

# Purbeck Local Plan

Submission January 2019

Second Homes evidence paper



Thriving communities in balance  
with the natural environment



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### Executive summary

The impact of second homeownership has been highlighted as a major concern for many communities across Purbeck. Overall it is considered that this paper provides a sound evidence base to introduce a principal residence policy within the Local Plan. The draft policy aims to meet the housing needs of local people; bring greater balance and mixture to the local housing market; and create new opportunities for people to live and work in Purbeck. The desired outcome is to strengthen the community and the local economy.

This paper explores the options for the emerging Purbeck Local Plan to restrict new dwellings being used as second homes in Purbeck. Planning policies to restrict second homeownership are a relatively recent occurrence. A review of these policies has shown that they require sound evidence which fully considers potential unintended implications. The planning system cannot influence the occupancy of existing homes that already have planning permission.

Second homeownership affects different parts of the district to differing degrees with higher proportions in the Area of Outstanding Natural Beauty (AONB) and attractive villages across the district. Around 91% of the second homes in the district are in the AONB. The proportion of second homes within the AONB are significantly above national and regional levels.

The paper identifies that second homes have an influence on access to existing housing stock for residents, with increasing stock in the District but a reducing resident population. Effects on affordability prove difficult to gauge because affordability is influenced by many factors. However, if demand for homes is high and supply is reduced in part because of second homes, prices will rise.

Additional findings of this paper note that second homes can have a minor positive economic effect on a wider area but simultaneously cause damage to the community cohesion and social fabric of settlements and harm the viability of key local services such as schools.

The analysis within this paper identifies that a restrictive second homes policy would not reduce choice of existing housing stock for second homeownership and as a result would be highly unlikely to affect sales in the second homes market or be the cause of an increase in prices of the existing unrestricted stock. The viability evidence also indicates that the introduction of a restrictive second home policy should not lead to a reduction in requirements for affordable housing contributions.

The paper concludes that the most appropriate solution for Purbeck is the inclusion of a principal residence (titled second homes) policy in the Local Plan which applies to the AONB, rural exception and small sites.

### Introduction

1. Purbeck District Council is currently preparing its Pre-submission Draft Local Plan, being prepared to replace the Purbeck Local Plan 1 adopted in 2012. During the 2015 issues and options stage of the local plan review, respondents highlighted the issue of second homeownership in Purbeck. The planning system cannot influence the occupancy of existing properties, but in recent years, some planning policies have been introduced that restrict the occupancy of new-build homes and converted buildings to 'principal residences'.
2. At the 2016 options stage of the local plan review, the Council included in the consultation a section on second homes. This asked respondents to list any positive and negative impacts of second homes and provide any relevant evidence. The consultation report<sup>1</sup> concluded that in-depth investigation is required in order to inform a recommendation to the Council on whether or not a restrictive local plan policy could be introduced in Purbeck.
3. There is no official planning definition of a second home, but the Government's English Housing Survey<sup>2</sup> does provide a logical definition, which the Council believes is an appropriate starting point for the purposes of this paper:
4. 'A 'second home' is defined as a privately-owned habitable accommodation that is not occupied by anyone as their main residence. It may be occupied occasionally, for example as a holiday home or when working away from the household's main home.
5. There are some instances where more than one property is owned or rented by a household, but the additional property/properties are not considered to be second homes:
  - if a property is occupied by anyone as their main residence it is not a second home (i.e. if someone is renting from a landlord);
  - a property that the household plans to sell in the near future, or a recently bought property that they haven't moved into yet, is not regarded as a second home; or
  - a property that is occupied by a student son/daughter as accommodation while at college/university is not considered a second home.
6. The above definition does not include properties that are let for holiday accommodation. Second homes also do not include long-term empty homes. Council tax records count such properties separately and the Council's housing strategy<sup>3</sup> already includes targets for bringing them back into use. Therefore, long-term empty homes are not addressed in this paper.

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<sup>1</sup> [https://www.dorsetforyou.gov.uk/media/219173/Partial-Review-Options-Consultation-Report-January-2017/pdf/1\\_FINAL-REPORT.pdf](https://www.dorsetforyou.gov.uk/media/219173/Partial-Review-Options-Consultation-Report-January-2017/pdf/1_FINAL-REPORT.pdf)

<sup>2</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6719/2075342.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6719/2075342.pdf)

<sup>3</sup> [https://www.dorsetforyou.gov.uk/media/183343/Adopted-Housing-Strategy/pdf/Adopted\\_housing\\_strategy\\_published\\_April\\_2013.pdf](https://www.dorsetforyou.gov.uk/media/183343/Adopted-Housing-Strategy/pdf/Adopted_housing_strategy_published_April_2013.pdf)

## Section 1: Policy Context

### National planning policy and guidance

7. Local plans have to be in general conformity with the National Planning Policy Framework (NPPF)<sup>4</sup> and its associated Planning Practice Guidance (PPG)<sup>5</sup>. These set out the Government's planning policies for England and how they are expected to be applied. Neither of them includes any direct reference to primary and secondary residences and the ability for plans to restrict second homeownership.
8. The only national reference that does exist is in the English National Parks and Broads UK Government Vision and Circular 2010<sup>6</sup>. At paragraph 78, it says 'the Government recognises that the Parks are not suitable locations for unrestricted housing'. This has led to the interpretation by some National Park authorities<sup>7</sup> that there are planning grounds in their areas to restrict ownership to local occupancy.
9. Purbeck is not a National Park and therefore cannot restrict second homeownership on the basis of the Department for environment, food and rural affairs (Defra) circular. However, the NPPF clearly establishes that local plans should establish policy that can ensure the sustainable development of their area to meet the needs for growth of the community and provide attractive sustainable communities.
10. It therefore follows that plan makers can consider inclusion of a local plan restricting second homeownership, provided justified through appropriate evidence and shown to be effective and contributing towards the achievement of sustainable development.

### Local plan tests

11. The NPPF contains tests of soundness for any local plan policy, which a restrictive second homes policy would need to meet:
  - Positively prepared – the plan should provide a strategy which seeks to meet objectively assessed needs for development;
  - Justified – the plan should be an appropriate strategy, taking in to account the reasonable alternatives, based on proportionate evidence;
  - Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  - Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

### Housing White Paper (2017)

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<sup>4</sup> <https://www.gov.uk/guidance/national-planning-policy-framework>

<sup>5</sup> <https://www.gov.uk/government/collections/planning-practice-guidance>

<sup>6</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/221086/pb13387-vision-circular2010.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pb13387-vision-circular2010.pdf)

<sup>7</sup> For example North York Moors: <http://www.northyorkmoors.org.uk/planning/framework/housing-policies>



12. The 2017 Housing White Paper<sup>8</sup> does not state that the Government wishes to restrict second homeownership. However, it does address the issue stating that the Government wishes to support ‘areas most affected by second homes’<sup>9</sup>, it says at section 4.2 that the lack of affordability:

‘makes it a rational choice for many people to keep their money in bricks and mortar; either buying a second home, or maintaining a bigger home than they need, particularly as they grow older. However, the additional demand for housing as an investment product pushes up prices further.’

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<sup>8</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/590463/Fixing\\_our\\_broken\\_housing\\_market\\_-\\_accessible\\_version.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/590463/Fixing_our_broken_housing_market_-_accessible_version.pdf)

<sup>9</sup> Executive summary, step 4

## Section 2: Evidence

### Second homeownership in Purbeck

13. There is no single source of data that provides a definitive understanding of an area's level of homeownership, but there are a number of sources that can help build a picture. Below is a summary of the results from three data sources: council tax records, electoral roll, and local knowledge. To help compare the results within each dataset, each ward / parish is provided with a rank to indicate where the number of second homes is greatest. This analysis of datasets draws all the data together in an overview, comparing the rankings. This provides an overview of the key areas where the incidence of second homes is greatest.

#### Council tax records

14. The 2015 Eastern Dorset SHMA<sup>10</sup> includes an allowance of 7.4% for second homeownership in Purbeck. This trend has continued and the figure is the same in the 2018 SHMA. This level is based on council tax records in 2015 and reflects a district-wide average. Note that council tax records count second homes separately to long-term empty homes so the figures below do not include any long-term empty properties. It should also be noted that since 1 April 2013, the 10% discount on council tax that was previously available for second homes has been removed. Therefore, the incentive for homeowners to identify their property as a second home has been reduced.

The table below looks at the most recently available council tax records<sup>11</sup>.

Parish	Total homes	Total second homes	% second homes	Rank
Affpuddle & Turnerspuddle	230	11	4.78%	15
Arne	635	33	5.2%	14
Bere Regis	840	15	1.79%	22
Bloxworth	89	4	4.49%	17
Chaldon Herring	84	19	22.62%	2
Church Knowle	157	31	19.75%	3
Coombe Keynes	38	5	13.16%	9
Corfe Castle	705	72	10.21%	11
East Holme	22	3	13.64%	8
East Lulworth	85	4	4.71%	16
East Stoke	180	8	4.44%	18
Kimmeridge	55	4	7.27%	12
Langton Matravers	478	79	16.53%	7
Lytchett Matravers	1,497	10	0.67%	25
Lytchett Minster & Upton	3,575	19	0.53%	26
Morden	151	4	2.65%	19
Moreton	166	3	1.81%	21

<sup>10</sup> The 2015 Eastern Dorset Strategic Housing Market Assessment (SHMA) can be accessed online at: <https://www.dorsetforyou.gov.uk/article/404418/2015-Update-and-Review-of-the-Strategic-Housing-Market-Assessment>

<sup>11</sup> Dated 30/11/16

Steeple	41	7	17.07%	6
Studland	262	73	27.86%	1
Swanage	5,806	1,001	17.24%	5
Wareham St Martin	1,156	15	1.3%	23
Wareham Town	2,864	55	1.92%	20
West Lulworth	360	38	10.56%	10
Winfrith Newburgh	323	21	6.5%	13
Wool	2,164	18	0.83%	24
Worth Matravers	394	74	18.78%	4
<b>Totals</b>	<b>22,357</b>	<b>1,626</b>	<b>7.27%</b>	<b>-</b>

Table 1: Council tax data

15. The results show that the largest proportions of second homes are in the coastal part of the District and in the AONB. This includes Studland (27.86%), Chaldon Herring (22.62%), Church Knowle (19.75%) and Worth Matravers (18.78%). The largest number in one single parish by far is Swanage, with 1,001 second homes of the 1,626 in the District in total. This represents around 17.24% of its housing stock within the parish of Swanage.
16. There are several parishes where the proportion of second homes is less than 1%. This includes Wool (0.83%), Lytchett Matravers (0.67%) and Lytchett Minster and Upton (0.53%). Overall, the parishes with the fewest number of second homes are in the northern half of the district, outside of the coastal and AONB areas.

### Electoral roll

17. Homeowners are required to state on the electoral roll whether or not their property is a second home. Although people may sign on to a different electoral roll to their main residence, this can still provide a useful dataset for gauging a trend. The table below breaks down the numbers by parish. Where there is a noteworthy split within a parish, this is also shown, e.g. Corfe Castle parish contains Corfe Castle village and Kingston. The results for these two villages are shown in brackets.

