

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

**11<sup>th</sup> November 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 Wednesday 9<sup>th</sup> and Friday 11<sup>th</sup> October 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 October 2019:
  - Matter A Legal compliance and Procedural Requirements: Issue 5 Habitats Regulations.
  - Matter E Housing: Issue 1, Question 5 (housing allocations - Policies H4, H5, H6 and H7), Issue 2 Questions 1 to 8 (housing land supply – Policy H2), Issue 3 Question 1 (5 year housing land supply) and Issue 4 Questions 1, 5 and 7 (other housing policies – Policies H3, H9 and H11).
  - Matter H Infrastructure: Issue 1 Questions 1 to 4 (developer contributions – Policy I1).
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/sd129-web-version-actions-list-from-public-hearings-2019-10-15.pdf> ).
4. This document provides the Council's response to a number of actions (as identified in the contents page), or where appropriate provides a link/sign posts to a separate document with the Council's response.
5. 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, and can be found in the schedule of modifications which the Council has updated through the course of the examination [SD14].

## 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

1. The Council has sought to clarify that contributions towards an existing community hub are acceptable within Wool by altering the text in criterion h and moving it to below criterion f as shown in SD14 as MM49.

## Action 52 (Matter G)

**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

2. The Council has sought to clarify the supply of safeguarded employment land due to changes made through Neighbourhood Plans. This is shown in SD14 as MM9.

## Action 53 (Matter G)

**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

3. The second part of policy EE2 does not relate to other employment land and solely relates to safeguarded employment land. The Council has a surplus of employment land and so changes of use of employment uses outside of safeguarded sites should not be restricted. Suggested modifications can be found in SD14 as MM12.

## Action 54 (Matter G)

**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

4. The Council has sought to clarify that MM13 is specific to safeguarded land and has amended wording as shown in SD14 as MM13.

## Action 55 (Matter G)

**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

5. The requirement for 350sqm of retail floor space at both Wool and Moreton Station/Redbridge Pit has been placed into the site allocation policies and clarified in Policy EE3. The wording 'additional convenience floor space' replaced 'additional need' in accordance with this action.

6. These changes can be seen in SD14 as MM6, MM49 and MM99.

### **Action 56 (Matter G)**

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**

7. The policy now refers to the settlement hierarchy within the third paragraph of EE3 and EE4 to ensure new retail and tourist accommodation is placed at the most sustainable locations within the area. This can be seen in SD14 as MM99 and MM100.

### **Action 57 (Matter G)**

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

#### **Council's response**

8. This word change can also be seen in SD14 as MM99.

### **Action 58 (Matter G)**

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

#### **Council's response**

9. This word change can be seen in SD14 as MM99.

### **Action 59 (Matter G)**

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**

10. The Council has sought to clarify the intention of this action and is awaiting a response from the inspector.

### **Action 60 (Matter G)**

Remove paragraph 215 – this is superseded

#### **Council's response**

11. This is shown in SD14 as MM14.

### **Action 61 (Matter G)**

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**

12. The wording change can be seen in SD14 as MM100.

## Action 62 (Matter G)

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

### Council's response

13. Paragraph 187 of the Purbeck Local Plan and Policy EE4 are compatible.
14. The Council does not consider holiday lets which are run as a business to be classed as a second home. Applications can be made specifically for new build holiday lets and where approved these homes would be restricted for holiday use through a planning condition and/or under the terms of a planning obligation.
15. Modifications can be found in SD14 as MM101.

## Action 79 (Matter F)

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

16. The Policies map will be amended.

## Action 82 (Matter F)

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

### Council's response

17. The Council has considered the response to this action in the context of the Inspectors question (Matter A Legal Compliance and Procedural Requirements, Issue 6, Question 5) around references to other documents in planning policy in the Purbeck Local Plan. The Council accepts that directly referring to other documents in planning policies would give these documents status as part of the development plan without being subject to the necessary consultation and scrutiny, through the process of examining the plan, required by planning laws.
18. The Council has suggested a number of modifications (taking out reference to other document in the policies in the Purbeck Local Plan) in response to the Inspector's question under Matter A, Issue 6. After considering this action it suggests further modifications to: clarify the relevance of these other documents in decision making, highlight that these other documents will necessarily be updated over time and list these other documents in an appendix to the local plan.
19. Changes can be seen in SD14 as MM90 and MM91.

## Action 84 (Matter I)

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

### Council's response

20. The Council has reviewed the policy targets in the monitoring framework table and found most of them to be accurate. Some modifications have been suggested either as a result of public hearings or as a result of modifications that have taken place during the examination process. All modifications can be seen in SD14 as MM63.

