policy E1, will ensure that the Sites significance are protected.
110. PPG states that the Cumulative impacts of development need to be taken into consideration. The Council will be asking the Inspector to consider the following modification to ensure that the policy is consistent with policy guidance on the need to take account of the cumulative effects development (including minor development).
111. The United Nations Educational, Scientific and Cultural Organisation (UNESCO) World Heritage Committee did not designate a buffer zone around the Site⁵. After reviewing

geomorphologic features have contributed to the study of earth sciences for over 300 years.’

(<https://whc.unesco.org/en/list/1029/>).

⁴ For example through the construction of coastal defence (which might alter/prevent natural erosion of cliffs) to protect development or through the effects of development on geomorphological and hydrological processes.

⁵ Pages 9/10 of the nomination document for the Site states that ‘Paragraph 17 of the *Operational Guidelines for the Implementation of the World Heritage Convention* makes provision for the identification of a buffer zones to protect World Heritage Sites from threats beyond their boundaries. In the case of the Dorset and East Devon Coast the UK Government have already put in place appropriate conservation measures for the nominated Site and a wider surrounding area, through existing systems of protective designation, and in particular the Sites of Special Scientific Interest and Areas of Outstanding Natural Beauty. These areas are afforded strong

the Site and its context, the latest management plan (Dorset and East Devon Coast World Heritage Site, Management Plan 2014 to 2019 - <https://jurassiccoast.org/wp-content/uploads/2019/07/Jurassic-Coast-World-Heritage-Site-Management-Plan-2014-2019.pdf>) concludes that a designated buffer zone is not required. Policy E1 explicitly refers to a requirement to consider the effect of development on the Site's setting. The Council does not consider that this issue requires further consideration because of the limitations on development/land use arising from national designation of the land around the Site as part of the Dorset Area of Outstanding Natural Beauty, Purbeck Heritage Coast⁶ and relevant nature conservation designations (including national designations as Sites of Special Scientific Interest and European sites under the Habitats Directive).

112. Both the NPPF and PPG refer to World Heritage Sites as designated heritage assets. Whilst the East Devon and Dorset Coast is designated for outstanding natural value, in order to be consistent with policy and guidance the Council suggests that the clause relating to the consideration of the impacts of development on the World Heritage Site in Policy E1 should be inserted into Policy E2.

Council's suggested modifications to supporting text and Policies E1 and E2 in response to Actions 67, 68 and 69

113. The Council has suggested modifications (MM80) to the supporting text for Policy E1 in response to latest PPG on the natural environment (Paragraph: 040 Reference ID: 8-040-20190721) and national planning policy:

~~'52. A significant proportion of Purbeck's landscapes are also nationally and internationally recognised for their natural beauty and geological interest. The coastline running between Studland Bay (in the east) and White Nothe (in the west) is designated as part of a World Heritage Site (with the site extending further westwards beyond the Purbeck Local Plan area). The coastline was designated because of the almost continuous sequence of rock formations (spanning the Mesozoic Era) which have contributed to the study of earth sciences over the last 300 years.'~~

114. The Council has also suggested a modification (MM80) to the supporting text (Paragraph 53) to clarify those other documents (including the Dorset AONB Management Plan and the Dorset AONB Landscape Character Assessment) may be relevant in decision making (the Council has taken account of PPG relating to the Natural Environment on this issue - Paragraph: 040 Reference ID: 8-040-20190721).

'53. Around 60% of the District (covering approximately 24,250ha) is designated as part of the Dorset Area of Outstanding Natural Beauty (AONB). Most of Purbeck's coastline is also defined as part of a heritage coast. The defined heritage coast overlaps with the land designated as part of the Dorset AONB. The Dorset AONB

protection, particularly through the UK's statutory planning system, and the powers and duties of English Nature, the Government's statutory adviser on nature conservation.'

⁶ Planning practice guidance notes that 'Other landscape designations may also prove effective in protecting the setting of a World Heritage Site.' (Paragraph: 033 Reference ID: 18a-033-20190723)

Management Plan (2014-2019) provides a strategic framework for its management and the Dorset AONB Landscape Character Assessment (2008) describes the landscape's character with reference to a number of landscape types and character areas. Neither document forms part of the development plan, but both may contain information which is relevant, and a material consideration, when assessing planning applications.'

'54. The Council is obliged to give great weight to conserving and enhancing the natural beauty, and outstanding value, of ~~these~~ designated landscapes. The National Planning Policy Framework (NPPF) also provides guidance for determining whether there are exceptional circumstances, and public interest, in permitting major development in AONBs (paragraph 172 of the NPPF).'

115. As part of the suggested modifications (MM81) to Policy E1 (made in response to the representations from Mr Tulley and Mr Bowyer), the Council has also identified that applicants for planning permission should submit suitable supporting information to allow it to assess the impact of development on the landscape (the Council has not prescribed the form of the supporting information as this will vary according to the scale and nature of development – Landscape and Visual Impact Assessments will not be needed for all development). The Council's suggested modifications are presented below:

Policy E1: Landscape

The Council attaches great weight to conserving and enhancing landscape and scenic beauty in the Area of Outstanding Natural Beauty (AONB). The scale and extent of any development within these designated areas will be limited. Development, other than major development (where the NPPF provides guidance), will only be permitted in the ~~Area of Outstanding Natural Beauty (Dorset AONB)~~ where proposals would conserve ~~or~~ and enhance the natural beauty of the area and would be appropriate in terms of:

- a. appearance, scale, height, layout, density;
- b. any other effects on ~~the~~ landscape character and visual quality; (such as noise, light and traffic); and
- c. compliance with other policies in this Purbeck Local Plan.

The Council will also take account of the cumulative, and indirect, landscape and visual effects of development along with measures to avoid, reduce or compensate for any harmful impacts on the natural beauty of the AONB. Applicants for planning permission should submit appropriate supporting information, having regard to the scale and nature of proposed development, to enable the Council to assess the impacts of development on the visual quality and character of landscapes and seascapes in protected areas. Development that significantly adversely affects the character, or visual quality, of the local landscape or seascape, in protected areas will not be permitted.

~~The Jurassic Coastline World Heritage Site is an important and iconic landscape feature recognised for its geological interest. Development within the designated World Heritage Site, or development which is likely to affect its setting, will only be permitted if it can be satisfactorily demonstrated that the 'outstanding universal value' of the coastline will be protected. The Council will take account of the cumulative impacts of development when assessing its impact on the World Heritage Site.~~

Non-designated landscapes

The design of development should take account of:

- d. landform;
- e. the character of the existing landscape;
- f. the cumulative impacts with existing or planned development; and
- g. existing trees and hedgerows.

Poorly designed development, which significantly harms landscape character and visual quality, and fails to take the opportunities to improve landscape character and visual quality shall be refused unless adverse impacts can be suitably mitigated or compensated for.

116. Following changes to Paragraph 52, and the last paragraph of Policy E1 the Council also suggests the following modifications (MM82) to the supporting text and policy of E2. Modification to insert the following in the supporting text (between paragraphs 59 and 60) of Policy E2:

'A large part of Purbeck's coastline, running between Studland Bay (in the east) and White Nothe (in the west), is designated as part of the East Devon and Dorset World Heritage Site (with the site extending further westwards beyond the Purbeck Local Plan area). The coastline was designated because of the almost continuous sequence of rock formations (spanning the Mesozoic Era) which have contributed to the study of earth sciences over the last 300 years.'

117. Council's suggested modification to Policy E2:

Policy E2: Historic Environment

Great weight will be given to protecting, and where possible enhancing, Purbeck's designated heritage assets and their settings when assessing applications. Designated heritage assets include: listed buildings, conservation areas, historic parks and gardens; and scheduled monuments.

When assessing applications for proposals that are likely to affect (directly or indirectly) the significance of a designated or non-designated heritage asset, the Council will take account of the heritage asset's significance, together with all of the following considerations:

- a. whether proposals have taken advantage of an opportunity to enhance all, or part, of a heritage asset's significance;
- b. the nature, scope, scale, appearance (including detailed design and materials) and character of proposals;
- c. indirect effects arising from proposals including noise, traffic and lighting; the benefits of any repairs to a heritage asset's significance and or bringing a vacant heritage asset back in to use;
- d. the contribution that a heritage asset makes to local character, distinctiveness and the economy;
- e. measures to avoid or minimise harm to the heritage asset's significance; and
- f. the viability of the heritage asset's current and proposed uses and the effects of securing an appropriate and viable use on the heritage asset's significance.

Applications affecting the significance of a heritage asset should be accompanied by sufficient information to allow for an understanding of the heritage asset's importance and the potential impact of proposals on its conservation. Where harm or loss to a heritage asset can be fully justified, and development would result in the partial or total loss of the heritage asset and / or its setting, the applicant will be required to secure a programme of recording and analysis of that heritage asset.

Scheduled monuments and other designated heritage assets of national archaeological importance, or non-designated heritage assets of archaeological interest of equivalent importance, should be preserved in situ. Where harm to these heritage assets can be fully justified, and development would result in the partial or total loss of the heritage asset and/or its setting, the applicant will be required to secure a programme of recording and analysis of that heritage asset, and archaeological excavation where relevant, and ensure the publication of that record to an appropriate standard.

[East Devon and Dorset World Heritage Site](#)

[The Jurassic Coastline World Heritage Site is an important and iconic landscape feature recognised for its geological interest. Development within the designated](#)

World Heritage Site, or development which is likely to affect its setting, will only be permitted if it can be satisfactorily demonstrated that the 'outstanding universal value' of the coastline will be preserved protected. The Council will take account of the cumulative impacts of development when assessing its impact on the World Heritage Site.

Action 70 (Matter F)

Action 70: Informally discuss the suitability of a possible small site in West Lulworth (listed in SD 88) with Mr Davey.

Council's response

118. See correspondence in appendix 2.

Action 71 (Matter F)

Action 71: Summarise - further LLFA modelling on flood risk at Lytchett Minster, provide the Council's response to issues raised by Ms Lees issues and consider need to review SFRA.

Further modelling carried prepared by the Lead Local Flood Authority (LLFA)

119. The LLFA have prepared a model to show anticipated risks from surface water flooding around Lytchett Minster. The LLFA presented this information to local residents and District and Parish Councillors in November 2018⁷ (the presentation is attached as an appendix to this document). (Appendix 3)
120. The presentation summarises recent modelling and studies relating to flood risk around Lytchett Minster⁸ and that the LLFA consider that the immediate risks are 'pluvial and not fluvial flooding.' To inform the recent modelling the LLFA monitored the flow in watercourses, ground water table levels and rainfall levels (in order to capture details of 'storm events'). The LLFA have also engaged with the local community (including a local action group, known as LYMPWATCH, and landowners). The presentation also includes slides relating to the criteria that need to be satisfied to be eligible for grant aid funding for flood and coastal erosion risk management projects⁹.
121. As part of the further modelling the LLFA sought to identify:
- the drainage catchments for Lytchett Minster;
 - the relevant watercourses within the catchment areas (including Bere Farm Stream, Hill Farm Stream and Lytchett Minster Stream); and
 - changes in land level profile across the catchment area (these are presented in a diagram which shows Lytchett Matravers and Lytchett Minster and a fall in ground levels toward Lytchett Minster)
122. The LLFA models the risks arising from surface water flooding according to the return period of the flood event occurring (including 1 in 20 year event, 1 in 75 year event and 1 in 100 year event). The model also makes an allowance for the expected effects of climate change on surface water flooding.
123. The presentation identifies the existing homes and businesses which are likely to be effected by surface water flooding arising from different flood events.

⁷ The Council published its Strategic Flood Risk Assessment January 2018. Pre-submission publication of the Purbeck Local Plan took place between 22nd October and 3rd December 2018. The Council submitted the Purbeck Local Plan for examination on 28th January 2019.

⁸ Including: 'Lytchett Minster Modelling, May 2015', 'Non-Technical Summary of the Lytchett Minster Flood Risk Study, December 2016' and 'Lytchett Minster Flood Risk Study, May 2017'.

