

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

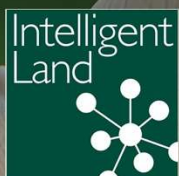
Appeal by Dudsbury Homes (Southern) Ltd

Land to the south of Ringwood Road Alderholt SP6
3DF

Planning Proof of Evidence of
Nigel Jacobs MRTPI

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

May 2024



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Hillview Business Centre
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Bournemouth
Dorset
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Executive Summary

- i). This proof of evidence has been drafted by Nigel Jacobs BA (Hons) MRTPI. I am the Operations Director at Intelligent Land, planning and development consultants.
- ii). This appeal is in respect of the refusal of an outline planning application for a mixed use development, including up to 1700 homes, at Alderholt, Dorset.
- iii). At Section 3 I set out the appeal scheme while at Section 4 I set out the history of the planning application.
- iv). At Section 5 I explain the Planning Policy position. The Christchurch and East Dorset Local Plan Core Strategy 2014 (C&EDLP) is the relevant Development Plan document together with saved policies from the East Dorset Local Plan 2002.
- v). There is no dispute that the proposed development is consistent with a number of Policies within the C&EDLP, notably with regards to design of the development and the dwellings within it, landscape quality, open space provision, safeguarding biodiversity, flood management and groundwater and that these policies remain relevant when considering the consistency of the development and the extent of any conflict with the Development Plan as a whole.
- vi). When read as a whole the appeal scheme is consistent with the Development Plan, specifically:
 - It is consistent with Policy KS2: Settlement Hierarchy as it will provide a scale of development to deliver the needs of the community
 - It is consistent with policies KS7 and PC5 in the provision of retail and community facilities
 - It provides a significant affordable housing offer of 35% although not agreed by the Council



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- In the context of transport, KS2 and KS11 can be met in respect of choice of transport modes, and on impact and safety grounds
 - There is no inconsistency with Policy HE3 and impacts on the tranquillity of the AONB
 - Habitats issues have been resolved and it can be concluded that there will be no harm to protected sites or species
- vii). In Section 6 outline progress made on the Dorset Local Plan. I explain how the emerging plan has now been discontinued and the Council intend to commence a 'new style' local plan in autumn 2024.
- viii). In Section 7 I explain the presumption in favour of sustainable development and how this is reached before discussing in Section 8 the Principle of Development and respond to the Inspector's Main Issues and address Reason for Refusal 2.
- ix). Main Issue 2 is concerned with whether Alderholt is a suitable location for development in the context of the spatial strategy, its relationship to transport and to the AONB. Policy KS2 sets out the settlement hierarchy within East Dorset. Alderholt is a Tier 4 Rural Service Centre. The policy identifies it as a main provider of services and facilities for the rural area where a scale of residential development, unspecified, will be allowed to enable day to day needs to be met. I explain how the settlement hierarchy places importance on rural service centres such as Alderholt and given Alderholt's size, how the provision of services currently available falls short of what would be expected in a settlement of its size.
- ix). In terms of Transport and Facilities and their long term success I explain the importance of scale and of creating a quality place to live and work. The Appellant has agreed to the Council's request to fund a bus service for 7 years and this can be written in the s106. To support the assertion of deliverability an offer to run the bus service has been put to the Appellant and provided to the Council. The deliverability of the local centre is supported by letters of interest from a local centre developer and from parties who may want to occupy units. It is proposed to

bring forward the local centre in phase 4, ensuring a strong presence from early in the development.

- x). Not only will the bus service provide a regular public transport connection for residents of Alderholt it will also provide a service for other settlements connecting to one of the major towns nearby. In addition to public transport, the provision of improved cycle connections to Fordingbridge will aid active travel while within the development foot and cycle provision will enable residents to access the local centre and business park without the need to drive. A choice of transport modes is therefore demonstrated.
- xi). I also demonstrate how there is no inconsistency with the aims of the AONB Management Plan, and far from it, how it positively encourages visitors to it. I finally turn in this section to the emerging Neighbour Plan and the issue of prematurity. It is worth stating that the Plan is still going through consultation, is likely to be examined and will require a referendum if it meets the basic conditions tests. I explain the objectives of the Neighbourhood Plan and how they accord with what the appeal scheme is also seeking to achieve. I explain how the Neighbourhood Plan does not address strategic matters and is silent on development of such a scale and how the limited amount of development it proposes will not affect the significant need that exists for housing, including affordable housing within Eastern Dorset and Dorset overall.
- xii). Main Issue 1 is concerned with housing need and supply. I explain the background to need and how this was most recently considered in the BCP and Dorset Local Housing Needs Assessment. The standard method was used to produce an uncapped need of 516 per annum for East Dorset and of 1,818 for Dorset as a whole. For the period covering 2021-2038 this equates to a local housing need of 8,772 for East Dorset (uncapped 6,825) and 30,906 for Dorset (uncapped 26,355).

- xiii). I then comment on the extreme level of affordable housing need in Dorset and how this is only 40 units lower than the capped annual figure of 1,757 concluding on the substantial need for such housing.
- xiv). It is agreed that the Council cannot demonstrate a five year supply of housing. However, the Council's position of 3.9 years is not agreed. As I have alluded, it is considered that the requirement should be an uncapped figure and not capped by virtue of the existence of a strategic requirement within the C&EDLP. In addition, there are five sites within the supply which are disputed together with the calculation of the Windfall allowance. With the Council's capped figure the reduction in supply reduces the supply to 3.5 years while uncapping the requirement reduces it to 2.9 years. Overall there is a substantial shortfall in supply which will not be rectified for a number of years.
- xv). In Section 9 I also comment on the other reasons for refusal. I explain how concerns which led to Reason for Refusal 1 relating to habitats has been addressed. Meetings with Natural England have helped clarify the submission of additional information which provides the certainty required to demonstrate that the proposal will not have an adverse effect of international protected sites and species.
- xvi). Matters relating to masterplanning and in particular the location of the local centre that form the Reason for Refusal 3 remain an issue between the parties. However, the local centre has been designed to be accessible to all residents of Alderholt, prioritising active travel. It does not need to be geographically central but in a location that best serves residents while ensuring maximum footfall. In that respect the local centre can be demonstrated to be in a locationally acceptable place.
- xvii). Reason for Refusal 4 is concerned with the non-compliance with affordable housing policy. This is disputed as the Appellant has made an offer supported by a robust Viability Statement. It is not known whether the Council accept this or not, nor the reasons for the dispute, nevertheless the offer exceeds levels brought forward

elsewhere in East Dorset and is also in line with the Council's own evidence commissioned for the emerging Local Plan in 2022.

- xviii). Reasons for Refusal 5 and 6 are concerned with retail and education matters. Reason 5, Retail, concerns the lack of a retail impact assessment and sequential test. These were provided in a single document to the Council on submission of the appeal. It concludes no sequential testing is required and that there will be no retail impact on town centres. It therefore follows that the retail proposals will not harm but benefit Alderholt and surrounding communities. While these aspects are no longer challenged by the Council it is understood that they still have concerns around the impact on the one convenience store in Alderholt. However, there is no premise for protecting stores from competition and in any event, it is considered unlikely that it would close.
- xix). The Appellant has agreed to make financial contributions toward education provision in Dorset's three tier system. This can be secured via s106. The appeal scheme does not provide for an onsite First School, rather funding the growth of the existing First School in its current location. It is considered that the existing site can accommodate a 2 Form Entry First School and Nursey as well as all-weather facilities. Some loss of trees would be needed but none so that affects the overall nature and character of the site. The Council disagree.
- xx). Reason for Refusal 7 is concerned with impacts on the highways network and highways safety. Matters relating to National Highways concerns have been resolved and a letter from them has been provided to the Inquiry. Significant work has also been undertaken to demonstrate to both Dorset and Hampshire Highway Authorities that impacts from the development will not be severe and that mitigation measures required can be accommodated. It is considered that the difference between the parties has narrowed considerably and that technical matters can be resolved before the Inquiry sits.



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- xxi). In Section 10 I outline the many benefits of the scheme assessing them against the economic, social and environmental objectives of the NPPF. I then in Section 11 undertake the planning balance. I first consider the flat balance, weighing up the benefits against the disbenefits or harm without applying paragraph 11(d) of the NPPF which leads to the clear conclusion that the appeal should be allowed. The benefits are considerable. They include a significant number of new homes of which 35% are proposed to be affordable; a local centre that will provide for the day to day needs of Alderholt's residents; 10,000sqm gross employment floorspace in a business park, investment in the existing school; funding of a full time bus service Monday to Saturday. Against this is the relative limited harm of the appeal scheme. There is some conflict with the development plan but some of the most important policies are out of date and can be given little weight. The limited range of harms described above does not alter the view that permission should be granted.
- xxii). It is not considered necessary to engage the 'tilted balance' of NPPF paragraph 11(d) to determine that the appeal scheme should be approved. Nevertheless, it is clear that the tilted balance does apply because (a) the Council cannot demonstrate a five year housing land supply and (b) the relevant policies for the location of new housing in the area are out of date. The tilted balance is not disapplied by reason either limb (i) or limb (ii) of 11(d).
- xxiii). I conclude that the limited range of adverse impacts described above does not come close to significantly nor demonstrably outweighing the benefits when assessed against the policies in the Framework. In the words of the Framework, it follows that planning permission should be granted.

1. Witness Declaration

- 1.1 I am Nigel Jacobs, and I am the Operations Director at Intelligent Land. I have an Honours degree in Town Planning and have been a Chartered Town Planner since 1992. I joined Intelligent Land in November 2015 following 26 years' service in Local Government. In my current role I am responsible for the day to day activities of the business and managing the output of a small team of planning professionals and a chartered surveyor.
- 1.2 Intelligent Land is a multi-disciplinary practice that also includes experts in development, acquisitions and disposals. Together these elements provide a 'cross industry' understanding of the planning system, how developers work, what it takes to deliver development and the stages that need to be achieved to ensure development takes place.
- 1.3 Since joining Intelligent Land my main focus of work has been in the area of housing and housing delivery. This has included acting for a wide range of clients undertaking housing land supply assessments, including promotion through local plans and in support of planning applications and appeals.
- 1.4 Prior to my current role, I was employed by the Borough of Poole for 23 years, the last 10 years as Planning Policy and Implementation Manager. During my managerial period I oversaw the adoption of Poole Core Strategy, a Site Allocations and Development Management Development Plan Document and was responsible for the introduction of one of the first Community Infrastructure Levies to be adopted in the country. I was also involved in the Dorset Working Group that helped inform the Regional Spatial Strategy for the South West and appearing for the Council at the Examination in Public.
- 1.5 At Poole I was instrumental in delivering a masterplan for the town centre that sought to unlock over £500m worth of investment in regenerating brownfield land, securing funding for, and the making of a Transport and Works Act Order for the delivery of a new harbour crossing which unlocked land for over 1200



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new homes. In 2005 I was part of the team that received a RTPI national award for Spatial Strategies for the work on regenerating Poole Town Centre.

- 1.6 For five years I was Chairman of the Dorset Heathland Officer Group which oversaw the production and implementation of the approach to mitigating recreational pressure across south and eastern Dorset. The Group was a cross authority group that reported to an overarching member group with responsibility for determining the allocation and funding of heathland projects to enable housing development to be delivered.
- 1.7 I have been advising Dudsbury Homes Ltd since 2016 initially acting as planning consultant in finding development opportunities, promoting land at Alderholt through the East Dorset Local Plan Review and then the new Dorset Local Plan from 2019. I was subsequently instructed to prepare and submit a planning application to Dorset Council which is now the subject of this appeal.
- 1.8 In preparing my statement I have had regard to reports commissioned and prepared by both the Council and others, and I am familiar with the National Planning Policy Framework (NPPF) and the Government's on-line Planning Practice Guidance (PPG). The purpose of my statement is to provide the overarching planning case, with specific response to Reason for Refusal 2 and to present my assessment of the benefits of the scheme and the planning balance.
- 1.9 The contents of this proof of evidence are true and accurate to the best of my knowledge and represent my professional opinion.



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2. Involvement in the Appeal Scheme

- 2.1 My involvement in the Appeal Scheme commenced in 2016 when appointed by Dudsbury Homes to find development opportunities, particularly strategic land. One of the areas of search was eastern Dorset and Alderholt was one of the locations that presented itself as somewhere capable of accommodating growth in a sustainable way.
- 2.2 Land assembly took place and was submitted to East Dorset District Council through their 'call for sites' as they commenced on the production of a review of the Christchurch and East Dorset Local Plan 2014. Discussions commenced with the Council and an initial masterplan was produced and presented to Council Officers. The concept of strategic growth at Alderholt became the single strategic development option within the Council's Regulation 18 draft plan published July 2018 (CDD 21).
- 2.3 In April 2019 East Dorset District Council became part of the new Dorset Unitary Council. Early discussions commenced with Council Officers about the process for the new Council's Local Plan and the approach to development. Meetings took place and it became clear that the aim was to produce a Plan that drew on the work of the legacy authorities. However, as this work progressed it became obvious that Alderholt was going to be placed on the 'too difficult' pile, to be dealt with through a new/expanded settlements local plan post adoption of the new Dorset Local Plan.
- 2.4 As time progressed and the emerging Dorset Local Plan timetable began to slip, I was instructed to prepare a planning application in 2021 which culminated in the submission of what is now the appeal scheme in February 2023. I project managed the application submission as well as providing the planning input.



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3. The Appeal Scheme

3.1 Alderholt Meadows is a mixed use scheme designed to enhance the sustainability of Alderholt by delivering a range of housing, which will help meet the unmet need and undersupply in eastern Dorset, with supporting infrastructure, services and facilities. Alongside the proposed housing, the appeal scheme contains employment opportunities through a business park, a local centre with retail, health and commercial space set around a public square, an extension to the Alderholt Recreation Ground, allotments, public open space including a substantial Suitable Alternative Natural Greenspace (SANG).

3.2 The description of the appeal scheme as submitted to Dorset Council (the Council) on the planning application form was:

“Outline application for a mixed-use development of up to 1,700 dwellings including affordable housing and care provision; 10,000sqm of employment space in the form of a business park; village centre with associated retail, commercial, community and health facilities; open space including the provision of Suitable Alternative Natural Greenspace (SANG); biodiversity enhancements; solar array; and new roads, access arrangements and associated infrastructure. (All matters reserved apart from access off Hillbury Road).”

3.3 A notional housing mix is provided and set out within the Viability Assessment May 2023 (CDA 56). Broken down by bedrooms this produces:

- 1 bed 325 units = 19%
- 2 bed 556 units = 33%
- 3 bed 507 units = 30%
- 4 bed 255 units = 15%
- 5 bed 51 units = 3%



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- 3.4 The Land Use budget is found in CDA 50. This identifies a site area of 121.87ha, of which the largest land take is for the provision of Suitable Alternative Natural Greenspace at 53.88ha. The residential neighbourhoods cover an area of 38.99ha, the employment park 1.7ha and the local centre 1.18ha. A 4.92ha extension to the Alderholt Recreation Ground will provide for formal sports provision and there is 11.15ha of parkland or green corridors. Allotments take up 1.5ha and there is 6.52ha identified for the potential delivery of a solar array to support energy production for the development.
- 3.5 The Location Plan (CDA 3) identifies the redline boundary for the application site as well as a blue line boundary of land within the Appellant's control. The land within the blueline has been subject to discussions with the Council and Natural England and is to be managed to prevent access westward onto Cranborne Common, a protected nature conservation site.
- 3.6 Following refusal of the planning application discussions took place between the Appellant and the Council on retail matters which included whether the description of development should specifically include reference to a public house. Both parties are agreeable to the inclusion of 'public house' within the description.



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4. History of the Planning Application

- 4.1 The planning application was submitted in February 2023 and registered on 28 March 2023 (Application Reference: P/OUT/2023/01166). As briefly described in Section 3, prior to the submission of the planning application there had been many conversations with East Dorset District Council and then Dorset Council about the opportunity for growth at Alderholt, the nature and scale of growth and technical work that underpinned early masterplanning. These discussions were primarily focused on bringing land at Alderholt forward through the plan making process.
- 4.2 The positive and proactive engagement with East Dorset District Council (EDDC) led to a strategic allocation being identified at Alderholt within the East Dorset Local Plan Reg. 18 Issues and Options document (CDD 21). It was the only location in the former EDDC area identified for a scale of growth of over 1,000 dwellings.
- 4.3 Before the plan could progress any further EDDC was incorporated into the new unitary Dorset Council from 1 April 2019. The new Council chose to abandon work on local plan reviews that had been progressed by the legacy authorities, other than for the former Purbeck District Council, in favour of producing a single Local Plan for the Council area. It was stated that the plan would be based on the work that had been done for the reviews being undertaken by the legacy authorities and enabling the Council to put in place a local plan within good time, and before April 2024, the agreed end date for adoption of a local plan that formed part of the Council's agreement with Government in creating the unitary council.
- 4.4 Conversations with the Council then became less positive towards Alderholt, with their view being that Alderholt would be reserved for consideration through a 'new settlement/expanded settlement' plan to be commenced once the Dorset Local Plan was adopted. There was however, no such plan included in any Local Development Scheme that has been published to date.
- 4.5 The Appellant therefore took the decision to prepare a planning application, which was submitted in February 2023. An Environmental Impact



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Assessment Scoping Report was submitted in November 2022 which, together with the Council's response, is included within the Environmental Statement.

- 4.6 In discussions with the Council regarding submission of the planning application the Appellant was informed that because no formal pre-application advice had been sought, notwithstanding formal pre-application consultation took place with the Local Highway Authority, that the application would be determined within the statutory timeframe.
- 4.7 During the determination period additional information was requested or submitted in response to questions raised by the Council, and in response to comments from consultees. As the determination deadline approached it was clear that there were areas outstanding where further submissions would resolve matters but that additional time would be required to do so. On three occasions the Appellant requested an extension of time and on each occasion the Council refused the request. The application was finally considered at the Council's Eastern Area Planning Committee on 5 July 2023 where the application was refused.