### Action 87 (Matter A)

Speak to Lytchett Matravers PC and explain SD92 site selection.

#### Council's response

21. The Council is meeting with Lytchett Matravers Parish Council on Tuesday 12 November 2019 to explain the purpose of document SD92.

### Action 88 (Matter A)

Update SD92 to include extra capacity at Blaney's Corner site in assessment of capacity.

#### Council's response

22. Please see updated SD92 on the Council's website.

### Action 90 (Matter E)

Adam Bennett to send list of lapsed sites to Council. Council to check commitments.

#### Council's response

23. During 9<sup>th</sup> October hearing session Mr Bennett made claims that there were a number of consented residential development sites included within the Council's housing supply that should not be included. During the session, the Inspector requested that Mr Bennett provide a list of the consents referred to and reasons why they should not be included in the supply, to allow the Council to respond. This list was provided in a letter dated 16<sup>th</sup> October 2019. This note details the Council's response to the points raised in the letter.
24. The definition of deliverability in the glossary to the NPPF sets out which sites can be considered deliverable in relation to the housing land supply:
- To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*
- *sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
  - *where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.*

25. By virtue of the sites having planning consent, the contested sites set out in Mr Bennett's letter of 16<sup>th</sup> October 2019 all fall within category a) of the definition and therefore should be considered deliverable *until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
26. Mr Bennett's letter suggests that the contested sites "either no longer benefit from planning consent; there is no evidence that the development has been implemented and thus the consent has expired, or indeed either the development has been completed or comprises double counting having regard for another permission on the Council's list."
27. Mr Bennett's conclusion is that a total of 22 dwellings should be removed from the stock of consents that the council consider to be deliverable as detailed in Appendix 1 of document SD87.

### **Sites that expire within a monitoring year**

28. It is common practice for councils to monitor development sites on an annual basis with a start date of 1 April each year. Sites that benefit from planning consent are reviewed and visited annually to check progress towards delivery of new dwellings. Extant planning consents at the beginning of the monitoring year (1 April) would normally be considered as part of the housing supply even if such a site may expire within the subsequent year. Such sites would be revisited in the following monitoring year to see if any development has commenced. It may be that within this year a site could expire but it could also be the case that a site would commence. These sites are routinely included within the supply until both the site has expired **and** a site visit has indicated that the development has not commenced.
29. In document SD87, the council indicated that there were 208 deliverable dwellings on sites of less than 10 dwellings with extant consent (as detailed in Appendix 1). All of Mr Bennetts contested sites fall within this category of minor sites where clear evidence that the site will not be delivered within five-years is needed to suggest removal of the site from the five-year supply.
30. Appendix 2 of document SD87 details the deliverability of major sites with a total of 304 dwellings being considered deliverable. This fact has not been contested in Mr Bennett's letter and is not considered as part of this document.
31. When considering the points raised in Mr Bennett's letter, the council is of the opinion that there should be a reduction of 7 dwellings from the small sites total detailed in Appendix 1 of SD87. This reduces the total number of minor (small) sites to 201 dwellings. The detail of the council's position on each individual site is set out in Table 1. The Council is of the opinion that Mr Bennett has not provided clear evidence that the remaining sites will not deliver within five-years.

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**Table 1: Contested sites**

Site address	Net gain	Latest approved planning permission	Expiry date	Mr Bennett's information	Site status (as at 01-Apr-2019)
Land adj. 4 East Chaldon, Chaldon Herring	1 dwelling	6/2015/0573	03/12/2018	The dwelling has been completed on site and occupied as evidence by Google Street View dated May 2019	Site under construction at 1 April 2019 (Subsequently this site has been completed)
Kemps Country House Hotel, East Stoke	6 dwellings	6/2016/0718	28/06/2020	There is no evidence of pre-commencement conditions having been discharged. The Applicant has sought several later planning permissions on this site which have been refused by the Council; indicative of the fact that this has lapsed and in any event there is no intention for this to be built out even if it had not. The consent expired on 3rd September 2018	Extant at 01-Apr-2019 Further permission granted 6 June 2019 (6/2019/0090)
Redbridge Farm, Dolmans Hill, Lytchett Matravers	1 dwelling	PDA/2016/0002	20/09/2019	This was a prior notification consent under Class Q which has not been completed within the three years since granted, as required by the Order (2015) and thus permission has lapsed. No submission of contamination details occurred in accordance with the Council's confirmation Prior Approval	Extant at 1 April 2019

