

**Town and Country Planning Act 1990 (As Amended)
Section 78 Appeal**

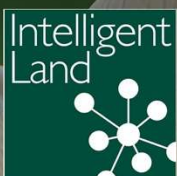
Appeal by Dudsbury Homes (Southern) Ltd

**Land to the south of Ringwood Road Alderholt SP6
3DF**

**Response to the Request from the Inspector for the
Appellant's Consideration of the Written Ministerial
Statement (Building the homes we need) and the
consultation revised NPPF, both dated 30 July 2024**

Appeal Reference: APP/D1265/W/23/3336518

August 2024



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1. Introduction

1.1 This document provides a detailed response to the Inspector's request for the Appellant's consideration of the recent Written Ministerial Statement (WMS) and the consultation draft of the revised National Planning Policy Framework (NPPF), both dated 30 July 2024. The response assesses the implications of these documents on the Alderholt Meadows planning appeal, particularly in the context of housing targets, planning reforms, and the Government's housing delivery objectives.

2. Written Ministerial Statement

2.1 On 30th July 2024 Angela Rayner, the new Deputy Prime Minister and Secretary of State for Housing, Communities and Local Government, issued a Written Ministerial Statement (WMS) setting out the Government's plans to "build the homes this country needs".

2.2 WMSs represent government policy and are material considerations in decision making. The weight to be applied to WMSs is typically significant and set out below are the key relevant points from the WMS and the Appellant's reasoning why significant weight should be applied to them in the context of the Alderholt Meadows planning appeal.

2.3 The WMS is full of positive intent. It recognises the acute housing crisis; that home ownership is out of reach for many; that the shortage of houses drives high rents; and that too many people are left without access to a safe and secure home. Reforms are therefore proposed to fix the foundations of the planning and housing system with a commitment to build 1.5 million homes over the next five years.

2.4 The planning appeal has heard, and it is common ground between the parties that the existing housing need is significant, including the very significant need for affordable housing, and the Appellant concludes that the WMS only serves to strengthen the importance placed on delivering new homes.



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Restoring and Raising Housing Targets

- 2.5 To deliver the necessary homes the WMS commits to restoring and raising housing targets. The changes made to the NPPF in December 2023 are to be reversed and the standard method is to be used for determining housing requirements. However, the standard method is to be updated to raise the overall housing target from 300,000 to 370,000 by replacing the previous 2014 household projections based approach with one based on a percentage of existing stock reflecting average housing growth with an affordability uplift. The new number is therefore better reflective of local needs and the operation of the housing market. The changes will also remove the application of the cap.
- 2.6 Published alongside the WMS is a consultation draft NPPF and the outcome of the proposed application of the revised standard method. There is no published East Dorset figure but for Dorset Council the change to the standard method results in an uplift in housing need from 1,829 to 3,230 dwellings per annum (dpa). A very significant increase of 1,401dpa or 77%.
- 2.7 Although no specific figure is published for East Dorset, it is possible to estimate a proportionate increase using data on local authority housing stock. Live Table 125: Dwelling stock estimates by local authority 2002-2023, rounded, provides the source for the government's proposed amended standard method. Data is no longer collected for the former East Dorset area since Dorset became a unitary council in 2019. The last recorded figure for East Dorset was 40,000. This rounded figure had remained unchanged since 2016. The unrounded figures for this period indicate an average annual increase of about 250 dwellings. If this increase is projected forward a further four years to 2023 then it would produce a rounded figure of 41,000.
- 2.8 The 2023 housing stock estimate for Dorset is 187,000. Taking 41,000 as the proxy figure for East Dorset this represents 22% of Dorset's housing stock. 22% of the proposed standard method figure for Dorset is 711. This is an increase of 253, or 55%, over the Post Round Table Note on Housing Land Supply (CDK.013) capped position of 458dpa.

2.9 The implication of the proposed change to the standard method is set out in the requested update to the Housing Land Supply Topic Paper but it is sufficient to say that the implication of the proposed change to the standard method is very significant whether applied to East Dorset or to Dorset Council areas.

Building in the Right Places

2.10 The WMS maintains the brownfield first approach looking to introduce changes to support more brownfield development. However, as discussed during the appeal there is limited brownfield opportunity within either the former East Dorset area or wider Dorset Council area to meet the housing need.

2.11 In addition to promoting brownfield land the WMS proposes changes to the Green Belt by taking a more strategic approach, requiring local authorities to review Green Belt boundaries where they cannot otherwise meet housing and other needs. It recognises though that this should come through the plan-making process and that this will not be immediate. The WMS does recognise that ahead of plan-making “grey belt” sites should be considered for development. The extent of “grey belt” land in East Dorset is unclear, however, the sites which were identified in the Dorset Local Plan Regulation 18 document (CDD.016, 2 of 5 vol.2 SE Dorset) were almost entirely greenfield sites that do not fall within the proposed definition of “grey belt” land.

