

Management Committee

16 August 2016

New National Policy on Affordable Housing

For Decision

Portfolio Holder

Environment and Sustainability – Cllr R Nowak

Senior Leadership Team Contact:

S Hill, Strategic Director

Report Author:

T Warrick – Spatial Policy and Implementation Manager

Statutory Authority

Section 157(1) of the Housing Act 1985

Section 38(6) of the Planning and Compulsory Purchase Act 2004

Housing and Planning Act 2016

Purpose of Report

- 1 To inform members of changes to national policy on affordable housing and to consider the implications arising from those changes in relation to planning decisions.

Officer Recommendations

- 2 It is recommended that members endorse the approach set out in the report in relation to the changes to national policy on affordable housing including, in appropriate circumstances:
 - for applications to which local plan policy HOUS1 and new national policy and guidance on affordable housing relate, officers normally attaching very considerable weight to the provisions in new national policy and guidance;
 - officers normally applying or recommending the application of the thresholds in national policy and guidance below which affordable housing should not be sought, including officers applying, or recommending the application of, a different threshold in 'rural areas' described under Section 157(1) of the Housing Act 1985; and
 - officers normally applying or recommending the application of vacant building credit in accordance with national policy and guidance.

Reason for Decision

- 3 To provide clarity on the changes to national policy on affordable housing and the implications, particularly in relation to 'rural areas' described under Section 157(1) of the Housing Act 1985.

Background and Reason Decision Needed

- 4 On 28 November 2014 the Minister of State for Housing and Planning Brandon Lewis issued a written statement on support for small-scale developers, custom and self builders (“the new national affordable housing policy”). This new national policy reflected the outcomes of a consultation, the purpose of which was to “...*tackle the disproportionate burden of developer contributions on small scale developers, custom and self-builders.*”
- 5 The new national affordable housing policy sought to:
 - increase the threshold, above which local authorities could require affordable housing contributions to be provided, to sites of more than 10 units or more than 1,000 square metres;
 - allow local authorities to adopt a lower threshold of 5 units, in ‘rural areas’ described under Section 157(1) of the Housing Act 1985, including Areas of Outstanding Natural Beauty (AONBs); and
 - provide credit for the re-use of vacant buildings, to be offset against affordable housing contributions.
- 6 Two local authorities, West Berkshire and Reading, challenged this decision in the High Court, their argument, in summary, being that the amendment of national planning policy guidance via a written ministerial statement was unlawful. The High Court found in favour of the two local authorities and quashed the planning guidance in August 2015.
- 7 The Secretary of State for Communities and Local Government then appealed the High Court’s decision, to the Court of Appeal. The appeal was successful and shortly after the decision, the Planning Obligations section of the national Planning Practice Guidance (PPG) was updated, effectively re-instating the guidance from November 2014 in the same terms as before. The written ministerial statement (the new national affordable housing policy) is set out in Appendix 1.
- 8 The West Dorset, Weymouth & Portland Local Plan (the local plan) was going through examination as this legal battle progressed. The draft local plan was submitted with policy HOUS1 indicating that affordable housing contributions would be sought on all sites where there would be a net increase in market housing. The examination hearing session for the issue of affordable housing was held on 27 November 2014. The new national affordable housing policy was produced the very next day (i.e. 28 November 2014).
- 9 In February 2015, the councils consulted on ‘main modifications’ (MM12, 13, 14 and 16) to policy HOUS1 following the receipt of the local plan inspector’s recommendations in his report. These proposed modifications sought to bring the policy into line with the new national affordable housing policy, indicating that the councils would apply a threshold of 10 units with the lower threshold of 5 units in ‘rural areas’ described under Section 157(1) of the Housing Act 1985.

