

Chapter 6 – Housing

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6. HOUSING

LOCAL PLAN OBJECTIVE:

In accordance with Structure Plan and Regional Spatial Strategy housing requirements, ensure an adequate supply of housing land that will meet the needs of the community.

6.1 Introduction

- 6.1.1 The Government intends¹ that there should be greater choice of housing and that the housing needs of all in the community should be recognised, including those in need of affordable or special housing in both urban and rural areas. It advises that to promote more sustainable patterns of development and make better use of previously-developed land, the focus for additional housing should be existing towns. New housing and residential environments should make a significant contribution to promoting urban renaissance and improving the quality of life.
- 6.1.2 Provision for housing is based on national population and household forecasts, which have been used to set regional total housing requirements in the Government's Regional Planning Guidance for the South-West², which indicates figures for each county, to be allocated through Structure Plans. The adopted Bournemouth, Dorset and Poole Structure Plan indicates that in West Dorset District, provision should be made to enable about 9,500 houses (9000 net³) to be constructed between 1994 and 2011⁴. This assessment took account of the number of dwellings already committed for development and the likely contribution from windfall sites and new allocations that could be made, avoiding damage to the environment. The Local Plan determines the distribution and components of this provision.
- 6.1.3 The Regional Assembly for the South West has now agreed the submission draft of the first Regional Spatial Strategy for the South West. This will replace both the Regional Planning Guidance for the South West, published in 2001, and the Bournemouth, Dorset and Poole Structure Plan, adopted in 2000. It will address the distribution of housing growth between the Districts for the period 2006-2026 and will become the strategic policy framework that local development frameworks will be required to follow. As the Structure Plan is now overdue for review (preceding the current draft of Regional Planning Guidance for the South West) and as the submission draft of the Regional Spatial Strategy was complete by the end of March 2006, including a revised housing distribution, it is important that this Plan takes account of the transition to more up to date strategic policy. The change in policy has significant implications for housing development in West Dorset, moving from a net annual average of 529 per annum to an equivalent of 410 per annum. As the Plan has been prepared under previous planning regulations, however, it is still required to be in general conformity with the Structure Plan proposals up to 2011. This Plan therefore has a level of provision from 2005 to 2011 that will ensure that the Structure Plan housing requirement is substantially met. At the same time, it aims to meet the average annual targets of the submission Regional Spatial Strategy during the whole of the plan period from 2005 to 2016. This means that the average annual rates between 2011 and 2016 will be significantly lower than those up to 2011, in order to adjust to the lower average requirement for the whole period.

1 Para. 1, PPG3: Housing, 2000, DETR.

2 Regional Planning Guidance for the South West, RPG10, 1994 and 2001, DTLR.

3 The net figure makes allowance for dwelling losses.

4 Housing Policy A, Bournemouth, Dorset and Poole Structure Plan, (CSP28), 2001.

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6.1.4 In addition to the District housing allocations, the Structure Plan and emerging Regional Spatial Strategy include general policies for the location of new housing and for the future settlement pattern of the County. These emphasise the need for new housing development to be well related to employment, education, shopping, transport and community facilities. They also encourage the concentration of new development within the existing South-East Dorset conurbation and within or adjoining the main towns elsewhere in the County (particularly Weymouth and Dorchester which are identified as the main centres for economic growth other than the conurbation). Specific policies also cover the need for a mix of housing types and sizes in any new development, in order to achieve balanced communities, and the need to provide affordable housing to meet identified local needs.

6.1.5 The Local Plan housing strategy⁵ seeks to provide for housing needs in the most sustainable locations whilst minimising the impact of development on the environment, having regard to the sequential search approach. The Local Plan process has reviewed current planning permissions, allocations and windfall potential, including the Defined Development Boundaries of settlements, and has had regard to a sequential search approach and site selection criteria set out in government guidance^{6,7}. In accordance with the spatial strategy, the Local Plan sets out a range of housing allocations throughout the Plan area, which total 2,530 units. These sites are set out in Table 6.2. A significant proportion of the proposed growth, particularly in the period up to 2011, will come from a substantial stock of planning permissions, and from “windfall sites” anticipated within the towns and villages. New greenfield allocations are concentrated at the main towns. The breakdown of housing provision and phasing is shown in Table 6.1 below. The availability and take up of housing land will be monitored annually by the District Council to ensure that there is an adequate supply of such land.

Table 6.1: Housing Land Supply

PHASE 1 PROVISION 1994-2005	GROSS TOTAL	NET TOTAL	STRATEGIC TARGET	COMMENTS
COMPLETED	5,905	5,610	9,500 gross or 9,000 net from 1994 to 2011	Net figures allow for losses associated with residential development: Net/gross ratio of 0.953
ANNUAL RATE	537	510	559 gross 529 net	Annual average rates from structure plan figures
PHASE 2 PROVISION 2005-11 (6 YEARS)	GROSS TOTAL	NET TOTAL	TARGET (NET)	COMMENTS
WITH PERMISSION (AT 1/04/05)	1,103	1,048		Permissions extant at 1.4.05
WINDFALL	688	654		109 per annum net

⁵ See Chapter 5 (Settlement Strategy).

⁶ West Dorset District Urban Potential Housing Study, 2004.

⁷ Paras 31 and 32, PPG 3 : Housing, 2000, DETR.

