

**North Dorset District Council
Local Development Framework**

**Summary of Main Issues Raised in Representations
(Regulation 18)**

**Managing Housing Land Supply in North Dorset
Supplementary Planning Document**

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1. Introduction

- 1.1 Under the Planning and Compulsory Purchase Act 2004 a Local Planning Authority shall not adopt a Supplementary Planning Document (SPD) until:
- They have considered any duly made representations in respect of the draft SPD, and
 - Have prepared a statement setting out a summary of the main issues raised in these representations, and how these main issues have been addressed in the SPD, which they intend to adopt.
- 1.2 This document provides a summary of the main issues raised as a result of the responses received during the consultation period. It also shows how the Council has addressed these issues. A full schedule setting out all the comments made and examining the issues raised in more detail was produced for the Cabinet meeting on 2nd July and Council on 27th July 2007.
- 1.3 Public consultation took place between 9th March and 20th April 2007. During the consultation period a total of 37 representations were received by the Council, broken down by respondent, as set out below:
- developers/agents - 17;
 - town and parish councils and community groups - 10;
 - public and regulatory bodies - 6;
 - individuals - 3; and
 - countryside lobby group - 1.

2. Main Issues Raised

Support for the SPD

- 2.1 Six responses supported the Council's efforts to manage housing land supply, supporting Option 5, as identified in the SA Report, being the preferred option. From these representations there was general agreement that the rate of house building should be in accordance with the Local Plan and the target should not be exceeded.

Past Lack of Management of Housing Land Supply

- 2.2 The issue was raised as to why housing land supply had not been adequately managed in the past. The Council accept that greater control could have been exerted earlier, yet considers that due to a number of factors (set out in detail in the full schedule) the Council has taken action at the appropriate time to address the issue of oversupply. The Council also clarifies that the oversupply situation does not mean that all planning applications involving residential development will be refused permission. In certain cases other policy issues and other material considerations may outweigh oversupply concerns and granting planning permission may be justified.

The Need for the SPD and the Implications of Planning Policy Statement 3: Housing and the Regional Spatial Strategy

- 2.3 Two respondents specifically questioned the need for the SPD in its entirety, while a number of respondents set out how the SPD on Housing Land Supply would be contrary to the recently revised national policy on housing as set out in PPS3: *Housing*, the Government's stated objectives of improving the efficiency of delivering housing, or would be superseded by new targets set by the forthcoming South West Regional Spatial Strategy (RSS).
- 2.4 The Council's view, however, is that there is a clear need for the SPD, supported by GOSW, and that the SPD would accord with the Government's 'plan, monitor, manage' approach to planning. It is accepted that when the RSS is adopted the SPD will need to be reconsidered, as mentioned in Section 9 of the SPD itself. The 'step change' in North Dorset, as set out in the RSS, will be towards delivering a lower level of housing development than that set out in the current development plan. Therefore, the SPD's objective of managing housing supply downwards is not contrary to national or regional objectives.
- 2.5 Other specific responses were received concerning the implications of PPS3, including the fact that the guidance states that 20% is an acceptable range for housing completions to deviate from development plan housing targets. However, the Council's view is that PPS3 only gives an example of what an acceptable range could be (i.e. a range of 10 to 20%). The 10% 'margin of leeway' given in the Local Plan accords with the example of an acceptable range given in PPS 3. 10% needs to continue to be the range in the SPD, in order for it to remain supplemental to the Local Plan.
- 2.6 Another respondent queried whether the figures for outstanding planning permissions in Tables 4.2 and 4.3 all related to the Government's definition of 'developable sites' as set out in PPS3. The Council will undertake more detailed work on this matter through the production of its next Annual Monitoring Report. The Council, however, considers it is beyond reasonable doubt that housing completions will exceed the development plan target of 5,900 dwellings, given the very high level of existing consents, even allowing for a considerable level of non-implementation.

East Shaftesbury Call-in Inquiry and the Bourton Mill High Court Challenge

- 2.7 Six responses stated that the uncertainty on housing land supply due to the awaited outcome of the Shaftesbury call-in and the Bourton Mill High Court Challenge meant that the Council's decision to produce a SPD was premature. In particular, a number of those responses identified that four recent appeals, of which oversupply was a refusal reason, had been allowed.
- 2.8 As stated above the Council's view is that the development plan's housing provision target will be exceeded from existing consents. Also, since the publication of the consultation draft SPD, both the Land East of Shaftesbury and Land off Shaftesbury Lane, Blandford have been

approved. The Council views that the lack of a SPD on housing land supply was one of the primary reasons why inspectors had allowed some appeals, therefore the production of a SPD would help the Council to manage oversupply. Many appeals have been dismissed where the Council has cited oversupply as a reason for refusal, both in urban and rural areas.

