



Date of Meeting: 25 June 2019

Lead Member: Cllr David Walsh – Lead Member for Planning

Lead Officer: Hilary Jordan, Corporate Manager, Planning (Community & Policy
Development)

Executive Summary:

The local plans adopted by the predecessor councils still form the statutory development plan for the new council, and will remain so until replaced by a new plan. The Consequential Order for Dorset Council requires the Council to produce and adopt a new local plan, reflecting the changed council geography, by April 2024. Members of the Shadow Executive have previously expressed a preference to adopt the plan by April 2023, and officers reported to the Shadow Executive in February 2019 that this was possible, albeit challenging.

Councils are required to publish 'local development schemes' or programmes of plan preparation work, to make sure that local communities are aware of the plans in place, those in preparation, and the opportunities they will have to be involved. The draft Dorset Council Local Development Scheme, attached as Appendix 1, sets out a proposed programme for preparing the Dorset Council Local Plan in line with this agreed target date. It also includes the programmes for the final stages of the Waste Local Plan, Minerals Sites Plan, and Purbeck Local Plan, currently in preparation.

The Purbeck Local Plan is currently at examination stage but the other local plan reviews currently in preparation have not advanced as far. Continuing these separate local plan reviews alongside the preparation of the Dorset Council Local Plan would have significant additional resource implications, particularly bearing in mind the ambitious timescale intended for the Dorset Council plan. Officers therefore recommend that other than the Purbeck plan, these reviews are not continued separately, but instead that the work already carried out be brought together as input to the new Dorset Council plan.

The planning authorities in Dorset have previously worked together through the member-level Dorset Strategic Planning Forum. Having such a forum in place is valuable in enabling councils to meet their statutory 'duty to cooperate' on strategic planning matters, and it is important that the Council continues its commitment to cooperation with neighbouring councils, as stated in the Statement of Common Ground that was jointly agreed by the predecessor councils. This commitment will need to be demonstrated during the examination into the Purbeck Local Plan.

Equalities Impact Assessment:

None – the Dorset Council Local Plan will be subject to detailed equalities impact assessment during its preparation.

Budget:

£975,000 has been carried forward from the previous district council budgets, reserved for local plan preparation work including evidence base studies and public examination costs.

Risk Assessment:

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: MEDIUM

Residual Risk: MEDIUM

There is a risk of having less control over development decisions in the absence of an up-to-date local plan and five-year supply of deliverable land for housing.

There is a risk of not being able to complete the local plan in the challenging timetable proposed. Having adequate staff resources is critical, as is political support, which is why a member task and finish group is to be set up from an early stage. Not all of the stages are in the council's control however, as the plan must go through a public examination and be found sound if it is to be adopted. Joint working with other councils is also necessary to ensure a sound plan.

Other Implications:

A wide range of economic, social and environmental issues will be considered as part of plan preparation and a number of impact assessments will be carried out. The achievement of sustainable development is the aim of the planning system.

Recommendation:

1. That Dorset Council progresses with a Dorset Council Local Plan in line with the high level project plan set out in the draft Local Development Scheme (Appendix 1) with the aim of adopting the plan by April 2023;
2. That the separate local plan reviews currently under way in the Dorset Council area, with the exception of the Purbeck plan which has reached examination, do not continue, but that all existing work carried out on these reviews be used where possible to shape the new Dorset Council Local Plan;
3. That the attached draft Local Development Scheme (Appendix 1) be approved as Dorset Council's current programme for plan preparation;
4. That Dorset Council retains its commitment to cooperation with neighbouring councils on strategic planning matters, as expressed in the Statement of Common Ground approved by the predecessor councils.

Reason for Recommendation:

To ensure that work on the preparation of a new Dorset Council Local Plan can be progressed to enable adoption by April 2023.

