

Cabinet - 26 July 2022

Dorset Local Plan:

Update from the Portfolio Holder for Planning

Introduction

Dorset Council is one of the largest local planning authorities in the country, issuing over 500 planning decisions every month. This puts us in the top 2% of authorities in England. As Dorset is a young authority, the statutory planning context for decision-making is currently a complex one, with six 'legacy authority' adopted local plans covering the area, together with three minerals and waste local plans (nine in total), and adoption dates ranging from 2012 to 2019. For these reasons, preparation of a new Local Plan that is right for Dorset is a top priority for the Council.

Progress to date

Dorset Council is preparing a new local plan for Dorset to ensure we have an up-to-date plan which will provide a consistent basis for decision-making across the entire administrative area. Local Plan options consultation took place between January and March 2021. The draft plan has indicated a need for 30,500 dwellings (just under 1,800 dwellings per annum), based upon the current national housing methodology, and at least 131 hectares of employment land, between 2021 and 2038. The draft plan contains options which, if delivered, would ensure sufficient sites to deliver this whilst also allowing for some flexibility in case some sites fail to come forward, having regard to the current requirement to consider unmet needs from neighbouring authorities under the Duty to Co-operate. The draft plan also states that *'Dorset Council is working to examine the scope for new or significantly expanded settlements to help deliver the longer-term growth needs of Dorset having regard for the need to promote sustainable patterns of development'*.

Work has since been taking place to review all responses and refine/update the evidence base as necessary. The plan itself needs to be the subject of a public examination which will be conducted by an independent inspector.

Current Timeline for local plan preparation

The Council's current Local Development Scheme indicates that submission of the plan to the Secretary of State (the point at which the independent examination process is triggered) will occur towards the end of 2022, with examination and adoption following in 2023. However, this needs to be revised to take account of specific evidence requirements that are required before the publication and submission of the plan can take place. This includes:

- Weymouth Town Centre flood risk assessment - a crucial piece of evidence that will not be finalised until the autumn
- Dorset is within 5 separate catchment areas for internationally protected wetland habitats, all of which have been the subject of recent advice on the need to achieve nutrient neutrality. This has potentially significant implications for housing development, and further work is needed to assess both the risk and scope for mitigation.

National changes to the planning system

The Levelling Up and Regeneration Bill was published in May 2022 and this proposes some significant changes to the planning system. These include:

- A genuinely plan-led system, with a move away from the 5-year housing land delivery test for authorities with an up-to-date plan, changes to how housing need is calculated, and removal of the duty to co-operate;
- Creation of a national suite of generic development management policies which would remove the need for each local plan to duplicate national policies
- Creation of a new 'infrastructure levy';
- An intention to digitise and simplify the planning system to ensure it is consistent and transparent, with associated efficiency benefits.

A plan that is fit for the future

There is an opportunity for Dorset's local plan to be at the forefront of expected changes to the planning system which have been set out in the Levelling Up and Regeneration Bill. Having a plan that is embedded in the improved planning system can ensure Dorset is able to benefit from a genuinely plan-led system, new digital

powers, streamlined processes, and an expected national suite of development management policies. This will strengthen our ability to address some critical challenges for our area, including the following:

1. **Climate and ecological emergency:** we want to plan for future sustainable settlements at a scale that can deliver the dual commitments of net zero development and biodiversity net gain while also building in climate adaptation and resilience into our settlements.
2. **Sustainable Settlements and Infrastructure:** due to the large geographical area we cover, combined with the scattering of market towns and smaller settlements, a high proportion of our development has historically taken the form of smaller sites that are not always capable of being fully supported by an uplift in infrastructure provision. We have an opportunity to look at a strategy that identifies longer-term opportunities for strategic development options that can strike an optimum balance of scale and infrastructure provision and the creation of prosperous and inclusive communities.
3. **Environment:** Dorset is planning ambitious growth while also having to manage a unique combination of environmental responsibilities, including 5 catchment areas for protected wetlands where nutrient neutrality is required.

Implications for timescales

Taking account of the evidence requirements, the need to test options, and the importance of building in effective community engagement, officers have estimated that adoption of the new local plan could be achieved by 2026, subject to consultation stages and examination timelines. This will allow us to develop a vision for Dorset that delivers sustainable growth in the longer term and secures the effective stewardship of our unique environment. The Local Development Scheme will need to be revised to reflect the additional work required.

Stage	Existing Milestones in adopted LDS	Proposed Milestones
Further evidence and review ¹	-	Through to Q2 2024
Cabinet	-	Q2 2024
Council	-	Q3 2024
Publication (pre-submission consultation) ²	Q2 2022	Q4 2024
Submission to Secretary of State	Q4 2022	Q2 2025
Examination	Q2 2023	Q3 2025
Adoption	Q4 2023	Q2 2026

Risks

At present, the presumption in favour of sustainable development that is set out in the National Planning Policy Framework facilitates ad hoc windfall housing development if local authorities have out-of-date local plans and are unable to demonstrate a 5-year housing land supply of deliverable sites. This leaves Dorset exposed to the threat of unplanned development which, in the long term, is likely to undermine its vision for sustainable development. Whilst changes to the National Planning Policy Framework are anticipated, these may only offer relief from the 5-year housing land requirement for authorities with an up-to-date local plan, which will leave Dorset at threat of unplanned growth until its new plan is adopted in 2026.

The Leader's ask from Government

Paragraph 223 of the National Planning Policy Framework confirms that the Government will explore potential planning freedoms and flexibilities, for example *'where this would facilitate an increase in the amount of housing that can be delivered'*. Such freedoms and flexibilities would need to be considered by the

¹ Weymouth Town Centre Flood Risk Assessment; Nutrient Neutrality implications; Implications of Levelling Up and Regeneration Bill (revised draft NPPD expected later this year)

² Milestones based upon no further round of pre-submission consultation. If we have to consult on significant changes, there is potential for the timetable to be extended.

Government on a case-by-case basis. Securing such flexibility around the housing 5-year housing delivery requirements will provide Dorset with some protection against unplanned growth that potentially could undermine the emerging plan, and would provide us with the assurances needed to deliver a fit-for-purpose plan by 2026. With this in mind, the Leader has written to Greg Clark, the Secretary of State for Levelling Up, Communities and Housing, requesting a reduction of the 5-year housing delivery requirement down to 3 years until the end of 2026, giving us the time needed to advance our local plan without fear of ad hoc development that is contrary to existing or emerging local plan policies.

Conclusion

Dorset is ideally placed to be at the forefront of the new planning system once it becomes enshrined in a revised NPPF and supporting legislation. This will provide us with a great opportunity to take advantage of a genuinely plan-led system and put in place a strategy that provides a long-term framework for sustainable development in Dorset. It is anticipated that we should be able to get a plan in place by 2026, subject to progress on evidence gathering, community engagement stages and the smooth running of the examination process. However, it is recognised that, without the additional flexibilities that have been sought, there would be some risk in terms of unplanned housing growth if we are unable to demonstrate a 5-year housing land supply.