2.12 Dorset Council is yet to commence a local plan, awaiting the introduction of new plan-making regulations. It will be mid-2027 at the earliest before the Council adopts a Dorset-wide plan and some years after adoption before allocations progress through the system to delivery. The combination of a delayed plan-making process and increased housing requirement only serves to strengthen the need to deliver housing now and deliver the new Government’s housing ambitions.

Delivering More Affordable Homes

2.13 The Government is committed to improving affordability through increased supply as well as building a greater share of genuinely affordable



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homes. The WMS commits to the biggest growth in social and affordable housebuilding in a generation and proposes changes to planning policy designed to support delivery of affordable homes. The changes seek to loosen the restriction on the type of home ownership products and allow local authorities to judge the right mix of affordable housing to meet the needs of their communities. The WMS also specifically recognises the role mixed use sites comprising a variety of ownership and rental tenures help create diverse communities and help build out rates.

- 2.14 The appeal site's affordable tenure mix is based on local needs evidence taken from the BCP and Dorset Joint Housing Needs Assessment 2021 (CDF.023). The mix of tenures is secured through the s106 agreement. The appeal site therefore not only will deliver a range of tenure products as envisaged in the WMS it will also aid housing delivery rates.

Building Infrastructure to Grow the Economy

- 2.15 The WMS recognises the need to increase infrastructure provision alongside housing. With relevance to the appeal scheme is the delivery of green energy and the commitment to zero carbon electricity and boosting the weight to be given to the benefits associated with renewables. Significant weight should therefore be accorded to the appeal proposals incorporation of renewable energy and commitment to net zero in operation.

WMS Summary Conclusion

- 2.16 The WMS clearly and specifically sets out the new Government's intent to increase housebuilding and address the housing crisis. It places great emphasis on the need to deliver affordable housing and significant weight to the role of renewable energy to help meet net zero targets. Therefore, The WMS should be afforded significant weight in decision-making, providing strong policy support in favour of the appeal proposal.

3. Draft Consultation National Planning Policy Framework

- 3.1 The NPPF published for consultation alongside the WMS proposes to reverse the changes made to the NPPF in December 2023. In addition, it makes other changes to support the government’s ambitions to increase the number and delivery of housebuilding over the next five years.
- 3.2 The NPPF is a consultation document and therefore the changes in general carry limited weight. However, the intent is clear and its relationship to the WMS indicates the clear direction of travel in the need to deliver housing in greater numbers and at a quicker pace. The key changes of relevance to the Alderholt Meadows appeal are set out below, referenced by paragraph number and in order as they appear in the draft NPPF.

Key Changes Relevant to the Appeal

- 3.3 **Para.11d and Footnotes 8 and 9:** The proposed changes make clear that it is policies for the supply of land that are out of date rather than those most important for determining the application is the consideration in decision-taking. This is predicated on the basis that it acts as a failsafe to support housing supply. Footnote 8 clarifies that “policies for the supply of land are those which set an overall requirement and/or make allocations and allowances for windfall sites...”.
- 3.4 The Appellant recognises that the proposed change is designed to provide clarity and impact favourably the delivery of new homes. The proposed change in the context of Alderholt Meadows would confirm and reinforce the agreed position between the main parties that the housing requirement in the EDCLP2014 is out of date.
- 3.5 Footnote 9 is to be amended deleting the four year supply of deliverable sites, reverting back to a five year supply demonstration of deliverable sites. The five year supply requirement is to include an appropriate buffer which had been removed from the 2023 version. As noted at paragraph 1.8 of this note the implications of the proposed change to calculating five year supply is provided in an update to

the Housing Land Supply Topic Paper.

- 3.6 **Para.62:** reverses the December 2023 position that the standard method should be an advisory starting point for establishing a housing requirement. The effect is that the standard method will be used to determine the minimum number of homes needed. As far as the planning appeal is concerned this confirms the position of the two parties that the standard method is used for establishing the baseline housing requirement.
- 3.7 **Para.66:** proposes the insertion of text requiring that the mix of affordable housing required meets identified local housing needs across both affordable housing for rent and affordable home ownership tenures. As far as the planning appeal is concerned the appeal scheme is aligned with the most recent identified local housing needs and is agreed between the Council and the Appellant.
- 3.8 **Para.69:** Similarly this proposed paragraph supports the appeal proposals, recognising the benefits of creating diverse communities and supporting timely build out rates through a range of tenure types, and housing for specific groups such as elderly people.
- 3.9 **Para.76:** Deletes the option of fixing the housing land supply position through an annual position statement or recently adopted plan. It also reinstates the 20% buffer where there is significant under delivery. The Council informed the appeal inquiry that they were producing an annual position statement (APS) for the wider Dorset area, excluding the former Purbeck Council area, however given that this has yet to be examined it carries no weight and it has no future as a document of relevance in planning decisions.
- 3.10 **Para.112:** the key proposed change to this paragraph is replacing the current requirement in criterion a) for *appropriate opportunities which can or have been taken up* given the type of development to *a vision led approach is taken, taking account* of the type of development and its location. The Appellant considers that the proposed wording changes shift the emphasis from one of exploring