⁹ The presentation refers to an Environment Agency Guide entitled: 'Calculate Grant in Aid funding for flood and coastal erosion risk management projects, Guide for risk management authorities, February 2014'.

Council's response to the issues raised in Ms Lees response

124. Ms Lees states in Regulation 19 response (PLPP46) to the pre-submission draft Purbeck Local Plan that:

‘There is a new report completed this autumn by DCC which updates the Jacobs Report into flooding in Lytchett Minster. The flood report needs updating to include this evidence.’

125. And that:

‘The flood report in relation to Lytchett Minster needs updating to include new evidence and conclusions made by DCC to ensure best evidence is used.’

126. The further work carried out by the LLFA specifically relates to flood risks from surface water as they consider that this source of flooding is likely to pose the greatest risk to Lytchett Minster in the short to medium term. In order to assess the risks from this source of flooding in more detail the LLFA's model uses detailed topographic data and estimates of rainfall over defined periods (the rainfall estimates are based on historic records and include an allowance of 40% for the anticipated effects of climate change). The catchment study area for the LLFA's surface water flood risk modelling includes a number of 'ordinary watercourses'.

127. The Council's SFRA (first published at the start of 2018) presents details of flood risks from multiple sources on maps (there are a number of maps presented at different scales which show individual towns/villages and the whole of the Purbeck area). The maps identify land at risk from the following sources of flooding: main rivers / tidal (using Environment Agency (EA) data), surface water (using EA data) and sewers. The Council has also modelled coastal flood risk that takes account of expected rises in sea level because of climate change. The Council's SFRA also references 'The Lytchett Minster Flood Risk Study 2017'. The Council's SFRA indicates that flooding from main rivers/sea (which is likely to be particularly relevant in the southern part of the catchment area), surface water and ground water all contribute toward flooding in and around the village.

128. The Council has prepared a series of maps to show flood risk from modelling presented in the Council's SFRA and flood risks from modelling undertaken by the LLFA on surface water flood. The first map shows the areas identified as being at risk from flooding from the multiple sources that have been taken into consideration when preparing the SFRA (this is land is at moderate risk of flooding - having an annual probability of between 1 in 100 and 1 in 1000 years for flood events from rivers and between 1 in 200 and 1 in 1000 years for tidal flood events) and high risk (land having an annual probability of 1 in 100 year for flood events from rivers and 1 in 200 year for tidal flood events) from these sources.

129. The second map shows surface water flood risk modelled by the LLFA; for the purposes of analysing comparative flood risk from surface water with other data, the Council has treated modelled surface water depths of 15 cm and higher above existing ground levels as moderate/high risk (1 in 100 year plus 40% for climate change)

because of the likelihood that flood water will enter/damage buildings. The Council reached this position after consultation with the LLFA. The third map overlays the two sets of data. (Appendix 4).

130. The LLFA's modelling indicates that more land around Lytchett Minster (in the northern part of the catchment) is likely to be at moderate/high risk from surface water flooding than EA modelling on surface water flooding which the Council used in its SFRA. Other modelling in the SFRA shows that land in the southern part of the catchment (to the south of the A35) is likely to be affected by fluvial and tidal flooding (the SFRA also models the potential effect of climate change on tidal flooding).
131. *Conclusions:* i) the Council does not consider that the LLFA modelling can be used as a substitute for the Council's SFRA as it does not take into consideration the flood risks from main rivers / tidal or the effects of climate change on them, ii) the Council recognises that it's SFRA will need to be updated to take account of new evidence on flood risk, and iii) the comparative maps demonstrate that the updated modelling does not give rise to any materially significant affects that need to be considered in the examination of the Purbeck Local Plan.

The need to review the SFRA

132. The Council will be working on preparing an updated and comprehensive SFRA for the Dorset Council administrative area. The Council will take account of the latest evidence prepared by the LLFA in respect to flood risk around Lytchett Minster as part of this process.

Action 72 (Matter F)

Action 72: Consider reviewing the drafting of Policy E7, taking account of Dr Langley's response (Dr Langley to e-mail Council).

Council's response

133. The Council has suggested a modification (MM39) to E7, to remove reference to the SPD. This modification has already been published. The Council has consulted with Natural England, and it does not consider that further modifications are needed in response to this action.

Action 73 (Matter F)

Action 73: MM40 - remove reference to the SPD in E8.

Council's response

134. The Council suggests the following modification (to ensure that the local plan is legally compliant with The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018) to Policy E8 to deleting reference to supplementary planning documents and deleting the text shaded in yellow:

b. may be permitted between 400 metres and 5km of heathland if the Council is satisfied that mitigation measures ~~are sufficient to avoid adverse effects on protected heathland.~~ ~~such development will provide in accordance with the advice set out in the Dorset Heathlands Supplementary Planning Framework 2015-2020 SPD or appropriate to the adverse effects identified. The Dorset Heathlands Planning Framework 2015-2020 SPD gives guidance on the type, scale and delivery of heathland infrastructure projects and how these and strategic access management and monitoring will be secured.~~ ~~Other development proposals will be considered on a site by site basis and be appropriately assessed in line with national legislation and the Habitats Regulations Assessment. The proposals may need to provide bespoke mitigation.~~ Policy I1 identifies how the mitigation will be secured. (MM40)

Action 74 (Matter F)

Action 74: Ensure consistent reference to Corfe Common SSSI. Check boundaries of the 400m/5km consultation zones on policies map.

Council's response

135. The Council suggests the following changes to paragraph 95:

Corfe Common SAC, Ramsar and SSSI

Corfe Common is a designated SAC and listed Ramsar site Natural England will be consulted on additional residential development proposals within the Corfe Common SSSI 400 metre Consultation Area ~~buffer~~ to assess any potential impacts upon the wetland habitat of the southern damselfly, a protected species. It is not designated as an SPA within the Dorset Heathlands network, so is not subject to the 400m heathland buffer, but is subject to the 5km heathland mitigation zone. (MM38)

136. The Council does not consider that changes to the policies map are needed – the consultation area is mapped.

Action 75 (Matter F)

Action 75: Consider reviewing HRA appropriate assessment to clarify why Corfe Common is treated differently.

Council's response

138. The Council will clarify the approach to Corfe Common as part of the review of the habitats regulation (as outlined in SD89). The Inspector will have the opportunity of considering the updated habitats regulation assessment before reaching a conclusion on whether the local plan meets the requirements of The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

Action 76 (Matter F)

Action 76: Policy E9 – alter the wording of ‘homes’ to ‘residential development’

Council’s response

139. The Council suggests the following modification (MM41):

‘Nitrogen neutrality

Proposals for development will not be permitted that would lead to any adverse effects upon the integrity, either alone or in combination directly or indirectly of the Poole Harbour SPA, SSSI and Ramsar site.

Development proposals for any net increase in **residential development homes**, tourist accommodation or a tourist attraction where the sewage drains into the Poole Harbour catchment, will provide mitigation/avoidance measures to ensure there is no additional nitrogen from sewage entering Poole Harbour ~~in accordance with the advice set out in The Nitrogen Reduction in Poole Harbour SPD, if the sewerage drains into the Poole Harbour catchment provides guidance on the nature of appropriate mitigation and outlines a framework for its delivery.~~

Recreational effects

Development proposals for any net increase in homes, tourist accommodation or a tourist attraction around the edges of the harbour (as defined in the policies map) may be permitted if the adverse impacts arising from recreational activity can be avoided or sufficiently mitigated. ~~The Council has worked with Bournemouth, Christchurch and Poole to develop a strategy for addressing this impact which is set out in is working with the Borough of Poole to develop a the Draft Recreation in Poole Harbour SPD. The SPD which will provides guidance on appropriate mitigation/avoidance measures. Development proposals for any net increase in homes, tourist accommodation or a tourist attraction around the edges of the harbour (as defined in the SPD policies map) will need to avoid or mitigate adverse impacts arising from recreational activity~~

Policy I1 identifies how the mitigation will be secured.

Action 77 (Matter F)

Action 77: MM41-remove reference to SPD in policy E9.

Council's response

140. See suggested modification for Action 76.

Action 78 (Matter F)

Action 78: Remove reference to SPD from E9.

Council's response

141. See suggested modification for Action 76.

Action 79 (Matter F)

Action 79: Policies map requires updating to show area where residential/tourist development likely to have adverse effects on Poole Harbour SPA because of recreation activity.

Council's response

142. The Council intends to respond to the action with an update to the policies map. The Council will make changes to the policies map to identify the land described in the action (as identified in the draft Poole Harbour Recreation Supplementary Planning Document – SD81 - <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/examination-documents-submitted-during-hearings/sd81-draft-poole-harbour-recreation-spd.pdf>), publish an updated policies map on its website and send details of the updated policies to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. The changes to the policies map will be subject to further public consultation before the Inspector can make recommendations on the local plan.

Action 80 (Matter F)

Action 80: Council to consider a change to suggested modifications for policies E8, E9 (MM40 and 41) – delete ‘sufficiently mitigated’.

Council’s response

143. For Policy E8 see suggested modification (MM40) below:

b. may be permitted between 400 metres and 5km of heathland if the Council is satisfied that mitigation measures are sufficient to avoid adverse effects on protected heathland. ~~such development will provide in accordance with the advice set out in the Dorset Heathlands Supplementary Planning Framework 2015-2020 SPD or appropriate to the adverse effects identified. The Dorset Heathlands Planning Framework 2015-2020 SPD gives guidance on the type, scale and delivery of heathland infrastructure projects and how these and strategic access management and monitoring will be secured. Other development proposals will be considered on a site by site basis and be appropriately assessed in line with national legislation and the Habitats Regulations Assessment. The proposals may need to provide bespoke mitigation.~~ Policy I1 identifies how the mitigation will be secured.

144. For Policy E9 see suggested modification (MM41) for Action 76.

Action 81 (Matter F)

Action 81: Policy E10 – amend as per Natural England advice. Reference to Dorset Biodiversity appraisal in policy needs updating and moving to supporting text.

Council's response

145. The Council suggests the following modification (MM68) in response:

Policy E10: Biodiversity and geodiversity

Applications for development that affect biodiversity and geodiversity, and any sites containing priority species and habitats as well as those of local importance, including Sites of Nature Conservation Interest (SNCI), [and](#) Local Nature Reserves (LNR), ~~Ancient Woodland, and veteran trees~~ will be permitted where they:

- a. ensure any features of nature conservation, biodiversity and geodiversity interest are protected to prevent or avoid any adverse impact and are appropriately managed;
- b. incorporate measures to reduce and / or mitigate disturbance of sensitive wildlife habitats throughout the lifetime of the development; and
- c. seek opportunities to enhance biodiversity and geodiversity through the restoration, improvement or creation of habitats and/or ecological networks.

[Development resulting in the loss or deterioration of Ancient Woodland, and veteran trees will be refused unless there are exceptional circumstances.](#)

Within the vicinity of areas that support nationally significant numbers of Annex 1 bird species (including nightjar and woodlark), the applicant will need to demonstrate to the Council's satisfaction that there is no significant adverse effect upon these species and their [functionally linked](#) habitats.

Biodiversity appraisal

A biodiversity appraisal must be submitted where there are protected or important species and habitat features, as set out in the Dorset Biodiversity Protocol [and Dorset Biodiversity Compensation Framework](#), within the site or close to it. The appraisal will need to demonstrate that the development will not result in any adverse impacts. The appraisal must involve consultation with the Council and, as appropriate, Natural England.

Action 82 (Matter F)

Action 82: Paragraph 104 – Insert text to refer to updated SPD design guidance as an additional modification.

Council's response

1. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 83 (Matter I)

Action 83: Review MM22 – insert test relating to cumulative impacts on appearance/character.

Council's response

2. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 84 (Matter I)

Action 84: Review policy targets presented as summaries in monitoring framework table to ensure that they accurately reflect policy targets.

Council's response

3. The Council intends to respond to the action with a suggested main modification to the Purbeck Local Plan. The Council will draw up detailed text of the main modification, publish an updated schedule on its website and send the schedule to the Inspector for her consideration shortly after the conclusion of the October 2019 hearings. All proposed main modifications which the Inspector has indicated may be needed will be subject to further public consultation, Sustainability Appraisal and Habitats Regulations Assessment before the Inspector can make recommendations on them.