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				was required. The consent expired on 19th September 2019.	
Land adj. Olive Cottage, Swanage	1 dwelling	6/2016/0733	26/01/2020	No CIL commencement notice has been submitted to the Council and no pre-commencement conditions have been discharged. The consent expired on 20th September 2019.	Extant at 1 April 2019
Seabank Lodge, Ulwell Road, Swanage	2 dwellings	6/2019/0083	06/06/2020	6/2017/0176 and 6/2016/0498 – Both consents are for the erection of one dwelling on the same plot – it would be impossible to implement both, so this comprises double counting. Both consents have been replaced by a more recent s73 application ref. 6/2019/0083 – net reduction in one dwelling overall.	Extant at 1 April 2019 Duplicate site included therefore a deduction of 2 (net) from overall supply NB: Demolition of 1 dwelling and creation of 3 flats gives a net gain of 2 dwellings.
10 Durberville Drive, Swanage	1 dwelling	6/2015/0539	6/10/2018	No CIL commencement notice has been submitted to the Council and no pre-commencement conditions have been discharged. The consent expired on 26th October 2018.	Site under construction as at 1 April 2019
37 Commercial Road, Swanage	1 dwelling	6/2015/0727	09/02/2019	No evidence of pre-commencement conditions regarding a flood resilience scheme having been submitted and agreed, or indeed of commencement.	Site under construction at 1 April 2019

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				The consent expired on 9th February 2019.	Flood resilience and evacuation condition signed off 13 <sup>th</sup> April 2016
15 Sydenham Road, Swanage	1 dwelling	6/2018/0226	18/06/2021	Both consents are for the erection of one dwelling on the same plot – it would be impossible to implement both, so this comprises double counting. The earlier consent from 2015 has not been implemented, no CIL commencement notice has been submitted and no pre-commencement conditions discharged. The consent lapsed on 25th June 2018.	Extant at 1 April 2019 Subsequently application number 6/2019/0534 has been submitted. Duplicate site included therefore a deduction of 1 (net) from overall supply
2 Meadow View Close, Wareham	1 dwelling	6/2014/0355	08/09/2017	No evidence of pre-commencement conditions regarding a drainage strategy having been submitted and agreed, or indeed commencement having occurred. The consent expired on 8th September 2017.	Expired at 1 April 2019 Remove 1 dwelling from the supply
The Ammonite Barn, Dorchester Road, Winfrith Newburgh	- 1 dwelling (loss)	6/2016/0250	30/06/2019	No CIL commencement notice has been submitted to the Council and no pre-commencement conditions have been discharged. The permission was solely for ancillary owners' accommodation to a D1 use and conditions such that it could not be occupied independently. This should not be included in the supply in any	Extant at 1 April 2019 This site has a net loss of 1 dwelling.

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				event. The consent lapsed on 30th June 2019.	
Land to East, Burton Cross Roundabout, Wool	2 dwellings	6/2015/0599	29/10/2018	This is an outline planning permission for which no reserved matters application has been submitted. The outline consent lapsed on 29th October 2018	Expired at 1 April 2019 Remove 1 dwelling from the supply
Seaforth, Kingston Road, Worth Matravers	1 dwelling	6/2015/0630	15/01/2019	No CIL commencement notice has been submitted to the Council and no pre-commencement conditions have been discharged. The consent expired on 15th January 2019.	Expired at 1 April 2019 Remove 1 dwelling from the supply
Royal Observer Corps Monitoring Post, Worth Matravers	1 dwelling	6/2016/0787	29/02/2020	The development appears to have been completed.	Under construction at 1 April 2019. CIL commencement paid. Drainage works condition signed off. The Council has received an e-mail confirming that engineering works connected with the buildings change of use began on 2nd August 2018.
19 and 20 Huntick Estate	3 dwellings	6/2012/0734	22/07/2016	The development has been completed as is evidenced by the 2017 joint householder application made to extend and alter the completed dwellings (ref. 6/2017/0633). The Officer's report relating to the	Site under construction at 1 April 2019

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				householder application confirms the development has been completed.	
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32. Table 2 provides a summary of sites where the supply needs adjusting.

