

**TREVOR ROBERTS ASSOCIATES
NEIGHBOURHOOD PLAN EXAMINATION SERVICE**

**EXAMINATION OF THE MILTON ABBAS NEIGHBOURHOOD DEVELOPMENT PLAN
(DORSET COUNCIL)**

Examiner's Questions – 20 April 2020

EQ1. Messrs Gleeson say that past completions should not be used to reduce the housing requirement, principally because the planning exercise (including public consultation) takes 2020 as the starting-point. In addition, they say that no allowance should be made for the conversion of existing buildings (table 1 of the Plan). Do you have any response to this?
(Addressed to DC and MAPC)

Dorset Council response (dated 12/5/2020)

As background, the plan period of the North Dorset Local Plan Part 1 is 2011 to 2031. Policy 6 (Housing Distribution) of LPP1 sets a housing requirement of 5700 net additional dwellings for the North Dorset area over this 20 year period (or 285 dwellings per annum). Monitoring of net housing completions undertaken by Dorset Council as the local planning authority is done in this context. The implication of this is that at a District level all completions from 2011 onwards have a cumulative impact on delivering the overall target of 5700 dwellings.

Policy 6 goes on to state that “at least 825 dwellings will be provided in the countryside” during the same period. The neighbourhood plan area of Milton Abbas is included within this definition of the countryside, and therefore this is a strategic policy that the neighbourhood plan needs to be in general conformity with. However, LPP1 does not expand any further on how the 825 dwellings should be distributed across parishes of the North Dorset countryside. For this reason, the neighbourhood planning group have produced a Housing Needs Assessment (HNA) which they consulted North Dorset District Council on in December 2018. This takes as its starting point the 825 dwellings from LPP1 in order to calculate a ‘fair share’ proportion for the parish of Milton Abbas. This is calculated as 24 dwellings for the period 2011 to 2031. It then considers various uplifts that can be applied to this figure using evidence from a range of sources. These take the figure up to a maximum of 31 (see Table 8). The HNA also considers the completions in the parish between 2011 and 2018 (see tables 5 and 6), which totals 13 additional dwellings. It therefore seems entirely reasonable to subtract these from the 2011–2031 target, in order to arrive at a 2018–2031 target, which is more appropriate to inform production of the Milton Abbas neighbourhood plan. Having considered local and national planning policy, the HNA determines that the housing need for 2018–2031 is somewhere in the range of 11 to 18 new homes. It then considers a range of other factors, including employment trends, house prices, unmet need and local opinion to come to the conclusion that an even higher value of 20 new homes is the recommended target.

There are two key points to be made here. Firstly, with regards to District-wide housing need figures, the neighbourhood plan was prepared during a period of ongoing flux. A

new SHMA was published at a late point during the examination of LPP1. As a stopgap, figures in LPP1 became prefixed with 'at least' and an early review was recommended. After adoption of LPP1 the Government consulted on and introduced a new standard methodology for calculating local housing need. Confusion was caused when ONS published new household projections which if used would reduce the overall housing requirement for many areas. Even now it should be appreciated that the Government have indicated that an updated standard methodology will be published later this year.

Secondly, even without the flux at a strategic level, there is no official methodology for calculating housing need at a neighbourhood plan level. Perhaps the nearest there is to one is 'Housing Needs Assessment at neighbourhood plan level' which is written by AECOM, and is referenced at the start of the HNA. The neighbourhood planning group have clearly drawn from both LPP1 (adopted January 2016) and the initial work undertaken to inform the Local Plan Review (published in late 2017) in order to be in 'general conformity' and estimate a 'fair share' for their parish. The methodology used is similar to that used by many other neighbourhood plans that have recently been made in North Dorset. It should be noted that the preferred methodology put forward in the Gleeson representation is taken from one of the few neighbourhood plans to have effectively stalled in North Dorset, and therefore has not benefited from extensive consultation and examination.

Although Gleeson suggest the plan period is from 2020, we will make the following observations. Both the December 2018 and the January 2020 versions of the Housing Needs Assessment begin by stating that the aim of the document is to establish how much housing is required in Milton Abbas in the period 2018–2031. The plan period as stated on the front cover of the submitted neighbourhood plan is 2019–2031. But the fact that the plan was submitted December 2019/January 2020 implies that 2020 is the earliest point that the plan will come into force (i.e. forming part of the development plan). This perceived discrepancy does not come across as surprising as it typically takes a couple of years to produce a plan, from initial evidence gathering to submission.

With regards to an allowance for conversions, which has been included in Table 1 of the submitted plan, this doesn't seem unreasonable. For a number of years NDDC and Dorset Council have included a windfall allowance in the district-wide annual housing trajectory. This is based on both past trends and on the knowledge that policies in LPP1 and permitted development rights are permissive of such schemes (subject to certain criteria). The windfall allowance in the Milton Abbas neighbourhood plan is even more robust in that potential sites have been identified during the call for sites exercise. This gives a greater level of certainty that potential sites exist and that the landowners are at least interested in exploring the options for redevelopment. We cannot see a plausible reason for not including a modest 'windfall allowance' in Table 1. In our view, it gives a more realistic illustration of the number of dwellings likely to come forward over the plan period.