Parish	Total homes	Total second homes	% second homes	Rank
Affpuddle & Turnerspuddle	229	16	6.98%	12
Arne	643	43	6.68%	13
Bere Regis	842	18	2.13%	21
Bloxworth	87	4	4.59%	17
Chaldon Herring	85	24	28.23%	1
Church Knowle	160	32	20%	5
Coombe Keynes	36	7	19.44%	7
Corfe Castle (Corfe Castle) (Kingston)	726 (644) (82)	105 (85) (20)	14.46% (13.19%) (24.39%)	9
East Holme	18	1	5.55%	16
East Lulworth	91	4	4.39%	18
East Stoke	179	10	5.58%	15
Kimmeridge	56	6	10.71%	11
Langton Matravers	485	97	20%	5

Lytchett Matravers	1,500	15	1%	25
Lytchett Minster & Upton	3,615	21	0.58%	26
Morden	147	2	1.36%	24
Moreton	167	7	4.19%	19
Steeple	41	7	17.07%	8
Studland	278	78	28.05%	2
Swanage	5,925	1,199	20.23%	4
Wareham St Martin	1,162	17	1.46%	23
Wareham Town	2,905	67	2.30%	20
West Lulworth	372	49	13.17%	10
Winfrith Newburgh	329	22	6.68%	14
Wool	2,170	34	1.56%	22
Worth Matravers (Harmans Cross) (Worth Matravers)	404 (215) (189)	85 (13) (72)	21.03% (6.04%) (38.09%)	3
<b>Totals</b>	<b>22,652</b>	<b>1,970</b>	<b>8.69%</b>	-

Table 2: Electoral roll data (February 2017)

18. The electoral roll data confirms the findings of the council tax records identifying that the largest proportions of second homes are found in the AONB and coastal areas of Purbeck. The electoral roll enables the data to be broken down to individual villages highlighting the specific concentrations that exist in small locations. For example the parish of Worth Matravers has a proportion of 21.03% second homes, but within the village of Worth Matravers this rises to 38.09%.

### Discrepancy between council tax and electoral roll figures

19. The council tax and electoral roll figures show an overall discrepancy of 295 properties across the District. This may be the result of several factors, including:
- some residential annexes may have not been declared for council tax purposes;
  - some households are in long term holiday lets, which are registered differently for council tax purposes; and
  - the data used above for council tax are from November 2016, while the electoral roll data are from February 2017.

### Local knowledge

20. To help refine the overall picture, the Council asked the District's town and parish councils to provide figures based on their detailed local knowledge. Unfortunately, information is not available across the District. But the results do reinforce the trend from the other data sources, where the largest proportions of second homeownership are in the AONB and towards the coast at parishes such as Worth Matravers, Church Knowle and Coombe Keynes. The results from those who responded can be seen below.

Parish	Total homes <sup>12</sup>	Total second homes	% second homes
Bere Regis	840	12	1.42%
Bloxworth	89	5	5.61%
Church Knowle	157	31	19.75%
Coombe Keynes	38	7	18.42%
Corfe Castle	705	96	13.62%
East Stoke	180	4	2.22%
Kimmeridge	55	9	16.36%
Morden	151	2	1.32%
Wareham St Martin	1,156	8	0.69%
Wool	2,164	14	0.65%
Worth Matravers	394	80	20.30%

Table 3: Local knowledge data

### Conclusions on second homeownership in Purbeck

- The findings from the three sources of data outlined above illustrate a high degree of correlation and as a result provide a good demonstration of the distribution and broad scale of second homeownership in Purbeck. Overall, the datasets (council tax and electoral roll) indicate that between 1,626 / 7.27% and 1,970 / 8.69% of all homes in the District are second homes. These are broadly in the same region and tally well with ONS figures<sup>13</sup> from the 2011 Census that state there are 1,809 holiday homes in the District. This is the seventh highest proportion in England and Wales, the national average is 4.4% and the regional average is 6.3%<sup>14</sup>.
- To establish a consolidated figure for second homeownership for each Parish, the table below draws together all three datasets and presents a mean average. Note that the percentages may vary, despite some sources providing the same number of second homes. This is because of the difference in overall council tax and electoral roll figures, as explained above.

Parish	Data source							
	Council tax		Electoral roll		Local knowledge		Mean average	
	No.	%	No.	%	No.	%	No.	% <sup>15</sup>
Affpuddle & Turnerspuddle	11	4.78%	16	6.98%	N/A		14	5.88%
Arne	33	5.2%	43	6.68%	N/A		38	5.94%
Bere Regis	15	1.79%	18	2.13%	12	1.42%	12	1.78%
Bloxworth	4	4.49%	4	4.59%	5	5.61%	4	4.90%
Chaldon Herring	19	22.62%	24	28.23%	N/A		22	25.43%
Church Knowle	31	19.75%	32	20%	31	19.75%	31	19.83%
Coombe Keynes	5	13.16%	7	19.44%	7	18.42%	6	17.01%

<sup>12</sup> According to council tax records

<sup>13</sup>

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/2011censusnumberofpeoplewithsecondaddressesinlocalauthoritiesinenglandandwales/2012-10-22> table 3

<sup>14</sup> <https://www.dorsetforyou.gov.uk/media/214762/Eastern-Dorset-SHMA/pdf/Eastern-Dorset-SHMA.pdf> paragraph 4.37

<sup>15</sup> According to council tax records

Parish	Data source							
Corfe Castle	72	10.21%	105	14.46%	96	13.62%	91	12.76%
East Holme	3	13.64%	1	5.55%	N/A		2	9.60%
East Lulworth	4	4.71%	4	4.39%	N/A		4	4.55%
East Stoke	8	4.44%	10	5.58%	4	2.22%	7	4.08%
Kimmeridge	4	7.27%	6	10.71%	9	16.36%	6	11.45%
Langton Matravers	79	16.53%	97	20%	N/A		88	18.27%
Lytchett Matravers	10	0.67%	15	1%	N/A		13	0.84%
Lytchett Minster & Upton	19	0.53%	21	0.58%	N/A		20	0.56%
Morden	4	2.65%	2	1.36%	2	1.32%	3	1.78%
Moreton	3	1.81%	7	4.19%	N/A		5	3%
Steeple	7	17.07%	7	17.07%	N/A		7	17.07%
Studland	73	27.86%	78	28.05%	N/A		76	27.96%
Swanage	1,001	17.24%	1,199	20.23%	N/A		1,100	18.74%
Wareham St Martin	15	1.3%	17	1.46%	8	0.69%	13	1.15%
Wareham Town	55	1.92%	67	2.30%	N/A		61	2.11%
West Lulworth	38	10.56%	49	13.17%	N/A		44	11.87%
Winfrith Newburgh	21	6.5%	22	6.68%	N/A		22	6.59%
Wool	18	0.83%	34	1.56%	14	0.65%	22	1.01%
Worth Matravers	74	18.78%	85	21.03%	80	20.30%	80	20.04%
<b>Totals</b>	<b>1,626</b>	<b>7.27%</b>	<b>1,970</b>	<b>8.69%</b>	<b>N/A</b>		<b>1,791</b>	<b>8.01%</b>

Table 4: Comparison between datasets

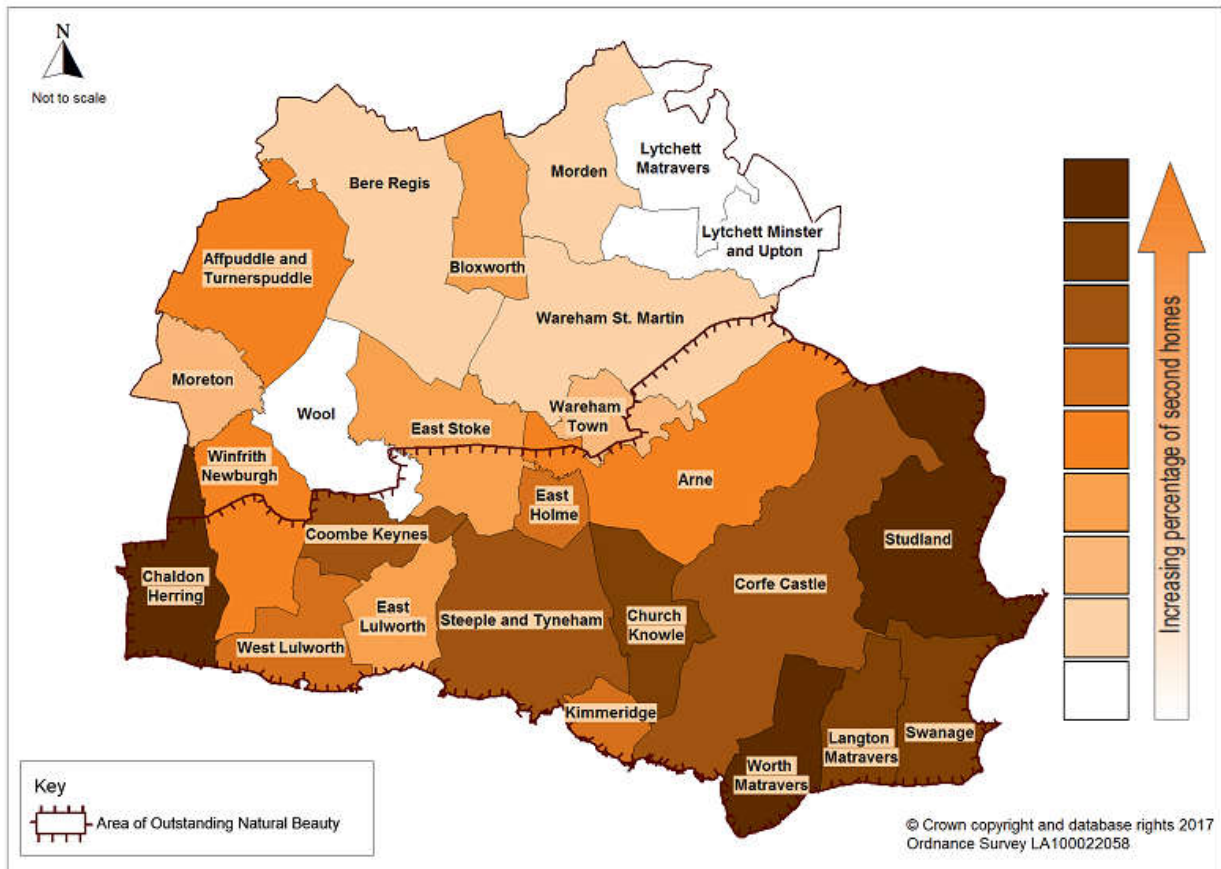
23. For the purposes of this paper, the Council will use the average figures, as they are a blend of all the available data sources and are a good indication of trends. Below is a rank order of where the proportion of housing stock as second homes is largest.