Table 2: Amendments to the supply from Minor consented sites as listed in Appendix 1 of document SD87

<b>Minor (small) sites (Appendix 1 of [SD87])</b>		
Seaforth, Kingston Road, Worth Matravers	Site expired	Remove 1 dwelling from the supply
Land to East, Burton Cross Roundabout, Wool	Site expired	Remove 2 dwellings from the supply
2 Meadow View Close, Wareham	Site expired	Remove 1 dwelling from the supply
15 Sydenham Road, Swanage	Duplicate site - included twice in the supply	Remove 1 dwelling from the supply
4 Seabank Lodge, Ulwell Road, Swanage	Duplicate site - included twice in the supply	Remove 2 dwellings from the supply
Total alteration		Remove 7 dwellings from the supply

33. The revisions to the supply from consented sites results in 201 from minor sites and 304 from major sites giving an overall total from consented sites of **505 dwellings**.

34. During the hearing sessions on the Council's five-year supply the council suggested that a 5% lapse rate should be applied to consented sites to allow for any future lapse of planning consents. Applying this lapse rate to the consented sites would reduce the allowance from consented sites to 480 dwellings within the five-year supply.

35. At the examination hearings, the council also suggested that the windfall allowance should only be included for years 4 onwards. This would reduce the total supply (and the five-year supply) by 62.2 dwellings. The windfall allowance is based on the average of actual past completions over a five-year period. The rate of delivery of windfall fluctuates over time and hence an average is appropriate. Removing the windfall allowance from year 3 removes any double counting between windfall and consented sites.

36. Table 3 summarises the five-year supply position and demonstrates that the Council can demonstrate **a five-year supply of 5.31 years** even once the contested sites have been removed from the supply.

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Table 3: Summary of changes to the five-year supply information

	Report published ahead of hearing sessions <b>May 2019</b>	SD87 published prior to August hearing sessions <b>Sept 2019</b>	Amended figures for October hearing session <b>Oct 2019</b>	Amended figures following 16-Oct-2019 letter <sup>1</sup> <b>Nov 2019</b>
<b>SUPPLY</b>				
Sites with consent	502	512	481.7	479.8
Local Plan allocations	544	545	544	544
Neighbourhood Plan allocations	42	42	134.3	134.3
Small sites	85	0	0	0
Windfall	230	186.6	186.6	124.4
<b>Total supply</b>	<b>1,403</b>	<b>1,285.6</b>	<b>1,346.6</b>	<b>1282.5</b>
<b>FIVE-YEAR REQUIREMENT</b>				
Plan target x 5	168 x 5 = 840	180 x 5 = 900	180 x 5 = 900	180 x 5 = 900

<sup>1</sup> The supply in the final column includes the deductions set out in this note in response to Mr Bennett’s letter, the application of a 5% lapse rate to consented sites and the removal of the windfall allowance from year 3.

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Shortfall	168 – 73 = 95	180 – 73 107	180 – 73 107	180 – 73 107
Total	935	1,007	1,007	1,007
Buffer	93.5 (10%)	201.4 (20%)	201.4 (20%)	201.4 (20%)
Overall target	1028.5	1208.4	1208.4	1208.4
<b>Annualised target</b>	<b>205.7</b>	<b>241.7</b>	<b>241.7</b>	<b>241.7</b>
<b>Years of supply</b>	<b>6.8 years</b>	<b>5.32 years</b>	<b>5.57 years</b>	<b>5.31 years</b>

**Council response to Remaining Actions arising from August 2019 hearings and actions raised during 2019 October hearings into the examination of the Purbeck Local Plan**

37. Table 4 summarises the overall supply which indicates that the council can demonstrate **a total supply of 3,009 dwellings** (including the 73 completions in year 2018/19) **(3,139 dwellings including extra care units)** against the target of 2,880 dwellings (180 dwellings per annum).

