

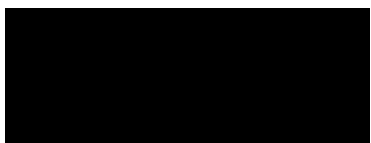

STATEMENT OF COMMON GROUND ON HOUSING LAND SUPPLY

SECTION 78 APPEAL BY CICERO ESTATES

LAND NORTH OF CROWN ROAD, MARNHULL

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

LPA REF: 2018/1124/OUT
PINS REF: APP/D1265/W/21/3289314

Signed: 	Signe 
Name: Philip Reese	Name: Neil Tiley
On behalf of: Dorset Council (the Local Planning Authority)	On behalf of: Pegasus Group (acting on behalf of the Appellant)
Date: 08/03/2022	Date: 08/03/2022

CONTENTS:

	Page No:
1. INTRODUCTION	1
2. MATTERS NOT IN DISPUTE	2
3. MATTERS IN DISPUTE	9
APPENDIX 1: SCOTT SCHEDULE ON THE DELIVERABILITY OF SITES	12

1. INTRODUCTION

- 1.1 This Statement of Common Ground (SoCG) on housing land supply has been prepared by Pegasus Group and on behalf of Cicero Estates (“the Appellant”) in conjunction with Dorset Council (“the Council”). It relates to a planning appeal made pursuant to Section 78 of the Town and Country Planning Act 1990, in respect of the proposed development of 72 No. dwellings and new community facilities at Land North of Crown Road, Marnhull.
- 1.2 The purpose of the SoCG is to identify the areas where the principal parties (the Appellant and the Council) are in agreement on matters relating to Housing Land supply, and to narrow down the issues that remain in dispute. This will allow the Public Inquiry to focus on the most pertinent issues.

2. MATTERS NOT IN DISPUTE

2.1 This section sets out the matters that are not in dispute between the Appellant and the Council.

The Development Plan

2.2 The North Dorset Local Plan was adopted on 15th January 2016. It is therefore more than 5 years since its date of adoption but remains part of the adopted Development Plan to which one should have regard.

2.3 Policy 6 of the North Dorset Local Plan sets a minimum housing requirement for 5,700 additional homes at an average annual rate of 285 per annum.

2.4 During the examination of the North Dorset Local Plan, new evidence in the Eastern Dorset Strategic Housing Market Assessment demonstrated that there was an objectively assessed need for 330 homes per annum, but this was not tested at that Examination, as this would have required further consideration and consequential delay. The findings of the Eastern Dorset Strategic Housing Market Assessment were however examined in relation to Poole's housing need, together with a draft 2017 update taking account of the lower 2014-based population and household projections for Poole, and was found to be an appropriate basis during the examination of the Poole Local Plan in 2018.

2.5 The Council indicated that it wished to proceed with the adoption of the submitted Local Plan but committed to bring forward an early review, primarily to address issues that arise from the Eastern Dorset Strategic Housing Market Assessment.

2.6 The Inspector agreed to the proposed timescales of the review (which was to start by the end of March 2016 with anticipated adoption by the end of November 2018), finding that the benefits of adopting a plan that would be subject to early review would outweigh the disbenefits of relying on the 2012 SHMA. He also noted that although not ideal, it is best to be pragmatic, to accept that new evidence has emerged at a very late stage of the examination with regard to housing figures (albeit untested) and for the Council to press on with speed to complete the review of the North Dorset Local Plan. It is on this basis that he noted that for the purposes of the examination, no evidence had been submitted that would lead him to conclude that the findings of the 2012 SHMA were flawed, or that the Council should be requiring a higher level of growth than the

objectively assessed needs identified in the 2012 SHMA. Other factors that he considered included:

- The level of flexibility already embedded within the policies of LP1 – for example the housing figures are preceded by ‘at least’ and references are made to potential future areas of growth (for example at Blandford Forum and Shaftesbury);
- The fact that the Housing Trajectory identifies a significant over-supply of dwellings (when assessed against the annual target) for all years up to 2020;
- The confirmation in modified paragraph 5.14 that the Council would not seek to restrict the supply of additional housing, provided any proposal would accord with the agreed spatial approach;
- The high levels of housing delivery achieved in North Dorset in the previous plan period (1994 to 2011);
- The opportunity provided by Neighbourhood Plans to identify sites for housing;
- The advice in the Planning Practice Guidance that local plans may be found sound conditional upon a review within 5 years; and
- The time it would take the Council to compile and consider the necessary new evidence, make appropriate revisions to LP1, undertake consultation and reconvene the hearing sessions.

2.7 In order to find the North Dorset Local Plan sound, the Inspector agreed the Council’s proposed main modification setting out that a commitment to the early review was required, with anticipated adoption by the end of November 2018.