Mean average rank	Parish	Percentage second homes
1	Studland	27.96%
2	Chaldon Herring	25.43%
3	Worth Matravers	20.04%
4	Church Knowle	19.83%
5	Swanage	18.74%
6	Langton Matravers	18.27%
7	Steeple	17.07%
8	Coombe Keynes	17.01%
9	Corfe Castle	12.76%
10	West Lulworth	11.87%
11	Kimmeridge	11.45%
12	East Holme	9.60%
13	Winfrith Newburgh	6.59%
14	Arne	5.94%
15	Affpuddle & Turnerspuddle	5.88%
16	Bloxworth	4.90%
17	East Lulworth	4.55%
18	East Stoke	4.08%
19	Moreton	3%

Mean average rank	Parish	Percentage second homes
20	Wareham Town	2.11%
21	Bere Regis	1.78%
21	Morden	1.78%
23	Wareham St Martin	1.15%
24	Wool	1.01%
25	Lytchett Matravers	0.84%
26	Lytchett Minster & Upton	0.56%

Table 5: Ranking comparison between datasets

24. Map 1 below provides a spatial illustration of the distribution of second homes and clearly illustrates the relationship between high concentrations of second homes and the coast and AONB. This relationship had been noted in the Eastern Dorset SHMA (2015), which stated that ‘the area between Swanage and Wareham... is most sought after for second homes’<sup>16</sup>. It also reflects the opinion of a local estate agent<sup>17</sup> that the coastal villages and Swanage are the most prevalent locations for second homes.



Map 1: Mean percentage map of second homes

<sup>16</sup> <https://www.dorsetforyou.gov.uk/media/214762/Eastern-Dorset-SHMA/pdf/Eastern-Dorset-SHMA.pdf> page 224

<sup>17</sup> Who provided feedback as part of the economic impacts section of this report

### Impact of second homes on local housing stock

25. A key concern of respondents to the 2016 local plan review options consultation was their impact upon the housing stock available to local people. Several town and parish councils, as well as individuals, commented that second homeownership is not an efficient use of a limited resource.
26. Census data has been used to compare the 'usual resident population' with 'household spaces'. This illustrates how any increase in housing stock corresponds with changes in local population levels. It should be recognised that a reduced housing stock can be influenced by a number of other factors such as people living longer, so the turnover of properties is taking increasingly longer and rising divorce rates mean a need for two properties.

### Census data

27. Using 2001 and 2011 Census data, the table below looks at how the population has changed in Purbeck's wards, compared with the number of new household spaces. This provides an indication as to how incidences of second homeownership may be increasing or decreasing over time across the District.
28. It is important to note that, in Census terms, an unoccupied household space includes empty homes and therefore does not translate directly into second homes. In Purbeck, the level of empty homes is relatively small compared with the overall housing stock (1.5%<sup>18</sup>) and is on the decline. Therefore, the Council does not consider that this will affect the results to such a degree to make them unreliable.
29. The 2001 Census only goes as far as ward level, not parish, and ward areas have since been updated. To help compare the data, a list of parishes according to wards in 2001-2011 is in appendix 2.

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<sup>18</sup> <https://www.dorsetforyou.gov.uk/media/214762/Eastern-Dorset-SHMA/pdf/Eastern-Dorset-SHMA.pdf> para 4.37



Location / ward <sup>19</sup>	2001					2011					% change 2001 - 2011			
	Population	All household spaces	Resident households	Unoccupied household spaces	% unoccupied	Population	All household spaces	Resident households	Unoccupied household spaces	% unoccupied	Population	All household spaces	Resident households	Unoccupied household spaces
England and Wales	52,041,916	22,538,641	21,660,475	878,166	3.9%	56,075,912	24,429,618	23,366,044	1,063,574	4.35%	7.8%	8.4%	7.9%	21.1%
South West	4,928,434	2,185,966	2,085,984	99,982	4.57%	5,288,935	2,408,437	2,264,641	143,796	5.97%	7.3%	10.2%	8.6%	43.8%
Dorset	390,980	178,065	167,998	10,067	5.65%	412,905	195,059	180,213	14,846	7.61%	5.6%	9.5%	7.3%	47.5%
Purbeck	44,416	20,625	18,804	1,821	8.83%	44,973	22,140	19,583	2,557	11.55%	1.3%	7.3%	4.1%	40.4%
Bere Regis	1,984	881	850	31	3.52%	1,945	941	883	58	6.16%	-2.0%	6.8%	3.9%	87.1%
Castle	1,969	973	842	131	13.46%	1,780	1,024	794	230	22.46%	-9.6%	5.2%	-5.7%	75.6%
Creech Barrow	1,852	863	784	79	9.15%	1,764	887	781	106	11.95%	-4.8%	2.8%	-0.4%	34.2%
Langton	1,617	844	685	159	18.84%	1,491	868	666	202	23.27%	-7.8%	2.8%	-2.8%	27.0%
Lytchett Matravers	3,634	1,512	1,475	37	2.45%	3,747	1,642	1,580	62	3.78%	3.1%	8.6%	7.1%	67.6%
Lytchett Minster and Upton <sup>20</sup>	7,573	3,230	3,166	64	1.98%	7,983	3,747	3,372	102	2.72%	5.41%	16%	6.5%	59.37%
St Martin	2,752	1,146	1,113	33	2.88%	2,774	1,179	1,133	46	3.9%	0.8%	2.9%	1.8%	39.4%
Swanage <sup>21</sup>	10,124	5,304	4,441	863	16.27%	9,601	5,816	4,504	1,312	22.55%	-5.16%	9.65%	1.41%	52.02%
Wareham	5,665	2,643	2,545	98	3.71%	5,496	2,691	2,557	134	4.98%	-3.0%	1.8%	0.5%	36.7%
West Purbeck	1,513	687	590	97	14.12%	1,464	708	581	127	17.94%	-3.2%	3.1%	-1.5%	30.9%
Winfrith	1,616	731	685	46	6.29%	1,618	802	717	85	10.60%	0.1%	9.7%	4.7%	84.8%
Wool	4,118	1,813	1,628	185	10.20%	5,310	2,108	2,015	93	4.41%	28.9%	16.3%	23.8%	-49.7%

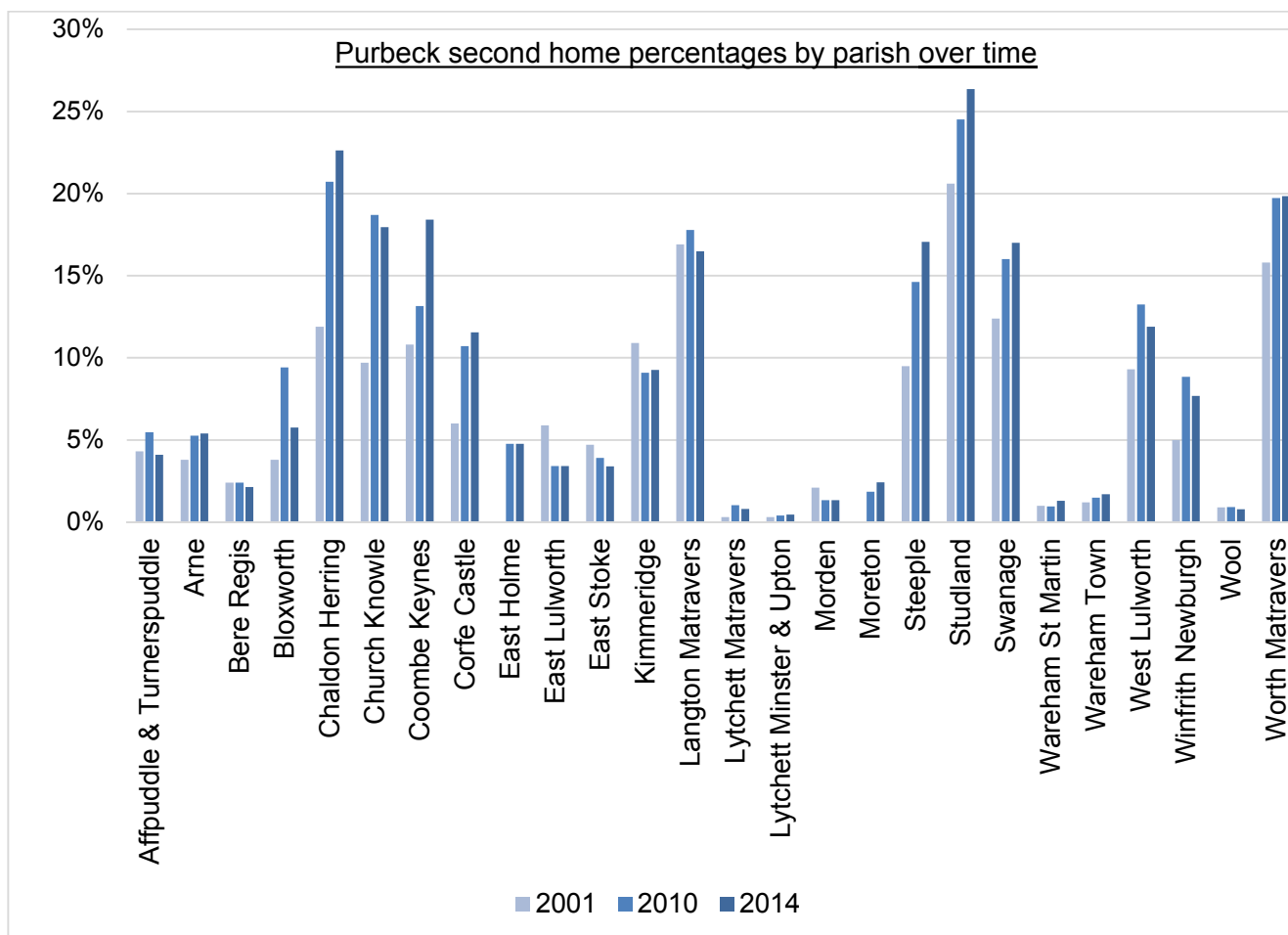
Table 6: Comparison of 2001 and 2011 Census data

<sup>19</sup> See appendix 2 of this report for a breakdown of which parishes were in which wards in 2001-2011

<sup>20</sup> East and west wards merged

<sup>21</sup> North and south wards merged

30. The results show how in Purbeck the proportion of unoccupied housing stock has increased from 8.3% in 2001 to 11.55% in 2011 (2001 - 1,821 unoccupied homes from 20,625 dwellings; 2011 - 2,557 unoccupied homes from 22,140 dwellings). Overall, the level of unoccupied household spaces rose from 1,821 in 2001 to 2,557 in 2011, which is an increase of 40.4%. Meanwhile, the total housing stock in Purbeck grew by 7.3% (1,515), but the resident population grew by only 1.3% (557) and the number of resident households grew by 4.1% (779).
31. Results at ward level show some significant variations. For example, the Castle ward has seen a drop in population of 9.6% and a drop in resident households of 5.7%, despite an increase in the housing stock of 5.2% meanwhile the proportion of unoccupied households has risen by 75.6%. Meanwhile, Wool has seen an increase in population of 28.9% and an increase in resident households by 23.8%, despite an increase in housing stock of 16.3%. The proportion of unoccupied households has gone down by 49.7%.
32. The areas where there has been a drop in occupied households, despite a rise in household spaces are:
- Castle (Corfe Castle and Studland parishes)
  - Creech Barrow (Arne; Church Knowle; Kimmeridge; Steeple; and Tyneham parishes)
  - Langton (Langton Matravers and Worth Matravers parishes)
  - West Purbeck (Coombe Keynes; East Holme; East Lulworth; East Stoke; West Lulworth)
33. It is also worth noting that Swanage ward experienced the second largest increase in proportion of household spaces at 9.65%, but the resident households increased only marginally by 1.41%.
34. There is an overall trend where the wards containing parishes towards the south of the District and the coastal areas contain the highest increases in unoccupied homes. A principal characteristic of this part of the District is its scenic beauty. With the exception of the northern part of East Stoke parish, all of the above-mentioned wards are in the AONB.