- 10 On 31 July 2015, the High Court's decision [2015] EWHC 2222 (Admin) was released. Justice Holgate declared (in paragraph 211 of the judgment), that the policies in the new national affordable housing policy *"must not be treated as a material consideration in development management and development plan procedures and decisions or in the exercise of powers and duties under the Planning Acts more generally"*.
- 11 The Local Plan Inspector, Paul Crysell, produced his report on 14 August 2015. He discussed the implications of the new national affordable housing policy and the subsequent 31 July 2015 High Court judgement in paragraphs 63 to 66 of his report and in paragraph 66 stated *"I consider the councils should revert to their original policy provisions i.e. that all new housing should make a contribution towards affordable housing needs"*.
- 12 The local plan was adopted in October 2015. Policy HOUS1 sets out the council's approach to the provision of affordable housing. Subject to certain exceptions it generally seeks contributions on all sites where a net increase in open market housing is proposed. Policy HOUS2 sets out the council's approach to affordable housing exception sites, including rural exception sites.
- 13 At the date of writing this report, officers are not aware of a further challenge to the decision of the Court of Appeal.
- 14 As part of the examination, the local plan (including policy HOUS1) was subject to 'viability testing'. Paragraph 5.2.1 of the local plan states: *"There is no evidence to suggest that affordable housing cannot be delivered to some degree on all sizes of development, from one unit upwards."*
- 15 As part of the examination of the Community Infrastructure Levy (CIL) charging schedule economic viability evidence was considered, in particular the impact of the 'zero threshold' in policy HOUS1 on small sites (i.e. single and two dwelling house developments). In paragraph 19 of his report, the CIL Inspector concluded that the policy was *"unlikely to have a significant impact on the viability of smaller developments coming forward"* in the plan area.
- 16 The councils have already started the review of the local plan, in accordance with the recommendations of the local plan inspector. The Council also started charging CIL on 18 July 2016.
- 17 Issues arising from the reinstatement of the new national affordable housing policy will have to be addressed in detail as part of the local plan review process. Pending the completion of this exercise, it is considered that some clarification at this stage of the council's current interim position in relation to this issue would be beneficial; particularly in relation to the consideration of planning applications.
- 18 This report therefore seeks to summarise that position. With regard to individual applications, these will inevitably still need to be considered having regard to all material facts relating to the application including, so far as relevant, the matters as set out in this report. Over time the position

may also have to be adjusted as circumstances change including the progress of work on the local plan review.

Implications

Thresholds in New National Policy and Local Plan Policy HOUS1

- 19 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides the legal basis for the determination of planning applications. It states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 20 The 2015 local plan forms part of the development plan for the area and in accordance with section 38(6), the starting point for assessing affordable housing provision in relation to most residential development proposals will be the local plan and, in particular, policy HOUS1. This policy seeks contributions towards affordable housing (of 25% in Portland and 35% in Weymouth and West Dorset) on sites where there is a net gain in market housing. However, criterion iii) also recognises that a lower level of affordable housing provision may be justified on grounds of economic viability.
- 21 Policy HOUS2 relates to affordable housing exception sites, including rural exception sites. It is the starting point for assessing such proposals recognising that small scale affordable housing sites secured in perpetuity may be permitted provided there is a need for them and relevant locational development issues can be addressed.
- 22 Written ministerial statements and national planning guidance are generally recognised as being planning considerations and, in relevant circumstances, they may be material considerations to a planning application. The weight to be attached to material considerations will vary according to the individual circumstances of a planning application and generally it is considered to be a matter for the decision maker.
- 23 During the recent legal proceedings views were expressed, in general, on the weight that should be attached to national policy and, in particular, on the thresholds below which affordable housing should not be sought.
- 24 As part of the judgement, the Court of Appeal made reference to a statement made by Mr R Drabble QC on behalf of the Secretary of State as recorded by the judge in the original High Court case, an extract of which is:
“(i) As a matter of law the new national policy is only one of the matters which has to be considered under section 70(2) of TCPA 1990 and section 38(6) of PCPA 2004 when determining planning applications or formulating local plan policies (section 19(2) of PCPA 2004), albeit it is a matter to which the Secretary of State considers ‘very considerable weight should be attached’;
(ii)
(iii) In the determination of planning applications the effect of the new national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below

the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy;

(iv) Likewise if in future an LPA submits for examination local plan policies with thresholds below those in the national policy, the Inspector will consider whether the LPA's evidence base and local circumstances justify the LPA's proposed thresholds. If he concludes that they do and the local plan policy is adopted, then more weight will be given to it than to the new national policy in subsequent decisions on planning applications."

[Paragraph 26 of judgement]

- 25 In relation to that statement the Court of Appeal observed:
"Leaving aside the assertion at (ii) Mr Drabble's statement amounts to no more than a conventional description of the law's treatment of the Secretary of State's policy in the decision-making process. It does not (though this is not suggested) save the policy. It merely explains how the law requires it to be applied."
- 26 Overall, the Court of Appeal then went on to conclude that the grounds of appeal were successful and allowed the appeal.
- 27 This commentary raises the questions of: the weight to be attached to the new national affordable housing policy in decision-making; and whether the continued general application of the thresholds in policy HOUS1 could be justified as an exception to the new national affordable housing policy on the basis of local circumstances.
- 28 As part of the new national affordable housing policy the Government identified that its reason for the new measures contained within it were:
"...to support small scale developers and help hard-working people get the home they want by reducing disproportionate burdens on developer contributions."
- 29 It went on to confirm that *"...By lowering the construction cost of small-scale new build housing and home improvements, these reforms will help increase housing supply. In particular, they will encourage development on smaller brownfield sites and help to diversify the house building sector by providing a much needed boost to small and medium-sized developers..."*
- 30 The new national affordable housing policy was challenged on four grounds, one of which was that the Secretary of State's consultation on the proposals was legally inadequate. Much of the legal debate focused on the issue of what was meant by the 'disproportionate burdens' on small scale developers and whether such burdens related primarily to viability or were broader-based. The Court of Appeal sustained the ground of appeal on this point concluding that the consultation was fair. The commentary in the judgement also makes it clear that, in the view of the Court of Appeal, the consultation raised questions that went beyond strict viability considerations.
- 31 Paragraph 59 of the Court of Appeal judgement states:

“We think that question 5 of the consultation paper is significant. It was couched in terms of breadth and generality following paragraphs 23 to 25 which themselves addressed the problem which was sought to be resolved in a broad way. We do not consider that on a fair reading those paragraphs confined the matters under consideration to strict viability issues. Nor do we agree the phrase ‘disproportionate burden’ would have been understood as relating solely to strict viability issues. That this is so is evident from the responses from developers who responded to the question posed by raising questions which go beyond strict viability. The fact that LPA respondents focused on viability issues is in our judgement a reflection of particular concerns which they wished to address”.

- 32 Mr R Drabble QC on behalf of the Secretary of State (as mentioned in the Court of Appeal judgement) talked about “*all the burdens, financial and legal*” that small scale developers would need to fulfil in order to bring forward a development. Some examples of responses to the consultation were also referred to in the Court of Appeal judgement, which raised issues of: substantial upfront contributions; the amount of contributions sought from small sites; cash flow restrictions; disproportionate impacts on rural areas; and differences in land values and development costs both nationally and from site to site. These issues are discussed in more detail in the Government’s response to the consultation on Planning Contributions (Section 106 Planning Obligations) – see link below.
- 33 As mentioned above, both the local plan (including policy HOUS1) and the CIL charging schedule were subject to ‘viability testing’ and as a result paragraph 5.2.1 of the local plan concluded that there was no evidence to suggest that affordable housing could be delivered to some degree on all sizes of development, from one unit upwards. However, whilst this evidence shows that affordable housing contributions on small sites may be viable, this does not address ‘all the burdens, financial and legal’ that small scale developers would need to fulfil in order to bring forward a development. Officers therefore consider that it would be very difficult to justify the continued general application of the threshold in policy HOUS1 as an exception to the new national affordable housing policy on the basis of local circumstances.
- 34 The Government envisages that these reforms will help to increase housing supply, particularly on small brownfield sites, by diversifying the house building sector and providing a much needed boost to small and medium-sized developers. There is no evidence to suggest that such reforms would not give a boost to small and medium-sized developers in West Dorset and Weymouth & Portland resulting in an increase in housing supply and a boost to delivery, which would be a benefit in view of the relatively low levels of housing completions in recent years.
- 35 On that basis, it is considered that for applications to which policy HOUS1 and national policy and guidance on affordable housing relate it will normally be appropriate to attach very considerable weight to the provisions in the new national affordable housing policy and guidance. In that context, in appropriate circumstances, it is likely to result in officers normally applying or recommending the application of the thresholds in the new national affordable housing policy and guidance, rather than the

threshold in policy HOUS1, when considering planning applications that include residential development.

- 36 The new national affordable housing policy and national guidance indicate that (except in 'rural areas' described under Section 157(1) of the Housing Act 1985) affordable housing and tariff style contributions should not normally be sought on sites of 10-units or less and which have a maximum combined gross floor space of 1,000 square metres or less.
- 37 Outside 'rural areas' described under Section 157(1) of the Housing Act 1985, in cases where it is considered appropriate to apply such thresholds, officers will normally seek or recommend that contributions towards the provision of affordable housing should not be sought at or below either the relevant numerical threshold (i.e. 10-units) or the relevant floor space threshold (i.e. 1,000 square metres).

The Optional Threshold of 5 Units or Less in Rural Areas Described in Section 157(1) of the Housing Act 1985

- 38 In response to the Government's consultation on Planning Performance and Planning Contributions undertaken in March 2014, some local authorities argued that a 10-unit threshold would disproportionately impact on rural areas because it would apply to a higher proportion of proposed new developments and hamper their ability to provide adequate levels of affordable housing for local people.
- 39 To address these concerns, paragraph 017 (Reference ID: 23b-017-20160519) of the Planning Obligations section of the national PPG states that local planning authorities may choose to apply a lower threshold of 5 units or less to development in 'designated rural areas' as described under section 157(1) of the Housing Act 1985. This includes National Parks, AONBs and any "area designated by order of the Secretary of State as a rural area".
- 40 The rationale for the 5-unit threshold was set out in the Government's response to the planning contributions element of the March 2014 consultation on Planning Performance and Planning Contributions. This stated:
"We have taken account of responses highlighting the greater impact a 10-unit threshold might have on rural areas and in National Parks and Areas of Outstanding Natural Beauty by allowing a lower 5-unit threshold in designated rural areas. We have balanced this, and responded to consultation submissions highlighting the issue of cash-flow for small builders, by policy change to allow developments of 6-10 units in those areas to pay contributions in cash, deferred until after completion, rather than in kind. This will provide small builders the boost that they need through reduced borrowing costs and by allowing contributions to potentially be met from sale receipts. At the same time this proposal will help maintain the flow of affordable houses for local communities and funds for infrastructure. The 5-unit threshold will not, unlike the 10-unit threshold, be combined with a maximum floor space limit as this would inhibit the development of very small sites".

