

Responses to Examiner's Questions (in letter dated 4 Nov 2024) by Wool Parish Council and Dorset Council

19 November 2024

Responses from Dorset Council in red text.

Responses from Wool Parish Council in blue text.

1. Date of submission to DC

Question to DC. Please could the date of the submission of the WPNP to DC be confirmed?

DC: Initial submission was on 23 July 2024. On reviewing the documents submitted, a small number of gaps were identified in the required documentation. The parish council arranged for amendments to be made, and the final version of the submission documents were sent on 14 August 2024.

2. Habitats Regulations Assessment (HRA)

Question to DC. I note that Natural England has not responded to consultations about the HRA or about the draft Plan at the Regulation 14 and Regulation 16 stages. I would be grateful if a reminder could be sent and be informed of any response, notwithstanding that the examination may be nearing its conclusion if/when received.

DC: Natural England were consulted along with other statutory bodies at the appropriate stages of plan production. We sent an email reminder directly to several members of the local Natural England team on 4 November requesting that we would require any comments by 18 November. We have not received a response to date. We can offer no further explanation other than Natural England have no comment to make with regards to this proposed plan.

3. Policies

- a. **Questions to WPC and DC.** I have drafted possible modifications to policies below taking into account the Regulation 16 representations received. I should be grateful for comments on the draft modifications from both Councils.

Policy WOOL 1

Amend the second sentence to: *“New buildings and property boundaries should use good quality and durable materials, the details of which should be included in planning applications.”*

DC: In light of our comments to the Regulation 16 consultation, we agree with this change.

WPC: The proposed amendments to Policies **WOOL 1**, **WOOL 2**, **WOOL 5** (question b) and **WOOL 8** are reasonable and Wool Parish Council (WPC) agrees to them.

Policy WOOL 2

Amend criterion a) to: *“The height of new development should not be overbearing in relation to neighbouring land uses, should not result in significant harm to the character of the surroundings and should aim to create a design which respects the character of the area.”*

Amend criterion c) to: *“Private front gardens should be provided where appropriate and where they are compatible with the character of the surrounding area. Street patterns should be legible and designed to provide rear garden space where overlooking is minimised.”*

Amend criterion e) to: *“Car parking provision should reflect the car parking strategy as agreed by the Local Planning Authority.”*

DC: In light of our comments to the Regulation 16 consultation, we agree with these changes.

WPC: The proposed amendments to Policies WOOL 1, **WOOL 2**, WOOL 5 (question b) and WOOL 8 are reasonable and Wool Parish Council (WPC) agrees to them.

Policy WOOL 5

- b. Question to WPC.** DC suggested altering the first paragraph of Policy WOOL 5 to: *“Affordable housing provided in Wool Parish should be secured in accordance with Policy H11 of the Purbeck Local Plan 2018 – 2034”* and substituting *“Where viable, ...”* for *“Where possible, ...”* in the second sentence. I should be grateful for the comments of WPC on these suggestions?

WPC: The proposed amendments to Policies WOOL 1, WOOL 2, **WOOL 5 (question b)** and WOOL 8 are reasonable and Wool Parish Council (WPC) agrees to them.

- c. Question to WPC.** The second paragraph of Policy WOOL 5 states that First Homes provided as the first 25% of affordable housing should be made available at the maximum 50% discount in order to be affordable to local households. I should be pleased if WPC could provide justification for varying from the nationally advised minimum of 30% discount, particularly in view of the contents of the Written Ministerial Statement and Consultation Paper on Proposed reforms to the National Planning Policy Framework and other changes to the planning system dated 30 July 2024?¹

WPC:-

With regard to the basic framework for the delivery of First Homes, WPC understands that The Written Ministerial Statement from 24 May 2021 still applies in relation to discount levels sought. The First Homes discount is set at a Minimum 30%. The statement says that local authorities will be able to set a deeper minimum discount at either 40% or 50% and impose lower price caps, if they can demonstrate a need for this through evidence.

¹ <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

The NPPF says that Neighbourhood Plans can provide local evidence on to support local policies on local housing needs and requirements. The Wool Housing Needs Assessment has been prepared to support NDP policies, including WOOL 5.

WPC has viewed a local connection requirement as essential to meet local housing needs before offering wider take up of First Homes. In this context, it is important that First Homes are affordable to local households, to give them a chance to purchase a First Home. If the price is too high and/or the discount is insufficient, then this will not be possible.

The Housing Needs Assessment has calculated the affordability of First Homes to local households with median average incomes. The summary results from the Housing Needs Assessment are included in the NDP at Figure 19. This shows that First Homes at 30% discount would not be affordable to local households on median average income and they would be marginal at 40% discount. This is why the NDP has set a 50% discount.

It is acknowledged that the Housing Needs Assessment does not assess the viability of this requirement and WPC does not have further information on viability to support the requirement.

It falls to the Examiner's judgement as to whether the requirement to provide a 50% discount alongside the caveat that this should be done 'where viable' (in accordance with the suggested amendment) is sufficient. If the alternative is to remove this requirement or set a lower one, then it should be made clear that the affordability of First Home proposals to households with a local connection should be clearly demonstrated.

- d. **Question to DC.** The fifth paragraph of Policy WOOL 5 states that Social Rented and Affordable Rented homes should be allocated in accordance with Dorset Council's Allocation Policies (sic)(DCAP). When describing the local connection criteria, Policy WOOL 5 uses the table at 13.1 of the DCAP but substitutes "*Wool Parish*" for "Dorset". Is DC content with that substitution?