2.8 Whilst the review of the North Dorset Local Plan did commence under the auspices of the former North Dorset District Council, with an Issues and Options paper consulted on in November 2017, it was not completed in the time envisaged and is no longer being progressed. In June 2019 the newly formed Dorset Council took the decision to discontinue the separate local plan reviews that were currently under way in the Dorset Council area (with the exception of

the Purbeck plan which had reached examination), but that all existing work carried out on these reviews be used where possible to shape the new Dorset Council Local Plan.

The emerging Dorset Local Plan

- 2.9 The Council are in the process of progressing a Dorset Local Plan. It is agreed that this is at an early stage of preparation and its policies can be afforded no more than limited weight for the purpose of decision making.

Housing Delivery Test

- 2.10 The latest Housing Delivery Test result for North Dorset indicates that 69% of the minimum number of homes required by Government have been delivered in the last three years (2018-21).
- 2.11 The Housing Delivery Test is a percentage measurement of the number of net homes provided in a local authority area over a 3 year period against the number of homes required, using national statistics and local authority data.
- 2.12 The HDT result for the former North Dorset area is relevant to this appeal. The table below sets out the 2021 HDT result for North Dorset:

Period	Housing target	Housing delivery	HDT %
2018-19	285	223	
2019-20	261	96	
2020-21	204	201	
Total	750	520	520 / 750 = 69%

- 2.13 This is below the 75% threshold which would indicate that the delivery of housing was substantially below the number of homes required as defined by footnote 8 of NPPF and as a consequence the presumption in favour of sustainable development of paragraph 11d of the NPPF is engaged (unless the caveats contained in 11d(i) or (ii) apply).
- 2.14 As a consequence of paragraph 74 and footnote 41 of NPPF, it is also appropriate to apply a 20% buffer to the five year land supply calculation.

The record of delivery

2.15 In total 1,961.6 homes were delivered in North Dorset in the period 2011-21. There has therefore been a shortfall of 888 homes against the average annual rate of about 285 dwellings per annum set out in Policy 6 of the Local Plan.

The five year land supply against the minimum local housing need

2.16 It is agreed that in accordance with the PPG (68-025), the five year land supply should be considered for the predecessor authority area of North Dorset, and the five year land supply should be assessed for the period 1st April 2021 to 31st March 2026 for the purposes of this appeal.

2.17 It is also agreed that for the purposes of paragraph 74 of the NPPF it is now appropriate to assess the five year land supply position against the minimum local housing need identified by the standard method. The calculation is shown in the following table.

Step 1: average annual household growth baseline	34,391 (2031) - 31,753 (2021) = 2,638 new households over 10 years $2,638 / 10 = \mathbf{264}$ dwellings per year.
Step 2: affordability adjustment	Affordability ratio = £265,000 (Median house price) / £32,578 (Median earnings) = 8.13 Adjustment factor = $(8.13 - 4) / 4 \times 0.25 + 1 = 1.258$ $264 \times 1.258 = \mathbf{332}$ dwellings per year.
Step 3: apply a cap	n/a (40% uplift on adopted Local Plan > 332)
Step 4: cities and urban centre uplift	n/a (list of largest urban local authorities does not include North Dorset)
Step 5: apply buffer	5%, or 20% buffer "where there has been significant under delivery" $332 + 20\% = \mathbf{398}$ dwellings per year

2.18 This method provides for a five year requirement for 1,992 homes.

2.19 The standard method is intended to reflect population projections and factors in historic under-delivery and declining affordability. This is made clear in NPPG section on Housing and Economic Needs Assessment, where in paragraphs 002, 005 and 011 it states that:

"The standard method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply"

"The 2014-based household projections are used within the standard method to provide stability for planning authorities and communities, ensure that

historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes."

"The affordability adjustment is applied to take account of past under-delivery. The standard method identifies the minimum uplift that will be required and therefore it is not a requirement to specifically address under-delivery separately."

2.20 It may be necessary to have a reasonable understanding of the extent of any shortfall or surplus as this may be material to the weight afforded to policies and to the supply of housing in the planning balance.

2.21 In order for a site to be considered deliverable, it 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, as per the Glossary definition contained in the NPPF. This also states that:

- 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;
- sites with outline planning permission for major development, that are allocated in the Development Plan, have a grant of permission in principle, or are identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

2.22 The following principles are also agreed:

- the identification of sites which post-date the base-date should not be included in the deliverable supply.
- when considering deliverability, it is appropriate to take account of the latest evidence in accordance with the PPG (68-004).

- the delivery record of developers or landowners and a history of unimplemented permissions can also be relevant to determining whether a site is available now in accordance with the PPG (3-019).
- in order to include an unpermitted and unallocated site which remains subject to objections, would require significant site specific evidence that these objections will be resolved in an appropriate time period in accordance with the *Wainhomes Judgment*.

2.23 The respective positions on the deliverable supply are accurately recorded in the following table, and the detail is set out in the appended Scott Schedule.