Action 86 (Matter I)

Action 86: Clarify/investigate what happens if, as required by Consequential Order, new Dorset Council Local Plan is not adopted by 2024.

Council's response

4. The Council understands that Article 19(4) Local Government (Structural Changes) (Transitional Arrangements) (No 2) Regulation 2008 (as amended), imposes an obligation on Dorset Council to adopt a local development document under Section 23 of the Planning and Compulsory Purchase Act 2004, which applies to the whole of the Dorset Council area, within 5 years of the reorganisation date.
5. If Inspector finds the Purbeck Local Plan sound and legally compliant, and the Council adopts the local plan, Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 imposes a requirement to review policies/spatial development plans every five years. In the event that Council breached the requirements of the consequential order, the Council would be under an obligation to review the policies in its local plan taking account of changing circumstances (including any updated needs assessment relating to housing or employment land) or national planning policy.
6. The Council considers that the statutory provisions in Regulations, and the requirements in the consequential order, will ensure that the policies in the Purbeck Local Plan are reviewed, and where necessary updated.

Appendix 1 – correspondence between the Council and Mr Tulley in respect to Policy H12 (Action 50)

Copy of paper prepared by Mr Tulley:

Purbeck Local Plan Examination

7 August 2019

Policy H12 - Suggested Wording – Graeme Tulley (1191258)

Case for Revised Wording

Entry Level Sites

1. Policy H12 and its supporting text are confusing as it references both Rural Exception Sites and entry level sites. The Framework (NPPF 2019) has separate guidance for these two different types of housing delivery (Para. 71 – Entry level sites and Para. 77 - Rural exception sites). This was acknowledged at the Examination and accepted that there should be no reference to entry level sites within the supporting text to Policy H12.

Viability

2. In relation to the provision of affordable housing in rural areas the Framework at para 77 states that:

*“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and **consider** whether allowing some market housing on these sites would help to facilitate this. “(my bold italics)*

3. The aim of the Framework is to enable the maximum provision of affordable housing to meet local needs in rural areas in exceptional circumstances. The starting point should therefore be that sites should seek to deliver 100% affordable housing.
4. It is recognised by the Framework that in certain circumstances the provision of “some” market housing might be considered to enable the delivery of affordable housing on RES sites.
5. Policy H12 as currently drafted effectively invites applicants to provide only 70% local affordable housing and makes reference to any scheme being “predominantly” an affordable housing scheme, in other words as little as 51% local affordable. Moreover, H12 appears to only require applicants to provide a development/financial appraisal if the application is for more than 30% open market housing.
6. This is not in accordance with the Framework which seeks to bring forward rural exception sites (on the basis they are *exceptional* sites in often sensitive rural areas which would not otherwise normally obtain planning permission), that will provide the maximum amount of affordable housing possible to meet identified local needs. The starting point should therefore be seeking the provision of 100% affordable housing, and

that only where this is proven to be not deliverable (through a rigorous open book development/financial appraisal) should any market housing be considered (NPPF 77) necessary to deliver the local affordable housing.

7. The Council commissioned a viability assessment in 2016 in relation to the provision of affordable housing over the district as a whole. However, as far as I can see this dealt with only open rural exception site scenario but concluded that 30-40% of market housing might be required to deliver local affordable housing on RES's.
8. Not only have market conditions changed since 2016, but so too has planning policy position in relation to viability assessments.
9. The Government has published updated guidance in respect of viability assessments which are included in the Planning Practice Guidance 1 September 2019. Whilst the Practice Guidance does not specifically refer to rural exception sites, the principles remain the same. The Guidance deals in some detail with the issue of land value. It states at Paragraph: 013 Reference ID: 10-013-20190509 (related policy Framework - para 57) as follows:

*“To define land value for any viability assessment, a benchmark land value should be established on the basis of the existing use value (EUUV) of the land, plus a premium for the landowner. The **premium for the landowner** should reflect the **minimum return** at which it is considered a reasonable landowner would be willing to sell their land. The premium should provide a reasonable incentive, in comparison with other options available, for the landowner to sell land for development while allowing a sufficient contribution to fully comply with policy requirements. Landowners and site purchasers should consider policy requirements when agreeing land transactions. This approach is often called ‘existing use value plus’ (EUUV+).*

*In order to establish benchmark land value, plan makers, landowners, developers, infrastructure and affordable housing providers should engage and provide evidence to inform this iterative and collaborative process.” **(my bold italics)***

10. The Practice Guidance makes it clear that landowners and site purchasers take full account of policy requirements before agreeing land transactions. This is even more important in the case of rural exception sites where development is only being considered on the basis that it delivers affordable housing to meet local needs. Therefore, the need to provide evidence (in accordance with the Guidance) and be completely transparent in terms of the viability considerations is critical in the context of any planning application for a rural exception site that is proposed to include market housing, to inform the planning process.
11. Therefore, we consider Policy H12 should require a viability assessment (i.e. an open book development/financial appraisal) to be submitted for any proposal for a rural exception site that includes market housing, at whatever proportion. In this context I recognise private landowners require an incentive to bring forward their land, even with

rural exception sites, however the “+” in “EUV+” needs to exclude hope value as by definition such sites are “exceptions” and would not normally obtain planning permission.

12. There are precedents for this in other rural authorities. The full policies are included in Appendix 1 and I set out below a summary of the relevant policies set out in adopted Local Plans (all except one of which has been adopted since the 2018 Framework) in relation to viability, and other matters – see below.

13. The Cornwall Local Plan (2016) Policy 9: Rural Exceptions Sites makes it clear that the starting point is primarily to provide affordable housing and a financial viability assessment will be required where [any] market housing is included. The Policy states:

“The purpose of such developments must be primarily to provide affordable housing. The inclusion of market housing will only be supported where the Council is satisfied it is essential for the successful delivery of the development based on detailed financial appraisal (For example to fund abnormal development costs or to deliver a balanced, sustainable community).”

14. The South Downs National Park Local Plan (2019) Policy SD29: Rural Exception Sites makes it clear that rural exception sites should deliver 100% affordable housing. The supporting text requires a viability appraisal to be submitted in any circumstances where this cannot be achieved.

15. Policy SD29 and its supporting text is also very detailed in terms of the guidance it provides in relation to matters relating to housing in perpetuity, tenure mix and size of dwellings, occupancy conditions and delivery, as well as:

- Site selection
- The relationship to existing settlement and landscape character
- Need for effective community engagement

16. I refer to these matters further below.

17. The North Devon and Torridge Local Plan (2018) Policy ST19: Exception Sites states that where an element of market housing is required to enable delivery of significant additional affordable housing it will be supported where it is the minimum required. The supporting text makes it clear that the starting point is an expectation of providing 100% affordable housing and para 7.43 states that

“... Where this is not viable, the level of open market housing will be the minimum required to provide the necessary financial cross-subsidy to deliver the proposed affordable housing. Where cross subsidy through the provision of open market housing is proposed, the local planning authority will expect proposals to be supported by evidence to demonstrate that it is appropriate and necessary. This will normally be on the basis of an open book financial appraisal of development viability.”

18. The policy also makes further provisions in relation to the relationship of development with the existing settlement as well as the conservation of environmental and heritage assets which I refer to further below.
19. **Mid Sussex District Plan (2019) Policy DP32: Rural Exception Sites** provides for the development of rural exception sites for affordable housing where the development comprises 100% affordable housing. Where it can be clearly demonstrated through evidence that the site cannot support a scheme comprising 100% affordable housing from a viability perspective the Council will consider an element of open market housing, limited to that required to facilitate scheme viability, to a maximum of 20% of the overall scheme.

Environmental and Heritage Considerations

20. Purbeck is an extremely sensitive area in environmental, landscape and heritage terms. Much of the area is designated Green Belt, AONB, SSSI and SAC and includes numerous other formal heritage designations.
21. The Framework requires planning policy to protect and enhance valued landscapes, sites of biodiversity and recognise the beauty and character of the countryside (para 170). Para 172 places great weight on conserving and enhancing landscape and scenic beauty in AONB's which have the highest status of protection. In these designated areas the scale and extent of development should be limited.
22. Para. 184 and 185 requires designated heritage assets to be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. Further, the Framework sets out the desirability of sustaining and enhancing the significance of heritage assets, noting that development should make a positive contribution to local character and distinctiveness.
23. Policy H12 as currently drafted makes no reference to the protection of environmental and heritage assets. Similarly, the reference to the location of proposals is ambiguous in terms of its reference to affordable housing schemes being permitted "in or around existing settlements". In my view the policy does not provide sufficiently clear guidance for applicants on matters relating to:
- Relationship of the proposed development in relation to the scale and location in the context of the existing settlement and landscape character
 - Provision by the applicant of a Site Selection process to demonstrate that the right site has been selected given environmental sensitives, transport impacts, community facilities etc
 - Specific criteria to assist the assessment of impact on designated environmental and heritage assets
24. I am aware that Natural England has put forward a further modification to Policy H12 which includes an additional criterion as follows:

"the effects of proposed homes, individually and in combination with other development, on European sites are screened to assess whether they are likely to be

significant. Where necessary planning applications must include full details (including upkeep over the lifetime of the development) of mitigation to avoid or suitably reduce adverse effects;'

25. This is welcomed. However, I also consider further criteria should be included in the policy relating to the matters outlined above.
26. As noted above, in several other authorities which include similar environmental and heritage sensitivities as in Purbeck, policies in relation to rural exception sites include additional criteria to ensure that developments are fully assessed in the context of impact on such designations and provide further guidance on the location of the proposed development and impact on landscape character.
27. **The Cornwall Local Plan Policy 9** makes specific reference to the need for development proposals for rural exception sites to be well related to the physical form of the settlement and appropriate in scale, character and appearance.
28. **The South Downs National Park Local Plan Policy SD29** requires proposals for new residential development of affordable housing on rural exception sites to include evidence of the site selection process that has considered all reasonable options, and demonstrated that the most suitable available site in terms of landscape, ecosystem services and overall sustainability has been chosen.
29. Policy SD29 and its supporting text also requires that the scale and location of the development relates well to the existing settlement and landscape character; and it is shown that effective community engagement has fed into the site selection and application design processes including liaison with the relevant parish council(s), community groups and neighbours.
30. **The North Devon and Torridge Local Plan Policy ST19** requires the site to be well related or adjoining the defined development boundary or where there is no development boundary the site is well related to the extent of the contiguous built form. It also requires the development to be proportionate to the scale and nature of the existing settlement.
31. Policy ST19 also requires developments to demonstrate that environmental and heritage assets are not subject to significant harm, are conserved or enhanced, with particular respect to the setting and special qualities of nationally important landscapes, biodiversity and heritage designations and the undeveloped coast.

Considerations in relation to Policy H8

32. Policy H8 relates to small sites next to existing settlements. I (and indeed many others around the table) put forward comments to the Examination with regards to lack of compliance with the guidance in the Framework which requires local planning authorities, in accordance with the Plan-Led approach to identify small sites within the Development Plan (Framework para 68).
33. There is a risk that, in the absence of a plan led approach to the identification of small sites within such an environmentally sensitive area such as Purbeck, that there will be increasing pressure for development on sites that would not otherwise be considered appropriate for development. It is therefore essential that a formal plan led approach be

adopted for small sites. The policy as currently worded is in my view overly permissive with ambiguous criteria which are open to interpretation and could lead to inappropriate development being permitted in the countryside. A plan led approach is required with full and proper consultation on potential sites.

34. Notwithstanding the above, in the context of the considerations of Policy H12, I note that there are criteria included in Policy H8 which should equally apply to the consideration of development on rural exception sites.

35. This includes reference to the following matters being applied:

- the scale of proposed development is proportionate to the size and character of the existing settlement
- individually and cumulatively, the size, appearance and layout of proposed homes must not harm the character and value of any landscape or settlements potentially affected by the proposals.