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5. Planning Policy

- 5.1 The relevant policies from the C&EDLP are set out in the Statement of Common Ground (CDC 1). As per the request of the Inspector at the CMC, this section does not provide an exhaustive overview of all the policies that touch on this application but aims to identify the key policy provisions that remain in dispute in this appeal.
- 5.2 It is worth reinforcing at the outset, however, that there is no dispute that the proposed development is consistent with a number of Policies within the C&EDLP, notably with regards to design of the development and the dwellings within it, landscape quality, open space provision, safeguarding biodiversity, flood management and groundwater. These policies therefore remain relevant when considering the consistency of the development and the extent of any conflict with the Development Plan as a whole.
- 5.3 The Appellant's position in this appeal is that the proposed development is consistent with the C&EDLP when read as a whole.
- 5.4 First, in respect of the C&EDLP and in summary:
- The proposed development is consistent with Policy KS2, which concerns the settlement hierarchy, because it would provide for a level of community, leisure and retail development that would reinforce the local community.
 - The proposed retail and community services are consistent with Policies KS7 and PC5, which both seek to increase the services available to the local rural population. The Council's reliance on the risk of the current Co-op shop closing due to competition as a reason for refusal is not supported by a fair and proper interpretation of the relevant policies.
 - The Council has not agreed the Appellant's affordable housing proposal but has not identified any conflict with the C&EDLP as the basis for this refusal. On the contrary, the proposal appears consistent with the relevant policies, as well as local practice.

- With regards to transport, the Appellant will seek to demonstrate that, on the evidence, policies KS2, as it relates to viability and choice of transport, and KS11, as it relates to impact and safety, are met.
- With regards to the tranquillity impact on the Cranborne Chase AONB resulting from the increase in the residential population, there is again no inconsistency with the relevant Policy HE3 or the applicable Management Plan. While maintaining tranquillity is central to both, the focus of the Policy and Management Plan are on visual impact and traffic pollution and not on the enjoyment of the AONB by local people. On the contrary, the Management Plan sets an objective to encourage the use of the AONB for recreational purposes. Greater enjoyment of the AONB by local residents is therefore consistent with, rather than contrary to, relevant policies.
- The sole outstanding issue from an ecology perspective is understood to be the security of obtaining phosphate credits to mitigate for adverse impact on the River Avon SAC. The Appellant's position is that credits are plentiful and adequately secured for the purposes of the Policy. The relevant legal tests under the Habitats Regulations can be met, and there is no conflict with the C&EDLP.

5.5 Second, even if conflicts did remain between the proposal and the C&EDLP (notwithstanding the Appellant's position that they do not), the proposal is nevertheless overwhelmingly consistent with the Development Plan as a whole. As set out above, there is no dispute that the proposed development is uncontroversially consistent with the majority of the relevant policies within the C&EDLP. This is particularly remarkable for a development of this size in the Dorset area. Where conflict might, on a fine balance, be found, it is not capable of outweighing the broad-brush consistency of the proposal with the Development Plan, and the alignment between the proposal and the Development Plan's focus on achieving sustainable development in the local area.

6. Local Plan Progress

- 6.1 Section 15 of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities (LPAs) to prepare a local plan for their area. The plan sets out the strategic priorities for development and land use within the authority's jurisdiction. Section 5 of my proof of evidence records the extant local plan policies relevant to the appeal scheme, drawn from now out of date local plans.
- 6.2 Dorset Council became a unitary council on 1 April 2019 taking over responsibility for local government services from previous two-tier authorities including the former EDDC. In June 2019 the new Council chose to abandon local plan reviews from legacy authorities in favour of producing a new local plan for Dorset. The Local Development Scheme (LDS) programmed adoption in Q4 2023.
- 6.3 In January 2021 the Council published the Dorset Council Local Plan Options Consultation which was open for comment from 18 January until 15 March 2021. Pre-submission was programmed for the end of 2022, but on 4 October 2022 the Council's Cabinet approved a new LDS which programmed adoption of the plan in Q2 2026, a delay of nearly 2.5 years.
- 6.4 A further 18 months passed by with no progress on the local plan until in March 2024, the Council's Cabinet agreed that the previously published Regulation 18 local plan will not be progressed, instead a new style plan will be produced, starting in November 2024, subject to the necessary regulations being presented to Parliament. It will be an entirely new plan and according to the officer report the process will take 30 months. The Officer Report (CDF 21) and Minute of the decision (CDF 22) are on public record.
- 6.5 Adoption of a new Local Plan for Dorset is now scheduled at the earliest for Q2 2027, 8 years after the formation of the new Council. Adoption of the latest version of the Council's local plan will at the earliest be 13 years after adoption of the ED&CLP 2014 with no review and 25 years after adoption of those saved policies from the EDLP 2002.

7. Presumption

- 7.1 Paragraph 11 of the NPPF (CDE 1) introduces a presumption in favour of sustainable development for plan-making and decision-taking. For decision-taking, where there is no up-to-date development plan then criterion (d) should be applied. This provides that planning permission must be granted *‘where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date ... unless....’* either limbs (i) and (ii) of paragraph 11(d) apply.
- 7.2 Footnote 8 to paragraph 11(d) provides further reason for determining a development plan’s policies being out of date and applying the presumption, this being where a LPA cannot demonstrate a five-year supply (or four-year supply, if applicable) of deliverable housing sites.
- 7.3 The ED&CLP 2014 is over five years old and has not been reviewed. Its housing requirement is out of date and is one of the most important policies of the plan. This is common ground between the Appellant and the Council. The settlement boundaries within the development plan have not been reviewed and constrain current development needs and are therefore also out of date. The Council agree that they cannot demonstrate a five year supply of deliverable housing sites, although the exact supply figure is disputed.
- 7.4 I will explain later in my proof of evidence how limbs (i) and (ii) of paragraph 11(d) are not engaged and therefore why the application should be approved.

8. Principle of Development

- 8.1 The outline planning application was considered at Dorset Council’s Eastern Area Planning Committee on 5 July 2023 (CDA 75), where it was refused with nine reasons for refusal. This proof of evidence addresses Reason for Refusal 2 with other refusal reasons either not being maintained or addressed through the evidence of other witnesses. I will also comment on the other Reasons for Refusal and how they have been addressed.
- 8.2 In responding to the second Reason for Refusal I am mindful of the Inspector’s Case Management Note (CDG 20) and the two main issues which were identified, and their relationship to the reasons for refusal. I will also respond to Alderholt Parish Council’s prematurity point as referenced in their Statement of Case (CDC 5). I will respond to Issue 2 first before turning to Issue 1.

Issue 2. Whether the development would be appropriate in this location having regard to: its relationship to Alderholt and other settlements and their facilities; its connection to the highways network; its relationship to the AONB; the local plan spatial strategy; and the emerging Neighbourhood Plan.

- 8.3 Reason for Refusal 2 of the application Decision Notice (CDA 76) issued 7 July 2023 states:
- 2. The proposed development would represent significant development contrary to the settlement hierarchy, which is intended to direct development to the most sustainable locations. While facilities and transport options are proposed, it has not been demonstrated that these would be successful and viable in the long-term. It has therefore not been demonstrated that the proposal would limit the need to travel and offer a genuine choice of transport modes. Contrary to Policy KS2 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 73 and 105 of the NPPF.*



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8.4 The NPPF paragraph references refer to the pre December 2023 version. Paragraph 73 is now paragraph 74, and paragraph 105 is now 109. Both are unchanged in their wording. Reason for Refusal 2 can be broken down into three elements which I shall address in turn, namely:

- The settlement hierarchy and sustainable locations (Policy KS2)
- Demonstration that facilities and transport will be successful in the long-term
- Limiting the need to travel and a genuine choice of travel modes

The Settlement Hierarchy

8.5 The Settlement Hierarchy is established in Policy KS2 of CDD 1. The Local Plan was adopted in 2014 and covers the period 2013-2028. Its evidence base pre-dates the adoption of the plan. It is therefore considerably over five years old. It has not been updated and there is no replacement plan in production with Dorset Council intending to commence work on a 'new style' local plan in autumn 2024. The regulations for new style local plans are yet to be laid before Parliament.

8.6 Policy KS2 simply sets out of the settlement hierarchy for the plan area. It states that the purpose is to inform service providers about the provision of infrastructure, services and facilities. There are six tiers ranging from the main settlements such as Christchurch and Wimborne through to Hamlets. The hierarchy reflects the diverse geography of the plan area and the difference between the urban southern part of the area and the rural hinterland to the north.

8.7 Alderholt is included in tier 4, Rural Service Centres where the stated aim is:

“Main providers for the rural areas where residential development will be allowed of a scale that reinforces their role as providers of community, leisure and retail facilities to support the village and adjacent communities.

8.8 It is worth noting that the tier 4 Rural Service Centres sit below tier 2 District Centres whose stated aim is:



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“Settlements which will provide for smaller scale community, cultural, leisure, retail, employment and residential development within the existing urban areas.”

8.9 Suburban Centres which are tier 3 settlements are:

“Settlements with no existing centres that will provide for some residential development along with community, leisure and retail facilities to meet day to day needs within the existing urban areas.”

8.10 My reading of the purpose of the tiers 2-4 is that they are generally the same in terms of the expected provision of services and facilities. However, there is an argument to be made that the Rural Service Centres have a heightened role in that they are expected to be the ‘*Main providers*’ for the areas they serve and that ‘*residential development of a scale (undefined) will be allowed to reinforce their role as providers..... to support the village and adjacent communities.*’ (My addition).

8.11 There is therefore little difference between these tiers and, if anything, the Rural Service Centres have at least as an important role as the tier 2 and 3 settlements in providing for their communities.

8.12 The intended aim for the Rural Service Centres is to ensure that they provide for their populations and those of neighbouring settlements. To do so, one would expect a range of services that meets the day to day needs of those people. Alderholt is the largest of the Rural Service Centres with a population of 3,262 recorded in the 2021 Census for the village and its surrounding hinterland. Most of the recorded population will live within the village of Alderholt.

8.13 Serving this population, Alderholt has very limited facilities. It has one convenience store, one comparison unit selling second-hand clothes, a pub, two churches, a First School and a recreation ground with a social club building. Residents must travel to nearby Fordingbridge (3km) for services such as GP Practice or to Verwood (9km) or Ringwood (10km) for supermarket shopping and higher order retailing in the case of Ringwood. Almost all needs are therefore met by travelling out of Alderholt.



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8.14 If Alderholt is to be a main provider of services and facilities to support its population and that of the surrounding communities, Policy KS2 recognises that residential development will be necessary to achieve this. However, neither KS2, nor indeed any policies within the 2014 local plan provide any indication of what this scale may be, and there are no site allocations for residential development at Alderholt. Indeed, far from identifying an appropriate level of residential development, saved Policy A1 from the very dated East Dorset Local Plan 2002 (CDD 2) restricts growth to within a tightly drawn policy envelope, see below, thus limiting growth to windfall development. It is notable, however, that Policy A1 does not form part of Reason for Refusal 2.

Figure 1: Alderholt Settlement Boundary, Christchurch and East Dorset Local Plan Policies Map



8.15 There is an inherent conflict between the aim of Policy KS2 of the 2014 Local Plan to enable the growth of services and facilities to support Alderholt as a Rural Service Centre and saved policy A1 as shown on the proposals map which restricts growth within a tightly drawn policy envelope. The consequences of retaining the policy envelope for Alderholt do not appear to have been thoroughly considered, as any scale of growth necessary to support the provision of facilities is not going to come from within the policy envelope where it is recognised that this will be windfall development only. Given that much of Alderholt was constructed

through rapid expansion in the 1970s and 1980s, it follows that there will also be little in the way of windfall development and insufficient to make a step change in the level of facilities provided.

- 8.16 Alderholt now has fewer services than in years past. The part-time GP Surgery offers no face to face service and other shop units are no longer available. Cuts to rural public transport have reduced services and Alderholt residents are faced with driving to get almost all their daily needs. The First School is significantly under capacity with only 13 new children in September 2023, and its viability is at risk.
- 8.17 Reason for Refusal 2 states that the appeal proposal should be accommodated in more sustainable locations. This would suggest that the scale of development is better suited to higher order settlements within the hierarchy and not that Alderholt is an unsustainable location. Tiers 2 and 3 relate to District and suburban centres and those listed within the policy will not be able to accommodate a proposal of the scale proposed. In fact, there is no mention of residential development within the tier 2 settlements, and for the tier 3 suburban centres, only some residential development is mentioned.
- 8.18 The Main Settlements in tier 1 are the focus for major services and facilities. It is noted that these can accommodate infill development as well as options for greenfield development. However, all the settlements are within the South East Dorset Green Belt, apart from Verwood which is severely restricted from further growth due to its proximity to Internationally protected nature conservation sites. It is therefore extremely unlikely that the appeal proposal could be accommodated in the Main Settlements without significant policy changes through the local plan process.
- 8.19 Irrespective of the Council's view that the proposals should be accommodated in what it considers a more sustainable location, it fails to recognise the purpose of the appeal proposal in helping to support a significant settlement by providing a range of services and facilities that will underpin Alderholt and ultimately enhance the settlement's sustainability. The



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proposal, which seeks to provide services and facilities to residents that will improve the function of Alderholt as a settlement, accords with the aim of Policy KS2.

Transport and Facilities

- 8.20 ***The Success of Transport and Facilities in the Long-Term:*** The reference to transport is taken as meaning public transport provision i.e. a bus service. Dorset Council has requested a contribution to a bus service to be tendered by them for a term of seven years. The Appellant is content with the principle of funding the bus service for seven years and has secured an offer from a local bus company that accords with the Council's requirements, demonstrating commercial interest in delivering the service. This has informed discussions with the Council regarding the appropriate s106 contribution.
- 8.21 In addition, the bus company offer includes a commitment to run the service for an additional year at its own expense. Providing the contribution requested by the Council addresses the long term issue as far as bus provision is concerned, and will ensure that the bus service is available to new residents at an early stage of development to promote sustainable travel from the outset.
- 8.22 The long term success of facilities is addressed in the Proof of Evidence of Jason Mound on Delivery (CDG 13). The success of the new facilities depends on the necessary scale of development, the quality of the place being created and ultimately the service offer. The appeal proposals allow for the creation of a walkable expansion of Alderholt that seeks to provide a scale of services and facilities considered to meet the needs of both its existing and future population.
- 8.23 The retail element has been assessed for its impact and forecast expenditure and this has been demonstrated to provide turnover sufficient to support the proposed provision (CDA 77). The proposed medical facilities are a consequence of discussions with the Fordingbridge GP Practice and their desire to bring a service to Alderholt through an enhanced population base (Appendix A).

- 8.24 A scheme of the scale proposed would normally be expected to accommodate a local centre and something that a local planning authority would seek in a development of the scale proposed. It is not understood why the Council has concerns over its long term success, particularly in light of the evidence provided. However, to provide some assurance, the local centre would be built out by a specialist neighbourhood centre developer. Early discussions have been had with such a developer, neighbour hub, and a letter from them has been submitted to the Inquiry (CDA 96). Specialist developers do not build, sell and get out. They retain a long term interest in schemes that provide them with a long term investment opportunity. The appellant has committed to delivery of the local centre in phase 4 of the development and is happy to accept a phasing condition in appropriate terms.
- 8.25 ***Limiting the need to Travel and choice of Transport Modes.*** My evidence needs to be read in conjunction with that of James Rand of Paul Basham Associates (CDG 10), the appellant's transport consultant. NPPF paragraph 109 states that significant development should be focused on '*locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes*'.
- 8.26 Alderholt is limited in the range of services it provides and policy KS2 positively seeks to improve the range of these services. Providing a local centre and a business park will reduce the need for both existing and future residents to travel to meet their daily needs. This was agreed with the Council during the highway pre-application and consequently NPPF paragraph 109 is met, in that the development will limit the need to travel.
- 8.27 In offering a choice of modes of travel, permeability of the proposal and how it links with the existing village has been designed into the scheme to make active travel as easy as possible. The local centre is in a location which maximises accessibility for residents as well on sitting on the proposed bus route. A new funded bus service via s106 will provide a dedicated daily service (Monday- Saturday) to all

residents of Alderholt. It also provides a service for Cranborne and Fordingbridge residents to access Ringwood and for onward travel. It therefore has a significant benefit to Alderholt's neighbouring communities in providing an alternative to car travel as well as providing a service that does not exist at present. Further provision will be made for new cycle routes within the development and to Fordingbridge, encouraging cycle use by new and existing residents and those taking up new employment opportunities in Alderholt. Accordingly the appeal proposals will both improve the locational sustainability of Alderholt as well as ensuring a genuine choice of modes.

AONB

- 8.28 The only other matter raised in the Inspector's CMC note on Issue 2 concerns the appeal scheme's relationship to the AONB. I refer to the Proof of Evidence (CDG 17) prepared by Tristram Bushby of Allen Pyke and Associates, Landscape Architects. At the CMC the Council confirmed that there were no matters of dispute on character and appearance, visual impact and landscape character, except in respect of the tranquillity of the AONB.
- 8.29 Reason for Refusal 8 states:
- 8. The proposal, by bringing additional traffic and recreational activity into the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty (AONB), would result in environmental impacts and a loss of tranquillity the extent of which has not been adequately identified and mitigated within the application. Contrary to Policy HE3 of the Christchurch and East Dorset Local Plan: Part 1, 2014, and to paragraphs 174 and 176 of the NPPF.*
- 8.30 Policy HE3 of the C&EDLP 2014 (CDD 1) is concerned with Landscape quality. It sets out five points that development proposals need to have considered. Additionally, where within or affecting the setting of the AONB account will need to be taken of the relevant Management Plan. The policy is not one that is considered out of date.

- 8.31 Of the five points within the policy, it is only point 5 that the reason for refusal refers to, namely, *'Tranquillity and the need to protect against intrusion from light pollution, noise and motion.'* And of these, light pollution is not an issue.
- 8.32 Addressing the tranquillity issue as far as noise and motion is concerned, the Appellant as part of their appeal submission provided evidence on the effects of the proposal on the tranquillity of the AONB. This is within the Environmental Statement update November 2023 (CDA 84) and updated in May 2024 (CDA 94). The conclusions from both Noise Assessments in relation to the AONB conclude that there would be negligible to minor effects on all road links except for Hillbury Road (north) and Ringwood Road where moderate effects are predicted. Both of those roads are outside the AONB. It is therefore demonstrated that there are no adverse noise impacts from the development on the AONB.
- 8.33 In terms of motion, there will be some additional trips into the AONB. The traffic modelling adopts a 2022 base year with a forecast 2027 position without development and then models the position in 2033 with development for the B3078 between Cranborne and Batterly Drove and South of Cranborne. The figures are Annual Average Weekday Travel (AAWT) which is a measure of the total volume of traffic on a road during the working week. These are presented in Table 1 on the next page.
- 8.34 The total forecast figures are over an 18 hour period. Therefore, for the two routes there will be an hourly increase of 47 and 45 per hour i.e. less than one additional movement per minute. Although not broken down further, it is expected that there will be a higher number of trips in peak hours than during the rest of the day. This is considered to be a relatively minor level of increase and not one that requires mitigation in the context of the AONB.