Graph 1: Proportions of second homes by Parish in 2001, 2010 and 2014

### Impact of second homes on affordability

35. One consequence of there being pressure for second homes in Purbeck, is the effect this has on the housing market. Development pressure can increase the price of homes, including in areas where incomes are relatively low. As a result, new homes are often not affordable to many local people.
36. The Purbeck District summary of the 2018 SHMA notes that the affordability of market housing, measured using the median quartile house price to income ratio is 11.08. This has increased from 10.48 in 2013. This is higher than the Dorset County average of 10.16 and a national average of 7.58. The SHMA notes that the affordability of market housing for sale has worsened quite markedly over the past 15 years.
37. It is difficult to quantify to exactly what extent second homeownership is affecting affordability as there are a number of other economic factors to consider such as incoming retirees and buy-to-let investors. However, as has been demonstrated, second homes are having an impact upon housing stock availability in Purbeck, so they are likely to be a contributing factor where economic principles dictate that higher demand and reduced supply for a produce create inflationary pressures – for homes this ultimately can lead to higher prices.

38. It follows that if the rate of housing stock that is being lost to second homes is not replaced at the same rate, affordability will worsen.

### Impact of second homes on local resident households

39. Through the 2016 local plan review options consultation, the Council received anecdotal evidence that in parts of the District the population profile is being affected negatively because young people are being forced to leave to access homes they can afford.
40. Some people continue to work in the area, but are forced to move outside the District, meaning they have to commute in. The result can be a negative effect on social cohesion. Second homes are part of a wider issue that affects housing supply and affordability, but it is important to note that other demographic factors are also relevant to where younger households choose to live. However, the additional impact of second homeownership is creating conditions that mean some residents with connections and employment in Purbeck may no longer be able to live in their locality.
41. This is supported by the Council's housing register. In order to qualify to enter the register, a household must be unable to meet its housing needs in the current market. A household also has to have a local connection to the part of the district they would like to be housed in. As at 1<sup>st</sup> March 2017, there were a total 660 households on the Council's housing register. In common with the pattern of second homeownership favouring the coastal and AONB areas of Purbeck, housing register applications are most common in the central and south eastern parts of the District.
42. The number of households on the register will not automatically translate into people being forced out of their areas because some will already be living in their preferred areas and some will never have lived there. However, it does translate into a lack of adequate supply and housing affordability, both of which this paper concludes can be exacerbated by high levels of second homes.

### Economic impacts from second homes

43. Through the 2016 Local Plan Review options consultation, many respondents highlighted the positive economic impacts of second homeownership. Second homes bring people to the area outside of the tourist season; they provide year-round work for local trades; some are temporarily used as holiday lets; and they pay full council tax, despite not getting full use of local services.
44. However, respondents also cited negatives including the lack of support for local businesses; some second homeowners bring their own supplies and do not shop locally; and the affordability issues caused by second homes mean that local employers cannot employ local staff because there is nowhere for them to live. This can contribute to a decline in the local services, including local stores / post offices / bus services, leaving less mobile people in these communities remote and cut-off.
45. To help gain a more detailed understanding, the Council asked over 30 local businesses directly for their views. These were selected on the recommendations of ward councillors and represented a range of businesses across the District.

46. It is clear that the impact of second homes can differ according to the business. Those whose trade is more towards hospitality consider second homeowners help to sustain their businesses year round. However, others whose businesses are not seasonal or do not provide a hospitality service are not so dependent on them.
47. Several businesses felt that second homeowners have greater spending power and help support local restaurants, bars and cafes year round. Anecdotal evidence was cited of second homeowners who develop a connection to the area and eventually move to the area permanently and bring their wealth with them, continuing to spend at the businesses they have grown to enjoy through their holidays. The additional spending of second homeowners' that sustains local businesses means facilities are then available to local people to use all year round, when they would otherwise be shut out of season.
48. When absent from the area, second homeowners employ local trades people to maintain their properties and are more likely to seek such support than permanent residents.
49. Other businesses reported some significant negative effects. Experiences noted that the resident population was reduced as a result of second homes meaning availability of a younger qualified workforce will worsen as the average age of the workforce increases. Many of this business's employees still live with their parents or are eventually forced to rent or buy further away from their place of work.
50. In planning terms, where households that would typically choose to be resident in Purbeck to be close to work or family are unable to do so because of housing stock and affordability issues this has a wider impact than just an economic one. The lack of affordability is a social problem; and the effects of additional commuting distances can mean increased private car journeys, causing environmental impacts through congestion and air pollution.

### Section 2 summary

51. The review of evidence shows that second homeownership affects different parts of the District to differing degrees. There are generally higher proportions of second homes in the AONB, broadly to the south of the District and associated with attractive historic villages and towns. The proportion of second homes within parishes in the AONB is almost entirely above the national and regional levels.
52. Across most of the District over a 10-year period, housing stock rose, but so did the number of unoccupied homes, whilst the resident population fell. This indicates that second homes are becoming more prolific, and they are tying up local housing stock.
53. Housing affordability and supply is a challenge anyway, even without the consideration of second homes. Therefore, anything that impacts the overall availability of housing stock will have the potential to negatively impact housing affordability and the general capacity of residents to access appropriate housing.
54. Overall, the positive impacts of second homeowners upon discretionary spending on leisure and hospitality is a boost for those businesses and helps support year round

opening but there are wider indirect impacts upon the availability of skills locally and employees access to housing that will harm the growth potential of the District.

## Section 3: Potential implications of a restrictive second homes policy

55. In considering the justification and effectiveness of introducing a policy to restrict use of new build dwellings as second homes there are a number of considerations to take into account:
- What effect would safeguarding new build properties for permanent residents have upon affordability;
  - Would a restrictive policy in one area simply displace second home buyers to another location;
  - Would there be any challenges to securing a mortgage against a home restricted to permanent residents only; and
  - Would the viability of development be harmed if sales values were affected?

### Effects of a policy on the affordability of the existing housing stock

56. A restrictive second homes policy could only apply to new properties and not the existing stock. However, where existing properties are proposed for demolition and redevelopment the principle residence policy will apply to the replacement new build home. Section 2 noted that if the demand for second homes remains whilst the available stock is diminishing, prices could rise. This means that existing, unrestricted properties could rise in value and become even less affordable to local people.
57. In order to investigate the effects a restrictive policy might have on the existing, unrestricted stock, the Council commissioned consultants<sup>22</sup> to look into this issue. This study found that there is a considerable supply of second hand properties and that second home purchasers would continue to have plenty of choice, were a restrictive second homes policy for new properties introduced. As such, it is highly unlikely that introducing such a policy would increase house prices in the unrestricted (second-hand) stock.
58. Overall the evidence suggests that it would be unlikely that such a policy would substantially impact upon house prices, whether they be the existing, unrestricted stock, or new, restricted stock. Therefore, the Council considers the impact of a policy on affordability to be neutral.

### Displacing the problem

59. There are parts of the District where the proportion of second homes is comparatively higher; these areas are mainly in the AONB. Applying a restrictive second homes policy in this area may simply displace the problem elsewhere in the district. The evidence paper indicates that this may not be a potential issue as:

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<sup>22</sup> The 'Restrictive Second Homes Policy' paper can be accessed via: [www.dorsetforyou.gov.uk/Purbeck-local-plan-review](http://www.dorsetforyou.gov.uk/Purbeck-local-plan-review)

- there would still be a large stock of unrestricted housing available for the second homes market in the AONB and elsewhere; and
  - local agents believe that the demand for second homes is predominantly around the coastal area and the 'chocolate box' villages of Purbeck.
60. It is therefore unlikely that second homeownership would be displaced to the less desirable parts of Purbeck but potential second home buyers could potentially look further afield to other council jurisdictions.
61. As evidenced in this paper there is a strong case for introducing restrictions within the AONB. Other locations have also been highlighted where small communities have higher levels of second homeownership. For example, Briantspuddle in Affpuddle and Turnerspuddle Parish is outside of the AONB. Here the percentage of second homes is approaching the regional average. A relatively wide area application of a restrictive policy in the AONB alone could lead to residents viewing villages just outside the AONB as a more attractive option. To avoid such potential displacement, providing similar protection for settlements outside the AONB, which could also prove attractive for second homeownership is considered sensible.

### Saleability and mortgageability

62. The Council contacted the Council of Mortgage Lenders (CML) to discuss the potential implications of a restrictive second homes policy for mortgages. The CML advised the Council that a restrictive policy would most likely have valuation implications, as it would affect the ease of resale. The degree of complexity surrounding this depends on whether the property is sold as freehold or leasehold. In terms of freehold, a restriction would not actually preclude finance, as lenders will usually try to accommodate the needs of any borrower, as long as the 'basic proposition' (e.g. property; loan affordability; and terms) is sound.
63. If a property is leasehold, the situation could be more complex if it raised a risk that the lease may be forfeited if the condition were breached. As a result the available loan to value available for such properties could be lower reflecting the reduced security and therefore increased risk to the lender – making the homes harder for buyers to purchase. CML advises that this risk can be mitigated if the local authority were to agree to allow the lender a grace period to secure their investment and to ensure the property is being used in compliance with the lease. For example, in the case of a buy-to-let property, the lender might appoint a receiver to let the property and pay the mortgage. In the case of a residential property, the lender might seek possession of the property through the courts. Such mechanisms notwithstanding, this complicates the loan application and underwriters will approach it with greater caution.

### Impact of restrictive second home policy on market values

64. In June 2017, consultants sought the views of Purbeck local agents on the potential impact of a restrictive second home policy. Their views can be summarised as follows:
- Second homes purchases tend to be of 'character' cottages in the 'chocolate box' villages and coastal areas;



- Second home purchases are typically of older properties rather than in new ‘housing estates’;
- A restrictive second home policy applied just in the south of Purbeck (e.g. just in the AONB) is not expected to displace the demand for second homes to other parts of the District. Second home purchases are location specific – the coast and the ‘chocolate box’ villages;
- Second home purchasers tend to buy more expensive properties and not those which are within reach of local first and second time buyers;
- However, some second homes may also be bought for their rental value and this type of purchase is more likely to be of smaller properties that would otherwise be available for local first time buyers;
- There are mixed views on whether the additional stamp duty on second homes introduced has dampened the demand for second homes;
- No views expressed that a restrictive second homes policy would have an adverse impact on market values of new properties.

65. The indication from responses by agents is that second home purchasers typically favour second hand homes over new build. There are indications that in locations such as Swanage there is a market for second home buyers purchasing new build flats in the town. However, in light of the comments from the agents, the scale of the second hand market in Purbeck was reviewed. With a strong supply of second hand properties in the areas favoured by second home purchasers, the implication is that second home purchasers would continue to have plenty of choice, whether a restrictive second homes policy for new properties is introduced or not.