ALLOCATIONS	1,415	1,415		Delivery rates based on inspector's recommendations (though small adjustments have been made to phasing in some cases).
Additional allowance for losses/demolition unrelated to residential development (5 per annum)		-30		Losses associated with residential development have already been subtracted from net figures for other elements of supply. This figure for other losses (5 p.a.) is derived from surveys carried out to inform the replacement structure plan.
TOTAL 2005-2011	3,206	3,087		
ANNUAL AVERAGE 2005-11	534	515	529 net average / 565 residual net average	Structure plan requirement (1994-2011) is 9,500 gross or 9,000 net. Completions plus provision in this plan will lead to completions of 9,111 gross or 8,697 net – only 3 – 4% short of the requirement and therefore arguably in general conformity.
PHASE 3 PROVISION 2011-2016 (5 YEARS)	GROSS	NET	TARGET (NET)	COMMENTS
WINDFALL	554	545		109 per annum net
ALLOCATIONS	1,115	1,115		
Additional allowance for losses/ demolitions unrelated to residential development (5 p.a.)		-25		Losses associated with residential development have already been subtracted from net figures for other elements of supply. This figure for other losses (5 p.a.) is derived from surveys carried out to inform the replacement structure plan.
TOTAL 2011-16	1,669	1,635		
ANNUAL AVERAGE 2011-16	334	327	410	410 per annum target from submission RSS. As this target applies in the draft RSS from 2006 to 2016, and the RSS will in 2008 replace the structure plan, provision in the plan is lower in this later phase than the RSS target, with the aim of meeting an average provision throughout the plan period that does not significantly exceed the RSS average.
PROVISION FOR REMAINING PLAN PERIOD 2005-2016 (PHASES 2&3)	GROSS	NET	TARGET (NET)	COMMENTS
Total	4,875	4,722		
Annual Average	443	429	410 net	From submission RSS

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- 6.1.6 The Local Planning Authority will seek to ensure that the housing needs of the community will be met through the housing policies in the Plan.
- 6.1.7 This chapter contains general policies relating to housing to be applied throughout the Plan area. The site specific sections of the Local Plan (Chapters 13, 14, 15) include policies relating to the sites allocated for housing. These sites are listed in Table 6.2, which has regard to the spatial strategy set out in Chapter 5. This sets out estimates of the housing totals to be achieved on each site. The exact numbers to be developed on each site will be determined through the preparation and consideration of detailed planning applications, and there may therefore be some variation from these figures on individual sites, but the council remains committed to providing the total requirement, For the purpose of this table, 35% is assumed to be the proportion of affordable housing that will be achieved, but site-specific negotiations may result in agreement on a different figure for particular sites.

Table 6.2: Housing Allocations

Site	Policy	Potential Dwelling Supply to 2016	Potential Affordable Housing Supply	% PDL	Phase / Year of first completions
DORCHESTER					
Charles Street (mixed use)	EA14	50	18	100%	2&3 / 2009
Weymouth Avenue	EA15	600	192	100%	2&3 / 2006
Trinity Street	EA16	15	5	100%	3 / 2015
Poundbury North and South, pre-2011 delivery	EA17&18	477	167	0%	2/ 2007
Poundbury North & South, remainder	EA17&18	300	105	0%	3/ 2011
Poundbury, later phase allocation (nb total potential supply around 400 but not all phased to come forward by end of plan period)	EA19	200	70	0%	3/ 2014
St George's Rd	EA20	36	13	0%	2 / 2008
BRIDPORT					
South West Quadrant (mixed use):					
Coach Station Square	WA3	100	35	100%	3 / 2010
Rope Walks Car Park	WA4	20	7	100%	3 / 2010
St Michaels	WA6	80	28	100%	3 / 2010
South of Priory Mills	WA9	10	0	50%	3 / 2009
St Swithin's Rd	WA15	25	8	100%	2&3 / 2008
New Zealand Works	WA16	15	5	0%	2 / 2007
North of Court Orchard (nb 100% affordable housing)	WA16a	52	52	0%	2 / 2007
SHERBORNE					
Barton Farm	NA1	230	81	0%	2&3 / 2010
Sherborne House (mixed use)	NA4	40	14	100%	2 / 2009
CHICKERELL					
Floods Yard	EA6b	50	18	80%	3 / 2008
Putton Lane	EA6	200	70	20%	2&3 / 2008
LYME REGIS					
Woodberry Down	WA24	30	11	0%	3 / 2012
TOTAL		2,530	899		

6.2 Retention of existing housing

- 6.2.1 In addition to allocating sites for housing development, the District Council will seek to ensure that the existing housing stock is not depleted by the loss of existing dwellings. It is important to provide choice in the housing market to address a variety of housing needs. Residential accommodation within the towns and villages includes a useful stock of smaller, cheaper housing; these also contribute to the character and activity within the settlement. With regard to housing in rural areas, the demand for residential accommodation is extremely high and the loss of existing residential accommodation in the countryside reduces choice and adds to the pressure for more development. It is particularly important that the number of smaller, more affordable dwellings in the rural parts of the District is maintained.
- 6.2.2 Unfortunately, some losses of residential accommodation may be outside the control of the Local Planning Authority. However, where planning permission is required, and a self-contained dwelling unit exists, the District Council will resist the loss of residential accommodation.

POLICY HSI RETENTION OF EXISTING RESIDENTIAL ACCOMMODATION

The change of use or redevelopment of existing self-contained residential units to non-residential use will not be permitted unless it is for an essential community or employment use, or the building is irredeemably unfit or beyond reasonable repair for occupation and its redevelopment for residential use would be inappropriate for that location.