Table 1: AAWT Summary Sheet for routes into Cranborne Chase AONB

Link	1. 2027 Forecast	2. 2027 + 500 dws Forecast	3. 2033 + dev Forecast	Difference btw 2027 1 and 3
B3078 South of Cranborne	3150	3340	3998	848
B3078 Between Cranborne and Batterly Drove	1546	1781	2362	816

- 8.35 The proof of evidence of Tristram Bushby describes what tranquillity is and how it may be assessed, noting the subjective nature of such assessments. The proof also reviews the relevant AONB Management Plan (CDD 5), the Cranborne Chase AONB Management Plan 2019 – 2024, and what it has to say about recreational activity. While the Management Plan is not a planning policy, it is notable that the proposed development in any event complies with its provisions for the protection of the AONB.
- 8.36 The Management Plan, like the Local Plan, reflects the importance of the tranquillity of the AONB. Tranquillity is not expressly defined within the management plan, however para 8.7 makes clear that the primary concerns from a tranquillity perspective are impact on the visual landscape and the noise impact of traffic:
- “Tranquillity is important for our mental and physical well-being. It improves our quality of life. Power lines, masts, cars, roads, light pollution and building developments can erode the tranquillity that means so much to all of us. We want to ensure the dark starry skies of much of the AONB remain that way and continue to be seen and appreciated.”*

- 8.37 There is no indication in the Management Plan that tranquillity entails limiting the number of people accessing the AONB for recreational purposes. On the contrary, the Plan actively promotes the AONB as a place that should be visited by people living outside the area for recreational purposes, specifically highlighting those living within 30 minutes of the AONB boundary. This would include prospective residents of the appeal scheme.
- 8.38 The Management Plan at p.16 sets out the Council’s ambitions to include increasing access to the AONB and use of the benefits the area offers:
- “People of all ages, abilities and backgrounds have the opportunity to take up countryside skills, training, and volunteering in the AONB.*
- “People’s physical and mental wellbeing is improved through experiencing the high quality environment of the AONB for physical activity, relaxation and inspiration.”*
- 8.39 It would therefore be contrary to the objectives of the Management Plan to attempt to mitigate against an increase in recreational activity resulting from the development.
- 8.40 It is therefore concluded that in terms of impact on the AONB and in the context of policy HE3 of the C&EDLP 2014 the development would not adversely affect the tranquillity of the AONB and in having regard to the Management Plan the appeal scheme would positively support its objective of encouraging visitors into the designation.

Neighbourhood Plan Prematurity and the Consultation Draft

- 8.41 Alderholt Parish Council (APC) is preparing a neighbourhood plan. A pre-submission (Regulation 14) consultation (CDD 19) was published in December 2023 and extending into 2024. At the Parish Council’s Full Council on 8 April the decision was made to submit the plan for examination (CDD 32). Regulation 16 consultation commenced on 15 May and closes on 25 June, the opening day of the public inquiry.

- 8.42 The Neighbourhood Plan is still subject to consultation and still must complete examination and referendum stages before it can become part of the development plan.
- 8.43 APC in their Statement of Case (SoC) (CDC 5) reference NPPF paragraphs 49 and 50 (Determining Applications) and claim that a consent for the development would prejudice the plan-making process, justifying refusal on the grounds of prematurity. Paragraph 49 is explicit in that in the context of the Framework and in particular the presumption in favour of sustainable development, arguments that an application is premature are unlikely to justify a refusal of planning permission other than in limited circumstances where both:
- a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and*
- b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.*
- 8.44 As far as limb (a) is concerned, the only emerging plan in production is the APC Neighbourhood Plan. There is no strategic planning underway to address the significant housing need of the area and little appreciation of the urgency to provide a basis for future planning. The Neighbourhood Plan is therefore being progressed in a strategic planning vacuum with the extant local plan being historic and out of date, and no higher level plan to assist with policy addressing current and future needs. The Neighbourhood Plan is not strategic and makes no play at addressing matters that a higher order plan would consider. It seeks to make very limited provision for new housing which does not address the scale of unmet need in Dorset.
- 8.45 NPPF paragraph 50 states that refusal of planning permission on grounds of prematurity will seldom be justified and in the case of a Neighbourhood Plan before the end of the local authority publicity period (Reg.16). However, the

NPPF does not say that having passed the Reg. 16 stage, that schemes should be refused automatically. Rather, it states that the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process. It is therefore necessary to consider the extent to which the proposals could be said to prejudice what the Neighbourhood Plan is seeking to achieve.

- 8.46 The Neighbourhood Plan contains a description of Alderholt, its history and character. It proposes six policies under the heading of ‘General Design Guidance’ which relate to matters including settlement pattern, people friendly streets, parking, vernacular architecture, environmental performance and sustainability in buildings, and landscaping. Overall they apply a good practice approach to the issues without, except for parking, applying any specific standards.
- 8.47 At Section 4 the Plan addresses future development needs. It provides an indicative housing target of 192 dwellings for the period 2022-2034. This is not incorporated into a Policy. The figure is derived from discussions held with Dorset Council in early 2023 drawing on data from the Local Housing Needs Assessment for the emerging Dorset Local Plan (not being taken forward) and applying a pro-rata apportionment of the housing need based on Alderholt’s size, and therefore on the assumption that each settlement in Dorset grows proportionately to its existing size over a 12 year period. A similar exercise has been undertaken using Census 2021 data which results in a similar annual figure.
- 8.48 The Plan adopts a figure of 16dpa over a 12 year period equating to 192 dwellings. With an extant housing supply of 138 the Plan seeks to identify sites to deliver about 50 dwellings. There are three important points to make regarding the Plan and its approach to identifying a housing target:
- i. The target is not a requirement that has formally been given to the Neighbourhood Plan as outlined by NPPF paragraphs 67-68. The extant C&EDLP 2014 is out of date and provides no basis for such a figure, and there is no emerging Local Plan that has established

a strategic requirement for Dorset that can be disaggregated to Neighbourhood Areas. Although discussions with Dorset Council are clearly referenced the Plan does not mention a specific request or the formal provision of a housing requirement figure as outlined in NPPF paragraph 68.

- ii. The Plan only addresses what it considers is the housing need generated within Alderholt. It is without context to the future needs of eastern Dorset or Dorset as a whole and therefore is silent on matters of strategic matters. It cannot address strategic matters that a Local Plan must consider and determine the spatial approach to the area's housing and other needs.
- iii. It is silent therefore on the pressing housing need within the east Dorset area, the lack of supply and the need to significantly boost housing delivery. It is not its role, and it does not attempt to address this.

8.49 At paragraph 4.2.2 reference is made to the 2019 village survey and the top priorities of residents which were:

- Better bus services
- Wider range of local shops
- Healthcare (in particular a GP surgery in the village)
- Improved footpaths/traffic management
- Local schools
- Gym/sport and leisure/skate park

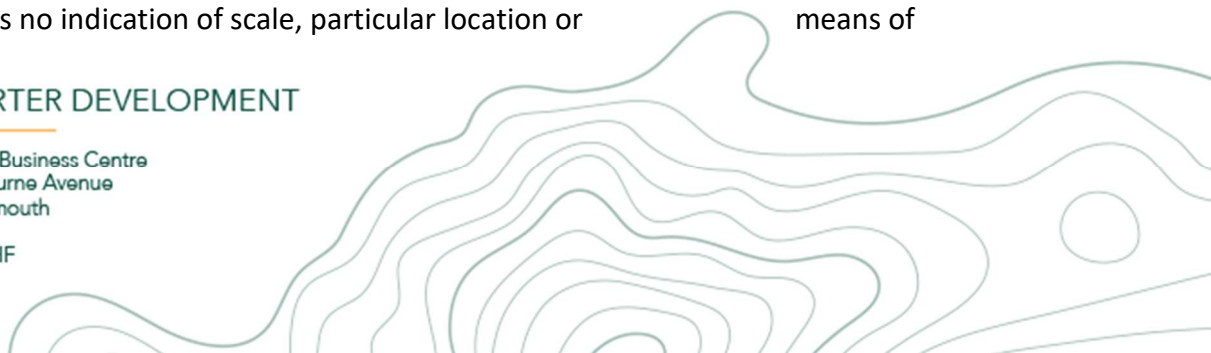
8.50 Paragraph 4.2.3 acknowledges that much of the above is outside the scope of the planning system. What it does not mention is that provision could be improved by adopting an approach to a greater level of growth, such as the appeal scheme, that would bring infrastructure to the village in accordance with the priorities identified.

8.51 Policy 8 The Village 'High Street' identifies the entire length of Station Road, which runs in an east-west direction along the northern extent of the village as a 'High Street' where retail and other E class or similar sui generis uses will be encouraged. There is no indication of scale, particular location or means of



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delivering such uses. Far from seeking to establish a 'heart' to the village, if uses could be attracted they are likely to become ad hoc facilities that do not lead to combined trips or sense of place.

- 8.52 The Neighbourhood Plan does not seek to restrict development of the appeal site, save through maintaining with limited changes the settlement boundary. It does not attach any particular value to its current undeveloped character. On the other hand, it shares some of the same ambitions as the appeal proposals in terms of improving services and facilities. I do not consider that the appeal proposals would prejudice the outcome of the Neighbourhood Plan process as the Plan's policies relate to a completely different level of development. Accordingly, there is no prematurity reason for dismissing the appeal. Refusing planning on this ground alone will only continue the undersupply of housing across the wider Dorset area and in east Dorset where the pressures for housing are substantial (CDG 21).

Issue 1: The significance of the proposal in meeting housing need, having regard to the current supply of housing land and the age of the local plan.

- 8.53 A topic paper has been prepared which sets out the background to housing need and specifically the housing land supply position. I will therefore confine my evidence to those matters of need, highlighting the shortage of supply and delivery.
- 8.54 **Housing Need.** A joint Dorset and BCP Local Housing Needs Assessment (CDF 23) was produced for the two unitary authorities in November 2021 to assist in their plan making duty. Housing need is assessed having regard to the standard method and circumstances which could justify planning for a higher figure over and above the standard method.
- 8.55 The household growth established from Step 1 of the standard method with a base date of 2021 for the 10 year period to 2031 is shown in Table 5.2. This shows a figure of 325 per annum for the former East Dorset area and a figure for Dorset of 1,307.

- 8.56 Step 2 of the standard method applies affordability ratios, Table 5.3. This produces figures of 516 for East Dorset and 1,818 for Dorset. It is noteworthy that East Dorset has the highest affordability ratio, 13.43, and uplift for any of the former local authority areas across Dorset and BCP at 59%.
- 8.57 Step 3 applies a cap. The cap is applied to the higher of either the housing requirement or step 1 of the standard method. However, for East Dorset and Christchurch the housing requirement was a single plan figure. It was split for monitoring purposes and the SHMA uses this split to determine the local housing need figure. For the reasons explained in the topic paper, the Appellant does not accept that a cap is required here. The final outputs are shown below in Table 5.4.

Table 5.4 Local Housing Need – Capping the Increase

Area	Step1 – Household Growth	Step 2 - Uncapped Need	Local Plan Adoption Date	Older than 5 Years	Adopted Housing Requirement	Cap (if required)	Step 3 - Local Housing Need (capped need)
Bournemouth	1,116	1487	Oct-12	Yes	643	1,562	1,487
Poole	612	819	Nov-18	No	710	994	819
Christchurch	258	400	Apr-14	Yes	249	361	361
East Dorset	325	516	Apr-14	Yes	317	455	455
North Dorset	264	332	Jan-16	Yes	285	399	332
Purbeck	132	183	Nov-12	Yes	120	185	183
West Dorset	397	541	Oct-15	Yes	605	847	541
Weymouth & Portland	190	246	Oct-15	Yes	170	265	246
BCP	1,986	2,706					2,667
Dorset	1,307	1,818					1,757

Source: ONS Household Projections and MHCLG Affordability Ratios & Local Plans

- 8.58 The outputs show a local housing need of 455 (capped) and 516 uncapped for East Dorset, and a capped figure of 1,757 for Dorset. It is important to note that the cap does not reduce the housing need itself, and the PPG is clear that if policies are adopted with a cap, then they may require early review (ID: 2a-007-20190220).

8.59 For plan making purposes while the standard method is calculated over a 10 year period the PPG advises that these can be applied across the plan period e.g. 15 years times annual figure. For East Dorset this would represent a housing need of 6,825 and for Dorset, 26,355. The LHNA was produced in 2021 and figures would need to be updated to a 2024 base, although the output is likely to be very similar given the limited change between years of household growth and yearly affordability ratios.

8.60 **Affordable Housing Need.** Attached as Appendix B is an Affordable Housing Technical Note produced by Tetlow King. This note sets out the extent of affordable housing need in Dorset drawing on evidence contained within the Dorset and BCP Local Housing Needs Assessment 2021 (CDF 23). Key findings set out in Section 2 of the Note are:

- The LHNA assesses the need over the 18 year period 2021-/22-2037/38
- There is an annual net affordable housing need of 950 social/affordable rented homes
- There is an annual net affordable housing need of 767 affordable home ownership homes
- There is a total combined on-going net need for 1,717 affordable homes per annum over the period 2021/22 to 2037/38. This is only 40 units less than the Standard method calculation of 1,757 for all housing tenures
- Total gross affordable housing completions for the four years 2019/20-2022/23 is 859 at an average of 215per annum. Net of Right to Buy sales this reduces to 806 dwellings at 202 per annum.
- Additions to the housing stock represents only 13% of the total average net housing completions $((202/1,593)*100)$
- Current active housing need is 5,698 at 22 April 2024 (Dorset Council Register)

- Since the start of the 2021 LHNA period in 2021 median house prices in Dorset have risen by 8% while the lower quartile house prices have increased by 7%

8.61 There is an undoubted significant shortfall in the amount of affordable housing in Dorset being delivered. Affordable housing delivery relies upon the delivery of market housing, particularly large development, and without sites being permitted that need will not be met now or at any foreseeable time in the future. I concur with the conclusion reached in the Tetlow King report that substantial weight should be attributed to the delivery of up to 595 affordable homes through the appeal scheme.

Housing Land Supply

8.62 The Housing Topic Paper (CDG 21) considers the housing land supply position in the context of NPPF paragraph 77 with Dorset being a 5 year authority for calculation purposes and reviews the Council's most recent Statement for the period 2023-2028 (CDF 31). A housing land supply technical note prepared by tor&co is appended at Appendix C. The Appellant challenges the Council's forecast position identifying a point of principle on the requirement where it is considered the uncapped figure rather than a capped figure should be used. This would have the effect of increasing the requirement to 2,715 (543*5). On its own this reduces the Council's forecast supply to 3.5 years.

8.63 On the supply side five sites are also challenged, considered not to comply with the NPPF's deliverability test. Sites with outline planning permission require the Council to provide evidence, yet their Report contains no evidence. Two sites in this category are challenged totalling 61 homes. A further site is challenged removing 4 units where the only deliverable permission is for 2 dwellings; a permission has now expired removing 28 units; and 96 dwellings are removed based on forecast delivery rates for a major housing scheme. In total 144 dwellings are removed from five sites.

8.64 Finally, the Windfall category is also challenged. Two sites within the Specific Large Windfall category did not have planning permission at the base date of the report, 1 April 2023. This removes 54 dwellings. In the Minor Windfall category



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minor sites that are already accounted for are included, thereby double counting.

Removing these discounts the supply by 94 homes.

- 8.65 Reassessing the overall housing land supply position, 292 dwellings can be removed from the supply producing a figure of 1,584. Measured against the Council's capped figure results in a five year supply of 3.5 years with a shortfall of 706 homes. Measured against the uncapped figure the result is 2.9 years with a shortfall of 1,131 homes.
- 8.66 The tor&co report at Section 6 also looks at the longer term supply position. Here it identifies a persistent shortfall of homes until at least 2030, the earliest any benefit from allocations within a new local plan can be expected to start delivering.



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9. Other Planning Issues

9.1 I now turn to the other reasons for refusal as set out in the Decision Notice (CDA 76) and address the key matters that will inform my assessment of the benefits and any adverse effects of the scheme.

Reason for Refusal 1 – Protected Sites

9.2 This reason for refusal addresses the matter of the adverse effects of development on internationally protected nature conservation sites and the lack of appropriate mitigation.

9.3 The basis for the reason for refusal is Natural England’s letter of objection dated May 2023 (CDB 21) which stated that further information was required to confirm that the mitigation proposals are certain and can be secured. It related to:

- River Avon SAC, Avon Valley Ramsar: phosphates/nutrient neutrality;
- New Forest SAC/SPA/Ramsar: recreational impacts;
- New Forest SAC/SPA/Ramsar: air quality; and
- Dorset Heathlands SPA/Ramsar and Dorset Heaths SAC :
 - o App 9.4 SANG Management Plan – further detail required regarding phasing and future management;
 - o Access to the west of the site from the SANG into Cranborne Common;
 - o SAMM [Strategic Access Management and Monitoring] – the applicant can rely on a financial contribution towards mitigation via the SPD;
 - o Technical Appendix 7.1 Transport Assessment and Appendix 7.3 Walking, Cycling and Horse Riding Assessment – promotion of connections to Alderholt/Verwood; and
 - o Requirement for lighting strategy to avoid impacts on foraging Nightjar

- 9.4 In addition to the points raised by Natural England, the Council's Committee Report (CDA 75) raised an issue with the mechanism for securing a proportionate financial contribution to Strategic Access Management and Monitoring (SAMM) via the Dorset Heathlands SPD.
- 9.5 Engagement with Natural England and the Council has sought to resolve these issues and a topic specific Statement of Common Ground has been provided to the Council with a response awaited. The Appellant submitted an Addendum Information for Habitats Regulations Assessment (ES Technical Appendix 9.2 Ad) (CDA 99) May 2024 which addresses the issues raised by Natural England, Dorset Council and other consultees. How these issues have been addressed is summarised in the following paragraphs.
- 9.6 **Water Quality.** The application sits within the catchment of the River Avon SAC and is required to achieve nutrient neutrality. The effect is determined using Natural England's calculator tool with the result determining whether it generates a need for mitigation, in short, the pre-development position against the post development position. The calculation considers pre- and post-2030 wastewater standards and results in an in-perpetuity budget of 95.82kg, including a precautionary 20% as recommended by Natural England. The calculation does not allow for any nutrient removal from Sustainable Urban Drainage features which when designed in detail and delivered will reduce the overall nutrient budget. The 95.82kg is therefore a precautionary or worst case figure. This figure is not disputed.
- 9.7 The development is therefore required to achieve nutrient neutrality through the implementation of a nutrient mitigation or offsetting solution. The Appellant has secured confirmation of the availability of 100 credits (1 credit =1kg) from a Natural England and Dorset Council approved supplier within the River Avon catchment and that these are available for the Appellant (CDA 74).
- 9.8 It would not be reasonable to expect an applicant to purchase or make a down payment for the credits and incur significant cost without the certainty of a planning permission, and when the

final offsetting liability is not known. Indeed, it would be wasteful of credits which would not then be available for other development. Therefore it is considered that the use of a condition precedent or a “Grampian” condition is wholly appropriate to ensure that the requisite mitigation is secured before each phase of development. This is a common and reasonable approach applied by many local planning authorities (and Inspectors) that secures the grant of planning permission without overburdening a developer, while ensuring that the development cannot proceed unless adverse effects on European sites have been avoided.