66. Information about sales of properties in Purbeck over the three years 2014-16 and for the first few months of 2017 was sourced from the Land Registry website. An estimate of the average sales rate per annum was calculated for second hand and new properties, inside and outside the AONB. This shows that sales of second hand properties considerably outweigh those of new properties and that there is a significant supply of second hand sale properties in the AONB area.

Table 7: Property sales in Purbeck – new and second-hand – estimated equivalent per annum – for the period early 2014 to 2017

	AONB		Rest of Purbeck	
	New build	Second hand	New build	Second hand
Flat	11	104	3	48
Terrace	2	65	4	108
Semi detached	1	41	6	106
Detached	2	126	15	165
<b>Total</b>	<b>16</b>	<b>336</b>	<b>28</b>	<b>427</b>

67. A restrictive second homes policy would be highly unlikely to affect sales in the second homes market and, on its own not lead to an increase in prices of the existing unrestricted stock. This is because, even with a policy in place, there would still be plenty of choice in the second home market for prospective purchasers.

### Viability

68. Generally, the analysis provided by the consultants' report indicates that new-build properties are not favoured in the second home market. Overall demand for new-build housing therefore would be unlikely to be significantly affected by a restrictive policy.
69. Whilst none of the local evidence has indicated that the introduction of a restrictive second home policy would lead to a reduction in market values, a 5% reduction in market value for new build properties was identified as a possible consequence of introducing a similar policy in Exmoor. This is considered to indicate a precautionary approach and to ensure that the potential implications for market values of second homes restrictions can be absorbed and specific viability assessments have been undertaken applying a similar reduction.
70. Viability work undertaken by consultants tested 10 schemes in 2016 to assess the impact of a 5% and also 10% reduction in market values.
71. A 5% reduction in market value had a limited impact upon viability. The case study sites either remain within their base case 'Viability Test' range or move to the next lower range. The only case where the reduced market values may be a cause for concern was for a modelled urban extension at Wareham. However, this is not a location where a heavy demand for second homes would be expected and a restrictive second home policy is unlikely to have much impact on demand for the new housing built there.
72. A 10% reduction in market values has a more marked impact across the case studies. Such a reduction would harm the District's ability to secure policy compliant affordable housing provision. Noting that a 10% reduction in value because of a restricted second homes policy seems highly unlikely the viability evidence indicates that the introduction of a restrictive second home policy would not substantially harm the viable delivery of new homes.
73. It can also be concluded that the introduction of a restrictive second home policy should not lead to a reduction in CIL rates nor in the level of s106 contributions.

### Local housing needs and maintaining a five-year supply of housing

74. National planning policy requires councils to 'boost significantly the supply of housing... to ensure that their local plan meets the full, objectively assessed needs for market and affordable housing'. Under current Government guidance, a Strategic Housing Market Assessment (SHMA) looks at the various factors that contribute towards housing need and demand and concludes with an 'objectively assessed need' figure for the relevant council to test. The 2018 Eastern Dorset SHMA<sup>23</sup> included an allowance for second homes of 7.4% in its analysis of the District's housing needs. For the emerging Local Plan, the Council is now pursuing an approach based upon the standard methodology

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<sup>23</sup> <https://www.dorsetforyou.gov.uk/media/214762/Eastern-Dorset-SHMA/pdf/Eastern-Dorset-SHMA.pdf>

for assessing Local Housing Needs. This assessment does not incorporate a specific adjustment between households and housing stock but requires the baseline requirement to be increased substantially to account for affordability issues. In Purbeck this uplift is the maximum of 40% of the average household growth over the next 10 years and therefore is a substantial adjustment to take into account market signals.

75. This uplift can be viewed as supporting an increased delivery of homes that will compensate to some extent for the impact of second homes in the District. However, the uplift would be applied across the District. In areas where second homeownership is much greater, the ability to ensure new homes that are built through small sites, rural exceptions and within the AONB are available for permanent residents continues to be important.
76. In terms of housing land supply and delivery, the Council considers that the implications of a restrictive policy would only be negative where its introduction harms the viability of development. As has been considered above, the evidence indicates the harm to sales values, and therefore viability of new build homes would be limited.

### Inheritance

77. In the instance where a principal residence property was left to a beneficiary who did not live locally, their choice would be one of whether the property would in effect become that beneficiary's second home. It would be unreasonable for the Authority, through the planning restrictions in place to take immediate action against such a property but the details regarding how such a scenario was addressed requires consideration. If such a beneficiary were to leave the property empty or seek to use the property as a second home, their use of the property would be in breach of the conditions / planning obligations attached to the home. The beneficiary would therefore have the option of moving in to the home as a permanent resident, selling the property or letting the property. The restrictions applied to the property would therefore be the same for an owner who inherited the property as to somebody who bought the property.

### Buy-to-let

78. The aim of the policy would be to ensure that the occupier of new build homes is a permanent resident. The occupier may rent the property, be the owner occupier or have some other form of tenancy arrangements. Consequently a buy-to-let would not breach the policy and subsequent restrictions applied to a property. However, it would be necessary in the case of buy-to let properties that are not occupied for there to be clear measures in place to secure a future tenancy.

### Holiday lets

79. Tourism and related revenue is key to the South West region's economy and an integral part of economic activity in Purbeck. The District's attractive towns, villages and designated landscapes make the area popular with visitors. Tourism related activities form a major element of overall employment - indicative estimates suggest that tourism

provides for 20% of all employment within the District with staying visitors spending £119,364,000 (source The Economic Impact of Dorset's Visitor Economy 2017<sup>24</sup>).

80. Tables 8, 9 and 10 provide estimates of: tourism related spending according to type of holiday accommodation for Purbeck, visitor spending by category in Dorset and staying visits by accommodation type in Dorset. The estimates have been modelled using the Cambridge Economic Model using data from a number of difference sources.

Domestic tourists	Trips	Nights	Spend
<b>Serviced</b>	75,000	190,000	£17,697,000
<b>Self catering</b>	70,000	363,000	£26,610,000
<b>Touring caravans /tents</b>	164,000	759,000	£22,678,000
<b>Static vans/holiday centres</b>	110,000	506,000	£24,225,000
<b>Group/campus</b>	7,000	18,000	£991,000
<b>Paying guest in private homes</b>	0	0	£0
<b>Second homes</b>	17,000	72,000	£2,238,000
<b>Boat moorings</b>	1,000	4,000	£230,000
<b>Other</b>	2,000	4,000	£146,000
<b>Staying with friends and relatives</b>	56,000	190,000	£5,645,000
<b>Total</b>	503,000	2,106,000	£100,461,000

Table 8: Purbeck staying visitors by accommodation types (source The Economic Impact of Dorset's Visitor Economy 2017)

South West	Accommodation	Shopping	Food & drink	Attractions/entertainment	Travel	TOTAL
Spend	£2,108,807,000	£2,646,286,000	£3,576,470,000	£1,258,742,000	£1,682,807,000	£11,273,118,000

Table 9: Direct visitor expenditure by category in the regional context (source The Economic Impact of Dorset's Visitor Economy 2017)

<sup>24</sup> The data on the volume and value of tourism on Dorset's economy, and visitor expenditure in 'The Economic Impact of Dorset's Visitor Economy 2017' was prepared by The South West Research Company (TSWRC). TSWRC used the Cambridge Economic Impact Model, informed by national surveys and regional / local data, to prepare the projections presented in the report. The baseline data that was used in the modelling includes: Great Britain Tourism Survey, International Passenger Survey (conducted by the Office for National Statistics), Great Britain Day Visit Survey, England Occupancy Survey, Annual Survey of Hours and Earnings and Labour Force Survey.

<b>Domestic tourists</b>	<b>Trips</b>	<b>Nights</b>	<b>Spend</b>
<b>Serviced</b>	<b>1,198,000</b>	<b>3,023,000</b>	<b>£280,954,000</b>
<b>Self catering</b>	<b>305,000</b>	<b>1,576,000</b>	<b>£115,672,000</b>
<b>Touring caravans /tents</b>	<b>446,000</b>	<b>2,061,000</b>	<b>£61,592,000</b>
<b>Static vans/holiday centres</b>	<b>432,000</b>	<b>1,990,000</b>	<b>£95,229,000</b>
<b>Group/campus</b>	<b>9,000</b>	<b>22,000</b>	<b>£1,234,000</b>
<b>Paying guest in private homes</b>	<b>0</b>	<b>0</b>	<b>£0</b>
<b>Second homes</b>	<b>97,000</b>	<b>419,000</b>	<b>£13,039,000</b>
<b>Boat moorings</b>	<b>19,000</b>	<b>72,000</b>	<b>£3,711,000</b>
<b>Other</b>	<b>36,000</b>	<b>66,000</b>	<b>£2,511,000</b>
<b>Staying with friends and relatives</b>	<b>959,000</b>	<b>3,267,000</b>	<b>£96,948,000</b>
<b>Total</b>	<b>3,501,000</b>	<b>12,496,000</b>	<b>£670,890,000</b>

Table 10: Dorset staying visits by accommodation types (source The Economic Impact of Dorset's Visitor Economy 2017)

81. The estimates of visitor spending on accommodation, presented in The Economic Impact of Dorset's Visitor Economy 2017, indicate that spending related to holiday accommodation (including self-catered accommodation) makes a significant contribution to Purbeck's and Dorset's economies. The 2017 report also indicates that indirect spending from staying visitors makes a further contribution (estimated: £12,926,000 on shopping, £21,937,000 on food and drink and £11,057,000 on attractions and entertainment) (source The Economic Impact of Dorset's Visitor Economy 2017). The 2017 report estimates that tourism related employment is estimated to be responsible for directly employing 3,713 people and indirectly employing 699 people.
82. Table 11 below shows the numbers of people employed by sector in Purbeck – those people employed in accommodation account for a significant proportion of the total.

Direct employment in businesses in receipt of visitor expenditure (FTE's)	Staying visitor related	Day visitor related	Total
Accommodation	587	15	602
Retailing	137	151	289
Catering	307	670	978
Attractions/entertainment	218	245	463
Transport	61	88	149
Arising from non trip spend	51	0	51
<b>Total Direct</b>	<b>1,363</b>	<b>1,169</b>	<b>2,532</b>

Table 11: Direct employment in businesses in receipt of visitor expenditure (full time equivalents) (source The Economic Impact of Dorset's Visitor Economy 2017)

83. National planning policy (paragraph 80 NPPF) encourages councils to create a positive context to support economic growth in their areas through planning policies. In rural areas national policy states that:

'Planning policies and decisions should enable:

c) sustainable rural tourism and leisure developments which respect the character of the countryside.' (Paragraph 83 c) NPPF).

84. The estimates from 'The Economic Impact of Dorset's Visitor Economy 2017' suggest that tourism in general, and holiday accommodation specifically, make a positive contribution to Purbeck's economy. Despite this homes which are occupied as holiday lets reduce the supply of available houses for people who wish to occupy them on a permanent basis and their occupants do not support all community facilities (such as a school or doctors surgeries) in the same way as resident households.

85. The Council recognises that new holiday lets, which are run as a business, supports tourism in Purbeck and has economic benefits. Extending the scope of the second homes policy, so that the principal residence limitation on occupation were applied to homes built for holiday let, could have a damaging effect on the District's tourism economy. Adopting this approach would not be consistent with the objectives of the NPPF in supporting a prosperous rural economy. If the principal residence limitation is not applied to dwellings built for holiday let the Council should consider limiting their occupation at the point of granting planning permission with a planning condition / planning obligation to ensure that they continue to be occupied by holiday makers.