6.3 Housing Development

- 6.3.1 Within existing built-up areas, as defined by the Defined Development Boundaries on the Inset Maps, the principle of infill housing on previously-developed land or through the subdivision of existing plots is acceptable. Such development may only involve one or two houses on each occasion, but in total can provide a significant proportion of the District's housing requirements, reducing the need for new greenfield sites and providing a greater choice of dwelling type and size. The use of empty homes and the development of flats over shops can not only contribute to the regeneration of areas, but can provide suitable accommodation for affordable housing provision. Flexible housing structures can also help reduce the pressure in the long term with regard to housing numbers. The provision of housing within built-up areas is in keeping with the principle of sustainability, particularly where it increases densities in town centre locations, providing more housing that is in easy walking distance of facilities.
- 6.3.2 In order to inform the Local Plan Review process as to the potential of previously developed land to accommodate additional housing in the District, an Urban Housing Potential Study⁸ has been undertaken. The study methodology adheres closely to the Government's good practice guide – "Tapping the Potential: Best Practice in Assessing Housing Capacity." The preparation of an urban housing potential study is integral to the approach to planning for housing in Government guidance⁹, which aims to promote more sustainable patterns of development.

⁸ West Dorset District Urban Housing Potential Study 2004, WDDC.

⁹ Para. 24, PPG3: Housing 2000, DETR.

- 6.3.3 The review of the West Dorset District Urban Housing Potential Study indicates a total of 1,475 dwelling units as representing a robust estimate of the potential of the three main towns of Dorchester, Bridport and Sherborne to accommodate additional dwellings in the period 2001-2011, given the emerging policy framework, moderate growth in the housing market and a focus on re-using previously developed land in urban areas.
- 6.3.4 Since the interim study was undertaken in 2001, some windfall sites have been granted planning permission, some are now identified as allocations (Table 6.2), whilst some land, as a result of further assessment, has been deleted from the Defined Development Boundaries of settlements. Table 6.1 (Housing Land Supply) includes a current estimate of windfall for the District for the period 2005-2016 of 109 dwellings per annum.
- 6.3.5 The Local Plan aims to manage the release of housing land so that as far as possible housing is delivered at a steady pace and previously developed land is brought forward before greenfield land. This approach of controlled release (or the 'plan, monitor and manage' approach) is advocated in national policy¹⁰. The Plan period has therefore been divided into three phases (Table 6.1) with allocated sites divided between the phases (Table 6.2). The availability and take up of housing land, on both allocated and windfall sites, will be monitored by the District Council to ensure that there is an adequate supply of land. The results of this monitoring, including a trajectory of future housing supply, will be published every year in an Annual Monitoring Report¹¹. This monitoring report will also consider the implications of the results and whether adjustments need to be made to the phasing of sites in order to manage the release of land as intended, and to provide the housing requirements set out in the submission RSS and any subsequent amendments as it is progressed to adoption.
- 6.3.6 As the Plan has been prepared to be in general conformity with the Structure Plan to 2011, and as this plan is due to be replaced in 2008 by the adopted Regional Spatial Strategy, the submission draft of which sets lower annual average housing rates, the overall delivery rate will be reviewed in 2008 and start dates and delivery rates of allocated sites adjusted to ensure that the transition to the lower rate is achieved. For this reason, permission will not be granted for those sites phased for completions to start in 2008 onwards, until this review has taken place. Delivery rates on the major allocation at Poundbury will be controlled through the Supplementary Planning Document for this site, currently in preparation. This managed release will help to ensure that infrastructure is provided to meet the needs of the development, enable the release of previously-developed land to be prioritised above greenfield land, and allow rates of development to meet strategic requirements.
- 6.3.7 Planning permission may therefore be withheld or refused on an allocated site if planned construction rates in the District are being significantly exceeded. A development programmed for a later phase may be brought forward, through a council decision, if planned construction rates are being significantly underachieved and the earlier release of land is the only means to resolve this situation. Construction rates will generally be considered to have been significantly exceeded or underachieved if after three years, the average annual completion rate is 20% or more above or below the planned annual average. In making any decision to bring forward sites or withhold consent, the council will however consider other factors such as current evidence of housing need and the results of any studies carried out to inform the emerging local development framework.

¹⁰ PPG 3 : Housing, 2000, DETR, and 'Planning to Deliver; the Managed Release of Housing sites, DTLR .

¹¹ West Dorset District Council Annual Monitoring Report, December 2005, and subsequent reports

- 6.3.8 Such amendments to the phasing of housing allocations will be made through decisions of the council and through the consideration of planning applications. Should additional allocations be required, however, these will be provided within a Development Plan Document on Development Allocations, to form part of the future Local Development Framework and to be developed in consultation with the local community and relevant stakeholders.
- 6.3.9 The Annual Monitoring Reports will also consider the geographical distribution of completed housing development, in comparison with the distribution proposed in the plan, and in particular looking at the proportions delivered in Dorchester, Chickerell and the remainder of the district, in comparison with the figures identified in the Regional Spatial Strategy. Targets for each town have been included in Chapter 16 on monitoring.

POLICY HSIa HOUSING PROVISION AND PHASING

Provision is made for the construction of some 4,875 (gross) or 4,722 (net) dwellings between 2005 and 2016. The release of land will be phased and controlled so that, as far as is possible, previously developed land is brought forward before greenfield land and annual delivery rates are close to the rates of 515 per annum net from 2005-2011, and 327 per annum net from 2011-2016, with the aim of achieving the overall rate of 410 per annum net from 2005-2016 (including 200 per annum at Dorchester and 10 per annum at Chickerell).