- 9.9 **Air Quality.** It is recognised that the appeal proposals are predicted to contribute towards future increases in vehicle trips on roads in and around Alderholt. The Transport Assessment upon which the air quality modelling was derived has been updated in response to other reasons for refusal. Dorset operates an air quality contributions scheme, and the impacts can be mitigated by making a financial contribution through the Dorset Heathlands Interim Air Quality Strategy (CDD 29) which will be secured through the s106 agreement.
- 9.10 Natural England and New Forest National Park Authority objected to the approach to the assessment of air quality on the New Forest protected sites, specifically in relation to the in-combination effects. The objection stems from the scoping out for the New Forest designations due to the lack of a viable impact pathway. The transport assessment did not intentionally exclude New Forest road links from the transport model, with the affected road network scoped out on the basis of trip generation analysis and the screening methodology at paragraph 7.27 of the submitted IfHRA (CDA 99).
- 9.11 Detailed air quality assessment of increased traffic flows was undertaken for component patches of International Sites located within 200m of the road links of more than 1,000 AADT either alone or in combination with other developments. The Transport Assessment was revised to include site allocations and other committed developments, however, this has not affected the extent of the transport model nor the International Sites requiring air quality assessment. The air quality

assessment previously carried out and presented in the submitted IfHRA therefore remains valid in terms of its scope and as such is not a valid reason to refuse the appeal.

- 9.12 **Recreational Pressure.** Policy ME2 “Protection of the Dorset Heathlands” restricts residential uses within the 400m area and requires residential development within the 400m to 5km area to provide mitigation in accordance with the Dorset Heathlands Planning Framework 2020-2025 Supplementary Planning Document (“the SPD”). The SPD is a joint policy for BCP and Dorset Councils. The mitigation strategy is set out in section 4 of the SPD, which identifies two elements to the mitigation strategy for developments in the 400m – 5km area: (i) Part 1: Strategic Access, Management and Monitoring (SAMM); (ii) Part 2: Heathland Infrastructure Projects (HIPs). The majority of development mitigation can be secured in accordance with the SPD framework: 5.15-5.16.
- 9.13 The application site lies within 400m-5km zone of influence around the Dorset Heathlands SAC/SPA/Ramsar within which SANG and SAMM is required to avoid adverse effects from increased recreational pressure. The site also sits within 13.8km zone of influence around the New Forest SAC/SPA/Ramsar where recreational pressure have the potential to act in combination with other developments.
- 9.14 A bespoke SANG at 53.4ha in size, equating to 12.98ha/1,000 population is proposed as well as SAMM payments through the s106 agreement.
- 9.15 Natural England and Dorset Council raised concerns through the planning application about the detail of SANG provision, securing the provision, and off site impacts in relation to International Sites. There was no dispute over the quantum of SANG being provided. A meeting with Natural in October 2023 brought agreement on the provision of an additional circular walk at first occupation. It was also agreed that this together with the other elements shown on Map 3 to the IfHRA (CDXX) that this represented an acceptable phasing strategy with final detail regarding SANG habitat design, delivery and management to be secured by either planning condition or obligation.

- 9.16 It was also agreed that SANG management would be acceptable through a Management Company with a bond proposed within the s106 to cover management in the event of default.
- 9.17 SAMM payments for the Dorset Heathlands can be secured in accordance with the provisions set out in the Dorset Heathlands SPD. Mitigation for the effects on the New Forest sites can be mitigated by payment through the s106 towards the emerging New Forest SAMM project. It has been advised that a sum of between £400-500 per unit should be allowed for and this has been included within the Appellant's viability.
- 9.18 Concerns about access to the west of the appeal site and the potential to increase recreational pressure can be addressed through land under the applicant's control, the blue edged land shown on the Location Plan (CDA 3). A Grazing Plan which incorporates details of the grazing regime and appropriate fencing can be secured by either planning condition or obligation. This is shown on Map 4 of the IfHRA (CDA 99).
- 9.19 Wider offsite travel concerns relating to promotion of the bridleway from Alderholt to Verwood within the Transport Strategy have been amended to remove reference to the promotion of access. This will ensure that the impact avoidance and mitigation strategy proposed to avoid adverse effects on Cranborne Common, part of the Dorset Heathlands SAC/SPA/Ramsar, remains robust.
- 9.20 It can be concluded that the adverse effects of the development on protected sites can be mitigated through measures explained above. The approach and the measures have been agreed with Natural England and can be secured either by planning condition or obligation. On this basis the Reason for Refusal 1 falls away.

Reason for Refusal 3 – Masterplanning

- 9.21 Reason for refusal 3 states that the proposed uses do not demonstrate how the proposed uses will function well in terms of their relationship to each other and to the existing settlement of Alderholt, with



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particular concern over the position of the local centre. The Proof of Evidence of Gary Worsfold (CDG 16) sets out the reasoning for the location of the local centre supported by diagrams showing walking and cycling distances from the centre. The evidence demonstrates that the majority of Alderholt will be within a 15 minute walk or a 5 minute cycle of the new local centre. The local centre will maximise footfall through sitting on the new link road, is a 5 minute walk from the proposed business park, is close to the recreation ground and utilises the location of the only existing pedestrian linkage that lies to the west of the existing children's playground.

- 9.22 The Council's reason for refusal quotes NPPF paragraph 130, now 131, which requires '*high quality, beautiful and sustainable buildings and places is fundamental to what makes good planning and development process should achieve*'. The Appellant contends that its masterplan is underpinned by a strong design case built upon sound masterplanning principles and the location of the local centre is a consequence of this. The Council have failed to articulate why the location of the local centre is inappropriately located and justify its unacceptability. The reason for refusal also fails to acknowledge the outline nature of the proposals.

Reason for Refusal 4 – Viability and Affordable Housing

- 9.23 This reason for refusal addresses the matter of the affordable housing offer, stating that the submitted viability report has not been subject to independent scrutiny and therefore a policy compliant level of affordable cannot be accommodated on the site.
- 9.24 Policy LN3 (CDD 1) sets out the affordable housing policy requirement for residential development where there is a net increase in housing. It requires all greenfield residential development to provide '*up to 50% of the residential units as affordable units*'. Where a lower percentage is proposed this should be accompanied by clear and robust evidence.
- 9.25 The Affordable Housing Requirements are that the mix of affordable housing are subject to negotiation and agreement with the Council, but in any event



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must reflect local housing needs identified in the latest Strategic Housing Market Assessment (Policy LN1).

- 9.26 A Viability Statement (CDA 4) was submitted with the planning application which made an offer of 35% delivery of affordable housing. A full viability statement was then submitted in May 2023 justifying further the affordable housing offer. The Council did not review the document claiming that there was insufficient time before the statutory determination period to engage and consult on the submission, despite the offer from the applicant to agree to an extension of time.
- 9.27 The Proof of Evidence of Mark Sturman (CDG 15) addresses the viability matters and a separate topic paper including matters agreed and not agreed is available as a Core Document (CDG 21). The evidence indicates that an offer of 35% is the most that the development can afford. This is at the top end of affordable housing delivery on greenfield sites within the south eastern Dorset area. It is also noted that in the recently published Alderholt Neighbourhood Plan paragraph 4.1.5 states:
- 'The Core Strategy policy LN3 aims for 50% of all greenfield residential developments to be affordable housing. More recent viability evidence commissioned by Dorset Council suggests that this is unlikely to be deliverable across parts of the Dorset Council area, and a more realistic target would be 35%.'*
- 9.28 At the time of writing a response to the Council's position on viability is awaited.

Reason for Refusal 5 – Retail

- 9.29 Reason for Refusal 5 is based on the lack of a sequential test and retail impact assessment and therefore is contrary to Policy KS7 of the C&EDLP 2014.
- 9.30 Policy KS7 identifies town and district centres as the focal point of commercial, leisure and community activity and that these will be the focus for town centre uses including employment, retail, leisure and entertainment, arts, culture, religion, health, tourism, places of assembly, community facilities and higher density housing.

9.31 A sequential assessment is required for main town centre uses that are not in an existing centre. An impact assessment is required for main town centre uses proposing over 500sqm gross floorspace outside of Christchurch, Wimborne and Ferndown. The purpose of KS7 is to ensure that the key town and district centres are not harmed by proposals that would undermine the vitality and viability of these centres. Main town centre uses are defined in Annex 2 Glossary to the NPPF. They are:

“Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).”

9.32 The proposed uses within the local centre have been subject to retail impact and sequential testing the results of which have been reviewed by the Council and its retail consultants. It is agreed that the proposals pass the sequential test in that there are no preferable locations for the development. There is also no retail impact identified with the scale of uses not causing harm to the vitality and viability of other centres. It is therefore agreed that tests are met, and that the proposal complies with KS7.

9.33 Policies LN7 “Community Facilities and Services” and PC5 “Shops and Community Facilities in Local Centres and Villages” of the C&EDLP both seek to improve the provision in rural service centres, and neither place an upper limit on the size of the rural service provision.

9.34 Policy LN7 provides that *“facilities and services will be provided to support existing and future population growth and changes in the age profile”*, concentrated in settlements including Alderholt. Consistent with paras 8(b), 88(d) and 97(a) of the NPPF, it requires the Council to work with partners and service providers to provide high-quality, convenient, local and



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accessible facilities and services for community and cultural use. Policy PC5 similarly supports planning applications which propose improvements to the provision of shops and facilities for local residents.

9.35 Both policies provide that *“the loss of existing retail premises, leisure and other local facilities will be resisted”* unless there is insufficient demand, it is not feasible or viable to continue support, and there will not be a substantial decline in services.

9.36 As I understand it, the Council’s principal objection to the retail and community aspect of this application relates to the “implications of the proposed retail on the existing Co-op store e.g. closure, relocation and the impacts of this on existing residents”. The Appellant’s position is that closure of the existing Co-op is unlikely. However, in any event, there is nothing in the relevant policies that operates to prevent competing facilities from opening. On a level of principle, the prevention of competition would be contrary to the purpose of the planning system, unless there is a genuine planning purpose for doing so. Relevant policies fall to be interpreted in line with this principle.

9.37 At a policy level, while Policies LN7 and PC5 provide that the “loss of existing retail premises” is to be resisted, this is qualified by the exceptions that follow it. Logic demands that each of the three exceptions, i.e. a lack of demand, a lack of feasibility and viability, and there being no substantial decline in services, must each serve as a standalone exception to resistance, as to require all three elements would be absurd. The fact that there will be no substantial decline in services as a result of the proposed development means that the proposed development is consistent with these policies.

Reason for Refusal 6 – Education

9.38 Reason for Refusal 6 is concerned with the lack of on-site education infrastructure necessary to meet the needs of the development with the existing First School unable to accommodate the projected increase in first school age children.



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- 9.39 The Appellant has been in discussions with St James First School since 2017 to understand the school's needs and its aspirations. These discussions included whether the school would like new accommodation to be provided as part of Alderholt Meadows. The school have been unequivocal in their desire to stay on their existing site. The Appellant has therefore sought to accommodate this need rather than make provision for a new school within the appeal scheme.
- 9.40 It has been demonstrated that the pupil numbers generated from the development can be accommodated on the existing First School site, albeit as the development progresses this will require new school buildings and outside facilities.
- 9.41 The Council's preferred solution of a new 2 Form Entry(FE) on a new site within the development raises concerns over how this would be funded. The appeal scheme generates approximately half of the costs required to deliver a new 2FE First School (153 places of 300 required). There is no indication of how this shortfall would be funded.
- 9.42 The Appellant has submitted evidence (CDA 92) of how a new 2FE First School can be accommodated on the existing site. Having undertaken a topographical survey and arboricultural assessment of the site, drawings have been produced that demonstrate the ability to provide a 2 storey first school and external areas including all weather playing area. The scheme would require removal of some trees from the site, but these will not impact on the overall treed nature of the site or affect its character or impact from the public realm.
- 9.43 A 2-storey building is acceptable in Department for Education guidance and given the surrounding character of 2 storey dwellings and that the boundaries of the site remain heavily treed it is not considered that there would be any amenity or streetscape considerations that weigh against the proposal, subject to detailed design.
- 9.44 The Appellant has proposed a review mechanism which would allow the education strategy to be revisited should an alternative proposal come forward

for a new school site. Given that the impacts on the education system can be mitigated in full, there is no reason why permission should be withheld on the basis that the appeal proposals do not include the development of a new school within the application boundary.

Reason for Refusal 7 – Transport

- 9.45 The Council’s position in the Reason for Refusal is that the submitted Transport Assessment has an unacceptable methodology and the inclusion of insufficient information to identify the highways impacts and how they can be mitigated. It has, in the Council’s view, not been demonstrated that there would not be an unacceptable impact on highways safety and that the cumulative impacts on the road network would not be severe, the relevant tests from NPPF paragraph 115. It is to be highlighted that the Council’s highway’s consultation response acknowledged that *‘a development of 1700 homes is unlikely to have a significant impact on the local Dorset road network in terms of congestion’*.
- 9.46 C&EDLP policy KS11 requires development to reduce the need to travel, provide improved access to key services and facilities and promote alternative modes of transport. It states that development will be permitted where mitigation is provided. The appellant has provided the Council, Hampshire County Council and National Highways with all the modelling and technical requirements that have been requested. This includes trip generation data, links modelling, access arrangements and mitigation proposals. Mitigation is proposed, in the form of both physical works and contributions. The evidence indicates that the highways impacts can be mitigated to an acceptable level.
- 9.47 Improvements to walking and cycling are included within the proposal, including improving cycle links to Fordingbridge. A new funded bus service is proposed to be tendered by the local highway authority and a local centre providing for daily needs will reduce the need to travel. These interventions will benefit the existing residents of Alderholt and surrounding areas, as well as giving a genuine choice of sustainable



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travel modes for new residents. Together it is demonstrated that the appeal scheme is in accordance with KS2.

Reason for Refusal 8 – AONB

- 9.48 This has been addressed in my response to Main Issue 2, where I concur with the evidence produced by Tristram Bushby that the appeal scheme would not harm the AONB and that it complies with policy HE3 of the C&EDLP 2014. It also aligns with the tests in NPPF paragraphs 180 and 182 where they relate to the protection to be afforded to AONBs.

Reason for Refusal 9 – Drainage

- 9.49 This Reason for Refusal is no longer being maintained by the local planning authority, the matter having been addressed through additional information submitted as part of the planning application but not considered or reported to the Council's Planning Committee.



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10. Benefits

- 10.1 The NPPF states that *“The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner.’ benefits of the scheme are significant”*. It continues *“These address social progress, economic well-being and environmental protection.”* These are expressed in the NPPF as economic, social and environmental objectives (NPPF paragraph 8).
- 10.2 To aid the assessment of benefits Appendix D provides a tabulated reference of the scheme’s components against International, National and Local objectives. Appendix E provides an overview of scheme elements, their delivery mechanism and potential delivery partners. This should be read alongside the Delivery proof of evidence.
- 10.3 To assist in understanding the full benefits of the appeal scheme and the weight that should be attached to each, these are set out in tables below under headings of the three objectives.



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Economic Benefits

Table 2: Economic Benefits and weight applied

Benefit	Weight
The creation of a 2 hectare business park delivering 10,000sqm of employment space and associated job creation, contributing to Alderholt and the wider Dorset economy.	Policy KS1 of the C&EDLP 2014 seeks to secure development that improves the economic conditions of the area. NPPF paragraph 85 states that significant weight should be places on the need to support economic growth and productivity. It therefore attracts significant weight.
4000sqm of retail/commercial/health floorspace within the local centre generating business and job opportunities.	As above, KS1 and NPPF paragraph 85 afford significant weight to the economic benefits arising from the local centre.
Short to medium term construction related employment. It is expected to take 10-12 years from start to finish.	The development will create jobs and spending within the local economy. This attracts significant weight.
The provision of good quality housing is an economic benefit providing opportunities for current and future workforce with somewhere to live.	This attracts significant weight.
The provision of a care home provides job opportunities for local people as well as suppliers.	This attracts significant weight.
The provision of high speed broadband to homes and businesses.	A key economic objective of National and Local Government, this attracts moderate weight.
Retail expenditure generated by the occupants of the housing will support services and facilities in Alderholt as well as in other higher order centres.	This attracts moderate weight.

Social Benefits

Table 3: Social Benefits and weight applied

Benefit	Weight
Delivery of up to 1700 new homes to meet the significant housing need in Dorset.	The delivery of new homes is a key Government objective with the NPPF seeking to significantly boost supply. This attracts very significant weight.
Delivery of at least 150 homes within the 5 year period 2023-28 helping to plug a shortfall in the Council's housing land supply position.	This attracts very significant weight.
35% or 595 affordable housing units across the affordable tenures is a major contribution to meeting the severe problem of affordability of housing in Dorset	This attracts very significant weight.
A mix of market and affordable housing that will meet the needs of young people, families and elderly persons.	This attracts very significant weight.
An 80 bed extra care home providing market and affordable rooms will help meet the growing need in Dorset.	This attracts very significant weight.
Investment into the existing St James First School to support its long term sustainability ensuring children can attend school locally.	This attracts significant weight.
Supports the policy aim of KS3 C&EDLP 2014 in enhancing the role of Alderholt as a main provider of services and facilities. A dedicated medical facility providing healthcare services in Alderholt will reduce the need for residents to travel to other locations.	This attracts significant weight.