	The Council's position	The Appellant's position
Category A sites that should be considered deliverable until permission expires unless there is clear evidence that homes will not be delivered within five years		
Small permitted sites	441	337
Large sites with detailed planning permission	999	937
Wessex Park Homes	44	0
Former ATS Euromaster Site	18	0
Other uncontested sites	937	937
Category B sites that should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years		
Large sites with outline planning permission	29	29
Allocated sites without planning permission	591	337
Land North and East of Blandford Forum	49	0
Ham Farm and Newhouse Farm	100	0
Park Farm	50	0
Land East of Franwill Industrial Estate	15	0
Land adjacent to Wincombe Business Park	162	142
Other uncontested sites	215	215
TOTAL	2,060	1,660

The weight afforded to relevant policies and housing supply

2.24 The judgement in *Hallam Land Management Ltd v Secretary of State* [2018] EWCA Civ 1808 advises that the weight to be given to the benefit of providing housing to overcome a shortfall in the supply of housing land is a matter for the decision-maker's planning judgment, but "is likely to depend on factors such as the broad magnitude of the shortfall, how long it is likely to persist, what the local

planning authority is doing to reduce it, and how much of it the development will meet.”

3. MATTERS IN DISPUTE

- 3.1 The Appellant considers that the Review of Housing Need, December 2021 jointly commissioned by the Council suggests that the local housing need may be greater than the minimum identified by the standard method across Dorset.
- 3.2 The Council considers that as this has yet to be tested at examination, no weight can be placed upon this, and in any event whilst the data does look at sub-areas there is no specific figure equivalent to the North Dorset area that could be used. In any case, footnote 39 of NPPF is clear in situations such as this: "Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance."
- 3.3 The Appellant considers that as set out in the Dorset Council Local Plan consultation document, it is anticipated that there may be a level of unmet housing need from other authorities that may need to be addressed within Dorset.
- 3.4 The Council considers that this has yet to be tested at examination, no weight can be placed upon this. There is currently no agreed SoCG and little evidence to substantiate the Appellant's position, other than it "may" be the case - no neighbouring authority has formally requested Dorset Council to meet some of its unmet need under the DtC, and since the publication of the emerging Dorset Council Local Plan consultation document, BCP Council have published their first draft Local Plan. The BCP emerging draft is based on the same Review of Housing Need, December 2021 and is considering an alternative model that uses the 2014 projections but applies migration adjustments that are considered realistic given the exceptional changes in migration trends in the BCP area. The resultant figure is some 40% below that produced by the government's standard methodology and significantly below the possible supply of 43,000 homes identified (which could meet the 2,667 homes a year or 42,672 homes to 2038 that results from the government's standard method).
- 3.5 The Appellant considers that the consistency of a proposed development with the Development Plan will be relevant to determining whether a site offers a suitable location for development now in accordance with the PPG (3-018).

- 3.6 The Council considers that this section of the NPPG is guidance for undertaking a SHLAA, and the language of NPPF and PPG is very careful in the way it indicates if it is aimed at plan makers or decision makers or both. In 3-018, while the heading is “What factors can be considered when assessing the suitability of sites / broad locations for development?”, it is clearly aimed at plan-makers who are undertaking a SHLAA, which is a strategic, high-level document designed for policy officers to quickly get an overview of the general suitability of 100s if not 1000s of sites across their planning area. The Council is not including sites which are simply included in the SHLAA to be in the 5 year HLS, and therefore in the current context of a planning appeal this reference does not appear to help in any meaningful way.
- 3.7 The Appellant considers that it would be unrealistic to assume that 100% of small permitted sites, including those upon which planning permission has expired and those with a record of non-implementation, will be delivered within five years.
- 3.8 The Council acknowledges that a proportion of small permitted sites will not be implemented but considers that this will be offset by the delivery of other unanticipated windfall sites. It is also a matter that is theoretically covered by applying at least a 5% buffer in the calculations. There is nothing in national policy and guidance which suggests that additional compensation should be made for non-implementation when calculating the HLS. The issue of a non-implementation rate has not been raised by appellants in any of the recent appeals where the 5-year HLS has been challenged, and the rules for calculating HLS are considered to be clear and Dorset Council has followed these as closely as possible. The Council provides further detail on this matter in the Scott Schedule in relation to small permitted sites.
- 3.9 For the purposes of paragraph 74 of the NPPF, the Appellant considers that there is a deliverable supply of 1,640 homes which provides for a 4.17 year land supply with a shortfall of 332 homes against the minimum local housing need provided by the standard method.
- 3.10 The Council considers that there is a deliverable supply of 2,060 homes which provides for a 5.17 year land supply with a surplus of 68 homes.
- 3.11 The Appellant considers that the ability of the Council to demonstrate a five year land supply against the adopted housing requirement is material as it is

illustrative of the effectiveness of the policies in achieving the objectives of the Development Plan. In the alternative, if the adopted housing requirement is disregarded, this would require that the housing requirement and all policies which rely upon the housing requirement are out of date.