In order to bring delivery rates down to make the transition to the new housing requirements of the Regional Spatial Strategy, the start dates and delivery rates of those allocations phased for delivery from 2008 onwards will be reviewed in 2008 on adoption of the Regional Spatial Strategy. Permissions will not be granted on these sites ahead of this review. Delivery rates on the major allocation at Poundbury will be controlled through a Supplementary Planning Document, and further permissions for housing development on this site will not be granted before the adoption of the Supplementary Planning Document.

To ensure an adequate supply of land, in accordance with plan, monitor and manage, annual average housing permissions and completions will be analysed. The early release of appropriate, neighbouring sites will be permitted if proposed annual rates are not being achieved, and permissions will be withheld if these rates are being exceeded.

All housing developments should make the most efficient use of land without compromising the quality of the environment. Sites in the town centre of Dorchester, Bridport and Sherborne should aim for densities of 100 dwellings per hectare, with densities in the range of 30 to 50 dwellings or more per hectare elsewhere.

- 6.3.10 Problems can occur as a result of infill housing development if: it results in the loss of important open spaces or features such as trees; it causes loss of privacy of existing residents; or it harms the setting of buildings or the overall street scene. It is important that proposals do not result in the loss of employment or recreation sites. (Policies ET1, C7a and C7b). The design, scale and mass of new buildings should respect their surroundings and integrate with the street scene. (Policies DA5 and DA7). In line with Government guidance on the creation of mixed communities, it is also important that such sites should include where possible, a mix in the size, type and affordability of dwellings proposed¹². Planning applications for such developments will be considered on their individual merits in accordance with the policies set out in the Local Plan.

¹² Paras 2 & 9 – 11 PPG 3: Housing, 2000 DETR.

- 6.3.11 It is a requirement that all new, and property converted to, dwellings shall be statutorily fit for human habitation as laid down under Housing legislation¹³.

POLICY HS2 RESIDENTIAL DEVELOPMENT WITHIN DEFINED DEVELOPMENT BOUNDARIES

Within the Defined Development Boundaries on the Proposals Map, development and redevelopment for residential purposes of sites not identified for other uses, or alterations and extensions to existing dwellings, will be permitted provided the proposals meet the policies in the Local Plan. Wherever possible, the development should include a mix in the size, type and affordability of dwellings proposed.

6.4 Affordable Housing

- 6.4.1 Government guidance¹⁴ advises that, where there is a demonstrable lack of affordable housing to meet local needs, authorities may reasonably seek to negotiate with developers for the inclusion of an element of affordable housing, both on sites allocated for housing in the development plan and on other sites. Provision can take the form of subsidised housing (irrespective of tenure, ownership, or financial arrangements) that will be available to people who cannot afford to occupy houses generally available on the open market¹⁵. In rural areas an exception may be made to allow affordable housing in the countryside, where private housing would normally be refused.
- 6.4.2 For the purpose of this Plan, affordable housing is defined as housing which is suitable and in all respects adequate for occupation, and is available over the long term to people living within the locality (or with a local connection) who are not able to meet their own housing needs through buying or renting in the open market. Such affordable housing may include a variety of types and tenures, including for example rented housing, shared equity (where part of the equity is purchased by the occupier and the remainder is retained by the freeholder), shared ownership (where part of the equity is purchased by the occupier and the remaining part is rented from the freeholder) and sub-market housing (where the property is sold at a fixed discount below open market value, with future sales restricted to the same discount and to purchasers who qualify for it). It may include housing adapted to meet those with special needs such as disabilities. Taking a wider view, sustainable construction methods can help to improve affordability by reducing both the capital and running costs of properties (see Chapter 12).
- 6.4.3 Affordability is determined by the relationship between income and the reasonable cost of buying or renting on the open market. In West Dorset, there is a significant 'affordability gap' for those on average household income, and the ability to access and afford open market housing is even more difficult for those who cannot sustain disproportionate housing costs or who have more complex housing needs. In 2002 the District ranked amongst the top 12 English Local Authorities having the highest proportion of households unable to purchase a home in the lowest price quartile¹⁶. This affordability gap has, to a degree, arisen because of the purchase of houses in the District as second homes and restrictions on Local Authority housing provision. It is estimated that there are about 1,600 second homes in West Dorset District. The problem has also been exacerbated by the large number of migrants to West Dorset, many of them retired, having the effect of raising property prices through increased demand.

¹³ Housing Act, 1985; Circular 17/96, D o E.

¹⁴ Para. 12 PPG3: Housing, 2000, DoE.

¹⁵ Para. 10 (j) C Circular 06/98: Planning and Affordable Housing, DETR.