Appendices:

Appendix 1: Draft Dorset Council Local Development Scheme May 2019

Background Papers:

Report to Shadow Executive, 11 February 2019, Timeline and Resources for Producing the Dorset Council Local Plan

Dorset Statement of Common Ground on Strategic Planning Matters (approved by the

Strategic Planning Forum)

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1. Introduction

- 1.1 Local Plans set out the locations where development will take place and the policies that will be used to guide decisions on planning applications. They form part of the statutory development plan, meaning that decisions on applications must be made in accordance with them unless material considerations indicate otherwise. Having an up-to-date local plan in place is important to provide certainty to local communities and the development industry. It also enables the council to have greater control over development in the area, as if policies are out of date (including where the council cannot demonstrate that it has the required five-year supply of deliverable sites for housing) then less weight can be given to them in decisions and the national 'presumption in favour of sustainable development' applies.
- 1.2 The Local Plans adopted by the predecessor councils have been carried forward as policies of the new Dorset Council, and will remain as the statutory development plans for their areas until replaced by a new plan. As such they continue to be the policy framework against which the council will make decisions on planning applications.
- 1.3 The Consequential Order for Dorset Council requires that a new Local Plan reflecting the new council geography be adopted by April 2024. The Shadow Executive for Dorset Council was keen to ensure that the plan was adopted as soon as possible, and recommended that this should be by April 2023. A report to the Shadow Executive meeting of 11 February 2019 recommended that this was possible but challenging, and depended on adequate staff resources being in place.
- 1.4 The Shadow Executive also agreed in February that a task and finish group of councillors be set up, reporting to the Cabinet, to provide the strategic lead for the Dorset Council Local Plan, and this group will now be established.

2. Current Local Plans

- 2.1 The Consequential Orders establish that all policies adopted by the predecessor councils are carried forward as the policy of the new council. This means that all the current adopted local plans still apply as the statutory development plan for the various parts of the Dorset Council area, though policies carry less weight where the plans are more than five years old and where the council cannot demonstrate a five-year supply of deliverable housing sites. Where this is the case, national policy as set out in the National Planning Policy Framework still applies and decisions need to be taken in accordance with it. The Purbeck local plan and Christchurch and East Dorset local plan are both now more than five years old and the same weight cannot be attached to their policies. The West Dorset, Weymouth & Portland local plan and North Dorset local plan will be five years old in October 2020 and January 2021 respectively. Only the Purbeck area currently has a five-year housing land supply.

- 2.2 Local plan reviews are under way across the area and much work has already taken place to review policies and identify potential sites for housing, employment and other development. The current stage of each plan, and the work required to take them to adoption, is summarised in the table below:

Area	Current position	Potential adoption date	Further work required to reach adoption
East Dorset	Options consultation completed	Late 2020	Pre-submission publication; collation of responses; submission; examination (including consultation on modifications)
North Dorset	Issues and options consultation completed	Autumn 2021	'Preferred options' consultation; pre-submission publication; collation of responses; submission; examination (including consultation on modifications)
Purbeck	Plan at examination, with hearings taking place July and August 2019	Late 2019	Preparation for and attendance at examination; consultation on modifications
West Dorset, Weymouth & Portland (joint plan)	'Issues and options' and 'preferred options' consultations completed	Late 2020	Pre-submission publication; collation of responses; submission; examination (including consultation on modifications)

3. Options for future Local Plan preparation

- 3.1 The Shadow Executive has agreed that the new Dorset Council local plan should be prepared as quickly as possible, with the aim of adoption by April 2023, rather than April 2024 as specified in the Consequential Orders. This is a challenging timeframe, which can only be met if there are adequate resources in place and if the examination process is straightforward.
- 3.2 The Shadow Executive also agreed previously (at its October 2018 meeting) that it should be for the new Council to decide whether or not to continue with the individual local plan reviews for the Purbeck, East Dorset, North Dorset and West Dorset, Weymouth & Portland areas. It is important to make this decision as soon as possible to provide greater certainty to local communities and the development industry, as well as to enable the workload to be properly organised.
- 3.3 The resource implications of the proposed April 2023 adoption date for the Dorset Local Plan were set out in some detail in the February report to the Shadow Executive, which made clear that this adoption date would only be possible if the current level of planning policy staff resource were maintained. Since then a number of posts have been proposed for deletion in the transitional staff structure, and

officers are in discussion about ensuring the appropriate level of staff resources to undertake the work on the new plan. Continuing the separate local plan reviews as well as the Dorset Council plan would have significant additional resource implications, estimated in the previous report to require a further 14 full-time equivalent staff. There would also be additional costs involved in the separate local plan examinations, with the Planning Inspectorate fees likely to be in the region of £50,000 for each plan.