Table 4: Summary of changes to the overall supply information

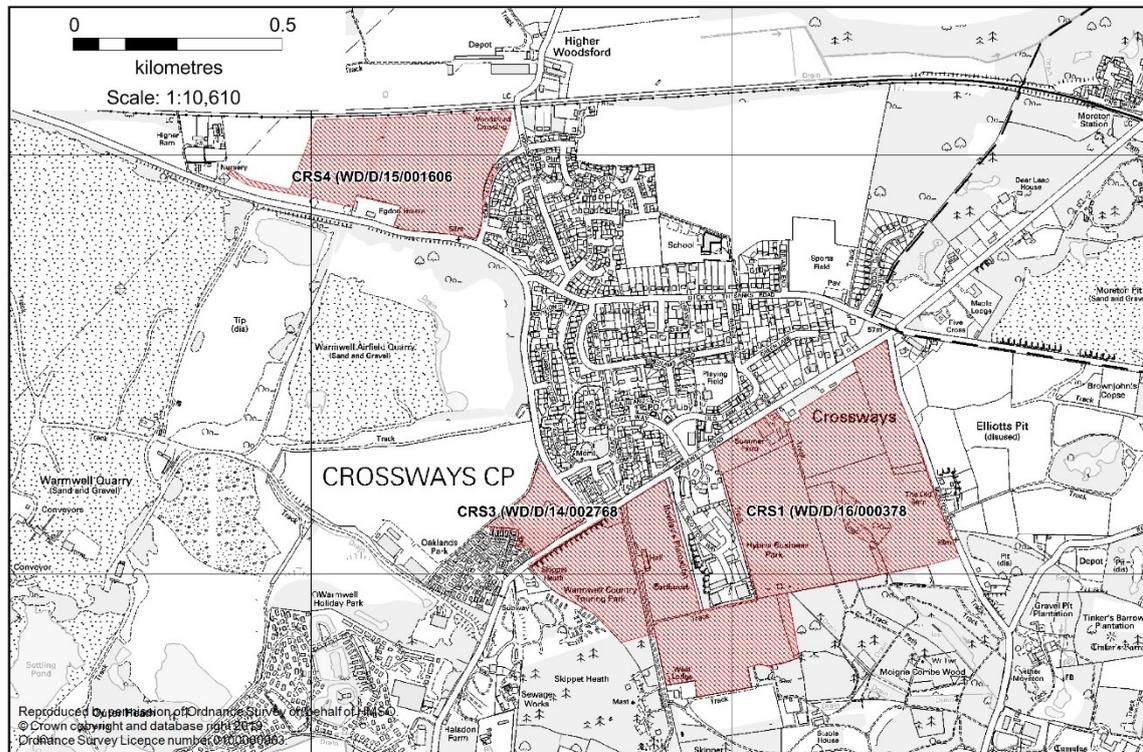
	Local Plan Submission Version October 2018	SD86 published prior to August hearing sessions Sept 2019	Amended figures for October hearing session Oct 2019	Amended figures following 16-Oct-2019 letter2 Nov 2019
<b>SOURCES OF SUPPLY</b>				
Completions	0	73	73	73
Sites with consent	0	512	507	505
Local Plan allocations	1,350	1,240	1,239	1,239 (+130 extra care units)
Neighbourhood Plan allocations	305	290	308	308
Small sites	1,033	138	138	138
Windfall		809	809	746
Total supply	2,688	3,062	3,073	3,009 (3,139 including 130 units of extra care)

<sup>2</sup> The supply in the final column includes the deductions set out in this note in response to Mr Bennett's letter, the application of a 5% lapse rate to consented sites and the removal of the windfall allowance from year 3.

## Action 94 (Matter E)

Provide an explanation of progress on sites with permission around Crossways.

### Council's response



38. The sites shown on the map above are the outstanding consents around Crossways. Their progress is discussed below.
39. **CRS1 (WD/D/16/000378): Land South of Warmwell Road** - A hybrid application was given 'resolution to grant consent' from Planning Committee on 16 November 2017, subject to a planning agreement being concluded. This resolved to grant full permission for 99 homes, with outline consent for a further 401 homes. In August 2019 condition 6 was amended to allow the village hall to be delivered prior to the demolition of the existing hall or before the commencement of phase 4 whichever is sooner. The S106 agreement is being drafted.
40. **CRS3 (WD/D/14/002768): Land adjacent to Oaklands Park** - Outline planning permission was granted for the construction of 49 homes and 8 commercial units on 8 July 2015. Reserved matters permission was also granted on 8 August 2018 (reference – WD/D/17/002760).
41. **CRS4 (WD/D/17/03036): Land west of Frome Valley Road** – Outline planning permission was granted for the construction of 85 homes on 15 July 2016. This has been superseded by an outline consent for 140 homes, which was granted on 27 March 2019. Pre application advice application was received in August for reserved matters and a meeting with applicants and architects took place during the week commencing 30 September.

## Action 95 (Matter E)

SD92 – look at making statistics clear within tables/graphs if not already.

### Council's response

42. Please see updated SD92 on Council's website.

## Action 96 (Matter E)

Clarify relationship between Neighbourhood Plan allocations, windfall, small sites and site policies in Policy H3 first paragraph – also change to say Policies H4-H7

### Council's response

43. The Council confirmed orally, during the October hearings of the Purbeck Local Plan examination, that it intended that Policy H3: New Housing Development Requirements should be treated as a strategic policy that imposes specific requirements in respect to the new homes allocated through Policies H4 to H7.