- 3.12 The Council considers that this is not relevant for the purposes of calculating the housing land supply and any related shortfall. It is accepted that this may be a material consideration in deciding the weight to be applied to the housing land supply, but in the Council's view greater weight should be given to what is set out in NPPF regarding calculating the 5-year HLS and the implications of the HDT results.
- 3.13 The Appellant also considers that the ability of the Council to demonstrate a five year land supply against the objectively assessed need identified in the Eastern Dorset Strategic Housing Market Assessment, which the proposed early review was primarily intended to address is material as it is illustrative of the housing needs which have arisen in the absence of the early review.
- 3.14 The Council considers that this is no longer relevant for the purpose of calculating the housing land supply and any related shortfall. The NPPF is very clear that the standard method should be used for calculating housing need "unless exceptional circumstances justify an alternative approach" (para 61) and it would not be logical to then go on to measure the supply against the OAN in a SHMA from 2015.
- 3.15 The weight afforded to relevant policies in relation to the supply of housing, and to the benefits of the housing that the Appeal scheme would deliver, is not agreed.

APPENDIX 1: SCOTT SCHEDULE ON THE DELIVERABILITY OF SITES

	The Council's position	The Appellant's position	Summary of Council's position	Summary of Appellant's position
Category A sites that should be considered deliverable until permission expires unless there is clear evidence that homes will not be delivered within five years				
Small permitted sites	441	337	<ol style="list-style-type: none"> 1. North Dorset has no history of applying a non-implementation rate to its housing land supply. A sample of Annual Monitoring Reports dating back to 2005 (see CD10.2, 10.9, and 10.10) show this to be the case. 2. The issue of a non-implementation rate has not been raised by appellants in any of the recent appeals where the 5-year HLS has been challenged. 3. There is nothing in the government's national planning policy and guidance which suggests that a non-implementation rate should be considered when calculating the HLS. The rules for calculating HLS are clear and uncomplicated, and Dorset Council has followed these closely. It appears that the appellant is advocating that we should deviate from the national rules regarding calculating HLS. 4. We agree that the appellant is correct that not all permissions will be implemented in a timely manner – delivery of sites is largely out of the hands of the Council. Some permissions lapse and are not renewed, and some developments take many years from start to completion. For this reason, it is our understanding that the Government require a buffer 	<ul style="list-style-type: none"> • It would be unrealistic and thereby contrary to the NPPF to assume that 100% of such sites will deliver within five years. • Planning permission has already expired for 22 homes which should no longer be considered deliverable according to the NPPF. • It would be unrealistic to assume that no planning permissions expire in the next 2 years. • It would be unrealistic to assume that even where a technical commencement is achieved, 100% of homes will be implemented, including for example on sites which achieved that technical commencement up to 19 years ago. • A non-implementation rate of 23% is consistent with those applied by other LPAs and supported by s78 Inspectors.

**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>to be applied to the HLS requirement (at a rate of either 5%, 10% or 20%, as specified in NPPF para 74).</p> <p>5. While the appellant has identified a small number of sites where planning permission has expired since 1st April 2021 (the base date), the appellant has not attempted to identify new sites that have been granted permission during the same time. This approach is biased and illogical. Experience has shown that there is a steady flow or churn of windfall sites. When Dorset Council come to update their HLS to the new base date 1st April 2022, there is a reasonable expectation that new windfall sites will have offset any losses due to permissions having lapsed.</p> <p>6. For that reason, local authorities that apply a non-implementation rate also tend to apply a windfall rate.</p> <p>7. Until recently, North Dorset included an estimated windfall rate as part of its 5-year HLS. For example, the 2015 AMR included an allowance of 265 unidentified windfall dwellings in its 5yr HLS (CD10.9).</p> <p>8. The windfall supply and completion rate has been monitored year on year, and adjustments have been made to avoid double counting. The 2020 AMR, paras 5.42-5.46 show the data used in order to calculate a windfall allowance (CD10.2). This</p>	
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**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>included consideration of past completions as well as the number of dwellings with consent on the base date, for four different types of windfall.</p> <p>9. For the most recent year (2021) the Council decided not to include any windfall allowance in the 5-yr HLS (CD10.1). This was partly because the numbers were getting so small (a windfall allowance in the 5-yr HLS in the 2020 AMR was only 10 units) and also because Paragraph 74 of NPPF states that LPAs “should identify and update annually a supply of specific deliverable sites...” (our emphasis). It could be argued that a windfall allowance does not meet this definition, and so for the 5-yr HLS to be as robust as possible, it has been removed.</p> <p>10. In conclusion, while there may be perfectly good logic for other authorities to apply non-implementation and windfall rates, we feel this is unnecessary (because generally the two cancel each other out), unjustified (there is no requirement to do it in national policy and guidance), and the additional complexity reduces the transparency in the process (which risks undermining public confidence in the planning system).</p>	
Wessex Park Homes	44	0	<p>11. This site currently comprises of 16 prior approvals and 1 full planning permission. These range from 1 dwelling to 4 dwellings. As they are not classed as ‘major’ development, they all fall under criterion (a) in the NPPF definition of ‘deliverable’, i.e. they are considered deliverable until permission</p>	<ul style="list-style-type: none"> • The applicant has identified that they only sought the existing planning permissions to establish the principle of development and that they do not intend to implement these. • The site is subject to an outline planning application for a greater