- 3.4 Continuing with the individual reviews alongside the preparation of the Dorset Council plan could also be confusing and time-consuming to consultees and stakeholders, resulting in multiple consultations on similar issues.
- 3.5 As the Purbeck plan review is at a more advanced stage than any of the others, with the examination currently under way, it is suggested that this review continues, but that the work on the other plans be subsumed into the preparation of the new Dorset-wide plan. Work to date has included several public consultations and the preparation of much of the necessary evidence base, the results of which will be relevant to the new plan.

4. The draft Local Development Scheme

- 4.1 The draft 'Local Development Scheme' is attached as Appendix 1 to this report. This is the work programme for future planning policy document preparation that all councils are required to publish and keep up to date. One of the main purposes of this requirement is to make sure that all the stakeholders who need to be involved in the plan preparation process are aware of the programme and able to plan for their input.
- 4.2 The main document proposed is of course the new Dorset Council Local Plan. A great deal of engagement and consultation has already taken place during the preparation of the individual local plan reviews, and this will inform the new plan. It is however proposed that further informal engagement and consultation with Dorset's communities will take place before the publication of the full draft plan. This will be an opportunity to consider all the development options across the new council area, ensure that a consistent approach is taken, and ensure that all the relevant stakeholders including town and parish councils are fully engaged in the process of preparing the new plan.
- 4.3 The draft local development scheme sets out a programme that includes: options consultation in autumn 2020; pre-submission publication in summer/autumn 2021; submission for examination in spring 2022; and adoption in April 2023. This is in line with the draft programme included within the February report to the Shadow Executive, and officers are already working on the early stages of plan preparation. It is not proposed in this draft Local Development Scheme that any of the individual local plan reviews are continued, other than the Purbeck local plan.
- 4.4 The Local Development Scheme includes the dates for adoption of the new Waste Local Plan and Minerals Sites Plan, both of which are at advanced stages of preparation and due to be adopted this year. It includes information on adopted Neighbourhood Plans and those in preparation. It also includes sections on the Community Infrastructure Levy and on Supplementary Planning Documents.
- 4.5 It does not include a separate programme for the continued preparation of the Dorset-wide Gypsy and Traveller Accommodation Development Plan Document. This has been in preparation across the whole Dorset area (including that part now

within the Bournemouth, Christchurch and Poole Council area) as a joint project between the various councils. As the new unitary councils have been introduced, and also as the need for new sites is almost entirely within the Dorset Council area, it is proposed that rather than continue as a separate document, the allocation of sites should take place within the new Dorset Local Plan.

- 4.6 A Dorset Council-wide 'Statement of Community Involvement' has been drafted, to replace the individual Statements prepared by the previous district councils. This is due to be published for public consultation this summer and will be brought back to Cabinet for adoption later in the year.

5. Duty to Cooperate

- 5.1 The Dorset Strategic Planning Forum was established in 2015 to provide a member-level forum for joint working on strategic planning matters, recognising the importance of such liaison in meeting the statutory Duty to Cooperate on strategic planning matters. The Forum's membership comprised two members from each of the councils within Dorset, together with representatives of the Dorset Local Enterprise Partnership and Dorset Local Nature Partnership. Members from surrounding local authorities were invited if there were particularly relevant matters to discuss.
- 5.2 A Statement of Common Ground was agreed by the Forum, and signed by all of the predecessor councils in both the Dorset Council and Bournemouth, Christchurch and Poole council areas. Such Statements are required to be submitted with local plans in order to demonstrate the cooperation that is taking place. The Statement will need to be revised in due course to reflect the new council geography, but in the meantime members are asked to confirm their previous commitment to cooperation as expressed in the existing Statement of Common Ground, which has been submitted to the Purbeck Local Plan inspector.
- 5.3 Cooperation between Dorset Council and Bournemouth, Christchurch and Poole Council will be vital as part of preparation of both councils' local plans and so it is recommended that the Forum should continue. Terms of reference clearly need to be revised following local government reorganisation, and a provisional revised set of terms of reference were discussed at the Forum meeting in March. An updated draft of these revised terms of reference will be brought to Cabinet in future, following further discussion with Bournemouth, Christchurch and Poole and other adjoining Councils.