36. These matters should also be included in Policy H12 as appropriate.

Suggested Revised Wording for Policy H12

37. On the basis of the above considerations I set out below my suggested revised wording for Policy H12 as follows.

Policy H12: Rural exceptions sites

In order to meet local community needs in rural areas, except in the parishes of Swanage, Wareham and Upton, the development of rural exception sites for affordable housing will be **supported, subject to the following:**

- j) ***the site is well related to or adjoining the defined development boundary; or where the settlement is not subject to a development boundary, the site is well related to the extent of the contiguous built form;***
- k) the Council is satisfied that the proposal is capable of meeting an **up to date** identified, current, local need for affordable homes within the parish, or immediately adjoining rural parishes, ***and it is demonstrated that the local need could not be satisfied without the exceptional release of land;***
- l) the site is not remote from existing buildings, and there is an opportunity to use sustainable modes of transport (walking, cycling and public transport) to access jobs, services and facilities, unless the applicant can demonstrate that there are no other suitable alternatives in the parish for addressing local need;
- m) ***a site selection assessment demonstrates that all reasonable options and the most suitable site in terms of landscape, ecosystems and overall sustainability has been chosen;***

- n) *environmental and heritage assets are not subject to significant harm, are conserved or enhanced, with particular respect to the setting and special qualities of nationally important landscapes, biodiversity and heritage designations.*
- o) *the scale of the development including* the number *and mix* of homes on each exception site should reflect community needs, the size of the village it most closely relates to, available infrastructure and services *and individually and cumulatively, the size, appearance and layout of proposed homes must not harm the character and value of any landscape character or settlements potentially affected by the proposals.*
- p) *the effects of proposed homes, individually and in combination with other development, on European sites are screened to assess whether they are likely to be significant. Where necessary planning applications must include full details (including upkeep over the lifetime of the development) of mitigation to avoid or suitably reduce adverse effects;*
- q) there are secure arrangements to ensure that the benefits of affordable housing will be enjoyed *in perpetuity* by subsequent as well as initial occupiers; *and*
- r) *if any market housing is proposed, this must be demonstrated, through a financial appraisal, as being the minimum amount required to enable the delivery of the maximum amount of affordable housing, in accordance with the definition of a rural exception site.* The applicant will be expected to fund the independent verification of the submitted viability assessment by a person appointed by the Council.

Graeme Tulley

September 2019

APPENDIX 1 – EXAMPLES OF OTHER RURAL EXCEPTIONS SITES POLICIES

Cornwall Local Plan adopted April 2016.

Policy 9: Rural Exceptions Sites

Development proposals on sites outside of but adjacent to the existing built up area of smaller towns, villages and hamlets, whose primary purpose is to provide affordable housing to meet local needs will be supported where they are clearly affordable housing led and would be well related to the physical form of the settlement and appropriate in scale, character and appearance.

The number, type, size and tenure of the affordable dwellings should reflect identified local needs as evidenced through the Cornwall Housing Register or any specific local surveys completed using an approved methodology.

The purpose of such developments must be primarily to provide affordable housing. The inclusion of market housing will only be supported where the Council is satisfied it is essential for the successful delivery of the development based on detailed financial appraisal (For example to fund abnormal development costs or to deliver a balanced, sustainable community).

Market housing must not represent more than 50% of the homes or 50% of the land take, excluding infrastructure and services.

The Council will secure the first and future occupation of the affordable homes to those with a housing need and local connection to the settlement or parish in line with the Council's adopted local connection policies.

Policy 3 states that within the AONB or its setting, development will be supported where it is in accordance with the other policies of this Plan and can demonstrate that it conserves and enhances the landscape character and natural beauty of the AONB.

South Downs National Park Local Plan July 2019

Strategic Policy SD29: Rural Exception Sites

1. Proposals for new residential development of 100 per cent affordable housing outside of settlement boundaries as shown on the Policies Map will be permitted, provided that the following are met: a) Affordable housing is provided in perpetuity; b) The site selection process has considered all reasonable options, and the most suitable available site in terms of landscape, ecosystem services and overall sustainability has been chosen; c) The scale and location relates well to the existing settlement and landscape character; and d) It is shown that effective community engagement has fed into the design, layout and types of dwellings proposed.

2. The size (number of bedrooms), type and tenure, (for example, social and affordable rented, intermediate, shared ownership or older people's housing) of affordable homes for each proposal will be based on robust and up-to-date evidence of local community need.

3. Occupancy conditions and local connection criteria will be applied to affordable housing to ensure local needs are met. Specific criteria will be determined by the Authority, in close partnership with established community led and legally constituted organisations or CLTs where applicable.

Supporting text:

MIX OF TENURES 7.78 The National Park Authority believes that a policy of allowing market housing would reduce the number of affordable homes coming forward and may reduce the willingness of communities to support the principle of rural exception sites. The emphasis on rural exception sites in national parks should be on 100 per cent affordable housing. If a viability appraisal has robustly demonstrated that viability genuinely risks preventing a rural exception site from coming forward, and there are no alternative, more viable, sites, the Authority will work with the landowner, community and other stakeholders to establish the optimum alternative option which best meets the local need.

SITE SELECTION, SCALE AND LOCATION 7.79 Policy SD29 (1) (b) requires the most sustainable, available site to be chosen. It is important to ensure that locations which have an overall positive impact on the ability of the natural environment to contribute to ecosystem services, work best within the landscape and settlement form, allow better access to local services, and are most suitable in other respects, are preferred.

COMMUNITY AND STAKEHOLDER ENGAGEMENT 7.80 "Effective community engagement" should be demonstrated by the applicant in both the site selection and application design processes. This can include liaison with the relevant parish council(s), community groups and neighbours. It is also essential that the advice of the relevant Rural Housing Enabler feeds into these processes, so that any practical difficulties regarding management issues are identified and overcome at an early stage of design.

LOCAL NEED AND LOCAL CONNECTION 7.81 Occupation of affordable housing brought forward on both rural exception sites and market-led sites is subject to conditions to ensure the needs of local people are being met. The meanings of "local need" and "local connection" are set out in the supporting text to Policy SD28: Affordable Homes. Rural exception sites should also take into account the aspirations of the local community, for example, as expressed in the relevant NDP, Parish Plan or Village Design Statement. The type and tenure of dwellings on rural exception sites will need to balance the provision of local needs with the character of the existing settlement and the landscape within which it is located.

DELIVERY OF RURAL EXCEPTION SITES 7.82 The Authority will expect all rural exception sites to reflect local needs and aspirations. An effective way to achieve this is through establishing CLTs to drive the delivery of sites. Local partnership arrangements will generally be appropriate for delivering on sites, for example, between CLTs, Parish or Town Councils, Specialist Housing Associations and/or Rural Housing Enablers (RHEs). Whichever delivery model is used, the Authority will seek to ensure that affordable housing remains affordable in perpetuity.

North Devon and Torridge Local Plan October 2018

Policy ST19: Affordable Housing on Exception Sites

Proposals to deliver permanent affordable housing at Local Centres, Villages and Rural Settlements will be supported, subject to the following:

- (a) the site is well related to or adjoining the defined development boundary; or where the settlement is not subject to a development boundary, the site is well related to the extent of the contiguous built form;
- (b) the development is proportionate to the scale and nature of the existing settlement;
- (c) there is an identified local need for affordable housing sufficient to justify the extent and nature of the proposed development;
- (d) the housing need could not reasonably be satisfied without the exceptional release of land;
- (e) arrangements are in place to ensure that the affordable housing, remains available to the local community in perpetuity;
- (f) where it can be robustly demonstrated that an element of market housing is required to enable delivery of significant additional affordable housing, it will be supported provided that: (i) the element of market housing is the minimum amount required to enable the delivery of the proposed affordable housing; and (ii) the mix of open market dwellings, in terms of type and size, complies with the requirements of Policy ST17;
- (g) environmental and heritage assets are not subject to significant harm, are conserved or enhanced, with particular respect to the setting and special qualities of nationally important landscapes, biodiversity and heritage designations and the undeveloped coast; and
- (h) the use of planning conditions, obligations or other legally defensible limitations to: (i) restrict occupation to households identified as being in need of affordable housing; and (ii) give priority of occupation to households with a local connection.

Supporting Text:

7.39 Proposals will need to be supported by evidence to satisfy the Local Planning Authority that there are no reasonable and available alternatives, such as development of an appropriate and available site or building within the extents of a Local Centre, Village or Rural Settlement or through the development of an appropriate and available allocation for residential development, that could reasonably deliver the housing required to meet the identified local need.

7.40 Proposals enabled through this policy need to be justified on the basis of an identified local need for affordable housing. Development proposals should reflect on, and respond to up-to-date evidence of local housing needs, such as that presented through Housing Needs Surveys. Development schemes will therefore need to be accompanied by evidence to demonstrate that a local need exists for the scale and nature of affordable housing that is proposed, in terms of the number of dwellings, their size, type and tenure. The policy will not support speculative housing proposals. Further details as to the nature and extent of evidence required to support proposals will be set out in supporting documentation, such as a practice note or Supplementary Planning Document that will accompany the Local Plan.

7.41 For the purpose of this policy, the geographical scope of local housing need is taken as that arising from households that have a local connection⁽⁵⁹⁾ to the parish where the proposal is located, the adjoining rural parish(es) and/or other relevant grouping of parishes formally recognised by the Local Planning Authority (such as the Rural Alliance), as the case may be.

7.42 The mix of housing in terms of dwelling sizes, types and tenures will be expected to reflect the identified local need for housing. The affordable housing provided will be subject to appropriate arrangements to ensure that it remains available to the local community in perpetuity. This will 59 See paragraph 7.35 and 7.36 for definition of local connection North Devon and Torridge Local Plan 2011-2031 77 Delivering a Balanced Local Housing Market 7 be achieved through the imposition of appropriate planning conditions or the provision of a legal agreement.

7.43 The policy allows for an element of market housing to be provided where this would enable the delivery of significant additional affordable housing. The Local Plan recognises this can be an effective mechanism to deliver affordable housing in rural areas. The starting point for delivery of affordable housing under this policy is an expectation of providing 100% affordable housing. Where this is not viable, the level of open market housing will be the minimum required to provide the necessary financial cross-subsidy to deliver the proposed affordable housing. Where cross subsidy through the provision of open market housing is proposed, the local planning authority will expect proposals to be supported by evidence to demonstrate that it is appropriate and necessary. This will normally be on the basis of an open book financial appraisal of development viability.

7.44 To ensure that proposals contribute to the delivery of a balanced local housing market and deliver housing suitable to meet the needs of the local community, any

open market housing provided to support the delivery of the affordable housing will also need to deliver a mix of housing which reflects local housing needs and demands.

7.45 In all cases, permanent affordable housing supported by Policy ST19 will be subject to restrictions that limit occupation to households identified as being in need of affordable housing. Such restrictions will be achieved through planning conditions, planning obligations or other legally defensible mechanisms available to the local planning authority. Restrictions will also ensure that priority of occupation is given to households with a local connection (as defined in Paragraphs 7.35 and 7.36).

Mid Sussex District Plan 2019

DP32: Rural Exception Sites

Strategic Objectives: 13) To provide the amount and type of housing that meets the needs of all sectors of the community.

Evidence Base: Parish Housing Needs Assessments; Town and Parish Council submissions; Housing and Economic Development Needs Assessment; Mid Sussex District Council Housing Register.

The development of rural exception sites for affordable housing will be permitted provided:

the development comprises 100% affordable housing;

the housing is to meet local needs justified by the best available evidence;

the occupancy of the homes is restricted in perpetuity to those with a genuine local need for affordable housing;

the scale of the development respects the setting, form and character of the settlement and surrounding landscape; and

it is adjacent to, or in close proximity to a rural settlement containing local services.

Where it can be clearly demonstrated through evidence that the site cannot support a scheme comprising 100% affordable housing from a viability perspective, the Council will consider an element of open market housing, limited to that required to facilitate scheme viability, to a maximum of 20% of the overall scheme, provided that:

- The requirements of ii), iv) and v) can be met for the overall scheme and for the affordable housing element i) and iii); and**
- The new development physically integrates the open market and affordable housing, which should seek to be ‘tenure blind’ and makes best use of the land.**

Details of the evidence required to justify an element of open market housing will be set out in a Supplementary Planning Document.