A local centre that will create a focus for Alderholt where the community can come together and utilise the village square for events and festivals.	This will aide community cohesion and attracts moderate weight.
Provision of allotments and community orchards enabling residents to grow their own food.	This attracts limited weight.
The provision of large areas of open space including SANG, recreation space and informal public open space contributing to healthier lifestyles	This attracts significant weight.
A range of play provision for children of all ages.	This attracts moderate weight.
A funded public bus service to operate hourly at peak times from Monday to Saturdays connecting Cranborne, Alderholt, Fordingbridge and Ringwood benefitting residents in Alderholt and the other connecting settlements	This attracts significant weight.
Improved public rights of ways enhancing walking and cycling routes, in particular , to Fordingbridge.	This attracts moderate weight.
A well designed place based on principles of walking and cycling which draws on local vernacular architecture to create a beautiful place.	This attracts moderate weight.



Environmental Benefits

Table 4: Environmental Benefits and weight applied

Benefit	Weight
The creation of new habitat and protection of important wildlife, significantly enhancing biodiversity achieving in excess of 10% biodiversity net gain.	This attracts very significant weight.
The delivery of a substantial contribution to housing need without harm to any Heritage Assets; valued or designated landscapes; Local, National and International nature conservation designations or irreplaceable habitats; Flood Risk; and Green Belt.	This attracts very significant weight.
The use of sustainable drainage features and management of water to provide environmental and landscape enhancements together with new habitats supporting increased biodiversity. Particularly relevant to helping reduce nutrient impacts on the River Avon protected site.	This attracts significant weight.
Microgrid energy solution with input of renewable energy from a solar array and making a substantial contribution toward achieving net zero.	This attracts very significant weight.
The use of the available on-site mineral resource to help build infrastructure and buildings minimising the need to import materials and reducing HGV movements through the construction phase. Mineral extraction will also provide an opportunity to create wetland features to support water	This attracts moderate weight.

management and biodiversity enhancement	
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10.4 As well as scheme benefits there are inevitably some disbenefits. These are set out below:

- Loss of low grade farmland – this attracts **limited** weight
- Loss of a limited number of trees on Hillbury Road and Ringwood Road to enable access into and through the appeal site – this attracts **limited** weight
- Loss of very localised views across farmland – this attracts **limited** weight
- Proposal sits outside the settlement boundary – this attracts **limited** weight, by virtue of out of date policies and not able to demonstrate a 5 year housing land supply
- There will be an increase in car borne trips on the local road network – this attracts **moderate** weight
- Very localised noise impacts – this attracts **negligible** weight
- Some loss of amenity to properties adjoining the appeal scheme – this attracts **very limited** weight



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11. Planning Balance

Development Plan

- 11.1 The Primary document for determining planning applications in the former East Dorset District Council area is the Christchurch and East Dorset Local Plan adopted 2014. There are also some saved policies from the 2002 East Dorset Local Plan. Both are of an age and the 2014 Local Plan has not been reviewed. There is currently no replacement local plan in preparation.
- 11.2 The appeal scheme is not an allocation within the extant local plan. It also sits outside the settlement boundary established in the 2002 plan and left unamended through the 2014 Local Plan. The appeal scheme is therefore in conflict with some parts of the Development Plan to the extent that they seek to limit development outside settlement boundaries. However, the housing requirement, policy KS4, one of the most important policies in the plan, is out of date. It has not been reviewed and for housing land supply purposes the standard method is used to calculate local housing need.
- 11.3 The end date of the C&EDLP 2014 is 2028. All the allocations within the Plan are either built, under construction or in the planning system. There is a supply vacuum now where need is not being met and this will only deepen while Dorset fails to produce a local plan for the area. Settlement boundaries have not been reviewed and with an out of date housing requirement, for Alderholt, policy A1 is also out of date as it acts against the delivery of much needed housing. Accordingly, the weight to be given to the conflict with this part of the development plan needs to be moderated.
- 11.4 Policy KS2 sets out the settlement hierarchy for Christchurch and East Dorset. Alderholt is in Tier 4 as a Rural Service Centre. The Council argue that the scale of development is inappropriate, yet the policy promotes residential development of a scale to deliver services, facilities and infrastructure. The application does this, so it is contended that the appeal scheme is in accordance with KS2.

- 11.5 As explained above, the proposals are also consistent with a raft of development plan policies which seek to control the form of new development. Given the reduced weight to be given to conflict with the policies which seek to restrict new housing in the area to within settlement boundaries, the proposal is in accordance with the development plan when viewed as a whole.

Other material considerations

- 11.6 The decision-maker is required to consider whether there are other material considerations that will inform the planning balance and ultimately the decision. The limited development plan conflict referred to above therefore needs to be considered in the context of other material considerations, including the extensive range of benefits described in section 10.

The Flat Balance

- 11.7 Weighing up the benefits against the disbenefits or harm without applying paragraph 11(d) of the NPPF leads to the clear conclusion that the appeal should be allowed. The benefits are considerable. They include a significant number of new homes of which 35% are proposed to be affordable; a local centre that will provide for the day to day needs of Alderholt's residents; 10,000sqm gross employment floorspace in a business park, investment in the existing school; funding of a full time bus service Monday to Saturday. Against this is the relative limited harm of the appeal scheme. There is some conflict with the development plan but some of the most important policies are out of date and can be given little weight. The limited range of harms described above does not alter the view that permission should be granted.

The Titled Balance

- 11.8 It is not considered necessary to engage the 'tilted balance' of NPPF paragraph 11(d) to determine that the appeal scheme should be approved. Nevertheless, it is clear that the tilted balance does apply because (a) the Council cannot demonstrate a five year housing land supply and (b) the relevant policies



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for the location of new housing in the area are out of date. The tilted balance is not disapplied by reason either limb (i) or limb (ii) of 11(d).

- 11.9 The limited range of adverse impacts described above does not come close to significantly nor demonstrably outweighing the benefits when assessed against the policies in the Framework. In the words of the Framework, it follows that planning permission should be granted.



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12. Conclusion

- 12.1 Alderholt Meadows will be an exemplary mixed use extension to Alderholt that secures the long term sustainability of the settlement. Providing housing, affordable housing, employment, retail, commercial and health facilities, substantial open space including SANG and recreation areas, walking and cycling improvements and a new regular bus service it will provide residents, now and in the future with a range of day to day needs which currently do not exist.
- 12.2 There were nine reasons for refusal of which eight remain, with Reason for Refusal 9 relating to Drainage having fallen away. This proof of evidence has primarily dealt with Reason for Refusal 2 relating to the appropriateness of development at Alderholt and its implications in the context of planning policy and sustainable development. It also summarises the other remaining reasons for refusal before setting out the benefits of the scheme and undertaking the Planning Balance.
- 12.3 Many of these issues could and should have been resolved through the planning application process if the Council had been minded to grant an extension of time, and it may still have been the case that the application would have been refused, however, the issues between the parties will have been fewer. The Appellant has sought to work with the Council to narrow the issues to minimise time debating unnecessary technical aspects at the Inquiry.
- 12.4 It is striking quite how many benefits across economic, social and environmental objectives the proposals will deliver. In particular, the contribution which the scheme will bring to delivering much needed housing. It has been demonstrated that there is a significant need in East Dorset and Dorset overall and that within that the affordable housing need is substantial.
- 12.5 The Council is unable to demonstrate a NPPF compliant five year housing land supply, indeed it is the Appellants contention that the position is worse than the Council forecasts with a significant shortfall in supply which is likely to continue until at least 2030. The situation is not helped by the inability of the

Council to produce a new Local Plan and plan for the housing and other needs of its communities.

- 12.6 Alderholt therefore presents an opportunity to be grasped and supported. When assessed against policy the proposals accord with the development plan when read as a whole. The housing requirement in Policy KS4 is out of date with the C&EDLP being over five years old. It has not been reviewed and neither have the settlement boundaries which for Alderholt derive from the East Dorset Local Plan 2002.
- 12.7 The proposals accord with Policy KS2 settlement hierarchy in seeking to deliver services and facilities to Alderholt that the policy promotes. It also complies with Policies PC5, KS11, LN3 and HE3.
- 12.8 For a scheme of its size it is remarkable how limited the adverse impacts are and these do not come close to outweighing the very significant benefits of the scheme. Where these are identified suitable mitigation is proposed either through direct provision, contributions through s106 or the use of conditions.
- 12.9 I therefore invite the Inspector to allow this appeal and grant consent for the appeal proposals as described.



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APPENDIX A

RE: Alderholt Planning Appeal

WALLIS, Toby (FORDINGBRIDGE SURGERY) <toby.wallis@nhs.net>

Fri 17/05/2024 13:26

To:Nigel Jacobs <nj@intel-land.com>

Cc:RAYMOND, Michelle (FORDINGBRIDGE SURGERY) <michelle.raymond@nhs.net>

As we have indicated before

The Fordingbridge GP practice provides GP services to most of the population of Alderholt, the majority of residents travel to our Fordingbridge site.

Should the population of Alderholt grow significantly we would like to operate a dedicated health centre in Alderholt, providing a range of clinical and complimentary services. To do this we would require a site capable of supporting such facilities but more importantly a larger population base to underpin such services and to guarantee NHS funding for such a facility.

We have listened to the plans from Dudson Homes. We feel that if Alderholt is to enlarge it should have a new health facility providing a comprehensive 21st century service to Alderholt and its wider community. We would aim to provide GP services but also offer space to other practitioners such as physiotherapists to deliver a health facility where residents need them.

Dudson Homes' concept masterplan seeks to provide services and facilities to provide for the needs of all the new and old residents and should this development be granted we would look forward to taking an active role in delivering health services in Alderholt.

Dr Toby Wallis
GP Partner
The Fordingbridge Surgery
Hampshire
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APPENDIX B

Affordable Housing Technical Note

Land to the South of Ringwood Road, Alderholt

Affordable Housing Technical Note

Mixed use development of up to 1,700 dwellings including affordable housing and care provision; 10,000sqm of employment space in the form of a business park; village centre with associated retail, commercial, community and health facilities; open space including the provision of suitable alternative natural green space (SANG); biodiversity enhancements; solar array, and new roads, access arrangements and associated infrastructure (Outline Application with all matters reserved apart from access off Hillbury Road).

Land to the South of Ringwood Road, Alderholt

Dudsbury Homes (Southern) Ltd

May 2024

PINS REF: APP/D1265/W/23/3336518

LPA REF: P/OUT/2023/01166

OUR REF: M24/0512-01.RPT

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Appendix AG1	Right to Buy - Independent News Story 21 June 2020	
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Introduction

Section 1

- 1.1 This Affordable Housing Technical Note is prepared by **Annie Gingell** of **Tetlow King Planning** on behalf of the appellant, **Dudsbury Homes (Southern) Ltd**, in respect of planning appeal **APP/D1265/W/23/3336518** at Land to the South of Ringwood Road, Alderholt.
- 1.2 The proposed development is for up to 1,700 dwellings, of which, up to 595 dwellings (35%) are to be provided on-site as affordable housing.
- 1.3 The 35% is based on the viability evidence of Intelligent Land. Policy LN3 of the Christchurch and East Dorset Local Plan Part 1 Core Strategy 2013-2028 (2014) allows for consideration of viability considerations. Consequently, any justified reduction from the policy expectations is permissible and means the resultant offer, by definition, is policy compliant even at a reduced percentage.
- 1.4 The affordable housing provision will be secured through a S106 Agreement.
- 1.5 This Technical Note deals specifically with affordable housing and my consideration of the degree of weight which I believe should be applied in the context of the acute need and the level of affordable housing that has been delivered in Dorset.
- 1.6 Providing a significant boost in the delivery of housing is a key priority of the National Planning Policy Framework (the “Framework”, December 2023). Having a thriving active housing market that offers choice, flexibility and affordable housing is critical to our economic and social well-being.
- 1.7 There is an acute need for more affordable homes to be delivered in Dorset, to which the appeal proposals would make a substantial contribution towards addressing.

Affordable Housing Evidence

Section 2

- 2.1 This Technical Note deals specifically with affordable housing and the weight to be afforded to it in the planning decision in light of the evidence of need in the Dorset area.

Key Findings

Affordable Housing Needs

- 2.2 Following the establishment of the Dorset Unitary Authority in 2019, Dorset Council commissioned the Dorset and BCP (“Bournemouth, Christchurch, and Poole”) Local Housing Needs Assessment (“2021 LHNA”).
- 2.3 The 2021 LHNA provides the most recent evidence of affordable housing need for Dorset and forms part of the evidence base for the emerging Dorset Local Plan.
- 2.4 The 2021 LHNA examines the future need for housing, including affordable housing, in Dorset and BCP over the 18-year period between 2021/22 and 2037/38.
- 2.5 In assessing affordable housing needs in Dorset, the analysis in the 2021 LHNA is split between a need for social/affordable rented accommodation based on households unable to buy or rent in the market, and the need for affordable home ownership for those who can afford to rent privately but cannot afford to buy a home.
- 2.6 Table 7.29 on page 107 identifies an annual net affordable housing need of 950 social/affordable rented homes across Dorset over the 18-year period from 2021/22 to 2037/38.
- 2.7 Furthermore, Table 7.40 on page 117 identifies an annual net affordable housing need of 767 affordable home ownership homes across Dorset over the 18-year period from 2021/22 to 2037/38.
- 2.8 When combining the identified needs for social/affordable rented accommodation (950dpa) and affordable home ownership homes (767dpa) in Dorset, there is an **on-going total net need for 1,717 affordable homes per annum over the 18-year period from 2021/22 to 2037/38.**
- 2.9 It is striking to note that the Standard Method calculation of total housing need for Dorset set out in the 2021 LHNA is 1,757 dwellings per annum. This figure is just 40

units more than the total combined need figure of 1,717 dpa for affordable housing products identified in the 2021 LHNA.

- 2.10 Given that affordable housing delivery relies on the delivery of market housing it is clear that the Council is unlikely to meet the affordable needs of current and future generations across Dorset as directed by paragraph 8c of the NPPF, and by significant margins. Evidently without sites such as the appeal site the households/individuals identified as in need of an affordable home in the 2021 LHNA will not have their housing needs met any time soon, indeed if ever.

Affordable Housing Delivery

- 2.11 When looking at additions to affordable housing stock across Dorset Unitary Authority since its formation in 2019, Figure 2.1 below shows that the Council has experienced a net loss of 53 affordable dwellings; this equates to 6% of the gross affordable housing completions of 859 affordable dwellings over the four-year period.

Figure 2.1: Net of Right to Buy Additions to Affordable Housing Stock in Dorset, 2019/20 to 2021/22

Monitoring Period	Total housing completions (Net)	Additions to AH Stock (Gross)	RP RtB sales	Additions to AH Stock (Net of RtB)	Additions to AH Stock (Net of RtB) as a %age of total completions
	A	B	C	D (B – C)	E (D / A) x 100
2019/20	1,432	206	17	189	13%
2020/21	1,388	167	11	156	11%
2021/22	1,818	196	15	181	10%
2022/23	1,733	290	10	280	16%
Total	6,371	859	53	806	13%
Avg. Pa.	1,593	215	13	202	13%

Source: DLUHC Open Data.

- 2.12 Figure 2.1 shows that the council has added just 202 affordable dwellings per annum net of Right to Buy sales, equivalent to 13% of the total average number of net housing completions. This figure is likely to fall even further if demolitions to existing stock were to be accounted for.
- 2.13 The seriousness of the impact of the Right to Buy was considered in a Newspaper article in the Independent newspaper in June 2020. The article is attached as

Appendix AG1. The reporter considered how Council housing sell-off continues as government fails to replace most homes sold under Right to Buy.

- 2.14 It advised that, *“Two-thirds of the council homes sold off under Right to Buy are still not being replaced by new social housing despite a promise by the government, official figures show.”* It went on to say that *“Housing charities warned that enough “desperately needed” genuinely affordable housing is simply not being built, with an overall net loss of 17,000 homes this year from social stock. Since the policy was updated in 2012-13, 85,645 homes have been sold through the policy, but only 28,090 built to replace them, statistics from the Ministry of Housing, Communities and Local Government show”.*
- 2.15 The articles goes on to quote Jon Sparkes, chief executive at homelessness charity Crisis, who said: *“These statistics demonstrate just how serious the current housing crisis is. What few social homes that are available are largely being removed from the market as part of Right to Buy, and the supply is not being replenished in line with this. People in desperately vulnerable circumstances are being left with dwindling housing options as a consequence of our threadbare social housing provision. This is all the more worrying considering the rise we expect in people being pushed into homelessness as a result of the pandemic.”*
- 2.16 It is important therefore that gains and losses to affordable housing stock through the Right to Buy and acquisitions are taken into account, to reflect the actual level of affordable houses available.
- 2.17 The recent comments of Crisis underline the serious effect this is having upon the supply of affordable homes and for those people in housing need. For the purposes of subsequent analysis, the net of Right to Buy figures have been applied.
- 2.18 It should also be noted that the Council have provided the Appellant with alternative gross affordable housing completions data that does not align with the data returned to the DLUHC¹ by the Council. Given the alternative figures are not publicly available and no credible explanation has been given for the discrepancies; it is considered these figures cannot be relied upon. As such this Technical Note only seeks to rely upon the verified figures published by the DLUHC.
- 2.19 Figure 2.2 below illustrates net of Right to Buy affordable housing delivery in the Dorset Unitary Authority area compared to the affordable housing need of 1,717 net affordable

¹ Department for Levelling Up Homes and Communities

dwelling per annum between 2021/22 and 2037/38, as set out in the Dorset and BCP 2021 LHNA.

Figure 2.2: Net of Right to Buy Additions to Affordable Housing Stock vs Needs Identified in the 2021 LHNA, 2021/22 to 2022/23

Monitoring Period	Additions to AH Stock (Net of RtB)	2021 LHNA AH Needs Per Annum (Net)	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2021/22	181	1,717	-1,536	-1,536	11%
2022/23	280	1,717	-1,437	-2,973	16%
Total	461	3,434	-2,973		13%
Avg. Pa.	231	1,717	-1,487		13%

Source: DLUHC Open Data; and 2021 LHNA.