¹⁶ Joseph Rowntree Foundation 'Affordability difference for working households buying their homes' – May '03

- 6.4.4 The level and type of local need is likely to vary from locality to locality within the District. To assess housing need, the District Council uses information from a number of sources, including: the District-wide Housing Needs Survey; the Census; income, employment and house price information; information from Town and Parish Councils including parish housing needs surveys; the Joint Housing Register (a waiting list currently maintained by West Dorset Housing Partnership on behalf of the District Council), homelessness statistics, and voluntary and statutory agencies dealing with health care. The needs of those requiring specialised housing and housing support are also identified within the West Dorset Housing Strategy and the strategies of related agencies, including for example the Community Care Plan and Supporting People Strategy.
- 6.4.5 A District wide Housing Needs Study was carried out on behalf of the District Council in 2002 and updated in 2004. Undertaken in accordance with Government Good Practice Guidance, the survey update identified an annual affordable housing need (to 2011) of 916 homes. Of that number it was calculated that 251 affordable homes per annum are likely to become available from the existing housing stock, leaving an annual shortfall of 665. Housing needs information will be regularly updated in future, taking account of the latest national guidance available at the time.
- 6.4.6 Information from the Housing Needs Survey and subsequent updates or replacements will be used as a basis for negotiations in order to achieve appropriate levels of local needs housing and the type and tenure that should be provided. To address the scale of affordable need in the District, the survey recommends that 35% of new housing units on suitable sites should be affordable, however the precise scale and form of provision on each site will be the subject of negotiation. This negotiation may result in a higher or lower level than 35% on any individual site, with the aim of meeting the overall target of 35%. To ensure that dwellings are provided for genuine need, the Council will look to developers to work closely with approved providers for the provision of affordable accommodation in their schemes. Carefully balanced mechanisms, for example ‘cascading’ will be required to ensure that affordable housing continues to address and prioritise local housing need in a way that does not unreasonably disadvantage owners. Where appropriate, such mechanisms will also address future risks associated with the absence of local housing need or the rights of owners to progress to full ownership.
- 6.4.7 A target of 100 new affordable dwellings per annum (or a total of 1,100 between 2005 and 2016) has been set in this local plan. This will include the affordable homes that can be achieved on the proposed housing allocations set out in table 6.2, which indicates targets for these sites, and opportunities from windfall sites, as well as those achieved as a result of Policy HS4. This will not meet all the shortfall identified in the Housing Needs Survey but has been selected as a stretching but theoretically achievable target. Completions of affordable housing will be monitored annually, in comparison with this target, with the results being published in the council’s Annual Monitoring Report¹⁷.
- 6.4.8 Supplementary Planning Guidance on Affordable Housing was adopted in 2004 and a replacement Supplementary Planning Document will be prepared in future. This is likely to set out further information on how the affordable housing policies of the plan will be implemented, including information on housing need and targets by sub-area, guidance on the range of appropriate types of affordable housing, guidance on the appropriate mix of house sizes and types required, and further information on mechanisms the council may use to ensure that housing is secured in the longer term for those in need.

¹⁷ West Dorset District Council Annual Monitoring Report, December 2005 and subsequent annual updates

Affordable Housing within Defined Development Boundaries

- 6.4.9 Government guidance¹⁸ advises that, in settlements of more than 3,000 population, the local authority may negotiate for a proportion of affordable housing on sites for 25 or more dwellings, or of an area of 1 hectare or greater, irrespective of the number of dwellings. Where there are exceptional local constraints, however, a lower level (between 15 and 25) may be adopted. Elsewhere (i.e. in smaller settlements) the local authorities should adopt appropriate thresholds in order to negotiate proportions of affordable housing on smaller sites as well.
- 6.4.10 Having regard to the exceptional problems in West Dorset, as referred to above, it is important to provide as much opportunity as possible to enable the negotiation of the provision of affordable housing in the District¹⁹. It has been calculated that between 1994 – 2006, 38% of residential completions in the towns has been on sites of 25 units or more. In order to increase the potential for negotiating affordable housing, the Council has adopted a site size threshold in the towns of 15 units, and in the villages a site size threshold of 3 units.
- 6.4.11 The District Council will negotiate with developers for the inclusion of a proportion of affordable housing on all sites over the specified size thresholds, as set out below, unless there are specific planning reasons which rule this out.

POLICY HS3 AFFORDABLE HOUSING WITHIN DEFINED DEVELOPMENT BOUNDARIES

Within the Defined Development Boundaries of towns (excluding Beaminster), on sites for 15 or more dwellings, or a site area of 0.5 or more hectares, the District Council will negotiate with developers to secure in the region of 35% of affordable housing to meet identified local needs on proposed new housing developments, including conversions, which come forward for development.

On proposed new housing developments, including conversions, within the Defined Development Boundaries of villages, and in Beaminster, the District Council will negotiate to secure in the region of 35% of affordable housing to meet identified local needs if there are 3 or more dwellings, or a site area of 0.1 or more hectares, on a site.

The precise scale and form of provision on each site will be subject to negotiation, based on the latest assessments of local need; accessibility to public transport, local services and facilities; the particular costs of development; the need to achieve a successful housing development and whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site.

Before granting planning permission, the District Council will need to be satisfied that secure arrangements are made to ensure that the benefits of affordable housing will be enjoyed by successive as well as by initial occupiers of the properties. This will be achieved by planning condition or through a Section 106 agreement under the Town and Country Planning Act 1990.

18 Para. 10 (i) C Circular 06/98: Planning and Affordable Housing, DETR.

19 Delivering Affordable Housing through Planning Policy, DTLR 2002.

6.4.12 The towns in West Dorset, as defined in Chapter 5, are: Dorchester, Bridport, Sherborne, Lyme Regis, Chickerell and Beaminster. The list of villages with Defined Development Boundaries is set out in paragraph 5.3.5. As Beaminster is the one town with a population below 3,000, and as the opportunities for affordable housing development at Beaminster are otherwise limited, Beaminster will continue to be included in the lower threshold category.