The delivery of rural exception sites will normally be led by Parish Councils, through planning applications, Community Right to Build schemes, Neighbourhood Development Orders or through Neighbourhood Plans.

Appendix 2 – correspondence between the Council and West Lulworth Parish Council (Mr Davey) around the suitability of small sites identified in SD88 (Action 70)

Copy of e-mail sent to Mr Davey on 20th September 2019:

‘Dear Mr Davey,

I am writing to summarise our discussions relating to the examination of the Purbeck Local Plan. You participated in the hearing sessions held in August where issues relating to Policy H8 were discussed. The Council agreed to meet with you to discuss the suitability of small housing sites which have been identified in SD88

(<https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/purbeck/local-plan-review-purbeck/pdfs/examination-documents-submitted-during-hearings/sd88-review-of-capacity-of-small-sites-12-08-2019.pdf>). These small housing sites are located around the village of West Lulworth and include:

- ‘Opposite Wilton Cottage, West Lulworth’ (SHLAA/0066);
- ‘Adjacent to the Hall, Church Road, West Lulworth’ (SHLAA/0067); and
- ‘Land adjacent to 1 Church Road, West Lulworth’ (SHLAA/0113).

You attended a meeting at Council Offices (Westport House, Worgret Road, Wareham) on the 16th August 2019. I understand that you are representing the views of the Parish Council, and in the course of the meeting you summarised a number of potential concerns about the suitability of each the sites which I have listed above. I will summarise these concerns and observations in this e-mail and provide the Council’s response.

Parish Council’s concerns and observations on possible small sites

‘Opposite Wilton Cottage, West Lulworth’ (SHLAA/0066)

You explained that the Parish Council is concerned about the:

- impact of development on the setting of listed buildings (including Grade II listed telephone kiosk, a detached outbuilding in the curtilage of Number 51 School Lane and Number 51 School Lane) and scheduled monuments (including Bindon Hill Camp);
- impacts of development on the character, or appearance, of the West Lulworth Conservation Area;
- steeply sloping landform across the site;
- adequacy of capacity in the sewer system to accommodate sewage from further development;
- the potential for development to increase flood risk elsewhere (you specifically referred to surface water flooding and sewer flooding);

‘Adjacent to the Hall, Church Road, West Lulworth’ (SHLAA/0067)

The Parish Council is concerned about the:

Council response to actions raised during 2019 August hearings into the examination of the Purbeck Local Plan

- impact of development on the setting of the West Lulworth Conservation Area, listed buildings (including Grade II listed Holy Trinity Church and Lych Gate) and scheduled monuments (including Hanbury Tout and Bindon Hill Camp);
- loss of on-street car parking on Church Road if a vehicular access were formed into the site; and
- costs of excavating land to allow its re-development.

You stated that the Parish Council understood that the planning decision relating to West Lulworth Village Hall indicated that further 'ribbon style' development next to Church Road would not be appropriate.

'Land adjacent to 1 Church Road, West Lulworth' (SHLAA/0113)

You explained that the Parish Council consider that this site is prominently positioned in the village and that it serves as an important undeveloped gap between development in the upper and lower parts of the village. The Parish Council is also concerned:

- about the potential impacts that development on the site might have on the setting of scheduled monuments in the surrounding area (including Hanbury Tout and Bindon Hill Camp) and the East Devon and Dorset World Heritage Site;
- about the impacts of development on the setting of listed buildings (including Grade II listed Hambury Farm House and attached barn);
- that development would fail to preserve the appearance, or character, of the West Lulworth Conservation Area;
- that development on the site may create a precedent, or encourage, further related development that would harm the villages appearance and character and the surrounding landscape (you specifically referenced a potential new route to car parking/the lower village that bypasses the existing route along Main Road);
- about the effects of development on protected species (including bats); and
- about the opportunity to form a safe access and the implications of further traffic movements through the village.

You stated that the Parish Council noted that parts of the site are risk from flooding (including surface water and ground water flood risks).

Please respond to this e-mail if you do not consider that my summary of the Parish Council's concerns and observations on these sites are accurate, or if they miss an important detail.

Council's response

Before I provide the Council's response to the issues raised by the Parish Council during our meeting I would like to briefly re-emphasise the purpose of the assessments presented in SD88. The assessments are part of a wider body of work around land availability which the Council has undertaken in order to meet the requirement in national planning policy for a 'positively prepared' plan. In the case of the Purbeck Local Plan, the Council prepared the updated availability assessment presented in SD88 following the discussions in the first week of examination hearings around: assessment of housing need in Purbeck, the Council's

selection of an appropriate strategy to meet this need and a suggested modification to Policy H8: small sites next to existing settlements. The Council's assessments in SD88 take account of previous SHLAA assessments, but do not in all instances correspond with earlier assessments.

The Council's strategy for providing new homes in Purbeck includes homes on small sites (Policy H8 includes criteria for selecting small sites). SD88 does not: i) allocate land for housing development, or ii) constitute a pre-determination of any subsequent planning application for new homes on small sites. The Council's consideration of the issues raised by the Parish Council during our meeting is summarised below in respect to each site.

'Opposite Wilton Cottage, West Lulworth' (SHLAA/0066)

The Council has recognised the issues around heritage assets (specifically their setting), landscape and landform in the assessment presented in SD88. These considerations do not amount to absolute restrictions on development which would make the site unsuitable. The southern edge of the site around 300 metres from the Bindon Hill Camp Scheduled Monument. Considering the distance between the site and the heritage asset and the change in ground levels, the Council considers that there is an opportunity to avoid adverse impacts on the monuments setting. Records do not indicate that the site is at flood risk – the Council acknowledges that an applicant would need to demonstrate through a planning application that development would not have the effect of increasing flood risk elsewhere (this could be achieved with appropriate management and mitigation measures).

'Adjacent to the Hall, Church Road, West Lulworth' (SHLAA/0067)

The Council has recognised the issues around heritage assets (specifically their setting), landscape and landform in the assessment presented in SD88. As with the assessment relating to SHLAA/0066, these considerations do not amount to absolute restrictions on development which would make the site unsuitable. The site is positioned around 750 metres from Hanbury Tout, considering the distance between the heritage asset and the site, the relationship between the site and existing development on Church Road, the opportunity to mitigate impacts through soft landscaping and scale/orientation/ layout of development, the Council considers that there is an opportunity to avoid adverse impacts on the monuments setting. Only a small part of the sites eastern edge is at flood risk from surface water – the Council acknowledges that an applicant would need to demonstrate through a planning application that this risk could be avoided and that development on the site would not have the effect of increasing flood risk elsewhere (this could be achieved with appropriate management and mitigation measures).

Planning permission for West Lulworth Village Hall was granted in 1995 (6/1993/0243). The permission was granted subject to a number of conditions (including those relating to agreement of materials, landscaping, car parking and access into the site). None of the conditions relate to re-development of adjacent land.

'Land adjacent to 1 Church Road, West Lulworth' (SHLAA/0113)

The Council has recognised the issues around heritage assets (including the character and appearance of the West Lulworth Conservation Area, and the setting of Grade II listed Hambury Farm House and scheduled monuments), landscape and flood risk in the assessment presented in SD88. The site is not designated for its ecological interest, further more detailed assessments (including surveying, assessment of the effects of development and consideration of avoidance/mitigation/compensation measures) would need to be undertaken if a planning application were submitted. The Council does not consider that the Parish Council's observations relating to bats on the site constitute a reason for deeming it unsuitable as part of a land supply for homes. The Council recognises that part of the site is affected by surface water flood risk – the Council acknowledges that an applicant would need to demonstrate through a planning application that this risk could be avoided and that development on the site would not have the effect of increasing flood risk elsewhere (this could be achieved with appropriate management and mitigation measures). The assessment on the sites capacity reflects that some of the land within the site will not be suitable because of the risks from flooding. There is an existing access from Main Road to Hambury Farm and the Council considers that there is likely to be an opportunity to form a safe access into the site. The Council does not consider that the number of homes being considered for the site, 4, are likely to have materially significant effects on vehicular congestion through the village.

The Council notes the Parish Council's concerns around future development, but has only considered the suitability of the site housing.

Conclusion

After considering the matters raised by the Parish Council, the Council does not consider that there are grounds for further changes to the assessments presented in SD88.

The Council's five year housing supply

You have raised a separate query on the inclusion of a site in the five year land supply presented in SD87. Paragraph 1.2 of SD87 clarifies that:

'The area to which this report relates is the area that was formerly covered by Purbeck District Council; it now forms part of Dorset Council following reorganisation of Local Government across Dorset on 1 April 2019. The data that supports this report relates to a base date of 1 April 2019 and this report covers the five year period to 31 March 2024.'

Sites that were given planning permission after 1st April 2019 have not been taken into consideration as part of the five year land supply. Planning permission for the site at West Lulworth C of E Primary School, School Lane, West Lulworth (6/2018/0653) was granted on

Council response to actions raised during 2019 August hearings into the examination of the Purbeck Local Plan

5th July 2019. For these reasons the nine dwelling houses have not been taken into consideration in SD87.

If you have any questions relating to this e-mail please do not hesitate to contact me on 01929557385. (I have copied the Examination Programme Officer for the Purbeck Local Plan for her information as the Inspector has tasked the Council with an action to 'Informally discuss the suitability of a possible small site in West Lulworth (listed in SD 88) with Mr Davey.')

Yours sincerely

Steve Boyt'

Appendix 3 – LLFA presentation on surface water flood risk around Lytchett Minster (Action 71)



Lytchett Minster (redacted version)

Hydraulic Model Technical Findings 23/11/2018

DCC Flood Risk Management (FRM).
Oran Balazs

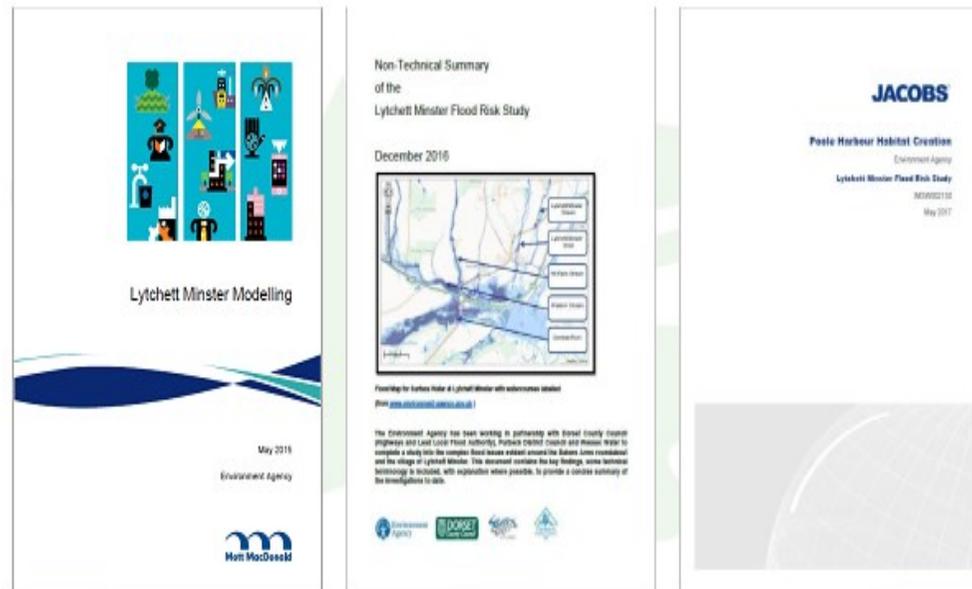
Participants

Brian Richards	DCC Flood Risk, Manager
Susan Woodhouse	DCC Flood Risk Management, Project Engineer
Oran Balazs	DCC Flood Risk Management, Project Engineer
Stephen Mephram	DCC, Highways Community Team Leader
Cllr Bill Pipe	DCC Councillor
Cllr Ray Griffin	Chairman of Upton Parish Councillor
Cllr Paul Johns	Lytchett Minster and Upton Parish Councillor
Lord Anthony Rockley	Landowner
Chris Lees	Landowner
Clare Lees	Landowner
Oliver Chamberlain	Facilities manager for landowners
Max Thurgood	Engineer Consultant; Clarkebond
Robin Sequera	LYMPWATCH
LYMPWATCH Member	LYMPWATCH
LYMPWATCH Member	LYMPWATCH
LYMPWATCH Member	LYMPWATCH

Agenda

- Lytchett Minster previous studies and reports.
- Flood Risk Management Authorities: Guidance and funding procedure.
- Catchment studies and 2D hydraulic model.
- Flooding records and historical verification.
- Model results and predictions.
- Proposed options.
- Open discussion about way forward.