- 2.20 Figure 2.2 shows that in just two years, Dorset Council has experienced a substantial affordable housing delivery shortfall of -2,973 affordable dwellings against identified needs. Over the period affordable housing completions (net of Right to Buy) across Dorset have averaged just 231 net affordable dwellings per annum, against a need of 1,717 net affordable dwellings per annum.
- 2.21 As demonstrated by Figure 2.2, delivery of only 461 affordable homes net of Right to Buy over the period means that just 13% of identified affordable housing needs were met. Put another way 87% households in need of an affordable home were let down by the councils in ability to deliver.

Affordability Indicators

- 2.22 The following affordability indicators are material considerations and in this particular case demonstrate a worsening situation in Dorset for any household seeking an affordable home:

Housing Register

- Data from Department for Levelling Up Homes and Communities (“DLUHC”) shows that on 31 March 2023 there were 4,430 households on the Housing Register in Dorset.
- The Council advise that on 22 April 2024 this figure had increased by 29% to 5,698 households. Each one of these households is in need of an affordable home *now*.

- Of the households on the Housing Register on 31 March 2023, 49% (2,177 households) were considered to fall within the 'Reasonable Preference' category.
- The statutory Reasonable Preference categories cover:
 - a. All homeless people as defined in Part VII of the Housing Act 1996. Section 189 and 193 where a duty to accommodate is defined;
 - b. People who are owed a particular statutory duty by any local housing authority under certain provisions of homelessness legislation;
 - c. People occupying unsanitary, overcrowded or otherwise unsatisfactory housing;
 - d. People who need to move on medical or welfare grounds (including grounds relating to a disability); and
 - e. People who need to move to a particular locality within the Council area to avoid hardship to themselves or others.

Temporary Accommodation

- DLUHC statutory homelessness data highlights that on 31 March 2023, there were 353 households housed in temporary accommodation ("TA") by the Council, with 40% of these households housed in Bed and breakfast hotels (including shared annexes).
- Of the total number of households in TA, 145 households (41%) were households with children. The council has a responsibility to house these households.
- The "Bleak Houses: Tackling the Crisis of Family Homelessness in England" report published in August 2019 by the Children's Commissioner found that temporary accommodation presents serious risks to children's health, wellbeing, and safety, particularly families in B&Bs where they are often forced to share facilities with adults engaged in crime, anti-social behaviour, or those with substance abuse issues.
- Other effects include lack of space to play (particularly in cramped B&Bs where one family shares a room) and a lack of security and stability. The report found (page 12) that denying children their right to adequate housing has a "significant impact on many aspects of their lives".

- DLUHC data indicates that Dorset Council spent £6,921,000 on TA between 1 April 2022 and 31 March 2023, 86% of which was spent Hostels (including reception centres, emergency units and refuges).
- Not only does this mean that those in need of affordable housing are being housed in TA, which is unlikely to be suited to their needs, but they may also be located away from their support network, at significant cost to local taxpayers.

Homelessness

- DLUHC statutory homelessness data shows that in the 12 months between 1 April 2022 and 31 March 2023, the Council accepted 767 households in need of homelessness prevention duty², and a further 755 households in need of relief duty³ from the Council.
- In Dorset in 2022/23, the termination of a private sector tenancy accounted for 44% of households owed a prevention duty and 43% of households owed a relief duty. It is the most common reason for the both the prevention and relief duty in Dorset.
- A 2017 report by the National Audit Office (“NAO”) found that *“The ending of private sector tenancies has overtaken all other causes to become the biggest single driver of statutory homelessness in England.”*
- It is for this reason that the Private Rented Sector (“PRS”) is not a suitable substitute for affordable housing and does not have an equivalent role in meeting the housing needs of low-income families. It is highly pertinent that in the NPPF, PRS housing is not included within the Annex 2 definition of affordable housing.
- It should also be noted that there has been an exponential shift in the PRS market in recent years with many private landlords exiting the market following the Government’s removal of tax relief on interest payments in 2020 and as a consequence of higher interest rates as well as the prospect of further rental reforms / regulations.
- Research conducted by global real estate advisor, CBRE in 2023 found that since the start of 2022, when the Bank of England began increasing the base rate (from

² The Prevention Duty places a duty on housing authorities to work with people who are threatened with homelessness within 56 days to help prevent them from becoming homeless. The prevention duty applies when a Local Authority is satisfied that an applicant is threatened with homelessness and eligible for assistance.

³ The Relief Duty requires housing authorities to help people who are homeless to secure accommodation. The relief duty applies when a Local Authority is satisfied that an applicant is homeless and eligible for assistance.

0.25% to now 5%) prompting higher mortgage costs, it estimated that 126,500 rental properties had been sold.

- Additionally, the CBRE research found approximately 273,500 rental properties were sold between 2016 and 2021, aligning with the additional rate of stamp duty for second properties, introduced in 2016, and phasing out of mortgage interest relief. In total, this equated to a loss of 400,000 rental homes.
- Scott Cabot, head of Residential Research at CBRE, noted that if sales continue at a similar trajectory, the numbers will represent a loss of almost 10% of the UK's private rented households by the end of 2023.

Median House Prices

- The ratio of median house prices to median incomes in Dorset now stands at **11.03**, a 10% increase since data for the newly formed authority began collection in 2019 where it stood at 10.
- A ratio of 11.03 in Dorset stands significantly above the national median of 8.28 (+33%) and above the South West median of 9.27 (+19%).
- This means that those on median incomes in Dorset Council area, seeking to purchase a median priced property, now need to find more than 11 times their annual income to do so.
- Across Dorset, the median house price rose by 24% from £285,000 in 2019, to £352,000 in 2023, a period of just four years.
- This figure is some 21% higher than the national figure of £290,000, which has seen an increase of 24% over the same period and 14% higher than the South West figure of £310,000 which has seen an increase of 16% over the same period.
- **Since the start of the 2021 LHNA period in 2021 median house prices in Dorset have increased by 8%.**

Lower Quartile House Prices

- The ratio of lower quartile house price to incomes in Dorset stood at **10.69** in 2022⁴, a 1% increase since the creation of Dorset Council in 2019, where it stood at 10.62.

⁴ Please note that lower quartile house price to income ratio data is only available up to 2022.

- The lower quartile ratio in Dorset stands substantially above the national average of 7.19 (+49%) and significantly above the South West average of 9.22 (+16%) in 2022. It follows that housing in this area is unaffordable for a significant part of the local population.
- The lower quartile house price across Dorset has risen by 19% from £215,000 in 2019 to £255,000 in 2023, a period of just four years.
- This figure is some 34% higher than the national figure of £190,000, which has seen an increase of 20% over the same period and 11% higher than the South West figure of £230,000 which has seen an increase of 24% over the same period.
- **Since the start of the 2021 LHNA period in 2021 lower quartile house prices in Dorset have increased by 7%.**

Private Rental Market

- The median private rents in Dorset stood at £850 per calendar month (“pcm”) in 2022/23. This represents an 8% increase from 2019/20 where median private rents stood at £785 pcm.
- A median private rent of £850 pcm in 2022/23 is 3% higher than both the South West and national figure of £825 pcm.
- **Since the start of the 2021 LHNA period in 2021/22 median rents in Dorset have increased by 6%.**
- The average lower quartile monthly rent in Dorset in 2022/23 was £700 pcm. This represents an 8% increase in the three-year period from 2019/20 where average lower quartile monthly rents stood at £650pcm.
- A lower quartile rent of £700 pcm in 2022/23 is 4% higher than the South West England figure of £675 pcm and 12% higher than the national figure of £625 pcm.
- **Since the start of the 2021 LHNA period in 2021/22 lower quartile rents in Dorset have increased by 1%.**

The Future Supply of Affordable Housing

2.23 The future delivery of affordable housing is highly uncertain. The delivery of a higher number of affordable homes in one year does not guarantee this will continue for future years. The supply of affordable housing is affected by the local market factors, including the number of sites with planning permission and also wider national factors including availability of public funding.

- 2.24 Since the start of the 2021 LHNA period, the Council have overseen the delivery of 461 affordable homes (net of Right to Buy) against a need of 3,434 net new affordable homes which has resulted in a shortfall of 2,973 affordable homes over the two-year period. I consider that any shortfall in delivery should be dealt with within the next five years. This is an approach set out within the PPG⁵ and endorsed at appeal.
- 2.25 When the 2,973 affordable home shortfall is factored into the 2021 LHNA identified need of 1,717 affordable homes per annum for the period 2021/22 and 2037/38, the number of affordable homes the Council will need to complete significantly increases to 2,312 net affordable homes per annum for the period 2023/24 to 2027/28. This would ensure that for the remainder of the period up to 2037/38 the annual affordable housing need reduces to 1,717 per annum to deal solely with newly arising needs.

Conclusion

- 2.26 In light of the key findings and the acute need for affordable housing within Dorset, I am of the view that substantial weight should be attributed to the delivery of up to 595 affordable homes through the appeal scheme in the planning balance.

⁵ Paragraph: 031 Reference ID: 68-031-20190722

Independent PremiumUK news

Council housing sell-off continues as government fails to replace most homes sold under Right to Buy

Home ownership has fallen since the policy was introduced and flats are ending up in the hands of private landlords, writes **Jon Stone**



Sunday 21 June 2020 09:18

Two-thirds of the council homes sold off under [Right to Buy](#) are still not being replaced by new [social housing](#) despite a promise by the government, official figures show.

[Housing](#) charities warned that enough “desperately needed” genuinely affordable housing is simply not being built, with an overall net loss of 17,000 homes this year from social stock.

Since the policy was updated in 2012-13, 85,645 homes have been sold through the policy, but only 28,090 built to replace them, statistics from the Ministry of Housing, Communities and Local Government show.

Under [Right to Buy](#), the government sells off council housing at discounts of up to £100,000 to tenants.

Despite pitching the policy as a way to get more people on the property ladder, overall home ownership has actually fallen significantly since it was introduced in the 1980s.

Previous studies have shown that around 40 per cent of flats sold under the policy since the 1980s have ended up in the hands of private landlords, who let the homes out to private tenants at higher rates. The proportion is thought to be even higher in areas of high housing pressure like London.

Councils warned ministers when the policy was updated that the steep discounts meant the money would not be enough to replace homes one-to-one, and that the very existence of the policy undermined their ability to finance housebuilding by making it impossible to reliably borrow against future rents.

The government officially committed to replace the extra homes sold due to an increase in discounts in 2012-13, but housing charities say the affordable sector cannot afford to bleed stock at all. The government is still around 7,000 homes short of its own target, which covers construction up to the third quarter of 2016-17 because councils are given three years to replace the sold stock.

Jon Sparkes, chief executive at homelessness charity [Crisis](#), said: “These statistics demonstrate just how serious the current housing crisis is. What few social homes that are available are largely being removed from the market as part of Right to Buy, and the supply is not being replenished in line with this.

“People in desperately vulnerable circumstances are being left with dwindling housing options as a consequence of our threadbare social housing provision. This is all the more worrying considering the rise we expect in people being pushed into homelessness as a result of the pandemic.

“To address this, we need to see the government suspend Right to Buy going forward and prioritisation for social housing being given to people who are homeless so they are able to better access what is currently available. Alongside this, we also need commitment to build significantly more social homes in the coming years to keep in step with demand.

“Ending homelessness in the UK is completely within our grasp, but requires a rethink of existing policies that stand in the way.”

In 2018 Theresa May announced that a long-standing borrowing cap preventing councils from building more homes would be lifting. A survey by the Local Government Association

conducted in March 2019 found that a startling 93 per cent of councils were planning to use the extra headroom.

The Scottish and Welsh governments have already ended Right To Buy, citing its effect on the council housing stock.

Commenting on the Right to Buy figures, Polly Neate, chief executive of the housing charity [Shelter](#), said: “The coronavirus pandemic has drummed into us the importance of having a safe home like nothing before. By the same token it’s made it crushingly clear that not enough people do – including the million-plus households stuck on social housing waiting lists. Many of whom are homeless or trapped in grossly overcrowded accommodation right now.

“Despite being desperately needed, our recent track record on building new social homes is atrocious. There was actually a net loss of 17,000 social homes last year, and as it stands Right to Buy isn’t helping. While some people have benefited from the scheme, the failure to replace the properties sold has deprived many others of a genuinely affordable social home.

“But the status quo can be changed. As the government plots its economic recovery from coronavirus, it could give councils the means they need to replace and build social housing. As well as helping to create jobs and get housebuilding going again, this would offer all those without one, their best shot at a safe home.”

Asked about the figures, a spokesperson for the Ministry of Housing, Communities, and Local Government said: “The government is committed to Right to Buy, which has helped nearly two million council tenants realise their dream of home ownership and get on the property ladder.

“Since 2010 we have delivered more homes for social rent – over 140,000 in total – compared to the number of homes sold under the Right to Buy scheme.”

The ministry’s statement is misleading, however, as the 140,000 figure refers to all social housebuilding rather than those homes built to replace housing sold under Right To Buy using receipts earmarked for this purpose.

APPENDIX C

Appeal: APP/D1265/W/23/3336518
Land to the South of Ringwood Road
Alderholt, Dorset

LPA: Dorset Council
Appellant: Dudsbury Homes
(Southern) Ltd

TECHNICAL NOTE:

Appellant's 5 Year Housing
Land Supply Assessment

23 May 2024

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Content

1. Introduction
2. Background
3. The Housing Requirement
4. Supply Assessment
5. Conclusion

Appendices (not included, allocated Core Document Reference)

1. Woolpit decision dated 28 September 2018 (3194926) (CDI 2)
2. Bures Hamlet, Braintree, decision dated 27 March 2019 (3207509) (CDI 3)
3. Little Sparrows, Sonning Common, Oxfordshire, June 2021 (3265861) (CDI 4)

1.0 Introduction

- 1.1 This Technical Note (TN) on Housing Land Supply (HLS) has been prepared by Jacqueline Mulliner MRTPI, Managing Director of tor&co, to assist Dudsbury Homes (Southern) Limited in its appeal against the decision by Dorset Council (DC) to refuse planning permission for development including up to 1,700 dwellings at Alderholt, Dorset. It expands on the Appellant's case with respect to HLS, and is written further to the Topic Paper which has been drafted and is expected to be agreed by both main parties to the appeal.
- 1.2 It is the case that Dorset Council must demonstrate a five-year HLS, and if it cannot do so then the presumption in favour of granting planning permission for sustainable development is engaged, as set out at NPPF paragraph 11 d) (known as the tilted planning balance) (see also NPPF footnote 8).
- 1.3 I acknowledge that the Inspector has indicated that, provided Dorset Council agrees that it must demonstrate a five-year supply against a five-year requirement a site-by-site assessment of site deliverability should not be necessary, given the published position of 3.9 years supply (pre-CMC note and CMC note – CDG6). I further acknowledge that Dorset Council has now accepted this position, of a five-year requirement (email to PINS dated 15 May 2024 - CDxx). However, this evidence is presented in the context of the scale of development proposed relative to the scale of HLS shortfall, and likely timescale for Dorset Council to address both the deliverable and developable supply of housing through a plan-led approach. It also explains why, regardless of any issues with the sources of supply, there is a point of principle regarding the housing requirement for the area.
- 1.4 In this context, this TN provides a re-assessment of the HLS position with reference to:
- 1) The background in terms of HLS requirements, including the Dorset context; how much land supply Dorset is required to demonstrate and an indication of past performance.
 - 2) A review of the five-year requirement, and justification for the use of an uncapped SM LHN figure.
 - 3) A brief assessment of the claimed deliverable five-year supply.
 - 4) A recalculation of the current HLS position.
 - 5) The longer term picture (7 – 10 years).
- 1.5 The evidence below confirms that **Dorset Council must demonstrate a five-year HLS** (not four-years) in order to avoid engaging the tilted planning balance via NPPF footnote 8. It further demonstrates a revised HLS position of **2.9 years and that delivery is unlikely to match the need either in the near future, or for at least the first three-years of the new plan period, up to 2030.**

2.0 Background

Topic Paper

- 2.1 The Topic Paper confirms the requirements of the NPPF and NPPG. It also confirms that the 'East Dorset Housing Land Supply Report April 2023' dated January 2024 (HLS Report, CDxx) is the starting point for the HLS assessment.
- 2.2 Dorset Council, by its own admission cannot demonstrate a sufficient HLS and, at only 3.9 years, it falls some way short of the requirement.

Current Position

- 2.3 The decision notice, for planning application ref. P/OUT/2023/01166, is dated 7th July 2023. The associated Officer Report to the Eastern Area Planning Committee on 5th July 2023 (CDxx) recorded that DC could not demonstrate a five year supply of housing, the position at that time being 4.17 years base-dated 1st April 2022 (see OR para 16.19).
- 2.4 The situation has moved on since then, including through:
- 1) The publication of the updated NPPF in December 2023, which included a number of revisions relating to HLS, as well as transitional arrangements for authorities that had reached at least Reg 18¹ stage of plan production.
 - 2) The publication of a new HLS Report by Dorset Council in January 2024: 'East Dorset Housing Land Supply Report April 2023' (CDxx), which considers the five-year period 1st April 2023 – 31st March 2028 and identifies a five-year HLS of 3.9 years. This represents a supply of 1,876 homes against a requirement of 2,405 homes, presenting a shortfall of 529 homes up to 31 March 2028.
 - 3) Confirmation from Dorset Council, at its meeting of the Cabinet on 12 March 2024, that the previously published Regulation 18 local plan will not be progressed, instead a new style plan will be produced, starting that process November this year and going through all stages of production. It will be an entirely new plan
- 2.5 With respect to 3), it is further relevant that the Inspector's initial view (as noted at para 1.3 above) is supported by appeal decision APP/D1265/W/23/3323727 dated 8 May 2024 (paras 29 – 35 CDxx). Following the CMC, and this subsequent appeal decision (3323727), officers from Dorset Council have reluctantly conceded that the Council must demonstrate a five year supply against a five-year requirement (see email to PINS dated 15 May 2024 - CDxx).

¹ With policies map and allocations to meet housing need.