Local Needs Affordable Housing outside Defined Development Boundaries

- 6.4.13 Government guidance requires all local planning authorities that include rural areas to include policies in their development plans that allow for the development of small scale 'rural exception sites' for affordable housing. Where there is a clearly identified need arising within a rural village, which cannot otherwise be met, affordable housing for local needs can be permitted as an exception to general policy on sites that would not otherwise be considered suitable for housing. This allows advantage to be taken of the lower land costs on sites on which private housing would not be permitted, including sites outside the defined settlement boundaries. This is intended only in exceptional circumstances to meet specific needs arising within rural areas, and is not intended to meet the needs arising from larger settlements, whose needs can better be met by developments within those settlements.
- 6.4.14 The District Council is aware of the difficulties which some people face in being unable to find affordable housing accommodation in their native parish. It is usually only by Housing Associations securing sites at significantly less than market housing value, where permissions would not otherwise be granted, that the provision of affordable housing in villages can be achieved.
- 6.4.15 The District Council will, therefore, give sympathetic consideration to proposals on suitable sites within or adjacent to villages, whether or not they have a Defined Development Boundary, as an exception to normal policy. High standards of design and location planning will be required in order to minimise the impact on the countryside and villages. It is important that development is well related to existing built development in order both to minimise the environmental impact and to encourage its accessibility to facilities and public transport as far as possible. However, such proposals will not necessarily be restricted to the list of villages in paragraph 5.3.5 of the plan, provided that there is a proven local need and the development is well related to an existing village.
- 6.4.16 As an exception to normal policy, it is particularly important that it can be demonstrated that such schemes will specifically meet local need and that appropriate safeguards exist to guarantee the continuing use of the dwellings for local need. The identification of exceptions sites will be based in the first instance on additional and specific evidence of local need within a rural parish or group of parishes, to ensure that there is a need for the development in that locality. The likely contribution of rural exception sites towards the overall housing provision in the District will be assessed, and actual completions monitored in comparison with this assessment, within the Council's Annual Monitoring Reports in future.

POLICY HS4 LOCAL NEEDS AFFORDABLE HOUSING OUTSIDE DEFINED DEVELOPMENT BOUNDARIES

The District Council will, as an exception to normal planning policy, permit residential development on small sites within or adjacent to established villages provided that:

- i) the proposal fulfils a demonstrable local need for affordable housing;
- ii) it would not have a significantly adverse effect on the environmental quality or residential amenity of the surrounding area;
- iii) it has safe and convenient access to local facilities, as far as is practicable by means other than the private car;
- iv) the District Council is satisfied that secure arrangements are made to ensure that the benefits of affordable housing will be enjoyed by successive as well as by initial occupiers of the properties. This will be achieved through a S106 agreement under the Town And Country Planning Act 1990, or by planning condition.

6.4.17 In order to increase the opportunity for affordable housing to meet local needs in rural areas, Policy SS4 enables the consideration of the conversion of rural buildings, or subdivision of an existing dwelling, for this use where they are appropriately located. As in the case of rural exceptions sites allowed under Policy HS4, such development would need to be based on up to date and specific evidence of local need in the parish or group of parishes in which the site is located. Arrangements to secure the affordable housing use in perpetuity would also be necessary, as described under policies HS3 and HS4.

There is no Policy HS5.

Dwellings For Essential Rural Workers

6.4.18 It is well-established government policy that housing in the countryside should be strictly controlled. Normally the District Council will expect agricultural/forestry and other rural workers to live in nearby towns and villages. However, occasionally the viability of an agricultural, forestry or similar enterprise for which a rural location is essential, depends upon a worker being resident on site to oversee the operation of the enterprise. This might be where livestock or agricultural processes are likely to require attention at short notice or where someone is needed on site to deal with emergencies that could otherwise cause serious loss of crops or products.

6.4.19 Government guidance²⁰ allows for the provision of accommodation for such workers where a functional test shows such accommodation is "essential for the proper functioning of the enterprise for one or more workers to be readily available at most times". The accommodation should be in the form of a temporary dwelling, unless it can be shown that the farming enterprise is economically viable through a financial test²¹. The subsequent replacement of such a temporary building with a permanent dwelling would only be permitted if the financial and functional tests are satisfied. Where there is such an essential need, the District Council will expect the accommodation to be provided within or adjacent to an existing complex of farm or other buildings where that meets the identified functional need or be well related to other buildings.

²⁰ Para. 4 of Annex A, PPS 7: Sustainable Development in Rural Areas, 2005, ODPM

²¹ Para. 8 of Annex A, PPS7, Sustainable Development in Rural Areas, 2005, ODPM

- 6.4.20 The functional test will include an assessment of whether the need for a proposed new dwelling can be met by other nearby accommodation, or potential to convert a rural building. If the need is considered to relate to security matters, it can perhaps be met by means other than a new dwelling on site.
- 6.4.21 Government advice stipulates that all applications for planning permission for such new dwellings should be thoroughly scrutinised with the aim of detecting attempts to abuse the concession that the planning system makes for new dwellings in the countryside²². If, for example, any dwellings or buildings suitable for conversion to dwellings on the holding have been recently sold separately from the land, this could constitute evidence of lack of need for a new dwelling. The size of the building should also be appropriate to the needs of the unit, in order that it is both affordable and can be sustained in the long term and also less prominent in the landscape.
- 6.4.22 To ensure that dwellings are retained for the purpose intended, the District Council will attach an ‘occupancy condition’ to the permission, limited to a person solely or mainly employed, or last employed, in the locality in agriculture (as defined in section 336 of the Town and Country Planning Act 1990²³), or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person. In these circumstances, “locality” is considered to be reasonable commuting distance, which will vary in individual cases depending on the nature of the enterprise, the surrounding settlement pattern and the local transport network. The condition may also be applied to any existing dwellings on the unit which need to be used in connection with the enterprise. Where permission is granted on an exceptional basis for a dwelling in association with a rural enterprise that falls outside the definition of agriculture or forestry, a condition will be attached to limit occupation of the dwelling to a person employed as part of that enterprise. Any applications for the removal of such conditions will be considered on the basis of the current demand for such dwellings within the surrounding locality.