44. To ensure that the policy is interpreted clearly and unambiguously, and to clarify the way the policy should be applied in respect to Policies H8 and H12 and non-strategic policies in neighbourhood plans, the Council suggests modifications. These modifications have been presented SD14 as MM48 and MM92.

## Action 97 (Matter E)

Consider whether Fields in Trust guidance should be removed from Policy H3: New housing as it has been removed from I1. Perhaps this is more appropriate for the preamble?

### Council's response

45. The Council has sought to clarify the relationship between local plan policies, and other documents, in decision making as part of its response to Action 82. In response to Action 97 the Council has suggested a modification to delete reference to Fields in Trusts policy document from clause (f). The suggested modification is presented SD14 as MM48.

## Action 98 (Matter E)

Make sure criterion (g) in Policy H3 accords with para 112 of NPPF. Check this does not exceed the Building Regulations.

### Council's response

46. The Council has suggested a modification to criteria (g), around the standard for broadband connection. The National Planning Policy Framework states at paragraph 112 that planning policies 'should prioritise full fibre connections to existing and new development (as these connections will, in almost all cases, provide the optimum solution)'. Part R of the Building Regulations (Physical Infrastructure for high-speed electronic communications networks) includes requirements for 'in-building' physical infrastructure. The requirements relate to the erection of building, and include provisions for both houses and flats. Regulation R1 (1) relating to houses states that:

‘Building work must be carried out so as to ensure that the building is equipped with a high-speed-ready in-building physical infrastructure, up to a network termination point for high-speed electronic communications networks.’

47. The requirements in Building Regulations specifically relate to the physical infrastructure in buildings, rather than the infrastructure needed to achieve connection between a building and an existing high speed network. The Council has published evidence (appendix 1) which indicates that 90%, or more, of existing households in Upton, Lytchett Matravers, Wool and Moreton can access ‘superfast’ broadband.
48. This suggests that it should be possible to achieve a connection between new homes at the sites identified in the local plan and an existing high-speed electronic communications network. To avoid duplication with building regulations the Council has suggested a modification to clause (g) of Policy H3 around a requirement to provide the infrastructure needed for connection between new homes and an existing high-speed electronic communications network.
49. The Council also suggests inserting a definition of ‘high-speed electronic communications network’ from Part R of the Building Regulations into the glossary for the local plan as shown in SD14 as MM63.
50. The Council suggests modifications to Policy E3 and supporting text in response to Actions 96 to 98 as shown in SD14 as MM92 and MM48.

## **Action 99 (Matter E)**

**Consider whether the criterion (f) and (j) in Policy H3 relates to extra care, care provision.**

### **Council’s response**

51. Criterion f does relate to extra care allocated in Policy H4: Moreton Station/ Redbridge Pit and Policy H5: Wool as it is likely that residents within these units will be mobile enough to access open space.
52. Criterion j could also relate to extra care allocated in Policy H4: Moreton Station/ Redbridge Pit and Policy H5: Wool if residents have children of school age. Though this is unlikely, the detailed planning application should assess whether these units will contribute or not.

## **Action 100 (Matter E)**

**Clarify whether open space standards are effective for decision making purposes. Also, what happens on smaller sites? Do they provide a financial contribution?**

### **Council’s response**

53. The Council suggests modifications to supporting text (paragraph 253) and Policy I4 in response to this Action. MM16, MM17, MM48 and MM96.
54. In the course of reviewing the policies relating to formal and informal play and open space the Council has noted that the terminology used is not consistent. To ensure consistency the Council suggests further changes to policy H3 (criterion f) as shown in SD14 as MM48.

## Action 101 (Matter E)

Consider whether the first sentence to Policy H9 is sufficiently clear.

### Council's response

55. The SHMA sets out recommendations that are largely based on market demand therefore the Council will accept other relevant documents as well as the SHMA 2015/2018 Update but all housing mix will need to be agreed by the Council. To this end, modification MM54 has been suggested as shown in SD14.
56. Additionally, the SHMA does not specify private rented and the Council suggests removal of this row of the table in paragraph 152. This modification can be seen in SD14 as MM54.

## Action 102 (Matter E)

Insert PPG definitions of care as per SD115 into the Glossary of the Plan.

### Council's response

57. The definition for extra care does not wholly align with the PPG.
58. The definition in the PPG is as follows: '**Extra care housing or housing-with-care:** This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.' Paragraph: 010 Reference ID: 63-010-20190626.
59. The definition suggested by the Council adds: 'Occupants have specific tenure rights'. Though this is common in extra care housing, the Council wishes to make this clear through the definition.
60. A modification to this effect can be found in SD14 as MM64.