Timetable for the new style plan: Local Development Scheme

- 2.6 It is relevant to the longer-term picture, and potential for Dorset Council to redress the HLS shortfall through a plan-led approach, that the LDS (CDxx) now confirms:

“This is the Local Development Scheme (LDS) for Dorset Council, setting out a programme for the preparation of new development plan documents. The main development plan document that will be produced is the new local plan for Dorset.” (Under Section 1: Introduction)

“It is accepted that there is an element of risk around following the new planning system when the detail of regulations and guidance have not been produced. However it would not be possible to proceed with the local plan under the current plan-making system given the proposed transitional arrangements.” (Under Section 1: Introduction)

“Dorset Council Local Plan

The Dorset Council Local Plan will set out planning policies and propose allocations to meet needs across the whole of the Dorset Council area. It will look ahead until at least 2042 in order to ensure provision for growth for 15 years upon adoption. The aim of the Local Plan will be to contribute to achieving sustainable development by meeting Dorset’s needs. This will include the provision of homes, commercial development, and supporting infrastructure.

The Dorset Local Plan will be a new-style local plan prepared under the proposed reforms to the plan-making system. The key stages and likely timescales are:

- *Scoping and Early Engagement [September 2024]*
- *Sustainability Appraisal Scoping Report [November 2024]*
- *Project Initiation Document and Gateway 1 Assessment [November 2024]*
- *Visioning and Strategy Engagement (8 weeks) [May 2025]*
- *Gateway 2 Assessment [December 2025]*
- *Draft Plan Engagement (6 weeks) [March 2026]*
- *Gateway 3 Assessment [October 2026]*
- *Examination [November 2026]*
- *Adoption [May 2027]*

Past performance in East Dorset

Housing delivery

- 2.7 The Council’s own predicted level of under-provision in forward delivery over the next five-years is substantial but should not be viewed in a vacuum. It is underscored by significant levels of under provision in previous years. DC has failed the HDT in all years since inception, the HDT results (combined with Christchurch for 2018 and 2019) being:

- 2022 - 90% - action plan required (delivery of 1,851 homes against a requirement of 2,065 homes)
- 2021 - 94% - action plan required (delivery of 1,698 homes against a requirement of 1,815 homes)
- 2020 - 91% - action plan required (delivery of 1,655 homes against a requirement of 1,818 homes)
- 2019 - 82% - buffer and action plan required (delivery of 1,317 homes against a requirement of 1,606 homes)
- 2018 - 75% - buffer and action required (delivery of 1141 homes against a requirement of 1528 homes)

2.8 It is clear that the undersupply of housing in the District has persisted over many years.

Past land supply positions

2.9 This delivery performance is unsurprising and was to be expected. DC's previous annual housing land supply assessments, still available on the Council's website, identified the following land supply positions, the majority of which identify a less than five-year supply, and those that do identify a sufficient supply have little margin for error and were clearly inaccurate given the subsequent HDT results:

- Position at 1st April 2018 – 4.77 years
- Position at 1st April 2019 – 4.91 years
- Position at 1st April 2020 – 5.36 years
- Position at 1st April 2021 – 5.20 years
- Position at 1st April 2022 – 4.15 years

Housing Delivery Test Action Plan

2.10 Because of the Council's persistent poor performance in housing delivery, it must produce an Action Plan. The latest 'Dorset Council Housing Delivery Test Action Plan' (HAP) is dated March 2024 (CDxx) and highlights that:

"An Action Plan is intended to be a practical document, focused on effective measures aimed at improving housing delivery within an area." (para 1.1.4)

2.11 Table 3 of the HAP identifies key actions and responses. There is an emphasis on progress with the Local Plan to increase the supply of housing sites and a link to the LDS October 2022. This envisaged submission of the Plan April 2025 and adoption Spring 2026, whilst the current LDS envisages adoption of the new style local plan May 2027.

2.12 The HAP makes no mention of the positive interim ability of the Council to permit development under the tilted planning balance.

3.0 The Housing Requirement

3.1 The Joint Christchurch and East Dorset Local Plan Part 1 Core Strategy (CDD1), including its housing requirement for the period 2013 – 2028, was adopted in April 2014, more than five-years ago. The requirement for the 5-year HLS position is the SM LHN figure.

3.2 The standard methodology is set out in the NPPG ID 2a ‘Housing and economic needs assessment’. It clarifies circumstances where it is appropriate to apply a cap to limit the increase than an individual LPA has to face (2a-004-20201216). It also clarifies why a cap is applied (ID: 2a-007-20190220).

3.3 Essentially, where the plan was adopted more than five-years ago the SM LHN figure is capped at 40% whichever is the higher of:

*“a. the projected household growth for the area over the 10 year period identified in step 1; or
b. the average annual housing requirement figure set out in the most recently adopted strategic policies (if a figure exists).”*

3.4 There is further guidance for re-organised authorities, to be applied after the fifth anniversary of reorganisation, but given the base-date of the HLS Report / Assessment, this is not yet relevant.

3.5 The guidance is clear that:

“The cap is applied to help ensure that the minimum local housing need figure calculated using the standard method is as deliverable as possible.

*The cap reduces the minimum number generated by the standard method, **but does not reduce housing need itself**. Therefore strategic policies adopted with a cap applied may require an early review and updating **to ensure that any housing need above the capped level is planned for as soon as is reasonably possible.**” (my emphasis)*

3.6 The HLS Report references the above and concludes:

“... The adopted Local Plan target was a joint target shared with the former CBC [Christchurch Borough Council] so it is not possible to establish which would be the higher of the Local Plan target or the household projections. It is therefore considered that the cap should be applied to the annual average household growth figure established through Step 1 of the Standard Methodology.” (para 3.1.10)

3.7 It is correct that the Core Strategy did combine the housing need, as derived from the Bournemouth and Poole Strategic Housing Market Assessment (2012), from the into a single target but it explained that:

“The targets for the two areas have been combined into a single target. This will provide flexibility across the plan period and across the plan area. It will allow the rolling 5 year housing supply to be considered across both local authority areas and will help to avoid planning by appeal.”

- 3.8 Further, the evidence base from which the target was derived confirms the respective needs for both Christchurch and East Dorset, as follows (Summary Table from the SHMA, also at Figure 6.16 and A4.3 of the SHMA):

Summary of housing needs estimates							
Element	Bourne -mouth	Christ- church	East Dorset	North Dorset	Poole	Purbeck	HMA
① Backlog need (annual)	1,081	83	166	139	472	125	2,066
② Backlog supply (annual)	243	21	86	122	183	50	704
③ Net backlog need (annual) ① - ②	839	62	79	17	289	75	1,362
④ Future need (annual)	4,778	392	503	630	1,913	536	8,752
⑤ Future supply (annual)	643	122	156	260	492	91	1,764
⑥ Net future need (annual) ④ - ⑤	4,135	270	347	370	1,421	445	6,988
Total net annual need ③ + ⑥	4,974	332	426	387	1,710	520	8,350
Total net annual need (2007)	3,015	243	440	399	1,199	409	5,704

Source: Household Survey Data, CORE

- 3.9 In considering the approach to a combined target, the Examining Inspector (see Examination Report, dated 21 March 2014 CDxx) concluded:

This approach has been criticised for a number of reasons, including the view that separate targets are necessary to ensure that delivery does not come forward more within one district than the other and concerns regarding local accountability. (para 47)

*However the NPPF encourages co-operation and advises local planning authorities to work together to meet development requirements that cannot be met within their own area. Christchurch and East Dorset differ in character and this affects the nature of the housing supply in each area. For example the proportion of new housing that will be delivered through the strategic allocations, rather than in the urban area, is higher in East Dorset than in Christchurch. Should housing supply in one local authority area fall behind the trajectory, the combined target will allow the requirement for a five year housing land supply to be considered across both areas. This flexibility will help to ensure that managing development in both areas continues to be supported by an up to date local plan and thereby helps to avoid planning by appeal. On this basis the combined housing target is consistent with national planning policy and ensures that the Plan is robust and has flexibility to adapt to changing circumstances. Explanatory text, set out in **MM5(C)**, should be added to the Plan to clarify this approach and explain why a single target has been used.” (para 48)*

- 3.10 It is therefore clear that the combined target was intended to be used for HLS purposes by allowing flexibility for one authority to compensate for the other in terms of supply.
- 3.11 The combined local plan housing requirement was 8,490 homes across the 15 year period 2013 – 2028; presenting an annual requirement of 566 homes. Accordingly, the need for the cap can be assessed against the combined local plan target. A cap of 40% above the local plan requirement would allow for a SM LHN figure of up to 792 homes (566*1.4).
- 3.12 The SM LHN figure without the cap is 543 dwellings per annum (see Figure 3.2 of the HLS Report). Being below 792 dwellings per annum, there is no need for it to be capped. This approach would align with the approach to the Core Strategy, reflect the need and, particularly given the vacuum that currently exists in reviewing the requirements and planning for housing as soon as possible (included above a capped level), be fully justified. On this basis, it would accord to the guidance for the standard method.
- 3.13 The 2022 HDT for East Dorset District is 90%, there is no need to add a buffer to the requirement.
- 3.14 ***On this basis the five-year requirement for the HLS assessment should be 2,715 (5*543).***
- 3.15 Taking the published supply position of 1,876 dwellings, as per the HLS Report, the outcome would be a HLS of **3.5 years** (1,876/(2715/5)), with a shortfall of 839 homes.

4.0 Supply Assessment

Testing housing site deliverability

Guidance

- 4.1 As confirmed in the Topic Paper, the starting point of the HLS assessment is DC's HLS trajectory, as set out in its HLS Report. The HLS Report considers individual sites, scrutinising their potential to deliver within the five-year period against the definition of deliverability as set out in the NPPF at Annex 2 (Glossary), and against further guidance contained in the Planning Practice Guidance (PPG).
- 4.2 For major sites without detailed planning permission the onus is on the LPA to present ***clear evidence*** that housing completions ***will*** begin within 5 years. Also to present evidence of lead in times and build out rates.

Clear evidence: Relevant appeal decisions

- 4.3 The following provide an indication as to how clear evidence can be demonstrated:
- The Woolpit decision dated 28 September 2018 (3194926) particularly paragraphs 65, 67, 72 & 73 93 (Appendix 1), confirmed that:
 - a) The onus is on the LPA to provide clear evidence for outline permissions and allocated sites
 - b) The definition of deliverable does not relate to sites that are not subject to an allocation but had a resolution to grant
 - c) There is a clear cut-off date to the assessment.
 - The Bures Hamlet, Braintree, decision dated 27 March 2019 (3207509) (Appendix 2) further elaborates:

*“However, I agree that new planning permissions after the base date should be excluded **and that would include permissions subject to a resolution to grant subject to a Section 106 obligation**. Uncertainty about when such an obligation would be completed could put back a potential start date by months or even years.”* (para 62, emphasis added)

“Where there is to be reliance on an annual assessment then that clear evidence should logically be included in that published assessment or at least published alongside it. The information can be provided in summary form but there needs to be some means of identifying the basis for the conclusion reached.

The information published here in the AMR is minimal and relies heavily on unsupported assertions that a site will be delivered. That does not amount to evidence.” (paras 66 & 67)

- Little Sparrows, Sonning Common, Oxfordshire (3265861), June 2021 (Appendix 3), where the Inspector confirmed at paragraphs 20 and 21 that something more than a developers 'say so' is required to provide clear evidence, speculation and assertion is not sufficient:

"I have also had regard to the PPG advice published on 22 July 2019 on 'Housing supply and delivery' including the section that provides guidance on 'What constitutes a 'deliverable' housing site in the context of plan-making and decision-taking.' The PPG is clear on what is required:

"In order to demonstrate 5 years' worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions."

"Clear evidence requires more than just being informed by landowners, agents or developers that sites will come forward, rather, that a realistic assessment of the factors concerning the delivery has been considered. This means not only are there planning matters that need to be considered but also the technical, legal and commercial/financial aspects of delivery assessed. Securing an email or completed proforma from a developer or agent does not in itself constitute 'clear evidence'. Developers are financially incentivised to reduce competition (supply) and this can be achieved by optimistically forecasting delivery of housing from their own site and consequentially remove the need for other sites to come forward."

Lead-in times and delivery rates

- 4.4 Whilst the onus is on Authorities to establish indicative lead-in times and delivery rates from developers and agents on individual sites as part of the 'evidence of deliverability' gathering process, the Dorset HLS Report provides no such evidence with respect to major sites.
- 4.5 Evidence gathered on a national basis, with published research by Lichfields 'Start to Finish – Third Edition' (March 2024), highlights the following averages:
- 6.7 years is the median from validation of first planning application to first completion on site of 2,000 plus dwellings
 - Circa 4 years from outline application to first completions on sites of 50 – 99 dwellings, with the first 1.5 years addressing planning approval and 2.3 years addressing planning delivery (post detailed approval to first completion)
 - Circa 6 years from validation of the first planning application to the first dwelling completion on schemes of +100 -499 dwellings
 - Build out rates of 100 – 187 dpa on schemes of 2,000 dwellings
 - Build out rates of 44 – 83 dpa on schemes of 500 - 999 dwellings
 - Build out rates of 35 – 60 dpa on schemes of 100 – 499 dwellings
 - Build out rates of 16 – 22 dpa on schemes of less than 100 dwellings
 - Build out rates of 69 dpa per outlet on sites with one outlet; 62 dpa per outlet on sites with two outlets; and 55 dpa per outlet on sites with three outlets.

Context to site assessments

4.6 The HLS Report, base-dated April 2023' identifies a supply of 1,876 dwellings comprised of the following

- Minor sites with planning permission (306.7 dwellings)
- Major sites with extant planning permission (1,334 dwellings)
- Minor sites windfall allowance (181.6 dwellings)
- Specific large sites (54 dwellings)

4.7 The HLS Report includes four associated appendices:

- Appendix A is a list of small sites (9 dwellings or less) with planning permission. The total is 323 homes; 95% are included in the deliverable supply (i.e. a 5% non-delivery rate has been applied). The non-delivery rate has been applied as follows:

“Historically, from the point of the grant of planning permission, just under 96% of these minor sites have been built within five years. It is of course impossible to identify which sites will not deliver within five years so to allow for this, the total stock of minor sites with extant consent are discounted by 5%.” (para 4.2.2)

- Appendix B is a tabulated list of major sites with extant planning permission, with estimated delivery within 5 years. Some of these sites have detailed permission, some only outline permission. Whilst the Report contains no pro-forma type evidence with respect to housing delivery on major sites, and no trajectory of anticipated completions, the text at paras 4.3.2 and 4.3.3 asserts that a case by case assessment of the sites has been made and:

With respect to extant detailed permission this, “has included consideration of the number and type of units being delivered on a site, the details of any infrastructure requirements, the discharge of conditions associated with the planning permission, whether a CIL commencement notice had been received, feedback from the developer as to their programme for developing the site and information from case officers working on specific applications”

Whilst, with respect to sites with outline permission these, “were considered in a similar way to detailed consents having regard to recent appeal decisions. Progress towards gaining full consent, along with information from the developer about their programme for delivering the site including their anticipated housing trajectory. Information from the case officer working on the application along with the current planning status of the site was also considered including the discharge of any planning conditions.”

- Appendix D provides historic windfall rates (since 2018) to derive a five-year annual average of 74.7 dwellings.

- Appendix E identifies two large windfall sites, with their estimated delivery within the five years.
- 4.8 First it is relevant to highlight the position taken by DC in the HLS Report is to assert that:
- “The approach to major sites that have either detailed or outline planning permission is considered to accord with the relevant parts of the definition of deliverable in the NPPF.”* (para 4.3.5)
- 4.9 However, the HLS Report fails to provide clear evidence with respect to sites with outline permission. It simply refers to a list of sites and provides a permission number. It contains no evidence of developer delivery intentions with respect to the Appendix B sites, merely asserting that there is ‘*clear evidence*’. In the absence of substantive evidence from the Council, these sites, with only outline planning permission cannot be assumed deliverable. This specifically affects the inclusion of two sites:
- Land North of Ringwood Road, Alderholt, SP6 3HZ (application ref: 3/16/1446/OUT) - 45 homes
 - 180 Ringwood Road, Ferndown (application ref: 3/19/1861/OUT) - 15.67 homes (adjusted from 30 according to care home ratio).
- 4.10 Given the lack of clear evidence, these 61 homes should be removed from the supply. This would provide a revised HLS of 1,815 dwellings. ***Against a requirement of 2,715 this presents a HLS of 3.3 years (shortfall of 900 homes).***
- 4.11 Notwithstanding this position, the following looks in further detail to provide a robust re-assessment of the Council’s claimed position. It is anticipated that, on the basis of this evidence, the Council will be able to agree to some, if not all, of the deductions identified, which will in turn inform the Topic Paper and provide a more robust HLS position for the inquiry.

Appendix A Sites: Minor Sites with Extant Permission

- 4.12 The following deductions can be made.

Land at 84 Golf Links Road 3/19/0460/OUT

- 4.13 Land at 84 Golf Links Road, is included in the HLS for 5 net dwellings (p.27), on the basis that it is a minor site benefitting from planning permission (outline) i.e. an NPPF deliverable category a) site. However, the permission is dated 19th April 2019 and requires the submission of reserved matters within three years. No reserved matters have been submitted and the permission has therefore expired.
- 4.14 There is now detailed planning permission for the demolition of the existing dwelling and erection of 2 detached 5-bed houses ref: 3/20/0847/FUL. This was

granted 21 June 2021. Condition 1 requires development to begin within three-years (i.e. before 20 June 2024).

- 4.15 A further application ref 3/21/0160/OUT for the demolition of the existing dwelling and erection of a block to create 10 apartments was submitted in January 2021 but subsequently withdrawn in April 2022.
- 4.16 Only permission 3/20/0847/FUL remains deliverable under the terms of the NPPF, which removes 4 (net) units from the HLS.

Appendix B Sites: Major Sites with Planning Permission

- 4.17 The following deductions can be made.

180 Ringwood Road (3/19/1861/OUT)

- 4.18 This site is referenced above and included on p.32 of the HLS Report for 15.67 homes, with reference to permission for a 30-bed care home (a ratio of 1.8 is applied for communal accommodation, taken from the NPPG ID: 68-041-20190722 and HDT Measurement Rule Book, para 11).
- 4.19 Further to the above generic reference, outline planning permission for a 30 bed dementia care home, was granted 27 December 2019 (3/19/1861/OUT). Condition 1 includes the standard implementation clause:

(b) An application for approval of any 'Reserved Matters' must be made not later than the expiration of three years beginning with the date of this permission.