## Affordable Housing and the Right to Buy

86. The Council currently agrees planning obligations with landowners and registered providers restricting the occupation of new affordable housing to those on the housing register. The government's definition of affordable housing includes 'other affordable routes to home ownership' – this category of affordable homes includes discounted housing provided for sale to allow people to own a home who would otherwise not be

able to afford to own a home through the market. Subject to details of how the discount is funded (funding agreement), these homes may subsequently be sold at market value. To ensure that new affordable homes in the AONB, on small sites and on rural exceptions sites, continue to be occupied as principal residences the principal residence limitation on occupation will also be applied to affordable homes in these areas.

### Other factors to be aware of

#### Restrictive occupancy, not occupants

87. One of the key points made by respondents to the 2016 Local Plan Review options consultation was that second homes are pricing local people out of the housing market. Whilst this paper concludes that second homes are potentially a contributing factor towards affordability, restricted new build homes would be available to anybody to buy. The policy cannot restrict any individual's right to purchase property if they are in a position to do so. However, having purchased the home its use must comply with the planning restrictions that are attached to the property and that would require the home was occupied as a principal residence.

#### Local services

88. Several respondents to the 2016 Local Plan Review noted that second homeowners pay 100% council tax but are by definition only light users of local services. Whilst, accurate and in some sectors this may lead to a net gain the overall impact of homes that are unoccupied is to undermine the viability of local services – facilities such as schools and GPs rely the number of pupils and patients that are enrolled in them.

#### District-wide housing number

89. The Government currently requires SHMAs to adjust housing numbers to take into account second home levels, although this requirement may change in the future. In Purbeck's case, the allowance made is 7.4%. As discussed, in terms of identifying a housing requirement the emerging Local Plan is now based upon the standardised methodology that identifies average household growth and applies a 40% uplift due to the severe affordability issues in Purbeck.

### Section 3 Summary

90. Restricting the occupancy of new-build homes should not lead to a displacement of second homes. This is because of the volume of unrestricted properties that would still be available. Given the potential social and economic impacts that under-occupied homes could have on communities both within the AONB and elsewhere, there is a strong case for also restricting market housing on rural exception sites and small sites district wide.
91. Advice from the Council of Mortgage Lenders suggests that there may be some difficulties associated with second homes restrictions for leasehold properties. However, these are not identified as fundamental and there is no indication that buyers would not be able to obtain a mortgage for properties with a restrictive policy.

92. Viability evidence shows that a restrictive policy would not have an adverse impact on viability and lead to no need to adjust affordable housing or CIL contributions. As a result there is also not considered to be any negative implications of a second homes policy upon housing land supply.
93. Inheritance of a restricted property would be required to be occupied as a principal residence, either by the new owner or a tenant.
94. The Right to Buy could mean that at some point in the future affordable homes would become unrestricted market homes which could be sold on the open market. The Council could look to explore its options in also applying the restrictive planning obligation to affordable homes.



## Section 4: Policy options to restrict second homes

### Reasonable alternatives assessed in the Sustainability Appraisal

95. Through the Local Plan sustainability appraisal, a range of potential options to approach the issue of second homes have been considered. The SA provides an analysis of each of these options which include:
- District-wide policy
  - No policy
  - Deliver more homes
  - Restrictive second homes policy to, for example, the top 10 affected parishes
  - Restrictive second homes policy in the AONB only
  - Restrictive second homes policy in the AONB, rural exception and small sites
  - Restrictive second homes policy in Neighbourhood Plans rather than Local Plan.

### Other alternatives not considered to be reasonable

96. The Council has also considered the following alternatives, but they are not reasonable and therefore not assessed through the SA process.

#### **Tariff on second homes**

97. During the Local Plan Review issues and options consultations, some town and parish councils suggested that the Council should tax second homes more heavily and / or introduce a Community Infrastructure Levy (CIL)-style financial contribution from new development that could pay for new-build affordable housing.
98. The Council already charges 100% council tax on second homes whilst council tax is outside of the control of planning policy. Meanwhile, market homes will be required to make a contribution to affordable housing anyway. An additional enhanced contribution beyond the Council's adopted policy requirements would not be justified.

#### **A Guernsey-style local and non-local housing policy**

99. The same degree of freedom in law making available to Guernsey is not afforded to districts and boroughs in the UK. This means that it would not be possible to introduce a housing control law in Purbeck that would preserve a stock of local and non-local housing, without the legislation from the UK Government to facilitate it.

#### **Section 157 of the Housing Act 1985**

100. Respondents have suggested that the Council impose a restrictive policy comparable with Section 157 of the Housing Act 1985<sup>25</sup>. Section 157 is a restrictive covenant on the sale of ex-council and housing association properties in National Parks, AONBs, and designated rural areas<sup>26</sup>. The AONB and designated rural areas cover most of Purbeck, except for Wareham and Upton. Section 157 requires that the purchaser of the property must have lived or worked locally (or both) for three years immediately prior to the purchase.
101. S157 applies to affordable housing only and not to market housing. Purbeck District Council is no longer building any affordable housing and the Council has no legal powers to force housing associations to covenant properties with the restriction. Thirdly, Covenants are also outside the control of planning law and therefore the Council would be unable to introduce a Section 157-style policy through the local plan. The Council could apply Section 157 itself to existing Council-owned stock, but there is only one Council-owned property left.

### Preferred Approach

102. The policy options outlined above for dealing with second homeownership have been considered through the Local Plan Sustainability Appraisal. The Sustainability Appraisal concludes that applying a restrictive policy in the AONB, rural exception sites and small sites as the preferred option, when assessed against all Sustainability Appraisal objectives together.
103. This approach would focus restrictions where problems are either most prolific or in smaller villages and rural locations where the effects of second homes in terms of affordability and local services would be most affected. This is considered to be the right solution to delivering sustainable development in Purbeck. By restricting new housing within the specified areas for principal residences, it would assist in meeting the housing needs of local people; bring greater balance and mixture to the local housing market; and create new opportunities for people to live and work in Purbeck.

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<sup>25</sup> <http://www.legislation.gov.uk/ukpga/1985/68/section/157>

<sup>26</sup> As defined by Statutory Instrument 1997/620-25 and 1999/1307

## Section 5: Policy recommendations and implementation

104. From the evidence gathered in this paper, the approach for a restrictive policy in Purbeck needs to take the following points into account:

- Any new policy would apply to new-build properties and this would represent a small minority of the District's housing stock. New build replacement properties would be subject to the principle residence policy.
- The policy should be targeted at new build homes in the AONB and to rural and entry level exception sites and small sites permitted through the specific Local Plan policies.
- The policy would not apply to holiday lets which are run as a business and pay business rates.
- The policy would not restrict buy to lets.
- It is not within the remit of planning law to force someone to occupy a property. Therefore the policy cannot stop a dwelling from being unoccupied.
- The policy would not have the price controls that affordable housing does, nor any local connection/eligibility requirement.

### NPPF tests of soundness

105. The draft policy is assessed below against the test tests of soundness that a local plan policy must meet as set out in NPPF.

#### **Positively prepared:**

106. The proposed policy would not prejudice the Council's ability to meet its objectively assessed development needs, as it will not prevent the Council from delivering a mixture of market and affordable housing. It would also not prevent the Council from delivering infrastructure or any neighbouring authority's unmet needs under the 'duty to cooperate'. As held by the examiner of the St Ives Neighbourhood Plan, restricting second homeownership is consistent with achieving sustainable development because the uncontrolled growth of second homes is having an adverse impact on communities and the economy.

#### **Justified:**

107. This paper has set out that restricting second homeownership is appropriate, given the available evidence and consideration of reasonable alternatives. It seeks to restrict second homes in the AONB and rural exception sites district wide, which are the areas most affected. This is a proportionate approach.

#### **Effective:**

108. There is no evidence to suggest that the policy would not be deliverable. The issue is localised to an extent that its delivery does not require joint working with neighbouring

councils. It would be monitored over time to assess the success of policy implementation.

### **Consistent with national policy:**

109. There is nothing in national policy that would prohibit the introduction of a restrictive policy. It would not prejudice the Council's ability to meet objectively assessed housing needs, nor would it undermine the NPPF's policy emphasis for sustainable development. In fact, restrictive policies such as the one in St Ives have been held to achieve sustainable development. Given the circumstances in Purbeck, there is a strong argument to say that the proposed policy would enable the delivery of sustainable development.

### **Implementation**

110. It is recommended that the control of the draft second homes policy is by both a planning condition and a legal agreement. There are significant differences between the two in terms of notice to purchasers and enforcement; the use of both will ensure maximum effect and allow the Council to decide on the best course of enforcement on a case by case basis.

111. A planning condition will generally only appear on the planning permission itself, which is often only considered by the solicitors of the first purchasers after construction. By contrast, a section 106 agreement will be on the Register of Local Land Charges (and may be noted on the registered title) so should come to the notice of all future purchasers. Making the occupancy restriction the subject of a section 106 obligation renders it almost impossible for any owner to sell the property free from the restriction, even if they have gained immunity from the effect of a planning condition.

### **Draft Condition and Informative Note**

112. 'The property shall only be occupied by a person as his or her only or principal home. The occupant shall supply to the Council authority (within 14 working days of the Council's request to do so) such information as Council may reasonably require in order to determine compliance with this condition.

113. Reason: To safeguard the sustainability of the local community, whose sustainability is being eroded through the number of properties that are not occupied on a permanent basis and to ensure that the resulting accommodation is occupied in compliance with Policy H14 of the Purbeck Local Plan.

114. Informative note: This condition shall not preclude periods of occupation by visiting guests, but those visiting guests will not individually or cumulatively contribute towards the occupation of the property as a Principal Home. The condition requires that the properties are occupied only as the principal residence of those people entitled to occupy them. Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the condition, and be obliged to provide this proof if / when the Council requests this information. Proof of Principal Residence is via verifiable evidence which could include, for example (but not limited to), residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools, etc.).'

### Legal agreement

115. The legal agreement is likely to be produced on a case by case basis. However, the terms of the legal agreement could include:

- The owner shall provide reasonable evidence of principal occupancy on request from the Council;
- The freehold owner and/or head leasehold owner shall include the obligations in any letting of an individual dwelling;
- The freehold owner and/or head leasehold owner shall include details of the obligations in any sales or marketing material; or
- The freehold owner and/ or head leasehold owner shall provide the council on request with such information as it shall reasonably require in respect of the obligations.

### Compliance

116. It is important to be able to determine if a restriction is being observed in compliance with the policy aims. Residents will be required to provide evidence to the Council of principal residence. Acceptable information includes:

- Registration on electoral role
- Registration with local general practitioner
- Registration of children at local school
- Utility bills which reflect how often the dwelling is occupied.

117. This evidence would allow the Council to reach a conclusion as to whether a home was being occupied as a principal residence.

### Monitoring

118. Where in a relevant location, the second homes policy would apply to all new dwellings built over the plan period up to 2034. Whilst it is unlikely to be possible to monitor every property, all reported breaches of planning control will be investigated by the Council.