**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>expires or there is clear evidence that homes will not be delivered within 5 years.</p> <p>12. All the approvals/permissions were granted between September 2019 and December 2020. They therefore have not lapsed.</p> <p>13. An outline application for 70 dwellings has been submitted (P/OUT/2021/01720). However, it is contrary to Local Plan policy and is in excess of the 'fallback' position of 44 dwellings. Dorset Council has therefore chosen not to include this scheme in the 5-yr HLS.</p> <p>14. The agent for the outline application has written to the Council on the 1st March 2022 to state that they are willing to amend their scheme down to 47 dwellings following pre-app advice from the case officer. 47 dwellings is considered to the maximum number of units that might be allowed under current permitted development rights.</p> <p>15. The view of the case officer is that if a new application were to be submitted for 47 dwellings along with updated reports and plans, and with open space provision, it could be acceptable.</p> <p>16. The site is a vacant brownfield site on the outskirts of a village. NPPF para 120(c) gives substantial weight to using suitable brownfield land sites.</p> <p>17. While development of the site is contrary to</p>	<p>number of homes which the Council do not consider complies with the Development Plan and do not consider offers a suitable location for this scale of development, such that the site should not be considered deliverable for this proposed development.</p> <ul style="list-style-type: none"> • The outline planning application is also subject to objections and there is no significant site specific evidence that these will be overcome as required by the <i>Wainhomes Judgment</i>.
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**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>Local Plan policy (as it is outside the settlement boundary), there are compelling material considerations that an appropriately designed scheme for 44-47 dwellings would be suitable. These include the established mechanism of referring to the 'fallback' position, and the fact that the site is vacant brownfield and therefore would benefit from redevelopment.</p>	
Former ATS Euromaster Site	18	0	<p>18. This is a vacant brownfield site adjacent to Shaftesbury town centre. Full permission was approved in March 2017 to demolish the garage and erect 28 sheltered apartments (2/2016/0629/FUL). As the garage has subsequently been demolished, it is Dorset Council's understanding that this consent was extant at the time of the base date (1st April 2021). This point was treated as fact by the Inspector to the recent appeal (CD12.24).</p> <p>19. Westcoast (Bristol) Ltd applied for full permission for an alternative scheme of 18 dwellings in May 2019 (2/2019/0680/FUL). The case officer recommended the scheme for approval in his report to planning committee.</p> <p>20. Committee members voted to refuse this scheme on 27 April 2021. The reasons for refusal can be summarised as: excessive scale; inappropriate materials; unacceptable appearance in a prominent location; and harm to nearby heritage assets.</p>	<ul style="list-style-type: none"> • The previously approved scheme is not going to be implemented and is not deliverable. • The current planning permission post-dates the base-date and so should not be included in the deliverable supply for the current period in accordance with the findings of literally every appeal decision of which the Appellant is aware.

**Statement of Common Ground
Land North of Crown Road, Marnhull**

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| | | <p>21. An appeal with PINS was lodged, and PINS allowed the scheme on 19 January 2022 (CD12.24).</p> <p>22. Westcoast Ltd have also applied for full permission for a different scheme involving 24 dwellings in April 2021 (P/FUL/2021/01338). At the time of writing, this application is still under consideration.</p> <p>23. While we appreciate the appellant’s concerns about sites that appear after the base date, this is not the situation here. The site had extant permission for 28 dwellings on the base date. An alternative scheme for 18 dwellings had been submitted and was under consideration at the time of the base date. In the view of the case officer it was acceptable, and while members of the planning committee disagreed, PINS have now confirmed that the scheme is acceptable.</p> <p>24. While new information has emerged since the base date, this has not been used to include a new site in the supply but simply to confirm our previous view on 1st April 2021 that this site was deliverable. This is an established technique; for instance in an appeal at Land east of Newport Road, Woburn Sands, Milton Keynes, the secretary of state’s decision letter, paragraph 12 states: “For the reasons given at IR12.8-12.12 the Secretary of State agrees with the Inspector that it is acceptable that the evidence can post-date the base date provided that it is used to support sites identified as</p> | |
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**Statement of Common Ground
Land North of Crown Road, Marnhull**

deliverable as of 1 April 2019 (IR12.11)". (CD12.7)

Category B sites that should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years