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what opportunities there may be for accommodating sustainable transport options within a development to an ‘upfront’ approach to setting out the sustainable transport options. This shift supports the Appellant’s approach to firstly identifying a vision for Alderholt and the role of sustainable transport options within the appeal scheme and if measured against this change would accord with the proposed change.

- 3.11 **Para.113:** This paragraph has always set a high bar for the refusal of planning applications with the test needing to demonstrate an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The proposed change adds the words “in all tested scenarios” which will set the bar even higher. The consultation explains the purpose is to challenge the default assumption of automatic traffic growth where places are designed for a ‘worst-case’ peak hour scenario. In essence, not having worst case peak hour forecasts drive the design of places.
- 3.12 In the context of the appeal proposal, it was demonstrated that there was no unacceptable highway safety aspect and that there was no severe residual impacts on the road network, even in the sensitivity testing scenarios where the level of internalisation was significantly reduced from the level agreed with Dorset Council at pre-application stage. The effect of the proposed change to para.113 would support the Appellant’s design led and trip internalisation approach and all the supporting transport assessment work undertaken.
- 3.13 **Para.142:** In the context of considering constraints in Dorset the proposed change to this paragraph reaffirms that Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified. This includes instances where an authority cannot meet its identified housing need. However, paragraph 143 remains unchanged and clarifies that before exceptional circumstances exist to justify changes to Green Belt boundaries it should be demonstrated that the strategic policy making authority has examined fully all other reasonable options for meeting its identified need, and this would include Alderholt.



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- 3.14 **Para.152:** This proposed new paragraph would treat development, including housing, within the Green Belt as not inappropriate development in situations where the development would utilise ‘grey belt’ land in sustainable locations, and where the local planning authority cannot demonstrate a five-year housing land supply.
- 3.15 The proposed change would not alter the status of considerable environmental constraints in Dorset but could affect the constraint of Green Belt policy. It may well open the door to planning applications being submitted for some locations where the land could be identified as “grey belt”. Such applications could help deliver housing and other needs. However, firstly they will take time to move through the planning system and eventually to delivery and will not therefore make any meaningful contribution for a number of years. Secondly, although this may be a potential additional source of supply before the adoption of a new Plan, such sites are unlikely to be able to meet the significant uplift in housing that will be required because of the changes to the calculation of the standard method.
- 3.16 **Paragraph 155:** any Green Belt release through paragraph 152 would need to deliver the contributions set out in this paragraph. These are that any major Green Belt release would need to make contributions of at least 50% affordable housing; infrastructure improvements; and improvement to green spaces. This proposed paragraph has no direct implication for the appeal scheme, but clearly places requirements on Green Belt sites which may or may not limit their ability to deliver.
- 3.17 **Annex 1:** makes amendments which would delete the four year supply requirement. At the appeal agreement was reached that Dorset could not claim the four year position. The proposed change would only solidify this.
- 3.18 **Glossary:** A few changes are made to the Glossary, most notably the clarification provided to First Homes; deletion of Annual Position Statement; definition of grey belt land; and local housing need being derived through the standard method. The Appellant has no additional comments to make on those made in earlier paragraphs.

NPPF Summary Conclusion

- 3.19 The NPPF is a consultation document and therefore the changes carry very limited weight. The changes do, however, reinforce the message within the WMS about the priority to grow the economy and the necessity of building more homes.

4. Overall Conclusion

- 4.1 Through its announcements on 30 July 2024 the Government has set out a clear vision and a deeply ambitious agenda to deliver more homes. The ambition is unambiguous in the scale of change it seeks.
- 4.2 The WMS demands the delivery of 1.5 million homes in the next five years with an emphasis on immediate delivery. It should be accorded significant weight in decision making, including the appeal scheme at Alderholt Meadows.
- 4.3 To engender the change a number of proposals are put forward including changes to the NPPF and future changes to aid delivery of affordable housing. The changes to the NPPF are out for consultation to 24 September 2024 and therefore in themselves only carry limited weight but read alongside the WMS the proposed changes aim to deliver the government's ambitions and therefore reinforce the Government's message.
- 4.4 In the context of Alderholt Meadows the WMS and proposed changes provide positive support to the need to deliver housing now and at scale to meet the severe housing need locally and housing crisis nationally.



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