Impact on House Prices and the Provision of Affordable Housing

- 2.9 Three responses received raised the issue of the potential impact of the SPD to compound the affordability of housing issues within the District. However, the Council can find no evidence to indicate that high levels of house building in the recent past have kept house prices low stating that house prices are a result of a number of issues.
- 2.10 A number of other responses identified the need for more affordable housing throughout the District, and that the shortfall in provision would be exacerbated by the implications of the SPD. The Council have been very much aware of this issue, throughout the development of the SPD; Section 5 of the SPD deals with the supply of affordable housing and paragraph 8.9 recognises that the need for affordable housing may be a material consideration in the determination of relevant planning applications.

Impact on Development on Previously Developed Land

- 2.11 Three respondents commented that the SPD would have a negative impact on or preclude development on Previously Developed Land (PDL). However, the SPD would not preclude development on PDL, if it could be demonstrated that there were other policy reasons or material considerations that would justify planning permission being granted, despite oversupply concerns.

Impact on the Local Building Industry

- 2.12 Seven responses commented on the potential impact of the SPD on the local economy, in particular the building industry, stating that the document will have the greatest impact on small local builders, rather than the national house builders. The Council considers that the high level of extant planning permissions will not 'shut down' development completely (at the end of March 2007, there were 595 extant housing consents). The SPD only seeks to manage new dwellings, therefore extensions and other types of development may still be permitted.

Impact on Sustainable Development Objectives

- 2.13 The impact of the SPD's policies on the Council's sustainable development objectives, as set out in the table on Page 7 of the Local Plan, was questioned by a number of respondents, in particular its impact on the more rural communities, with some recommending rural areas be treated as exceptions to the SPD. The Council recognises that while some further development can support rural communities, the level of development in the rural areas has been very high, undermining the Local Plan's objectives to concentrate development in the most appropriate locations, namely the main towns. In addition, a recent Audit Commission report concurs, stating "*the Council provides a fair planning service because of the Council's previously relaxed approach*"

to residential development which has led to housing oversupply and undermined the sustainability policies in the Local Plan'.

Release of the Remaining Undeveloped Allocations

- 2.14 Responses were received concerning the Council's approach to managing the release of the remaining undeveloped allocations, as listed in the Local Plan. Some respondents have objected to the 'holding back' of these sites in the SPD. The Council's view is that its method of managing the oversupply situation is the best option, setting out the fact that the SPD will only hold back further development on allocated sites until three months after the adoption of the RSS, after which the Council will review its policy framework. As a result of the call-in Inquiry on Land to the East of Shaftesbury and the Reserved Matters application on land to the rear of Dikes Bakery, Stalbridge, the Council have recommended a number of changes in order to update the document in this respect.

Development on Non-allocated Sites

- 2.15 A number of respondents felt that the SPD should provide more guidance on how different types of schemes with a residential element on non-allocated sites would be treated and a number of 'exceptions' were suggested. It is accepted that in determining planning applications, the Council will have to have regard to other policies and other material considerations. However, it is not appropriate for the SPD to seek to establish a list of 'exceptions' or to seek to balance other issues against oversupply. To do so would effectively create new policy, rather than interpret the existing policies on housing land supply in the Local Plan. Consideration can, however, be given to these matters through the development control process, as Section 8 of the SPD explains.

Planning Conditions and Agreements

- 2.16 Concerning planning conditions and agreements, one consultation response questioned the need for the Council to progress with the SPD stating that planning conditions, on a site-by-site basis, are an appropriate means of phasing housing land supply, rather than producing supplementary policies to the existing adopted Local Plan. However, the Council comment that this method of managing the oversupply issue would risk storing up permissions and could undermine the 'plan, monitor, manage' approach to housing supply.

Comments on the Sustainability Appraisal (SA) Report

- 2.17 Concerning the Sustainability Appraisal (SA) Report which accompanied the SPD, five responses received (one from Dorset County Council and four from agents) had comments to make on the Report. After an assessment of all of these comments it was the Officer's Recommendation not to alter the Report. Comments received ranged from general support, to concerns that the SA undertaken had not adequately had regard to the adverse social and economic impacts of restricting housing development.

Comments on the Consultation Statement

- 2.18 One response was received which commented on the Consultation Statement, which also accompanied the SPD. In summary they

questioned what percentage of affordable housing is taken up by local people and what the Council's definition of 'local people' is, and commented on the impact of additional housing on infrastructure and that rural issues need to be discussed seriously at the regional level.

3. Schedule of Responses

- 3.1 The full schedule of responses that the Council produced (Appendix 3, Agenda Item 6, Council meeting agenda – Friday 27th July 2007) set out all the issues raised through public consultation on the draft Managing Housing Land Supply in North Dorset SPD, the SA Report and the Consultation Statement and indicates, in greater detail, how these issues were addressed in revising the SPD for adoption.