Land North and East of Blandford Forum	49	0	<p>25. This site is allocated by Policy B2 in the Blandford + Neighbourhood Plan, which was made in June 2021. The Policy states that the land north and east of Blandford Forum is allocated for a mix of residential, education, community and allotment uses.</p> <p>26. Wyatt Homes Ltd submitted a hybrid planning application on the site in September 2020 (P/OUT/2020/00026). The application is for 600 dwellings in total (plus associated infrastructure), with full permission being requested for 167 dwellings at this stage.</p> <p>27. Wyatt Homes are a Dorset-based housebuilder, and is active in a number of sites across the county, as well as sites in neighbouring Somerset and Hampshire.</p> <p>28. An email from Wyatt Homes dated 1/10/2021 stated that their intention, subject to planning permission, is to deliver 7 dwellings on the site in 2024/25, and 42 dwellings in 2025/26 (i.e. 49 dwellings in the 5YHLS). From 2026/27 onwards they say their approximate delivery rate would be 50 homes per year.</p> <p>29. Wyatt Homes website lists the site as a future</p>	<ul style="list-style-type: none"> • This site is subject to an undetermined outline planning application which is the subject of numerous objections. • There is no significant site specific evidence that these will be overcome as required by the <i>Wainhomes Judgment</i>. • An e-mail from the developer relies upon the grant of planning permission in early 2022 and yet a committee date has not yet even been arranged. The evidence has therefore been superseded by events and so should no longer be relied upon in accordance with the position of the Secretary of State in the <i>Stapeley decision</i>. • The Council's previous trajectories for this site have not been achieved.
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**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>development. It is called Lancaster Gate and it states: "Situated on the north-east periphery of historic Blandford Forum, the development will provide around 600 homes in a landscaped setting containing tree lined roads and parkland. Pedestrian and cycle links into Blandford along with a range of ecological enhancements are integral to the masterplan design which also provides for a new first school." Viewers of the website are invited to register their interest.</p> <p>30. The site is allocated in the neighbourhood plan, suggesting it has local support. Clearly the hybrid application will need to go through due process in order to be determined. As Dorset Council officers have assisted with the production of the neighbourhood plan, they are not aware of any major impediments which would block the current application from being permitted. It therefore seems entirely reasonable to include a modest proportion of the total number of houses proposed in the 5YHLS.</p>	
Ham Farm and Newhouse Farm	100	0	<p>31. This forms part of the Gillingham Southern Extension, a strategic site allocation for 1800 homes plus associated infrastructure. The area is allocated by Policy 21 in the North Dorset Local Plan Part 1 (adopted Jan 2016).</p> <p>32. Policy 21 required a Master Plan Framework (MPF) to be drawn up to ensure the site is developed in a comprehensive and coordinated manner, and that facilities and infrastructure are provided and</p>	<ul style="list-style-type: none"> • This site has gained outline planning permission and one condition has been discharged but there are no applications for the discharge of other conditions or for the approval of reserved matters. • The Council acknowledge that the infrastructure works necessary to bring this site forward have been delayed. • There is no evidence whatsoever from the developer/s to demonstrate that completions will be achieved within