We also wish to point out that Table 1 of the submitted plan proposes to allocate land across 3 sites for 22 additional dwellings. This exceeds the 20 dwellings specified in the conclusion on the HNA, and this is before an allowance is made for conversions and extant consents. In total Table 1 estimates that 27 dwellings could be delivered, which in comparison to neighbourhood plans for other villages in North Dorset seems to be

entirely reasonable. We see nothing in the representations submitted by Gleeson that compels us to think otherwise.

Also, we do not agree with Gleeson's general concerns that if the plan does not to allocate sufficient sites then it would fail to meet the basic condition regarding contributing towards sustainable development. While they raise valid points with regards to the low past delivery numbers in North Dorset since 2011, Milton Abbas does not seem to be the right place for correcting this. To reiterate the comments Dorset Council made to the Regulation 16 consultation:-

...the village is extremely rural in feel, being off the beaten track and located over two miles from the nearest main road (A354). None of this is to say that new development is not appropriate; the village has a number of services including a doctors' surgery and a pub, and these community facilities are part of the reason Milton Abbas is identified as one of North Dorset's 18 'larger villages'. However, it is clearly necessary to ensure that new development is done sensitively, and meets the needs of the community.

In this context, in our view Milton Abbas would be an unusual place to site a large estate in order to rectify poor housing delivery in the rest of the district. We feel confident that following a visit to the area, the examiner will agree.

In summary, regarding the first part of the question, given the methodology adopted by the HNA, which uses the figure from LPP1 as the starting point, it seems perfectly legitimate to consider completions between 2011 and 2018 and subtract these from the overall requirement. With regards to the second part of the question, we think that an allowance for conversions is acceptable in this context.

EQ2. I am aware that the former North Dorset District Council at some point accepted the continuing need for flexibility in considering the housing situation, due to the absence of a 5-year supply. Is that something which is also now the present position of Dorset Council?
(Addressed to DC)

Dorset Council response (dated 12/5/2020)

North Dorset District Council first publicised the fact that it could not demonstrate a 5-year deliverable housing land supply (DHLS) in July 2017. The 2017 Annual Monitoring Report (AMR) stated a 3.4 year DHLS. The latest position is published in the 2019 AMR, which states that North Dorset has a 4.0 year DHLS (at 1st April 2019). The significance of having a less than a 5 year DHLS is that it engages para 11(d) of NPPF in relation to making decisions on planning applications. This essentially gives less weight to the development plan. As this frequently means that the settlement boundaries and site allocations, as defined by a local plan (or neighbourhood plan), are given less weight, we conclude that this is the 'flexibility' referred to in the question.

The examiner will be aware that North Dorset District Council ceased on 31 March 2019, and Dorset Council took over as the local planning authority on 1 April 2019. Consequential orders passed prior to this ensured that the North Dorset Local Plan Part 1 (LPP1) would continue to serve as the adopted development plan for the former North

Dorset area. Planning practice guidance on the topic of housing supply and delivery states:

How is 5 year housing land supply calculated in new local planning authorities which result from a local government reorganisation?

Planning policies adopted by predecessor authorities will remain part of the development plan for their area upon reorganisation, until they are replaced by adopted successor authority policies or until the fifth anniversary of reorganisation.

Where a newly formed local planning authority is covered by strategic housing requirement policies adopted by predecessor authorities, these policies can continue to be used as the housing requirement for calculating the 5 year housing land supply in the areas they apply where these are less than 5 years old, or they are older but have been reviewed within the last 5 years and found not to need updating.

Where strategic housing requirement policies, covering the predecessor authority area, are older than 5 years and require updating, local housing need should be used, where this is available. Where the data required to calculate local housing need is not available [an alternative approach](#) will have to be used.

Paragraph: 025 Reference ID: 68-025-20190722

Revision date: 22 July 2019

As LPP1 is currently less than 5 years old, it is in accordance with Planning Practice Guidance that we continue to monitor housing supply and completions against the requirements set within it. As our latest published data demonstrates that North Dorset does not have a 5-year DHLS, then for the purposes of decision making on residential planning applications, NPPF para 11(d) should be engaged.

The examiner will also be aware of NPPF para 14. This gives greater protection to areas with a 'made' neighbourhood plan that is less than two years old, and the said neighbourhood plan contains policies and allocations to meet its identified housing requirement. As outlined in our response to EQ1, we believe that the submitted neighbourhood plan contains such policies and allocations, and therefore paragraph 14 could be applied to this parish for a period of two years after the plan is made.