### Enforcement

119. Occupation in breach of a planning condition, can usually be addressed relatively simply, either by an enforcement notice or a breach of condition notice. A legal agreement could be enforced by a court injunction which would be a more difficult and costly route for the Council. Where a breach is identified then the Council will consider taking enforcement action. The decision to enforce will need to be taken on a case by case basis and take into account the personal circumstances of the owner at that time.

## Section 6: Previous Consultation

120. The Council has undertaken a range of consultations on the issues of second homes ownership and a new policy. Consultation has included public, neighbouring authorities, and parish councils.

### Public Consultation

121. The Council has consulted on the second homes issue through each stage of the Local Plan preparation. During the 2015 issues and options stage of the Local Plan review and the 2016 options stage of the Local Plan review, and again between January and March 2018 as part of for the new homes for Purbeck consultation. At each stage respondents have expressed support for restriction of second homes.

### Legal Advice

122. Consultation has been undertaken with the Council's solicitor throughout the development of a potential restrictive second homes policy. The solicitor has advised the Local Plan Review Advisory Group on the potential for a restrictive second homes policy, potential unintended consequences and implementation. The solicitor has also reviewed the draft policy included in the emerging Local Plan.

## Appendix 1: Review of other adopted development plan documents

### Lynton and Lynmouth Neighbourhood Plan (2013)

123. National Parks benefit from a government circular that recognises that the Parks are not suitable locations for unrestricted housing. This gave the Lynton and Lynmouth Neighbourhood Plan<sup>27</sup> (2013), which covers a National Park area, a clear justification for its policy H3. This policy states its support for principal residence housing and that:

‘Open market housing without a restriction to ensure its occupation as a principal residence is not supported’.

124. The pre-amble to the policy clarifies that the reasoning behind the policy includes meeting the housing needs of local people; bringing about a greater balance and mix to the housing market; create new opportunities for people to live and work in the locality; and strengthen the community and economy. The preamble goes on to say that where a principal residence home ceases to be used as such, e.g. through being used as a second home, the dwelling should be offered for sale or rent as affordable housing.

### Examiner’s report

125. The examiner’s report<sup>28</sup> looks in detail at the policy on page 7. The examiner notes the potential for conflict with human rights legislation in respect of the right to the peaceful enjoyment of a home. However, he concludes that the policy would not conflict with the legislation (although he does not discuss why). His second key concern was potential problems with enforcing the policy, but he concluded that incidences of enforcing housing policies elsewhere in the National Park have been rare and were dealt with case by case, without undermining policy.

### Wirksworth Neighbourhood Plan (2015)

126. Wirksworth falls under the jurisdiction of Derbyshire Dales District Council, but the plan area is not within the Peak District National Park. As such, it appears that this was the first adopted planning policy outside of a National Park area that restricts second homes. The relevant policy is NP5<sup>29</sup>:

‘Principal Residence Homes

Planning permission for new dwellings will be subject to a restriction to ensure their occupation only as principal residence homes.’

127. Justification for the policy includes the plan area average of 4-5% second homes, with pockets amongst the town where the proportion is greater. The preamble to the policy concedes that second homes to some extent do help the local economy through

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<sup>27</sup> <http://www.exmoor-nationalpark.gov.uk/planning/planning-policy/neighbourhood-plans?a=335395>

<sup>28</sup> [http://www.exmoor-nationalpark.gov.uk/data/assets/pdf\\_file/0003/373800/Lyn-Plan-PDF.pdf](http://www.exmoor-nationalpark.gov.uk/data/assets/pdf_file/0003/373800/Lyn-Plan-PDF.pdf)

<sup>29</sup> [http://www.derbyshiredales.gov.uk/images/documents/W/WIRKSWORTH\\_NEIGHBOURHOOD\\_PLAN\\_FINAL\\_24\\_June\\_2015.pdf](http://www.derbyshiredales.gov.uk/images/documents/W/WIRKSWORTH_NEIGHBOURHOOD_PLAN_FINAL_24_June_2015.pdf)

second homeowners' spending in the shops and on local attractions. However, principal residents are a more reliable economic resource and are more likely to play a part in the life in the community and help maintain the shops and services which depend on a resident population. Therefore, restricting second homes would help achieve the plan's aims to have a sustained, varied and vibrant community that uses local shops and community facilities throughout the year.

### Examiner's report

128. The examiner's report<sup>30</sup> notes the 'relatively experimental nature of such policies', which may explain why it is not given particularly in-depth consideration in the report. It does not refer to the same concerns as the Lynton and Lynmouth or St Ives examiners (see below) over enforcement and compliance with human rights legislation, but the examiner appears to accept that planning conditions would be an appropriate mechanism to apply the policy to planning permissions.

### St Ives Neighbourhood Plan (2016)

129. The St Ives Neighbourhood Plan<sup>31</sup> looks to restrict the ownership of new properties to principal residences. It does this through Policy H2:

#### 'H2 Principal Residence Requirement

Due to the impact upon the local housing market of the continued uncontrolled growth of dwellings used for holiday accommodation (as second or holiday homes) new open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a Principal Residence.

Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.

Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home.

The condition or obligation on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them. Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition, and be obliged to provide this proof if/when Cornwall Council requests this information. Proof of Principal Residence is via verifiable evidence which could include, for example (but not limited to) residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc).'

130. Policy H2 is preceded by its justification. This says that the policy's aims are to meet the housing needs of local people; bring greater balance and mixture to the local housing market; and create new opportunities for people to live and work in St Ives. The result is

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<sup>30</sup> [http://www.derbyshiredales.gov.uk/images/documents/W/Wirksworth\\_Neighbourhood\\_Plan\\_-\\_Examiners\\_Report.pdf](http://www.derbyshiredales.gov.uk/images/documents/W/Wirksworth_Neighbourhood_Plan_-_Examiners_Report.pdf)

<sup>31</sup> <https://stivesnplan.wordpress.com/>



to strengthen the community and the local economy. It goes on to clarify that the policy applies to new housing which has to be used as the principal residence of the household living in it, but does not have the price controls that affordable housing does, nor any local connection requirement.

131. By way of background, the plan cites that in 2011, 25% of homes in the plan area were not occupied by a resident household. This is a 67% increase from 2001. Over this same period, housing stock in St Ives grew by 16%, but the resident population grew by only 2.4% and the household population by 6%.
132. The plan goes on to cite a University of Exeter study<sup>32</sup>, which found that the socio-economic effects of such a high proportion of holiday properties are largely negative. This study is further quoted in the plan's evidence base<sup>33</sup>. The study was prompted in response to a report into the housing market on the northern peninsula of the South West (running from North Cornwall, across North Devon and into West Somerset). North Devon Council noted the rising number of second homes and so commissioned the University of Exeter study. The study concluded that 'it is when the ratio of properties is significant on a local scale that the effects of second homeownership are likely to be felt most acutely'. Interestingly, it also said that 'although a causal relationship cannot be inferred, the correlation between... mean average property price and proportion of second homes is sufficient to be statistically significant.'

### Examiner's report

133. The examiner's report<sup>34</sup> looks at Policy H2 in detail on page 29, where she recommended changes in order for the policy to meet the basic conditions. She raised concerns over how the policy could meet two of the basic conditions tests. The first is compliance with national policy's requirements to deliver a wide choice of quality homes and deliver sustainable development. The second, in common with the Lynton and Lynmouth examiner, was how the policy would meet the requirements of European legislation. She does not state which requirements of European legislation she was referring to, but a legal challenge (see below) claimed that the plan breached Article 8 of the European Convention on Human Rights: right to a private life.
134. The examiner also said she had considered the potential for unforeseen consequences on the local housing market and the future delivery of affordable housing, as highlighted in the Cornwall Council Affordable Housing Team's response<sup>35</sup> to the policy. The Team had raised several concerns. The first was that homes designated as principal residence would see new homes fettered by such a policy being commercially unattractive, and difficult to mortgage. Whilst this would almost certainly suppress values and might be seen locally as advantageous, a possibly undesired impact would see the values of existing open market and holiday homes increase because those unfettered homes are likely to be more sought after.

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<sup>32</sup> *A Place in the Country: the cost of Second Homes*. Exeter University and Economic and Social Research Council (ESRC), Ongoing research

<sup>33</sup> <https://stivesnplan.files.wordpress.com/2013/08/evidence-base.pdf>

<sup>34</sup> <https://stivesnplan.files.wordpress.com/2013/08/final-independent-examiners-report-on-the-st.pdf>

<sup>35</sup> <https://stivesnplan.files.wordpress.com/2014/11/website-version-statutory-consultee-responses.pdf>

135. The Team criticised drawing too tight a parallel with the Lynton and Lynmouth Neighbourhood Plan model in terms of enforceability. The Lynton and Lynmouth area of Devon is 500% smaller than St Ives in terms of population and number of households, meaning that enforcement would be much more difficult in St Ives. The Team said that while a principal residence would not have price controls, the restriction would impact on the market price. Consequently, this type of housing would not be truly open market housing. As a commercially unattractive product, proposals for principal residence housing are unlikely to come forward.
136. The examiner said:
- ‘After much deliberation and on balance I have concluded that due to the adverse impact on the local community/economy of the uncontrolled growth of second homes the restriction of further second homes does in fact contribute to delivering sustainable development. In terms of “delivering a wide choice of quality homes”, I consider that the restriction could in fact be considered as facilitating the delivery of the types of homes identified as being needed within the community.’
137. The examiner went on to recommend that the plan may proceed to referendum. This indicates that concerns over enforcement and commercial attractiveness could be overcome.
138. It is worth noting that the policy wording that was submitted for examination included reference to restricting holiday lets. The examiner understood why it was included because it related to the letting of second homes, but had concerns that it would result in confusion with proposals for new self-catering accommodation, run as a business and supporting tourism. She said this would conflict with the NPPF, so recommended its removal. A reference to holiday homes is retained, however, indicating that there is a difference between a holiday let and a holiday home: the former being a business; the latter being accommodation for the property owner’s personal use for holidays.

### **Legal challenge**

139. A St Ives house builder sought to judicially review<sup>36</sup> Cornwall Council’s decision to hold a local referendum on the making of the St Ives Neighbourhood Plan. The challenge to Policy H2 was based on two grounds. First, it did not comply with the requirements of the Strategic Environmental Assessment Directive and the Environmental Assessment of Plans and Programmes Regulations 2004. Secondly, Policy H2 was allegedly incompatible with Article 8 of the European Convention on Human Rights (ECHR) (right to a private life).
140. On the first ground Mr Justice Hickinbottom dismissed the appellant’s claim that the Council had failed to consider all reasonable alternatives as part of the SEA of the neighbourhood plan. The alternative suggested by the appellant, to provide more homes, was a ‘non-starter’ because it would not be effective in meeting the policy objectives behind policy H2 (including: to reflect local housing needs and to ‘safeguard the sustainability of the settlements in the St Ives NDP area’). Statistical evidence from the census suggested that while there had been increases in the number of new homes

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<sup>36</sup> R. (on the application of RLT Built Environment Ltd) v Cornwall Council [2016] EWHC 2817 (Admin): <http://www.bailii.org/ew/cases/EWHC/Admin/2016/2817.html>

built between 2001 and 2011, a significant proportion of these new homes were being occupied by non-resident households (and were not therefore available for people who wished to occupy their home as a 'principal residence'). These statistics were supported by evidence from local people / Exeter University which indicated that new homes were not being occupied by resident households.