**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>delivered in step with housing and employment development.</p> <p>33. A consortium consisting of Welbeck Land, CG Fry & Son Development, and Taylor Wimpey has worked on and drawn up an MPF for the Southern Extension. The latest version of the MPF is dated August 2018 and was agreed by the former council (North Dorset).</p> <p>34. Welbeck Land applied for outline permission for 961 dwellings on this portion of the Southern Extension in January 2018 (ref 2/2018/0036/OUT). Welbeck Land are strategic land promoters.</p> <p>35. The Council's planning committee resolved to grant permission to this application subject to successful S.106 negotiations in May 2020. Following successful S.106 agreement, outline permission was granted in September 2021.</p> <p>36. The Council appreciates that the Southern Extension is taking longer to deliver than originally envisaged. This is largely down to the amount of upfront infrastructure that is required, which has an impact on viability.</p> <p>37. The Council has over the years put in considerable resources to ensure that delivery of this site is viable (for example, by agreeing to reduced affordable housing requirements for the first phases) and that the necessary infrastructure is in place.</p>	<p>five years.</p> <ul style="list-style-type: none"> • The Council's previous trajectories for this site have not been achieved.
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**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>38. In 2018, Dorset LEP secured £3.5mn of Local Growth Fund money to deliver a package of transport improvement schemes within Gillingham in order to unlock and deliver the development of up to 1800 homes (i.e. the Southern Extension). This work has now been completed.</p> <p>39. A 'principal road' running east-west across the site is considered to be an important part of the infrastructure needed to unlock this site. Dorset Council made a bid and was awarded £6.3m through the Government's Housing Infrastructure Fund (HIF) in to deliver the 'principal road' in advance of the housing.</p> <p>40. Dorset Council applied for planning permission for the principal road (2/2020/0379/FUL) which was granted permission in November 2020. Construction work on the principal road began in late July 2021 and is now well underway. The principal road will provide sewers and mains water to the development.</p> <p>41. Dorset Council applied for planning permission for a temporary access for the construction of the principal road (P/FUL/2020/00282) which was granted April 2021.</p> <p>42. Dorset Council applied for planning permission for a floodplain compensation area adjacent to the principal street (P/FUL/2021/00063) which was granted September 2021.</p> <p>43. Viability is always most difficult at the early</p>	
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**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>stages of a large development, hence a Government HIF loan was obtained and affordable housing requirements were lowered for the first phases. However, Dorset Council expect viability to improve substantially once the essential infrastructure is in place and development has commenced. The HIF loan will be repaid from S.106 payments as the Southern Extension is developed.</p> <p>44. The outline permission has a condition that reserved matters for the first phase of development should be made within 2 years.</p> <p>45. Phase 1A (205 dwellings) was being marketed by Carter Jonas. The deadline for bids was 17 November 2021. Dorset Council understands that a major housebuilder is currently finalising details of the purchase, however details of this are still commercially sensitive.</p> <p>46. It is accepted that the majority of the dwellings will be built after 5 years, but given the considerable progress made by the Council towards unlocking this strategic site, it seems very realistic that a modest quantum of the overall capacity of this site will be delivered in the next 5 years.</p>	
Park Farm	50	0	<p>47. Park Farm forms part of the Gillingham Southern Extension, a strategic site allocation for 1800 homes plus associated infrastructure. The area is allocated by Policy 21 in the North Dorset Local Plan Part 1 (adopted Jan 2016).</p>	<ul style="list-style-type: none"> • This site has gained outline planning permission but there are no applications for the discharge of other conditions or for the approval of reserved matters. • The developers website indicates that a detailed application will be submitted

**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>48. Policy 21 required a Master Plan Framework (MPF) to be drawn up to ensure the site is developed in a comprehensive and coordinated manner, and that facilities and infrastructure are provided and delivered in step with housing and employment development.</p> <p>49. A consortium consisting of Welbeck Land, CG Fry & Son Development, and Taylor Wimpey has worked on and drawn up an MPF for the Southern Extension. The latest version of the MPF is dated August 2018 and was agreed by the former council (North Dorset).</p> <p>50. CG Fry applied for outline permission for up to 634 dwellings in January 2018 (2/2018/0077/OUT). This was at the same time as Welbeck Land applied for outline permission for the Ham Farm and Newhouse Farm site (see above).</p> <p>51. CG Fry are a Dorset-based housebuilder. As well as developing portions of the Poundbury development at Dorchester, they are involved in construction work across Dorset, Devon, Cornwall, Somerset and Wiltshire. They can therefore be considered a regional developer.</p> <p>52. The Council's planning committee resolved to grant permission to this application subject to successful S.106 negotiations in May 2020. Following successful S.106 agreement, outline permission was granted in November 2021.</p>	<p>in February 2022 and yet no such application has been forthcoming. The evidence has therefore been superseded by events and so should no longer be relied upon in accordance with the position of the Secretary of State in the <i>Stapeley decision</i>.</p> <ul style="list-style-type: none"> • There is no evidence whatsoever from the developer/s to demonstrate that completions will be achieved within five years. • The Council's previous trajectories for this site have not been achieved.
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**Statement of Common Ground
Land North of Crown Road, Marnhull**

		<p>53. To a large extent, this application and the application for Ham Farm and Newhouse Farm have progressed in parallel. This is because both aim to deliver the agreed vision set in the MPF.</p> <p>54. As set out above, the Council appreciates that the Southern Extension is taking longer to deliver than originally envisaged. This is largely down to the amount of upfront infrastructure that is required, which has an impact on viability.</p> <p>55. The Council has over the years put in considerable resources to ensure that delivery of this site is viable (for example, by agreeing to reduced affordable housing requirements for the first phases) and that the necessary infrastructure is in place.</p> <p>56. In 2018, Dorset LEP secured £3.5mn of Local Growth Fund money to deliver a package of transport improvement schemes within Gillingham in order to unlock and deliver the development of up to 1800 homes (i.e. the Southern Extension). This work has now been completed.</p> <p>57. CG Fry applied for pre-app advice on reserved matters in August 2020, in advance of the outline consent being granted. This indicated a strong desire by CG Fry to start delivery of this site at the earliest opportunity.</p> <p>58. Regarding Park Farm, CG Fry’s website states: “Outline Planning Permission has now been granted (November 2021) and work is under way (following</p>	
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**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>public consultation in October and November 2021) on a detailed application for a first phase of around 300 dwellings. Submission of this detailed application is likely during February 2022 and a site start is expected in summer 2023.”</p> <p>59. CG Fry have informed the case officer dealing with this site that their intention is now to submit a reserved matters application in the first half of 2022.</p> <p>60. It is accepted that the majority of the dwellings will be built after 5 years, but given the considerable resources that have been put into delivery of this site and the wider Southern Extension, and that this site is under the control of an active and sizeable housebuilder, it seems appropriate and reasonable to include a modest proportion of the total quantum of this site in the 5-yr HLS.</p>	
Land East of Franwill Industrial Estate	15	0	<p>61. The site is allocated by Policy HSA1 in the Pimperne Neighbourhood Plan, made in January 2019. The policy states that the land is allocated for up to 15 dwellings.</p> <p>62. The owners of the land applied for full permission for 15 dwellings on the site in December 2020 (P/FUL/2020/00411). The application is under consideration.</p> <p>63. The Neighbourhood Plan has commenced a review (and has reached Reg 14) with the planning application for this site acknowledged and the</p>	<ul style="list-style-type: none"> • This site is subject to an undetermined full planning application which is the subject of numerous objections. • There is no significant site specific evidence that these will be overcome as required by the <i>Wainhomes Judgment</i>. • There is no evidence whatsoever to demonstrate that completions will be achieved within five years.