POLICY HS6 ESSENTIAL RURAL WORKERS’ DWELLINGS

An essential rural worker’s dwelling in the countryside will not be permitted unless:

- i) it is essential for the operation of the holding or enterprise, for a worker or additional worker to be resident on that holding or enterprise and the need cannot be met in another way;
- ii) no dwelling serving or closely connected with the holding or enterprise has recently been sold separately from the land, or otherwise alienated from the land;
- iii) wherever possible, the dwelling is located close to existing buildings, to meet the functional needs of the farm or enterprise;
- iv) the scale of the proposed dwelling is appropriate to the established functional requirement of the holding or enterprise;
- v) where the application is for a permanent dwelling, the holding or enterprise has been established for at least three years, has been profitable for at least one of them, and can show evidence of a sound financial basis justifying the future need for the new dwelling;

²² Para 2 of Annex A, *op. cit.*

²³ NB the definition of agriculture includes horticulture.

- vi) where the application is for a new permanent dwelling, there are no suitable buildings on or adjoining the holding or associated with the enterprise (within the control of the applicant) which are capable of being converted for the accommodation purposes;
- vii) occupancy is limited to a person solely or mainly working, or last working, in the locality in agriculture or forestry, or a widow or widower of such a person, and to any resident dependants; or in connection with the enterprise;
- viii) the amenities of the surrounding areas are safeguarded and visual intrusion in the countryside is minimised; and
- ix) adequate highway access, parking and utility services are or will be provided.

6.5 Residential Development outside Defined Development Boundaries

Conversion of Rural Buildings to residential use.

- 6.5.1 Government guidance²⁴ is that in the consideration of proposals for the re-use of buildings in the countryside, it may be appropriate to apply similar strict control to that over new housing in the countryside. It also points out that residential conversions are often detrimental to the fabric and character of historic buildings and can have minimal impact on the rural economy.
- 6.5.2 Having regard to the need to protect the special and attractive landscape of West Dorset and the objectives set out in Government guidance²⁵ of promoting sustainable locations for new housing and reducing the need to travel, especially by car, conversions will only be permitted where they are appropriately located. The preferred uses of conversions of rural buildings are for employment (including tourism), community uses, or affordable or essential rural workers' housing. Proposals for conversions will be considered under Policy SS4.

Replacement Dwelling-houses

- 6.5.3 To permit the retention and improvement of the existing rural housing stock the replacement of dwelling-houses in the countryside will be allowed subject to certain criteria.
- 6.5.4 Under the provisions of the General Permitted Development Order, a considerable amount of work can be done to a property without the need for planning permission and, in many cases, this will include the modernisation of a substandard dwelling-house. However, in some circumstances, replacement may be a more economic and environmentally sensitive approach than refurbishment and should not, therefore, be ruled out. In addition, a replacement dwelling can be designed and constructed to be more energy efficient.

²⁴ PPS7:Sustainable Development in Rural Areas, 2004, ODPM.

²⁵ PPG3: Housing, 2000, DoE; PPG13 :Transport, 2000, DETR.

- 6.5.5 Dwelling-houses which are derelict²⁶ or abandoned will not be considered suitable for replacement. On the issue of abandonment, planning case law determines the factors that need to be considered. The test is one of fact and degree, with the courts accepting that four criteria of the test need to be satisfied to prove abandonment has not occurred, namely in relation to: the physical condition of the building; the period of non-use; whether there has been any intervening use; and evidence of the owner's intentions. If a dwelling-house is derelict or in practical terms is no longer in existence or the residential use has been abandoned, permission for a new dwelling will not be allowed. Where there is an element of doubt or dispute over the status of a building, ie whether or not residential use has been legally abandoned, it would be appropriate for an application for a Certificate of Lawful Use to be made, to establish whether or not residential use is lawful.
- 6.5.6 Where acceptable, the replacement dwelling should reflect the scale and character of the existing building, and its design should be appropriate to the rural character of the area. In order to protect the appearance of the rural landscape, and also to ensure that there is a variety of dwelling sizes available in the countryside, replacements will not be acceptable where the proposal would significantly alter the size of the dwelling house in terms of its floor area, height, scale, massing and visual appearance. In some rare cases, the building to be replaced may be considered out of keeping with existing development in the vicinity and/or its landscape setting. Where such a situation occurs, the scale and character of nearby dwellings may be of more relevance than that of the building to be replaced. In these cases, the District Council may consider that there was an opportunity to improve the appearance of the building and enhance the wider landscape setting by allowing some variation in its replacement. This should not, however, be seen as justifying replacement dwellings that are substantially larger than those that they are replacing, but it could allow, for example, a three bedroom bungalow to be replaced with a three bedroom house or cottage, with rooms of a similar proportion to the existing dwelling but at two storey. In assessing such a proposal, the topography and landscaping of the site and its prominence in long-distance views will be important considerations.
- 6.5.7 A limited enlargement may be justified in cases where there is potential to extend the existing dwelling as permitted development. Where a larger replacement is allowed on this basis, it would be reasonable to control any subsequent extension of the replacement dwelling-house by the use of a condition to remove permitted development rights. To avoid development intruding into the open countryside, any replacement dwelling should be capable of being accommodated within the existing residential curtilage.