141. On the second ground, which related to policies H2 compatibility with human rights legislation, Mr Justice Hickinbottom concludes that any interference with human rights (conferred by article 8 of the ECHR) could be justified as 'that Policy H2 is in pursuit of legitimate public interests identified in article 8(2), namely the interests of the economic well-being of the country, and for the protection of the rights and freedoms of others.' (Paragraph 102). Mr Justice Hickinbottom also considered whether policy H2 was sufficiently certain to allow an individual to organise their affairs (paragraph 108) and whether policy H2 was necessary (he notes this as a matter of planning judgement for the Council based on the examiner's report – paragraph 111).

### **Exmoor National Park Local Plan (2017)**

142. Policy HC-S4 of the Exmoor National Park Local Plan<sup>37</sup> looks to ensure that all new market housing will be principal residence housing. This is in line with the Government's Circular<sup>38</sup>, which recognises that National Parks are not suitable locations for 'unrestricted housing'.
143. The policy has been introduced in the local plan on the basis of the threat second homes are causing to local communities, for example Lynton and Lymouth, where the proportion of second homes is 28%; and Brendon, where the proportion is 33%. The closure of local schools and shops and a general decline in social well-being are cited as negative effects.

### **Inspector's report**

144. The inspector pays particular attention to this policy from paragraph 77 of his report<sup>39</sup>. He notes that the proportion of second or holiday homes in the plan area, at 19%, is much higher than the regional or English averages.
145. Interestingly, the inspector notes that 'as second and holiday homes are not a category of need for which the NPPF advises that provision should be made, the policy involves no specific conflict with national policy.' Purbeck District Council interprets this to mean that there is no need to include a specific target for second homes in a council's growth strategy, but the requirement to take them into account as a 'market signal' in SHMAs is still relevant. Therefore, under current Government guidance, it is right for SHMAs to note the level of second homeownership in a plan area and adjust the housing figure accordingly.

### **Exmoor National Park Authority**

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<sup>37</sup> <http://www.exmoor-nationalpark.gov.uk/planning/planning-policy>

<sup>38</sup> English National Parks and Broads UK Government Vision and Circular (2010), paragraph 78

<sup>39</sup> [http://www.exmoor-nationalpark.gov.uk/\\_data/assets/pdf\\_file/0009/967257/Inspectors-Report-full.pdf](http://www.exmoor-nationalpark.gov.uk/_data/assets/pdf_file/0009/967257/Inspectors-Report-full.pdf)

146. (ENPA) included the same counsel's advice that had formed part of the Lynton and Lynmouth Neighbourhood Plan examination on the subject of a proposed planning condition. The inspector saw no reason to disagree with counsel's advice.
147. One of the key areas of legal challenge to the St Ives Neighbourhood Plan was on the grounds of compatibility with human rights legislation. The Exmoor Local Plan inspector considered this at paragraph 82 of his report, concluding that specifying for all new market housing to be principal residence housing would 'involve a degree of interference' with human rights. However, he saw that the wider benefits, including addressing the detrimental effects of the high number of second homes in the National Park, makes the degree of interference 'proportionate and justified in the public interest and in order to protect the rights and freedoms of others.' As such, the adoption of the plan would not lead to a breach of any Convention right.

### **Northumberland Draft Local Plan May 2018**

148. In Northumberland, an important local issue within the AONB is the proliferation of second and holiday homes. While providing some economic benefits, the lack of permanent occupation of such properties is having an adverse impact on the social fabric of affected communities as a result of diminished support for and consequent reduced viability of local facilities and schools, thus causing settlements to lose their sense of community with some services only operating at certain times of the year. Additionally, the demand for holiday accommodation in these locations, coupled with rising house prices and a limited supply and turnover of homes, has made many smaller properties unaffordable to the local population.
149. Recognising this issue, the draft local plan looks to restrict the ownership of new properties to second homes in certain locations. It does this through policy HOU8 Management of Housing Development:
150. New dwellings within parishes identified in the latest Census with 20% or more household spaces with no usual residents will only be supported where first and future occupation is restricted in perpetuity to ensure that each new dwelling is occupied only as a 'principal residence'. This restriction will be secured through a section 106 agreement.
151. The evidence for the policy is largely based on census data, Council Tax and Business Rates data. The draft plan is currently out for public consultation until 15 August 2018.

### **North Northumberland Coast Neighbourhood Plan November 2017**

152. The North Northumberland Coast Neighbourhood Plan has locally specific planning policies to provide guidance as to what kind of development will be supported. The impact of these high levels of holiday and second homes has resulted in a loss of sustainability within these coastal communities. A policy intervention is therefore considered necessary to manage the number of new dwellings which are built as or become second homes. The plan seeks to take a positive approach to the provision of new housing to benefit sustainable communities. The plan supports the development of housing that will be permanently occupied, defined in the plan as principal residence housing. The effect of this policy intervention is to support an increase in the number of year-round residents in all of the settlements in the neighbourhood area.

### 'Policy 14 Principal Residence Housing

Proposals for all new housing, excluding replacement dwellings, will only be supported where first and future occupation is restricted in perpetuity to ensure that each new dwelling is occupied only as a principal residence. Principal residence housing is that which is occupied as the sole or main home of the occupants and where the occupants spend the majority of their time when not working away from home. These restrictions will be secured prior to the grant of planning permission through appropriate Planning Obligations created and enforceable under section 106 of the Town & Country Planning Act 1990, or any subsequent successor legislation.'

153. The justification for the policy is principally based on the growth between 2001 and 2011 in the number of households with no residents and adverse social impacts, including the loss of local community facilities, on year-round residents.

### Examiners Report

154. The examiner's report<sup>40</sup> considers whether the Submission Neighbourhood Plan meets the Basic Conditions.
155. The examiner noted that the proportion of second homes neighbourhood area are high (32% for the average across the Neighbourhood Plan area) compared to other areas within England identified as experiencing similar characteristics. The examiner made the following comments:
- "I have noted the evidence presented in the Housing Evidence Paper (2016) relating to the impact of second homeownership and holiday homes, including that relating to businesses, schools, and medical services. As a matter of planning judgement, I am satisfied the policy has been adequately explained by demonstrating uncontrolled growth of second and holiday homes is damaging the plan area, and that the policy will contribute to the achievement of sustainable development. I have noted viability has been considered in the Housing Evidence Paper (2016).
156. The policy is in general conformity with the strategic policies included in the Development Plan, the saved policies of the Berwick-on-Tweed Borough Local Plan (1999), and provides an additional level of detail or distinct local approach to that set out in the saved policies.
157. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy has regard to the components of the Framework concerned with building a strong, competitive economy; delivering a wide choice of high quality homes; and promoting healthy communities. This policy meets the Basic Conditions."

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<sup>40</sup> <http://www.northumberland.gov.uk/NorthumberlandCountyCouncil/media/Planning-and-Building/planning%20policy/Neighbourhood%20Planning/North-Northumberland-Coast-NP-Report-of-Independent-Examination.pdf>

### Appendix 1 Summary

158. Although there is yet to be a successfully adopted local plan policy restricting second homeownership outside of a national park, it does appear that one could be lawful in theory. The cases of the Lynton and Lynmouth Neighbourhood Plan, the St Ives Neighbourhood Plan, Exmoor National Park Local Plan and the advice from PAS all show that a robust evidence base is essential in underpinning any potential planning policy. The case of the Borough of Islington's Wasted Housing Supply SPD shows the importance of a robust planning obligation and proof from an independent body, such as the Council of Mortgage Lenders, that a policy would not be unduly restrictive.
159. The detailed coverage of the St Ives Neighbourhood Plan is useful, particularly as the policy to restrict second homes has been tested through the courts. The concerns of the examiner and the Cornwall Affordable Housing Team and the potential for conflict with the NPPF and European law provide valuable focus on the key issues that any plan maker would need to address for any restrictive policy. Furthermore, the St Ives examiner's steer that any policy should not apply to holiday lets (and the distinction between holiday lets and holiday homes) is relevant to Purbeck and justification for not trying to restrict holiday lets through any policy.
160. The Exmoor National Park Authority Local Plan inspector appeared to be mindful of the issues raised during neighbourhood plan examinations and the St Ives legal challenge, making particular mention of the social impacts; legality of a model condition; and compatibility with human rights. The significance of the inspector finding the policy to be sound is that it is the first local plan policy to reach this stage. Although it is for a national park authority where development is more strictly controlled, it nevertheless sets a useful benchmark for other local plans, provided they can prove their case.
161. A strong evidence base is essential, in order to demonstrate there is a genuine issue that needs to be addressed through a planning policy. Roseland Neighbourhood Plan in Cornwall attempted to introduce a restrictive policy, but the examiner required its removal because 'without supporting evidence the policy is not demonstrated to have a sustainable impact, whether on the local economy, socially and upon the environment.'<sup>41</sup>

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<sup>41</sup> [http://www.roselandplan.org/uploads/2/1/4/5/21457108/ndp\\_roseland\\_examiner\\_report\\_-\\_05.05.2015.pdf](http://www.roselandplan.org/uploads/2/1/4/5/21457108/ndp_roseland_examiner_report_-_05.05.2015.pdf)

## Appendix 2: Parishes by ward (applicable to 2001-2011 Census data)

162. The Census data cited in section 2 of this paper refers to wards that have been updated since the Censuses took place. The tables below show which parishes were in which ward in 2001-2011 and the wards they are in now.

Table 12: Wards relevant to 2001-2011 Census data

Ward name in 2001 – 2011 Censuses	Parishes in ward
Bere Regis	Bere Regis
Castle	Corfe Castle; Studland
Creech Barrow	Arne; Church Knowle; Kimmeridge; Steeple; Tyneham
Langton	Langton Matravers; Worth Matravers
Lytchett Matravers	Lytchett Matravers
Lytchett Minster and Upton	Lytchett Minster and Upton East; Lytchett Minster and Upton West
St Martin	Bloxworth; Morden; Wareham St Martin;
Swanage	Swanage North; Swanage South
Wareham	Wareham Town
West Purbeck	Coombe Keynes; East Holme; East Lulworth; East Stoke; West Lulworth
Winfrith	Affpuddle and Turnerspudde; Chaldon Herring; Moreton; Winfrith Newburgh
Wool	Wool

Table 13: Current wards

Current Purbeck wards	Parishes in ward
Bere Regis	Bere Regis
Castle	Corfe Castle; Studland
Creech Barrow	Arne; Church Knowle; Kimmeridge; Steeple; Tyneham
Langton	Langton Matravers; Worth Matravers
Lytchett Matravers	Lytchett Matravers
Lytchett Minster and Upton	Lytchett Minster and Upton East; Lytchett Minster and Upton West
St Martin	Bloxworth; Morden; Wareham St Martin;
Swanage	Swanage North; Swanage South
Wareham	Wareham Town
Lulworth and Winfrith	Coombe Keynes; Chaldon Herring; East Lulworth; West Lulworth; Winfrith Newburgh
Wool	Affpuddle and Turnerspudde; East Holme; East Stoke; Moreton; Wool