**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>allocation retained.</p> <p>64. The combination of a neighbourhood plan allocation (suggesting local support) plus a full application (suggesting an immediate intention to build) indicates that it is appropriate to include this site in the 5-yr HLS.</p> <p>65. The view of the case officer in February 2022 is that there is a "fairly realistic prospect of the matters being addressed and it being supported."</p>	
Land adjacent to Wincombe Business Park	162	142	<p>66. The site is identified as a housing growth area by Policy 18 in the North Dorset Local Plan Part 1 (adopted Jan 2016) (CD7.1).</p> <p>67. The site had full extant consent for residential development granted June 2016 (ref: 2/2014/1350/FUL). This was for 191 dwellings but unlike the most recent scheme includes a small parcel of land to the south of Wincombe Lane.</p> <p>68. Barratt Homes commenced construction work (digging foundation trenches) which means that the consent is technically extant. However, an ownership constraint regarding the parcel of land south of Wincombe Lane meant that the original application could not be implemented.</p> <p>69. Barratt Homes applied for pre-app advice on an alternative scheme in November 2019.</p> <p>70. Barratt Homes applied for planning permission (P/FUL/2020/00332) to amend the width and re-</p>	<ul style="list-style-type: none"> • The Council resolved granted full planning permission in March 2022. • An e-mail from the developer relied upon gaining planning permission in Autumn 2021 and indicated that thereafter allowing 6 months until the first completion is achieved, c.40hpa would be delivered. • The Council acknowledge that this trajectory has been delayed by 6 months and as such it would be expected that the supply would be reduced accordingly by 20 homes. • The Council however rely upon a greater delivery rate notwithstanding that the available evidence demonstrates that this will not be achieved.

**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>align Wincombe Lane in 2020 in order to overcome the ownership constraint. This was granted in March 2021 and construction of the road widening works has commenced. This appears to be clear evidence that the developer has both the desire and financial imperative to complete the housing as quickly as possible.</p> <p>71. Barratt Homes submitted a full application for 162 dwellings in April 2021 (ref P/FUL/2021/01429). This revised scheme excluded the small parcel of land to the south of Wincombe Lane which was constraining the previously approved application. Members approved this revised scheme subject to conditions and S.106 agreement at planning committee on 11th January 2022. The S.106 has subsequently been agreed and permission granted on 28th February 2022.</p> <p>72. In an email to the Council dated 14/6/2021, Barratt Homes stated that the timescale for delivery depends (for obvious reasons) on getting permission. They were hoping to get permission in early autumn 2021, which would lead to a delivery rate of 40-41 dwellings a year between 2022 and 2026.</p> <p>73. Dorset Council concede that the required planning permission is around 6 months behind Barratt Homes' schedule. However, Dorset Council also feel that 40 dwellings a year seems a low delivery rate for a national housebuilder. For</p>	
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**Statement of Common Ground
Land North of Crown Road, Marnhull**

			<p>example, Redrow Homes are currently developing a site for around 170 dwellings at Littledown, Shaftesbury (2/2018/1418/REM). Looking at the existing set of completion certificates for this site between August 2020 and December 2021, the completion rate is equivalent to 48 dwellings a year. Another recent example is a Persimmon development at Blandford St Mary (ref: 2/2015/0813/FUL) in which the full 61 dwellings were completed in a single year (2018-2019).</p> <p>74. The developer’s website (David Wilson Homes) is actively marketing the site.</p> <p>75. As the principle of residential development had already been established with the original application, and a revised scheme was in the pipeline in April 2021, it seems entirely appropriate to include this site in the 5YHLS. Despite the slight delay in granting approval for an amended scheme, we think it is justified to continue to include 162 dwellings in the 5-yr HLS based on the delivery rate of comparable sites.</p>	
TOTAL	2,060	1,660		