Lytchett Minster studies and reports.



Following flood events across Dorset in July 2012, the Environment Agency began an overview of flooding in Lytchett Minster.

- First report 2015: Lytchett Minster Modelling, by Mott MacDonald.
- Second report: 2016: Non- Technical Summary, by EA consultant.
- Third report 2017: Lytchett Minster Flood Risk Study, by Jacobs.

Lychett Minster chronology of studies and findings.

In September 2017 the Environment Agency passed on the Lychett Minster investigation for DCC FRM to lead on.

Immediate risk is pluvial and not fluvial flooding.

The Environment Agency identified 31 properties at risk from flooding.

DCC FRM identified funding for the scheme via the Capital Investment Programme (CIP).

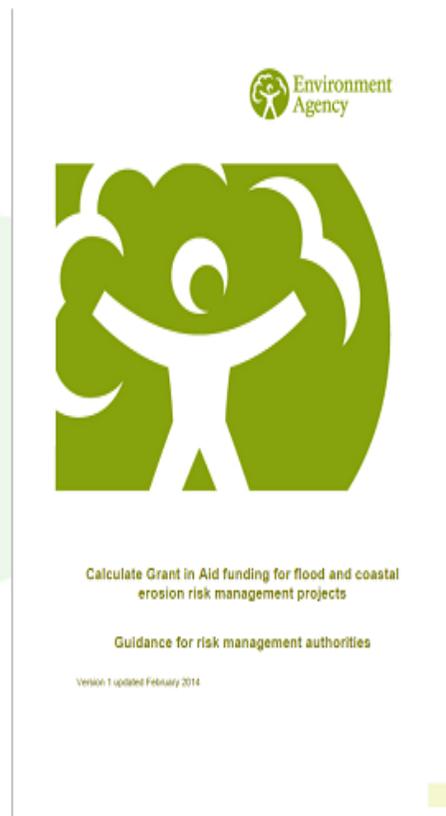
November 2017 to January 2018: DCC FRM deployed 9 monitors to measure flows in watercourses and ground water table levels for hydraulic modelling calibration purposes.

2 rain gauges were also deployed to capture storm events.

April 2018: DCC FRM met LYMPWATCH and landowners to discuss and share knowledge.

September 2018: DCC FRM completed 2D hydraulic model and identified flooding mechanism and options to reduce flood risk.

Guidance for flood risk management authorities



https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/297377/LIT_9142_dd8bbe.pdf

Guidance for flood risk management authorities

OM 2 and 3	<p>Households counted must be permanent dwellings built or converted before January 2012. Temporary or seasonal accommodation, including mobile or static caravans, does not qualify. Households qualify only if they directly benefit from a scheme. This means that, for flood risk, households are only counted if a scheme reduces the probability of flood waters crossing their threshold. For coastal erosion, qualifying households are those where a scheme prevents occupancy from becoming unsafe.</p> <p>Households indirectly benefiting, through for example loss of services or access, or where flood water isn't expected to enter the dwelling (such as in the upper floors of a building), may not contribute towards OMs 2 and 3. However, economic impacts can be assessed and contribute towards OM1.</p>
OM 4a	<p>The following aim count towards OM4:</p> <ul style="list-style-type: none"> • Works that contribute to the restoration of non-mar estuaries to favourable condition, and/or to maintain them at that condition, where the remedies to site condition and threats have been agreed with Natural England and included in a site management plan. • Works that create or improve any non-marine priority wetland habitat as defined under Section 41 of the Natural Environment and Rural Communities Act 2006.
OM 4b	<p>Works that create intertidal priority habitats as defined under Section 41 of the Natural Environment and Rural Communities Act 2006.</p>
OM 4c	<p>The following aim count towards OM4c:</p> <ul style="list-style-type: none"> • Works that contribute towards the implementation of protected area measures in the current River Basin Management Plans, preventing deterioration and/or leading to an improvement in the condition of water bodies. • Works that contribute to the restoration of river estuaries to favourable condition, and/or to maintain them at that condition, where the remedies to site condition and threats have been agreed with Natural England and included in a site management plan.
Avoidance of double counting	<p>Benefits and households cannot be double counted between separate investments. Once benefits or households have been used to justify and gain funding for an investment they may not be used again within the duration of benefits period for investment.</p> <p>If 2 or more investments are needed to protect a specific benefit area, the investments should either be combined in an appropriate approach taken to apportion any available FCR/Coast Grant Aid and reported contributions to OMs between the separate investments. Unless this is done, the maximum grant rate will be capped at 40% in accordance with Delta funding policy.</p>
Possible approach to apportionment	<p>The ideal approach to apportioning benefits, and therefore funding, for FCR/Coast projects is to fully model the pathways and exposures and all sources of flooding to understand their combined effects. This will allow a full economic assessment of options, costs and benefits, inform decision-making, and ensure a fair funding outcome across any national or local funding sources to all Risk Management Authorities involved.</p> <p>This may be appropriate and proportionate in complex locations with significant flood risk and overlapping interests. However, simpler approaches are likely to be sufficient in most locations.</p>
<p>Doc No 1303_DR Version 1 Last printed 14/02/14 Page 8 of 14</p>	

OM 2 and 3

Households counted must be permanent dwellings built or converted before January 2012. Temporary or seasonal accommodation, including mobile or static caravans, does not qualify. Households qualify only if they directly benefit from a scheme. This means that, for flood risk, households are only counted if a scheme reduces the probability of flood waters crossing their threshold. For coastal erosion, qualifying households are those where a scheme prevents occupancy from becoming unsafe.

Households indirectly benefiting, through for example loss of services or access, or where flood water isn't expected to enter the dwelling (such as in the upper floors of a building), may not contribute towards OMs 2 and 3. However, economic impacts can be assessed and contribute towards OM1.

Guidance for flood risk management authorities

2. Projects that should apply the Partnership Funding calculator and report Outcome Measures

Qualifying projects The Partnership Funding calculator applies to projects that propose to use Flood and Coastal Erosion Risk Management Grant in Aid (FCRM) in part or full. These projects will:

- provide a site reduction in probability of flood and coastal erosion risk through new or improved defences (known as improved defence projects) and given a code 'DEF' in the FCRM Medium Term Plan;
- avoid a significant increase in flood or coastal erosion risk (probability by replacing or refurbishing existing assets (known as capital maintenance projects) and given a code 'CM' in the FCRM Medium Term Plan);
- achieve statutory environmental goals described by OMA, a or c (projects may be given codes 'WFD', 'HAB', 'SSD' or 'FDR');
- achieve other statutory, legal or contractual requirements including health & safety requirements or abatement agreements.

3. Key definitions and approaches

Risk bands The risk band definitions for OM2 and OM3 are given in the table below.

Flood Risk Management	Coastal Erosion Risk Management
Very significant	>=5%
Significant	<5% but >1.33%
Moderate	<=1.33% but >0.5%
Low	<=0.5%

Duration of benefits (Flooding) The period, in years, over which the project will deliver benefit, is the useful life of the asset or time until the next major capital investment in the defence - whichever is sooner. 'Major investment' here means an investment over 20% of the investment being considered now.

Duration of benefits (Erosion) By delaying the process of erosion, properties can be occupied for longer. The duration of benefits is the additional number of years of potential occupancy. Normally this is the useful life of the coastal defence being built or upgraded or the time until the next major investment, whichever is sooner.

Whole life cost or benefit For OM contributions and the funding calculation the whole life costs and benefits are calculated over the 'duration of benefits' period, as shown.

This is not to be confused with the usually longer project appraisal period which typically relates to the life of the longest-lived assets, or 100 years, whichever is shorter in accordance with HM Treasury Green Book.

This sets the next investment in the context of the longer term outlook for managing flood risk to support the business case. In all cases, whole life costs refers to all costs (capital and revenue) needed to deliver the FCRM-related benefits of a project over the duration of the benefits period claimed.

When applying for Grant in Aid, the estimate of whole life costs used should not include a contingency allowance. However an appropriate contingency should be identified in business cases and discussed with funding partners so that funding agreements accommodate a suitable allowance.

Doc No 1043_08 Version 1 Last printed 14/02/14 Page 6 of 14

3. Key definitions and approaches

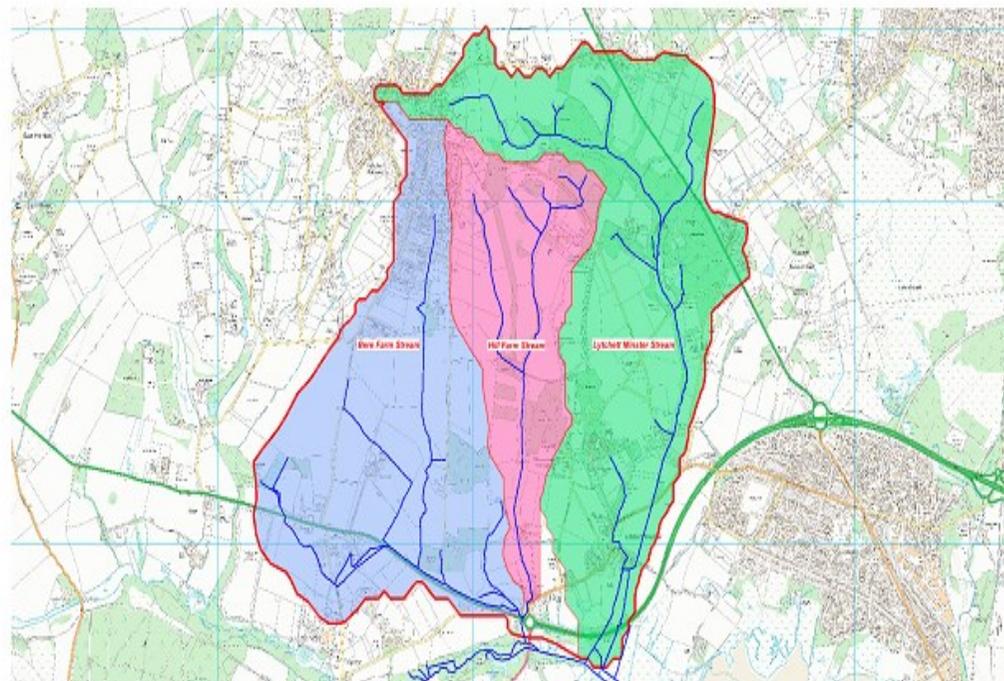
Risk bands The risk band definitions for OM2 and OM3 are given in the table below.

Flood Risk Management		Coastal Erosion Risk Management	
Very significant	>=5%		
Significant	<5% but >1.33%	Medium term loss	<=20 years
Moderate	<=1.33% but >0.5%	Longer term loss	>20 years
Low	<=0.5%		

Conversion Return Period to Annual Exceedance Probability (AEP)

Return Period: 1in X	5	20	75	100	200	1000
AEP %	20.000	5.000	1.333	1.000	0.500	0.100

Catchments study and watercourses.