## Action 103 (Matter E)

Insert wording into Policy H9 that makes clear single storey homes can be either apartments or bungalows.

### Council's response

61. The Council has sought to clarify this through SD14 as MM54.

## Action 104 (Matter E)

Consider whether the words 'support' or 'encourage' should be used in Policy H9. Does self-build need a paragraph of its own?

### Council's response

62. The Council wishes to encourage self-build plots one sites of 20 or more. To reflect this the Council wishes to retain the wording proposed at the October hearings

sessions of ‘encourage’ rather than ‘support’. The word ‘support’ implies the objective is one of the applicants rather than a Council objective. A suggested modification is proposed to this effect in SD14 as MM54.

## Action 105 (Matter E)

Speak to The Retirement Consortium about wording ‘care provision’ should be specialist purpose built accommodation – can we specify sheltered, retirement living.

### Council’s response

63. The Council emailed The Retirement Consortium but haven’t had a response as yet. Whilst awaiting a response, the Council has proposed an amendment to Policy H9: Housing Mix that specifies which type of care the Council requires, it is thought that this should be acceptable to The Retirement Consortium. The suggested amendment is shown in MM54.

## Action 106 (Matter E)

Remove ‘as they occur’ from Policy H9

### Council’s response

64. This is shown in SD14 as MM54.

## Actions 107 (Matter E)

Change to extra care ‘units’ in Policy H9

### Council’s response

65. This is shown in SD14 as MM54.

## Action 108 (Matter E)

Remove words ‘unless specifically stated as a requirement in the allocation of the site,’ from Policy H11: Affordable Housing

### Council’s response

66. This is shown in SD14 as MM56.

## Action 109 (Matter E)

Policy H11: Affordable Housing. Look at working ‘exceptional circumstances’ and Para 57 of NPPF – is this consistent? Para 57 states ‘special circumstances’.

### Council’s response

67. Paragraph 57 of the NPPF and PPG 010 Reference ID: 23b-010-20190315 states that the applicant must demonstrate whether *particular* circumstances justify the need for a viability assessment at the application stage. As the word ‘particular’ is used as opposed to ‘exceptional’ the Council has suggested a modification to this effect as shown in SD14 as MM56.

## Action 110 (Matter E)

## Look at ministerial statement from November 2015/2014 and implications on the policy H11

### Council's response

68. The ministerial statement from November 2014 can be found online at this link, <https://www.parliament.uk/documents/commons-vote-office/November%202014/28%20Nov%202014/2.%20DCLG-SupportForSmallScaleDevelopersCustomAndSelf-Builders.pdf>. In this instance, our interest relates to the last sentence in paragraph 6 that states, 'Within these designated areas, if the 5-unit threshold is implemented then payment of affordable housing and tariff style contributions on developments of between 6 to 10 units should also be sought as a cash payment only *and be commuted until after completion of units within the development*' (my emphasis).
69. The requirement to collect the sum after completion of the build has been not been carried into the NPPG, 'in designated rural areas local planning authorities may instead choose to set their own lower threshold in plans and seek affordable housing contributions from developments above that threshold' Paragraph: 023 Reference ID: 23b-023-20190901, or the NPPF, 'Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer)' paragraph 63.
70. Therefore there is no impact on this policy.

## Action 111 (Matter H)

### Reword criterion (e) in I1 for purposes of clarification

#### Council's response

71. This is shown in SD14 as MM95.

## Action 112 (Matter E)

### Provide inspector with table of supply

#### Council's response

72. The Council has provided this information.

## Action 113 (Matter A)

### Look at wording in E9, MM41 and wording on sewage – Dr Langley claims it is wrong.

#### Council's response

73. The Council has considered Dr Langley's response on this issue and Policy E9 specifically relates to nitrogen discharged from residential development into the drainage catchment for Poole Harbour. The potential effects of discharges arising from industrial development on European sites would need to be addressed on a case by case basis when any planning applications is being considered. This development is also subject to separate regulation and control.

## Action 114 (Matter H)

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Add some supporting text regarding SPD mitigation in Policy I1, consider criteria wording.

**Council's response**

74. This is shown in SD14 as MM87.

**Action 115 (Matter H)**

Review wording in MM25 and MM26

**Council's response**

75. The Council has suggested the following further changes to earlier modifications relating to Policy I1 (b). These can be seen in SD14, MM25.