POLICY HS7 REPLACEMENT DWELLING-HOUSES

The replacement of existing dwelling-houses (that is those dwellings with established or existing permitted residential dwelling-house use) outside the defined development boundaries will be permitted on a one for one basis provided that the dwelling-house is not derelict and all the following criteria are met:-

- i) the proposal would not alter significantly the size of the dwelling in terms of floor area, height, scale, massing and visual appearance;
- ii) the design of the proposed dwelling should not detract from the character and appearance of the locality and the wider landscape setting; and
- iii) the proposed dwelling can be accommodated within the existing curtilage of the existing dwelling.

²⁶ Dwellings which are considered to be 'derelict' are those in an advanced state of disrepair, for example with unsound roof(s), which are not reasonably capable of habitation without substantial rebuilding and/or major structural repair.

Enlargement of Residential Curtilages

- 6.5.8 The enlargement of a residential curtilage, either in the open countryside or on the outskirts of a settlement will often involve the change of use of agricultural land where the householder wishes to enclose adjoining land. Unfortunately, such changes of use can have a serious negative impact upon the rural character of an area and the visual quality of the landscape. A change from farmland to garden tends to involve a more formal management regime with the establishment of mown lawns, flowerbeds and borders. This, combined with the introduction of non-indigenous tree and shrub species, can lead to an urbanisation of the rural area and is often reinforced by the introduction of domestic paraphernalia and structures such as sheds, greenhouses, fences, washing lines, play equipment and summerhouses.
- 6.5.9 In assessing applications for change of use, careful consideration needs to be given to the size and shape of the existing plot and how it relates to others in the locality. The relationship of the site to the surrounding field pattern, topography and landscape features will help to determine the impact that the change of use will have when viewed in the wider landscape. The existing field pattern is important in defining the landscape character of an area and may be of historical significance. (See Policy SA3, Landscape Character Areas).
- 6.5.10 Where a change of use is considered to be acceptable in principle, the District Council needs to be satisfied that the proposed new boundary treatment and landscaping is appropriate to the area. In some cases, it may be reasonable to make any permission subject to a condition removing permitted development rights²⁷ for the erection of buildings or enclosures within the enlarged garden area, enabling the Council to control such development in the future.

POLICY HS8 ENLARGEMENT OF RESIDENTIAL CURTILAGES IN THE COUNTRYSIDE

Outside the Defined Development Boundaries, extensions to residential curtilages will only be permitted where they:

- i) reflect and/or reinforce existing plot and boundary patterns in the locality;
- ii) avoid an uncharacteristic urban extension into the open countryside;
- iii) will not harm visual amenities or the rural character of the area; and
- iv) include appropriate landscaping proposals.

6.6 Gypsy Sites

- 6.6.1 Local authorities have discretionary powers to provide sites for gypsies, and have the role, as planning authorities, of assessing where both public and private sites should be located.

²⁷ Allowed as Permitted Development under the provisions of Class E of Part 1 of Schedule 2 of the Town and Country (General Permitted Development Order) 1995 (as amended).

- 6.6.2 The definition of gypsies is taken to mean ‘persons who wander or travel for the purpose of making or seeking their livelihood²⁸ and does not include ‘persons who move from place to place without any connection between their movement and their means of livelihood’. It is for the Local Authority to decide whether any particular group is composed of gypsies.
- 6.6.3 The District Council will have regard to the needs of gypsies in determining applications for sites and the expansion / alteration to existing sites. As demand is higher in rural areas, it is particularly important that there is a genuine need for such sites and that the development does not jeopardise the protection of the countryside.
- 6.6.4 A distinction will be drawn between short term or transit sites where only basic levels of services are needed, and longer term sites where higher standards will be required. Any new permanent sites should have good vehicular access and be accessible to schools and other community facilities. These sites may include business uses, and are likely to generate significant vehicle movements. It is important, therefore, that they are located where they will not cause nuisance to neighbouring uses, and all sites should be landscaped to reduce their visual impact. Transit sites will normally be restricted to use for a maximum of nine months in any year, in order to reduce impact during the winter months when demand is less due to fewer gypsies moving through the area.

POLICY HS9 SITES FOR GYPSIES

The development of sites for permanent or short term accommodation for gypsies will only be permitted where the site is outside the AONB, and where the following criteria are met:

- i) the site should meet an identified need for gypsies;
- ii) the site should not be used other than as a caravan site for occupation by gypsies as defined in section 24 (8) of the Caravan Sites and Control of Development Act 1960;
- iii) the use does not significantly harm the amenities of residents or other uses through vehicle movements, noise, fumes, any subsidiary business activities, or any loss of privacy of neighbours;
- iv) the site would not be obtrusive in the landscape, is well screened or capable of being screened;
- v) the surrounding highway network is adequate to take the volume of traffic generated, without adversely affecting road safety;
- vi) the site can be adequately serviced;
- vii) if for long term use, the site is reasonably related to schools and other community facilities;
- viii) transit sites are subject to conditions or legal agreements restricting their use to nine months in the year.

28 Circular 18/94, Gypsy Sites Policy and Unauthorised Camping, DoE.