DC:-

Firstly, we support the first sentence of paragraph 5 which states that social rented and affordable rented homes should be allocated in accordance with Dorset Council's Allocation Policy (singular).

Secondly, we have no objection, in principle, to a local connection test for affordable home ownership tenures. It's possible for additional criteria to be incorporated into a Section 106 agreement in order for the policy to be implemented. However, as the Examiner has noted, the criteria have been lifted from Dorset Council's Allocation Policy with few amendments. This, we consider, does raise a few practical issues. We wish to make the following points to help improve the policy.

- The second sentence of paragraph 5 aims to capture all affordable routes to home ownership. To better reflect wording in the NPPF glossary, we suggest it could be reworded to: "First Homes, discounted market sales housing and other affordable routes to home ownership should be prioritised..."
- The wording of criterion (a) is a little ambiguous. To clarify, it means that someone either could have been living there for the last two years consistently or three years

over anytime in the last five. Suggest amending to: “Residency in Wool Parish for the last 2 years, or 3 years out of the last 5 years.”

- Criterion (e) has been lifted from Dorset Council’s Allocations Policy without modification. The purpose of DCAP is to help allocate existing properties to eligible households in a fair manner. In contrast, we assume that the purpose of Policy WOOL5 is to apply tighter restrictions to the disposal of new properties via provisions in Section 106 agreements. In this context, we cannot see the purpose of criterion (e) and suggest it is deleted from the policy.
- We suggest that the local connection criteria could be made a little broader while still meeting the objective of prioritising households with a local connection by making an allowance for households with a connection to an adjoining parish. We suggest removing the phrase “in the first instance” and adding the following conditions to the end of the policy:
 - Been continuously resident within an adjoining parish for the last 2 years, or 3 years out of the last 5 years.
 - Paid employment in an adjoining parish of 16 hours per week average for minimum period of 1 year (including zero hours contracts)
 - If there is still no qualifying applicant, applicants will be considered from the wider Dorset Council area.
- We wish to point out that the last of those above suggested criteria is important as applicants will be unable to get a mortgage without this clause.

- e. **Question to WPC.** Policy WOOL 5 omits any reference to the exceptions to the local connection criteria in Section 14 of the DCAP. Has WPC any comments about that omission?

WPC:-

The wording in relation to the local connections part of the policy may have become confused following changes made to reflect working group and Dorset Council comments. Dorset Council requested that a local connection applies only to First Homes and shared ownership (and not affordable and social rent). The wording should convey that specific local connections to Wool Parish are required for access to First Homes and Shared Ownership Homes, and that Dorset Council allocation policies apply otherwise.

WPC is not against the principle of the Dorset Council exceptions applying to all tenures but would like to be reassured that the volume of exceptions (presumably from across Dorset?) would not take up significant amounts of provision to reduce access to housing for local households (and blunt the effectiveness of a local connections requirement).

DC:- (additional comment made on 19 November 2024)

Our view is that the Exceptions set out in section 14 of the DCAP are aimed at those seeking rented accommodation and, in particular, are aimed at those in urgent need of housing on the housing register. Policy WOOL5, as currently drafted, already states that social and affordable rented homes should be allocated in accordance with DCAP. This leaves those seeking

affordable home ownership tenures, who we feel are unlikely to meet most of the section 14 exceptions.

The only category in Section 14 that our Housing Enabling Officer felt might be appropriate for affordable home ownership was under the Regular Forces section. Regular Forces criteria are sometimes listed in the S106 or on the type of scheme guidance. For example, First Homes lists Armed Forces as eligible.

The response from WPC suggests that they would like to be reassured that the volumes of exceptions wouldn't undermine the effectiveness of their local connections policy. We cannot provide any information on the potential demand from those seeking affordable home ownership tenures because, as stated above, the existing exceptions policy is only applied to those seeking rented accommodation. We can however clarify that households coming under the exceptions criteria do not have to be from the Dorset Council area.

Our view is that adding the exceptions criteria to Policy WOOL5 with respect to those seeking affordable home ownership tenures would add significant complexity and on the whole is unnecessary given that the purpose of the exceptions is to house those in urgent need of accommodation. Affordable home ownership typically involves applying for a mortgage which takes time, which would not be appropriate for someone in urgent need of accommodation.

Policy WOOL 8

- f. **Question to WPC.** I would be pleased to receive comments from WPC about the following redraft of Policy WOOL 8 which follows the representations from DC and the Defence Infrastructure Organisation (DIO).

“Proposals that will result in either the loss of or cause significant harm to a local community facility will be resisted, unless it can be clearly demonstrated that the facility is no longer financially viable. Unless otherwise agreed by the local planning authority, this will require a site to be genuinely marketed for a continuous period of at least 9 months at a price which reflects its existing or last use.

The following sites/properties are considered to be local community facilities, etc ...

Applications for development to improve local community facilities, including shops, will be supported in principle.

New residential development within the Plan area on sites larger than 1 hectare should be planned to promote walkable neighbourhoods and active travel. Local grocery shops should exist or be provided within 800m of the whole of the development.”

WPC: The proposed amendments to Policies WOOL 1, WOOL 2, WOOL 5 (question b) and **WOOL 8** are reasonable and Wool Parish Council (WPC) agrees to them.