76. 'In respect to MM26 the Council considers that that this matter could be clarified by the addition of a foot note to Policy I1 as shown in SD14 as MM26.

**Action 116 (Matter I)**

Consider wording reference monitoring on heathland

**Council's response**

77. Suggested changes to the wording can be found in SD14 as MM22.

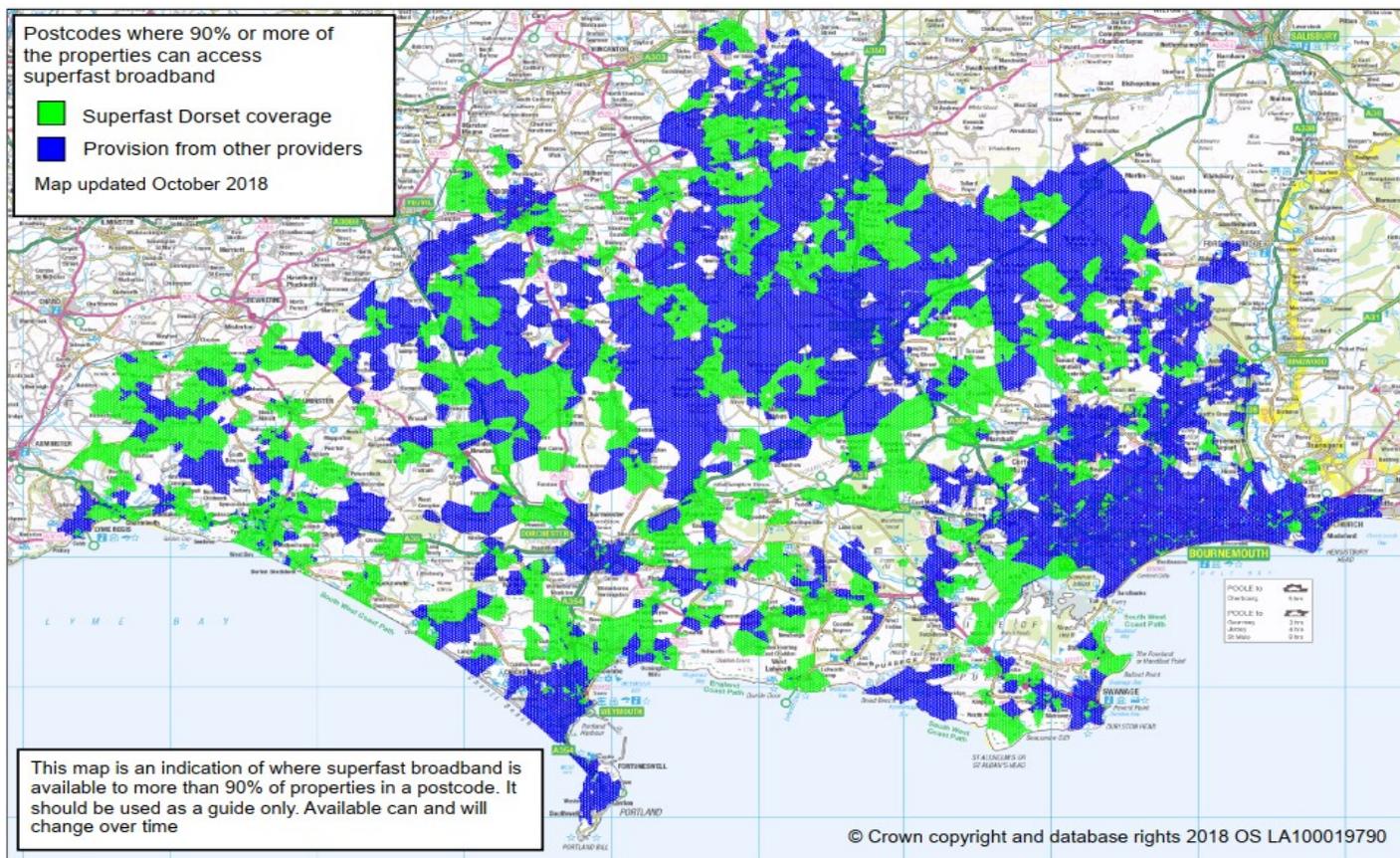
**Action 117 (Matter E)**

Provide details of the appeal site at Crossways that advocated the blended approach for BLV (EUV+) for viability and approach adopted

**Council's response**

78. The Council have provided this information to the inspector.

## Appendix 1: Map showing coverage of superfast broadband



Map 1:  
90% or  
properties  
superfast

Postcodes where  
more of the  
can access  
broadband