Lytchett Minster catchments 2D hydraulic model overview



Evidence and historical record: 17 Jun 2016 event provide by LYMPWATCH



Overview model simulation, M40:30 (Historical verification 240 min simulation, 17 Jun 2016 event)



Close-up simulation, M40:30 (Historical verification 240 min simulation, 17 Jun 2016 event)



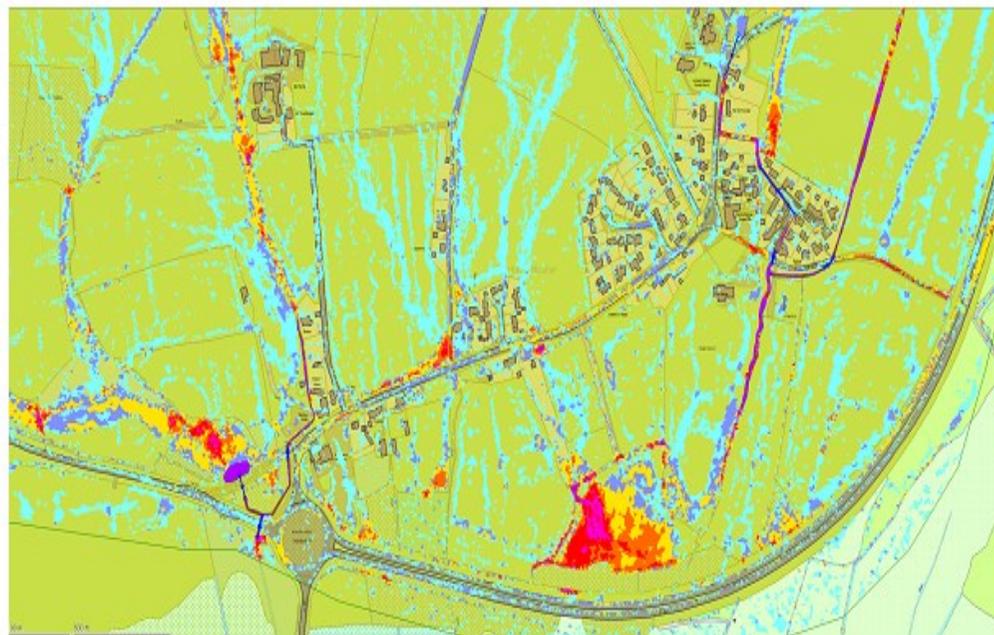
Hydraulic Model Results:

Primary Classification	Classification	Lyt Ex ver. 96 Existing Modified TH			
		100y	75y	30y	20y
Residential	Detached	yes			
Residential	Detached	yes	yes	yes	yes
Residential	Detached	yes			
Commercial	Workshop / Light Industrial	yes	yes	yes	yes
Residential	Detached	yes	yes	yes	yes
Residential	Detached	yes	yes	yes	yes
Residential	Semi-Detached	yes	yes		
		yes	yes		
Residential	Semi-Detached	yes			
Residential	Detached	yes			
Residential	Semi-Detached	yes			
Commercial, Dual Use	Leisure - Applicable to recreational sites and enterprises	yes	yes	yes	yes
<i>SUM (property at risk)</i>		12	7	5	5

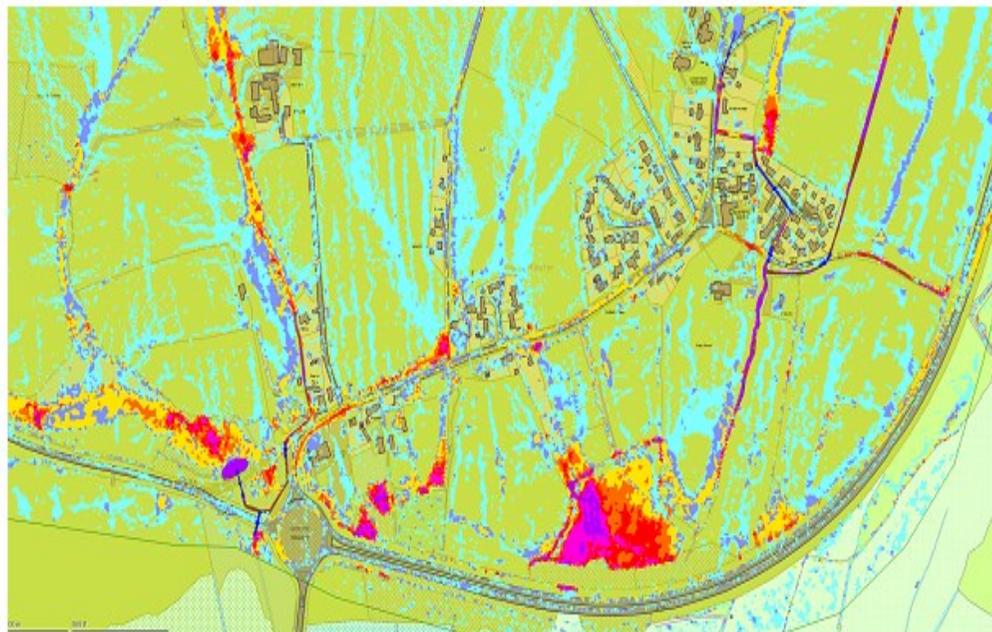
Lytchett Minster at flood risk (Max sim result: M20:30, 240min)



Lytchett Minster at flood risk (Max sim result: M75:30, 240min)



Lytchett Minster at flood risk (Max sim result: M100:30, 240min)



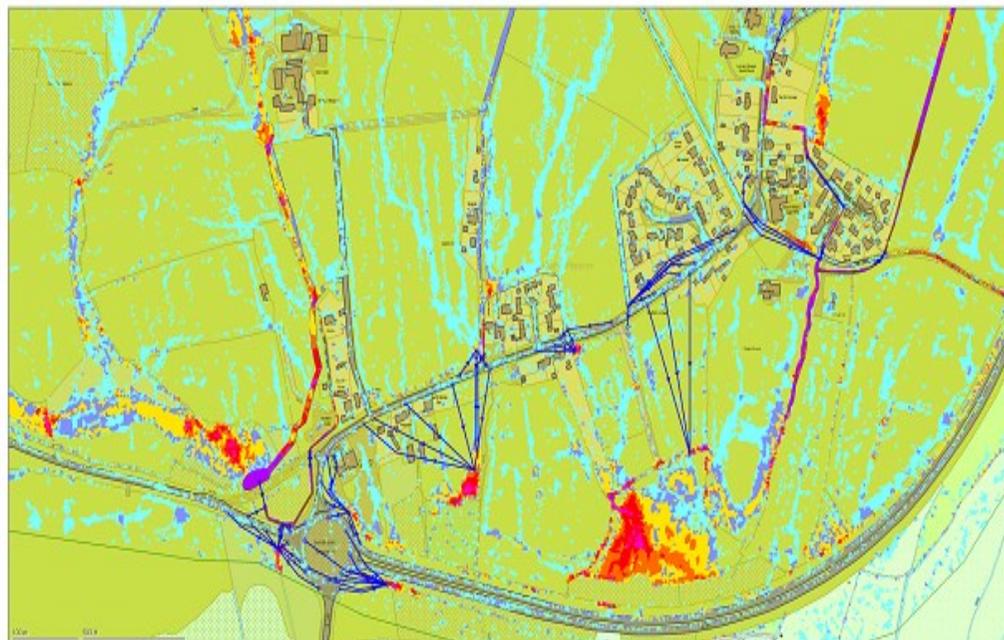
Op 3. Charity Farm divert ditch with ground water base flow



Op 3. Compare 17 Jun 2016 event. M40:30



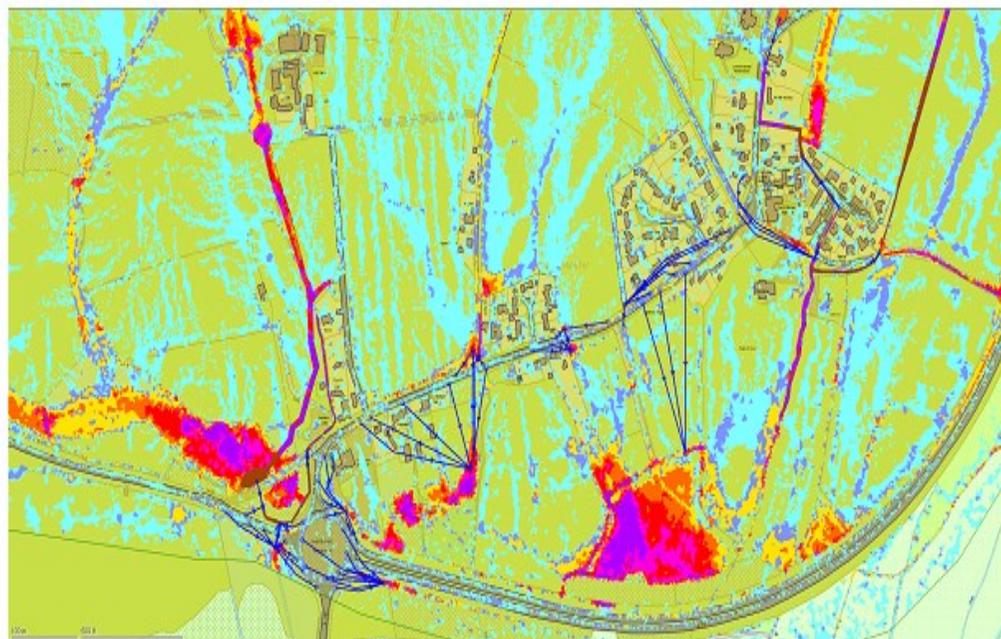
Op 3. Compare 17 Jun 2016 event with climate change 20%. M40:30



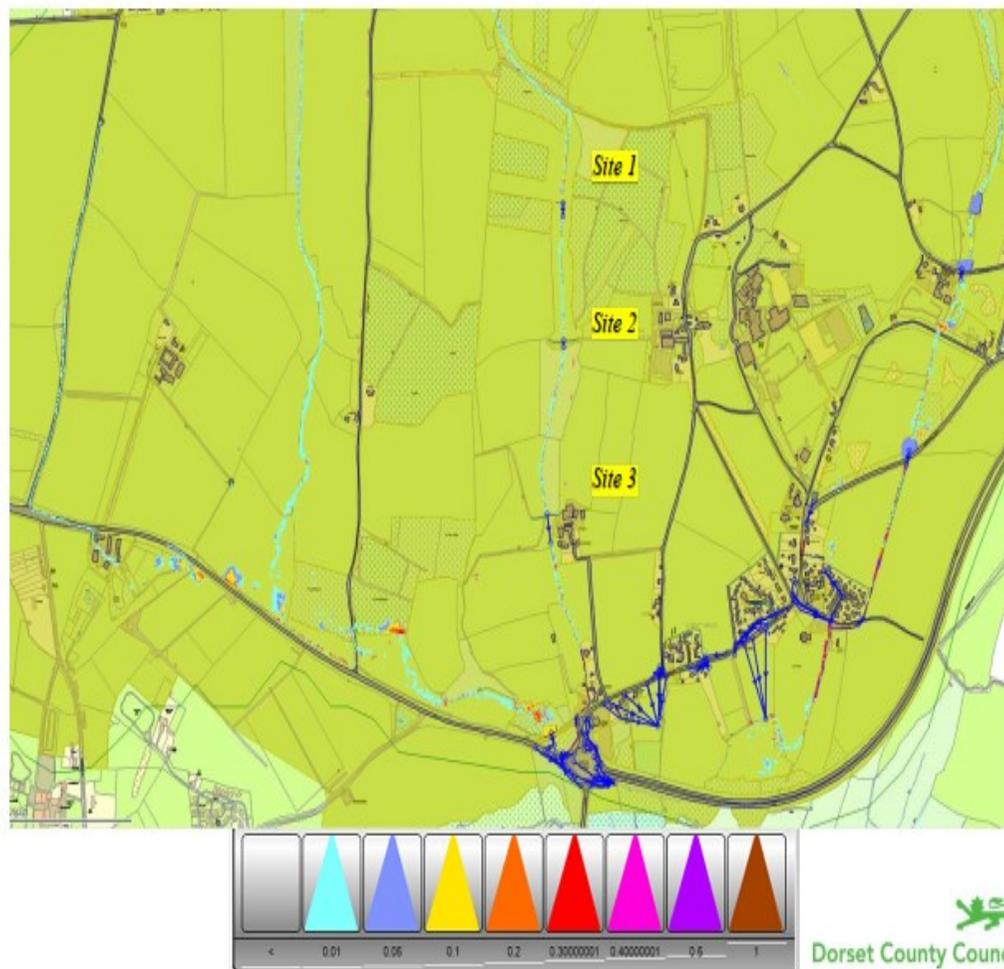
Op 3. Compare 17 Jun 2016 event with climate change 20%. M40:30