- 4.20 No reserved matters have been submitted and the permission has now expired.
- 4.21 The Rightmove 'House prices' website (<https://www.rightmove.co.uk/house-prices/bh22-9ap.html?country=england&searchLocation=BH22+9AP>) confirms that the existing 4-bed detached house has since been sold on the open market, in February 2022, at a price of £810k. The new owner has subsequently made a householder application, and received planning permission, to extend the existing dwelling ref: P/HOU/2022/03773 to 'Erect two storey side extension using existing garage and erect outbuilding'.
- 4.22 There is no permission for the care home development. ***This reconfirms the removal of 15.67 homes from the HLS.***

Land South Howe Lane (3/19/0019/RM)

- 4.23 This site is included on p.32 of the HLS Report, for 29 dwellings.
- 4.24 The site had outline planning permission (3/13/0674/OUT) and subsequent reserved matters approval for 29 dwellings, the latter being granted 4th July 2019 (3/19/0019/RM). However, development has not begun and condition 1 on the reserved matters decision notice confirmed:

‘The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.’

- 4.25 The permission has now expired.
- 4.26 One unit is located at the front of the site with the remaining 28 units located in rear field parcel, behind a tree belt. The tree belt has prevented the rear 28 units from being developed.

- 4.27 A non-material amendment was granted in July 2022 as follows:

‘Non material amendment to approved P/A 3/13/0674/OUT (granted on appeal) for construction of 29 residential dwellings. Non material amendment to conditions 5, 6 and 9 to allow the commencement of plot 1 only.’

- 4.28 ***The other 28 units will not be delivered and should be removed from the HLS.***

Land East of New Road, West Parley (P/RES/2022/03505 & 3/17/3609/OUT)

- 4.29 This site is included in the HLS under 2 entries of 256 and 40 homes (p.32) totalling 296 homes.
- 4.30 Outline planning permission for 386 homes was granted 18 February 2021, Bellway has reserved matters consents for two phases, and the development has commenced. First occupations, located around the show home, were secured towards the end April 2024, as confirmed verbally by the sales office on 12 May 2024. The sales office also confirmed that the main phases of completions will start July/August 2024.
- 4.31 Given the base date of the HLS assessment, 1st April 2023, there will be just under four years of completions within the current five-year period. At the current time there is no evidence to confirm an enhanced build-out rate of 74 dwellings per annum, which would be required in order to achieve the delivery of 296 homes.
- 4.32 In the absence of local evidence, national evidence suggests a build rate of 35 – 60 dwellings per annum on schemes of 100 – 499 dwellings. Taking a mid-range point, of 50 dwellings per annum, the site will deliver 200 homes within the five-year period. ***This removes 96 homes from the HLS.***

Appendix E Sites: Specific Large Windfalls

- 4.33 Two sites are identified in the HLS (p.39) as ‘specific sites’ for a total of 60 homes:
- 38 homes at Land to the North of Eastworth Farm (P/FUL/2022/03125)
 - 22 homes at Land at Back Lane (P/FUL/2021/05768)
- 4.34 In figure 5.1 of the HLS Report, these are ‘discounted’ to a supply of 54 homes.

- 4.35 Neither of these sites had planning permission at the base-date of 1st April 2023; Land at Eastworth Farm was granted permission 28 June 2023, whilst the decision on Land at Back Lane is still pending.
- 4.36 These sites are not allocated and do not fall within the definition of a 'windfall allowance' as allowed for under the NPPF/NPPG. The only come into the HLS post the current base-date (cut-off date). Until both the requirement and supply is rebased to 1 April 2024 they cannot be included. **This removes 54 homes from the HLS.**

Minor Windfalls (1 – 9 dwellings)

- 4.37 Allowance is made for the delivery of 181.6 homes, based on previous trends showing an averaged annualised completion rate of 78.6 dwellings per annum (393 across a five-year period).
- 4.38 However, 306 homes are already included in the supply, in relation to minor sites with planning permission (assumed 95% delivery). Essentially, these were windfall sites, now with planning permission.
- 4.39 Bringing this pool of sites together, the HLS relies on the delivery of 487 homes from this same source, averaged across a five-year period this represents an annual delivery rate of 97.4 homes.
- 4.40 Whilst the number of permissions (306) supports the ongoing ability to deliver 78.6 dwellings per annum on windfall sites, it does not support the ability to achieve 97.4 homes.
- 4.41 The adjusted delivery, **discount 94 homes from the HLS** ($487 - (78.6 * 5)$).

5.0 Reassessed HLS Position

5.1 The following can be discounted from the HLS Report starting position on supply (1876 homes)

Site	Deduction
84 Golf Links	4.0
180 Ringwood Rd	15.7
Howe Road	28.0
New Road Parley	96.0
Specific Sites	54.0
Windfalls	94.0
Total	291.7

5.2 The reduced, deliverable and achievable, HLS is 1,584 homes.

5.3 Measured against the capped requirement of 2,290 homes this presents a HLS of 3.5 years, with a shortfall of 706 homes.

5.4 Measured against the uncapped requirement 2,715 homes this presents a HLS of **2.9 years, with a shortfall of 1,131 homes.**

6.0 Longer-term view

- 6.1 The HLS Report sets out source totals from the various categories of HLS sites, which can be identified as follows:

Supply Category	Source Total	Included in the HLS
Minor sites with pp	326.9	306.7
Major sites with pp	1,525.2	1,334
Sites allocated in the LP	369	0
Minor sites windfall allowance*	66.1	181.6
Specific large sites	603.2	54
Neighbourhood plans	0	0
Rural exception sites	42	0
Total	2,932.4	1,876.3

*Combined with minor sites to achieve a total of 393 homes within any five-year period.

- 6.2 The total available supply, from all sources is 1,056 homes, equivalent to 1.9 years HLS measured against the uncapped requirement. It is clear that, without the grant of planning permissions on unallocated sites, prior to the adoption of the new style local plan, there is simply insufficient supply to meet the requirements.
- 6.3 The new local plan is not expected to be adopted until May 2027. It will need to demonstrate a five-year HLS on adoption, but clearly for any larger sites, given lead-in periods, delivery can only be achieved towards the end of the five year period.
- 6.4 In this context, shortfalls in delivery, against annual housing need, can be expected to persist for at least another six years, i.e. until May 2030.
- 6.5 Given the current known sources of supply and until adoption of the new plan, the shortfall (with another three years of requirement – base-dates April 2024, 2025 & 2026) is likely to peak at 1,175 homes (current requirement of 2,715 homes plus 1,629 homes) with a known potential supply of only 3,167.8 homes (2932.4 plus three years of minor windfalls).
- 6.6 This is before any provision is made under a new alignment policy, noting that the adjacent authority of BCP, in its Regulation 19 plan, is only seeking to deliver 1,600 dwellings per annum against a SM LHN of 2,806 dwellings per annum.

APPENDIX D

ALDERHOLT MEADOWS APPEAL PROPOSALS

SUSTAINABILITY ASSESSMENT

- D.1 This assessment, in tabular form, reviews the main elements of the Alderholt Meadows appeal proposals against three sets of sustainability objectives, as set out in the sustainability paper submitted to this appeal.
- D.2 The table below uses the relevant numbers or titles of the three sets of objectives, which are, for reference:

INTERNATIONAL – THE UNITED NATIONS SUSTAINABLE DEVELOPMENT GOALS



NATIONAL – THE NATIONAL PLANNING POLICY FRAMEWORK OBJECTIVES OF SUSTAINABLE DEVELOPMENT

- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

LOCAL – THE CHRISTCHURCH AND EAST DORSET CORE STRATEGY, SUSTAINABILITY APPRAISAL OBJECTIVES

Table 3 Sustainability Appraisal Objectives

1	Protect, enhance and expand habitats and protected species (taking account of climate change), avoiding damage to designated wildlife and geological sites and protected species on which they depend.
2	Make sustainable use of resources.
3	Minimise pollution (including air, water, soil, noise, vibration and light).
4	Minimise factors contributing to climate change.
5	Provide access to meet people's needs.
6	Provide a safe and secure environment (including coastal protection, major hazards e.g. blast zones, crime / fear of crime and flooding).
7	Create conditions to improve health, promoting healthy lifestyles, especially routine daily exercise and reducing health inequalities.
8	Help make suitable housing available and affordable for everybody.
9	Help communities to support social cohesion through a reduction in the fear of crime and the provision of basic services and facilities, learning, training, skills, knowledge and culture.
10	Protect and enhance historic buildings, archaeological sites and other culturally important features.
11	Maintain and enhance local distinctiveness and create places, spaces and buildings that work well, wear well and look well.
12	Facilitate a sustainable and growing economy for the District that creates economic and employment opportunity, as well as providing for vital and viable town centres.

D.3 The assessment table below contains an assessment of the relationship of each application element to each international, national and local sustainability objective, with justification provided.

APPLICATION PROPOSAL	RELEVANT U.N. OBJECTIVE	RELEVANT NATIONAL OBJECTIVE	RELEVANT LOCAL OBJECTIVE	JUSTIFICATION
<p>1,700 units of residential accommodation, with an indicative average mix of unit sizes as follows:</p> <ul style="list-style-type: none"> o 323 x 1-bedroom units o 561 x 2-bedroom units o 510 x 3-bedroom unit o 255 x 4-bedroom unit o 51 x 5-bedroom unit 	3, 8, 11	Economic, Social	8, 11	Provides significant range of housing for all, creates local distinctiveness and leading to better health and wellbeing through provision of high-quality housing. This in turn supports local economic growth.
<p>595 of these dwellings will be affordable housing. The average percentage (35%) by bed number is below, the final distribution to be determined:</p> <ul style="list-style-type: none"> o 113 x 1-bedroom unit o 196 x 2-bedroom unit o 179 x 3-bedroom unit o 89 x 4-bedroom unit o 18 x 5-bedroom unit 	1, 3, 8, 10, 11	Economic, Social	7, 8, 11	Provides those on low incomes with a safe and secure home. Provides homes for those unable to access open market housing, which helps people to lead healthier lives and enables employers to attract and retain staff. Creates local distinctiveness.
An 80-bed care home is included within the 1700 total unit figure	3, 10, 11	Social	7, 8	Reduces health inequalities by providing safe and appropriate accommodation for older and more vulnerable people.
10,000sqm of employment floorspace set within a business park setting	8, 9, 11	Economic	12	Delivers employment opportunities for the Alderholt community.
A village centre comprising retail, health, office and community space totalling circa 4,000sqm of floorspace	3, 11	Economic, Social	5, 7, 9, 11, 12	Provides access to services locally, creating a sense of community, creating a sense of place and growing the local economy.

APPLICATION PROPOSAL	RELEVANT U.N. OBJECTIVE	RELEVANT NATIONAL OBJECTIVE	RELEVANT LOCAL OBJECTIVE	JUSTIFICATION
51 hectares of SANG to the north, west and south east of the application site	3, 11, 15	Social, Environmental	1, 2, 5, 7, 11	Protecting valuable habitats while increasing access to greenspace and improving health and wellbeing.
19 hectares of open space comprised of extension to the Alderholt recreation ground, play space, active sports space, amenity greenspace, natural and semi-natural greenspace and allotments	3, 10, 11, 15	Social	5, 7, 9, 11	Creating significant new greenspace gives everyone the chance to lead healthier lifestyles at all ages through sport and recreation.
A 6.4-hectare site for a solar array	7, 9, 12, 13	Economic, Environmental	2, 3, 4	Using natural resources to create energy while helping to reduce fossil fuel demand.
New access in the form of a roundabout off Hillbury Road to connect with a new route crossing Ringwood Road and re-joining at a point at the northern part of the road within the application boundary	9	Economic	5	Improves access for local residents and improves road safety.
Closure of that part of Ringwood Road within the application site to through traffic. Access to properties and facilities will remain with the road downgraded to a 'quiet' lane and safe route for pedestrians and cyclists	9, 11	Social	5, 7, 11	Improves access for local residents whilst also improving active travel and creating a sense of place.
Pumping station and associated SUDs ponds	6, 9, 13	Economic, Environmental	3, 4	Mitigates against water pollution and impacts of climate change
Funding for a regular bus service for 7 years	9, 10, 11, 13	Social	4, 5	Reduces the need to travel by car, and generally improves access to services for those without a car.
Funding the provision of enhanced school facilities and capacity	4, 10, 11	Social	5, 9	Improves community development through better education opportunities without the need to travel beyond the village
Energy efficiency measures which will be incorporated into the proposed dwellings,		Environmental	2, 3, 4, 8	Addresses climate change through low or carbon neutral development and reduction in use of natural resources.

Table 1 – Sustainability Assessment of appeal proposals.

APPENDIX E

ALDERHOLT MEADOWS APPEAL PROPOSALS

DELIVERING SUSTAINABLE DEVELOPMENT

- E.1 As set out in Section 6 of the sustainable development assessment paper, the promise of sustainable development is not sufficient without clear evidence that it can be delivered.
- E.2 The Alderholt Meadows proposals are rooted in deliverability, driven by assessing a sufficient scale of development which can deliver.
- E.3 The table below sets out a summary of how each element of the proposals can be delivered, including specific engagement undertaken with potential deliver partners.

APPLICATION PROPOSAL	DELIVERY MECHANISM	POTENTIAL DELIVERY PARTNERS	ENGAGEMENT TO DATE
1,700 units of residential accommodation, with an indicative average mix of unit sizes as follows: <ul style="list-style-type: none"> o 323 x 1-bedroom units o 561 x 2-bedroom units o 510 x 3-bedroom unit o 255 x 4-bedroom unit o 51 x 5-bedroom unit 	Development is of a scale which is likely to attract volume housebuilders as well as more local and regional firms.	National and regional housebuilders.	Interest expressed by Redrow, Crest Nicholson and CG Fry.
595 of these dwellings will be affordable housing. The average percentage (35%) by bed number is below, the final distribution to be determined: <ul style="list-style-type: none"> o 113 x 1-bedroom unit o 196 x 2-bedroom unit o 179 x 3-bedroom unit o 89 x 4-bedroom unit o 18 x 5-bedroom unit 	Registered Providers in partnership with housebuilders or developing parts of the site themselves.	Registered Providers operating in Dorset.	Magna Housing and Sovereign, who focus on Dorset, have formally written to express interest in the proposals.
An 80-bed care home is included within the 1700 total unit figure	Care home size reflects specialist provider needs.	National care home operators	Expressions of interest received from CareSouth, Colten Care and NeighbourHub

APPLICATION PROPOSAL	DELIVERY MECHANISM	POTENTIAL DELIVERY PARTNERS	ENGAGEMENT TO DATE
10,000sqm of employment floorspace set within a business park setting	Commercial and employment space will be delivered on a phased basis through the construction of the development.	Commercial agents and development partners.	Agents and developers/operators have been engaged and confirmed the need and expressed interest in working with DHS to deliver the employment space. Local interested parties who have been engaged for the delivery are Jade Aden, W H White and Ankers & Rawlings. All have significant experience in this field and see this as an excellent opportunity to provide much needed employment space in Dorset.
A village centre comprising retail, health, office and community space (Use Classes E totalling circa 4,000sqm of floorspace)	Likely to be developed by a specialist operator/developer.	Housebuilders and centre operator/developers	Expression of interest received from Neighbourhood Hub.
19 hectares of open space comprised of extension to the Alderholt recreation ground, play space, active sports space, amenity greenspace, natural and semi-natural greenspace and allotments, 13km of new public footpaths and cycleways	Open space will be retained in the control of the developer with appropriate funding secured for future management and maintenance	n/a	n/a
51 hectares of Suitable Alternative Natural Greenspace (SANG) to the north, west and south east of the application site	The SANG will be managed in accordance with the SANG management plan and a bond put in place through the S106 for step in rights for the council. The SANG will be managed by a SANG Management Co paid for by a service charge on the development.		Canford Park Sports who run the popular Canford Park SANG have expressed interest in running the Alderholt Meadows SANG. It is likely the management will be Tendered at the time or done through the community Man Co. Canford Park Sports Ltd have also been consulted on the design and budgets.

<p>A 6.4-hectare site for a solar array</p>	<p>Alderholt Meadows energy strategy will be delivered by connecting the solar array with the microgrid technology. The microgrid will be designed, delivered and operated via a place-based electrical distribution system which integrates renewable energy, on site battery storage and smart metering controls that will significantly reduce carbon emissions and provide a lifetime saving to residents on energy bills. All energy generated on site or imported from the network will be from renewable sources and all residents will benefit from a to their energy bills over the lifetime of the development</p>	<p>The microgrid system can be fully funded by SNRG, who are a next generation infrastructure company, smartgrid operator and energy supplier. The up front microgrid funding costs will be recovered by SNRG over the lifetime of the microgrid, whilst ensuring that the community receives discounted energy costs. The microgrid will sit within an Energy Services Company which SNRG will operate on behalf of the community.</p>	<p>Potential operators include SNRG, Canford Renewable Energy, Scala Energy and Net Zero Advisory. Canford Renewable Energy have also been engaged around the delivery of the Solar Facility. Delivery partners have indicated they are keen to work with DHS on this scale of development.</p>
<p>New access in the form of a roundabout off Hillbury Road to connect with a new route crossing Ringwood Road and re-joining at a point at the northern part of the road within the application boundary</p>	<p>Through a S278 Agreement with Dorset Council</p>	<p>Dorset Council</p>	
<p>Closure of that part of Ringwood Road within the application site to through traffic. Access to properties and facilities will remain with the road downgraded to a 'quiet' lane and safe route for pedestrians and cyclists</p>	<p>Through a S278 Agreement with Dorset Council</p>	<p>Dorset Council</p>	

APPLICATION PROPOSAL	DELIVERY MECHANISM	POTENTIAL DELIVERY PARTNERS	ENGAGEMENT TO DATE
Pumping station and associated Sustainable Urban Drainage System (SUDS) ponds			Discussion with Wessex Water and Albion Water.
Funding for a regular bus service for 7 years	Funding calculation has been worked up in consultation with a potential operator.	Local bus operator	Letter of interest, including funded timetable, from Transpora Bus.
Funding the provision of enhanced school facilities and capacity			

Table 2 – Delivery assessment of appeal proposals.