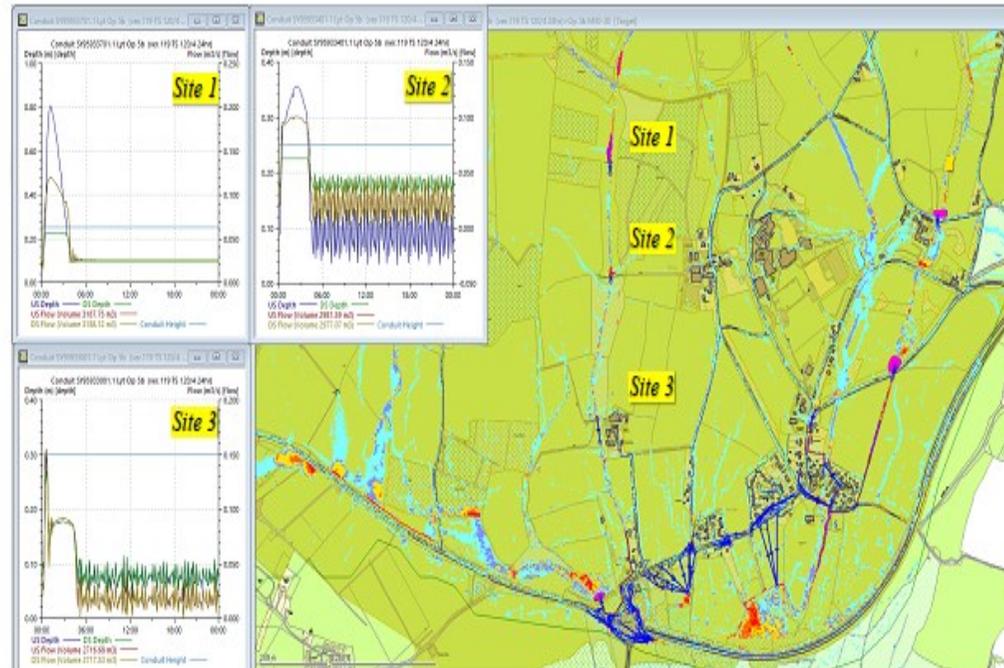
Op 3. with climate change 20%. M75:30



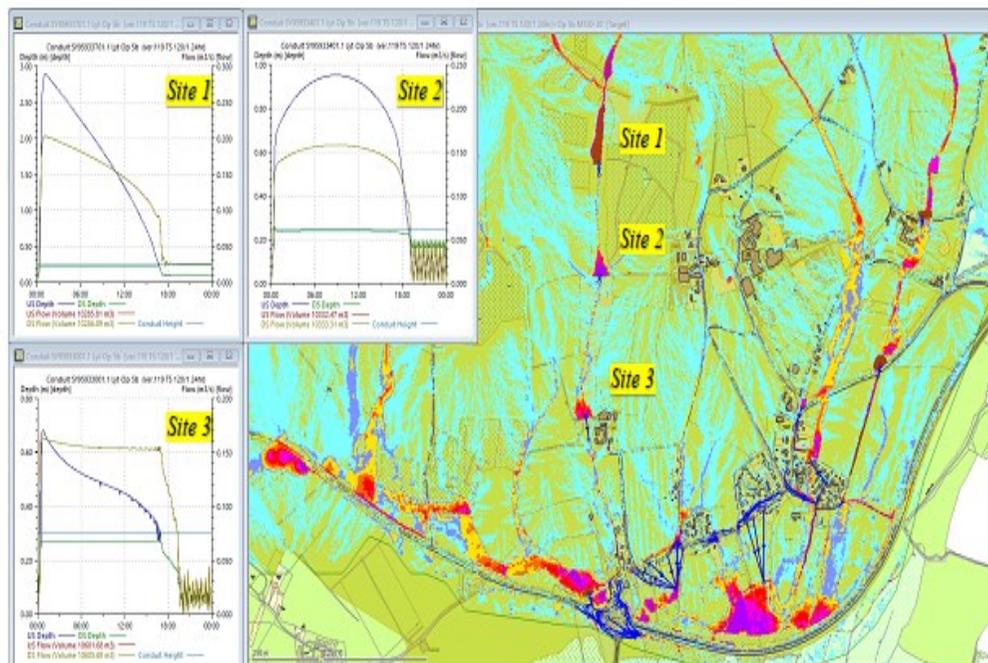
Op 4. Upper catchments retention sites, with ground water base flow



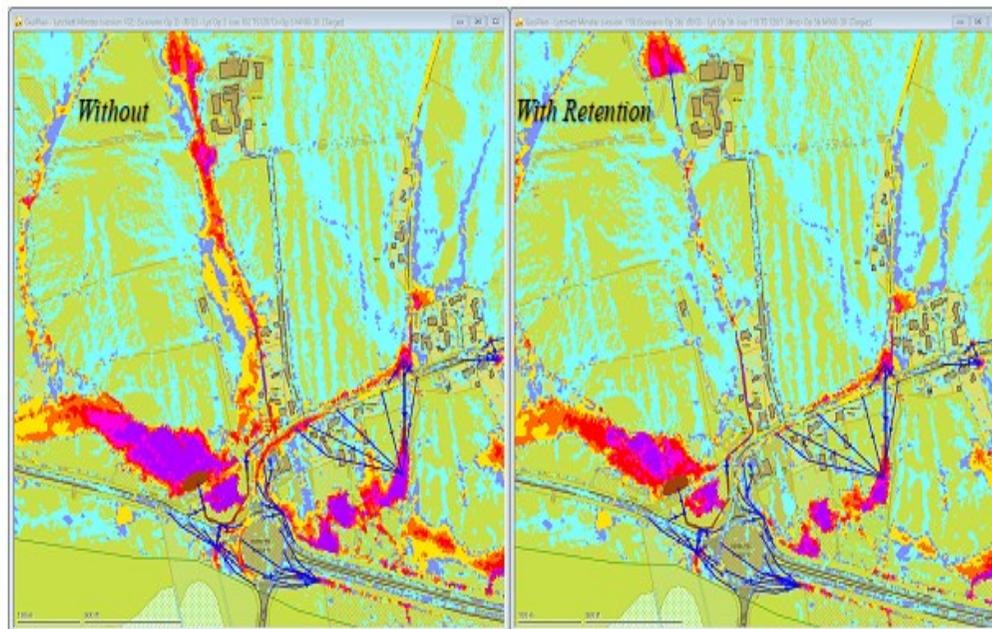
Op 4. M30:30



Op 4. M100:30



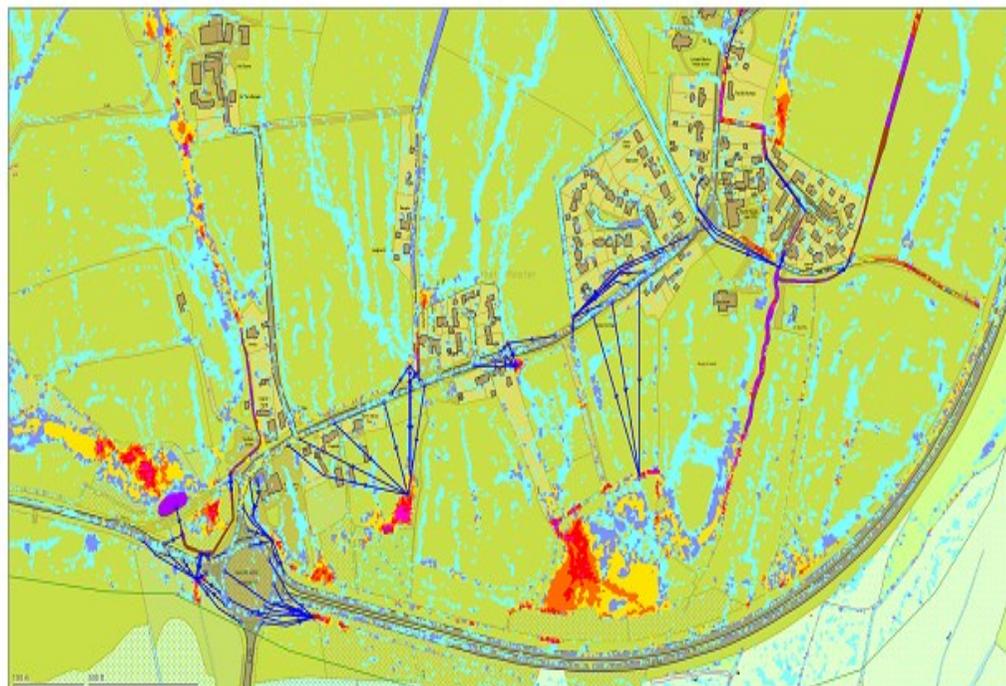
Comparing option 4 with and without upper catchments retention



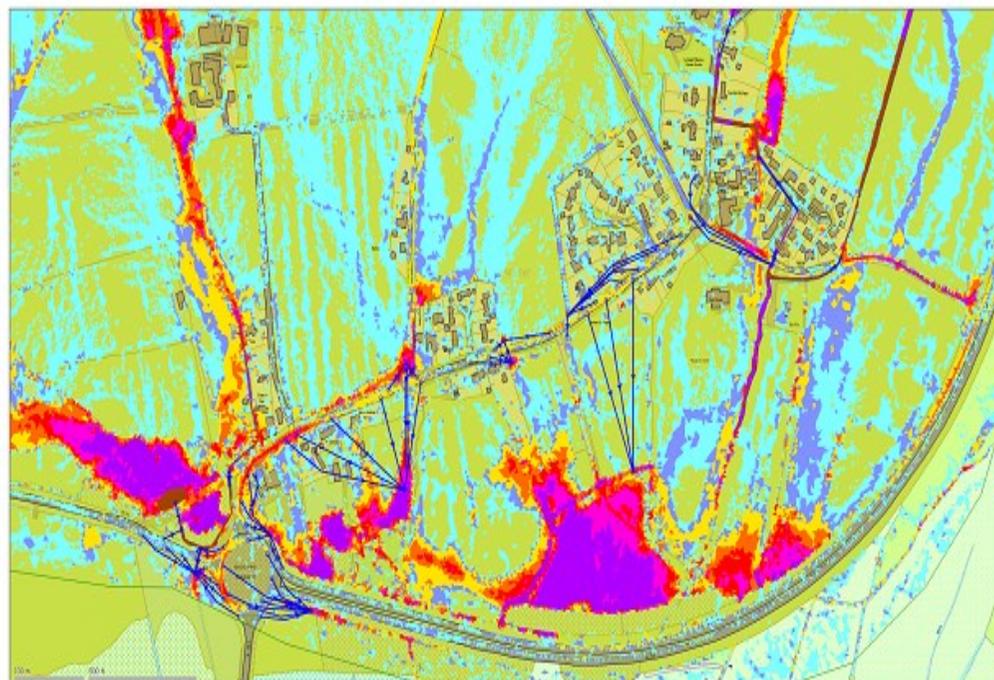
Testing existing highway drainage system, M5:30



Testing existing highway drainage system, M40:30



Testing existing highway drainage system, M75:30



Summary:

Proposals:

- Option 1: provide localised solution for 3 properties to reduce flood risk to 1% AEP.
- Option 2: reduce flood risk to 1% AEP for all identified properties.
- Option 3: upper catchment retention, reduce flood risk at Bakers Arms roundabout and surroundings to 1% AEP.

To do list:

- Liaise with 3 property owners to promote suitable solution.
- Discuss options with land owners
- Applying for Local Levy funding for all options based on community preference.
- Community raising funds, as partnership contribution?



Appendix 4 – maps showing flood risk identified in recent LLFA modelling and the Council’s SFRA (Action 71)