- 41 Local plans need to have regard to national planning policies, including those in the National Planning Policy Framework (NPPF), which: seek to restrict development in National Parks and AONBs; and promote sustainable development in rural areas by locating housing where it will enhance or maintain the vitality of rural communities and avoid isolated homes in the countryside unless there are special circumstances.
- 42 Any local plan prepared within this context will inevitably limit the opportunities for housing development (including affordable housing) in AONBs and rural areas more generally. This is certainly the case with the West Dorset, Weymouth & Portland Local Plan which includes policies to protect the Dorset AONB (policy ENV1) and to achieve a sustainable pattern of development: by strictly controlling development outside all defined development boundaries; and in rural areas by directing development to the larger, more sustainable settlements (policy SUS2).
- 43 Given the Government's rationale for the lower threshold in 'rural areas' (of seeking a balance between boosting housing supply on small sites and maintaining the flow of affordable housing) and in the light of the policy framework set by the local plan (which reflects the situation in many other rural areas), it is considered appropriate to normally apply or recommend the application of the 5-unit threshold in those parts of the borough where it could apply.
- 44 Only small parts of the borough (around Upwey, Preston and Sutton Poyntz) are located within the Dorset AONB and these are the only areas where the council has the option of applying the 5-unit threshold. For any relevant scheme, officers would normally apply or recommend the application of, the 5-unit threshold in the parts of the borough within the Dorset AONB (i.e. around Upwey, Preston and Sutton Poyntz). Elsewhere the 10-unit (and 10,000 square metres) thresholds would normally be applied or recommended.
- 45 The viability testing of the local plan took a strategic view of viability and it may be that certain sites between 6 and 10 units in designated rural areas would not be viable. In such cases it would still be possible for developers to make a case for a reduced affordable housing contribution under criterion iii) of policy HOUS1.
- 46 It should also be borne in mind that the 5-unit threshold has already been proposed through the local plan process and was only not included in the final document as a result of the successful (but now superseded) High Court challenge to changes to national policy, as set out earlier in this report.
- 47 Whilst paragraph 17 of the Planning Obligations section of the national PPG offers local planning authorities a choice in applying the lower threshold in designated rural areas, the guidance states that "*where this lower threshold is applied, local planning authorities should only seek affordable housing contributions from developments of between 6 to 10-units as financial contributions and not affordable housing units on site. Any payments made (whether as an affordable housing contribution or contribution to a pooled funding pot for general infrastructure provision)*

should also be commuted until after completion of units within the development". In cases where it is considered appropriate to apply the lower threshold in designated rural areas, officers will normally negotiate or recommend that contributions towards the provision of affordable housing on developments of between six and ten units should be negotiated as commuted sums payable after completion of the residential units within the development.

Other Considerations in Policy HOUS 1

48 In cases where officers have considered it appropriate to apply, or recommend that the thresholds in national policy should be applied, it should be noted that all the other relevant considerations and exemptions set out in policy HOUS1 and its supporting text will still remain relevant. For example, where officers apply or recommend the application of the 10 or 5-unit thresholds in national policy to an application, they will do so on the basis of net additional dwellings.

49 The approach in policy HOUS1 of only seeking affordable contributions where there is a net gain of at least one market dwelling is in line with the approach set out in the written ministerial statement, which states: *"...affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension within the curtilage of the buildings comprising an existing home."*

Vacant Building Credit

50 The re-instated new national affordable housing policy and national guidance re-introduce 'vacant building credit'. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, national guidance states that the developer should be offered a financial credit equivalent to the existing gross floor space of relevant vacant buildings when a local planning authority calculates any affordable housing contribution which will be sought. In such cases affordable housing contributions may be required for any increase in floor space and such contributions could be in the form of units provided within the development or in the form of an equivalent financial contribution.

51 Policy HOUS1 in the adopted local plan makes no provision for vacant building credit. However, its proposed application in the borough was the subject of consultation through the local plan process (at proposed modifications stage).

52 In relevant cases, officers will normally apply or recommend that 'vacant building credit' is applied to certain applications in accordance with national guidance. Current national guidance, which was last revised on 19 May 2016, is set out in paragraphs 021 to 023 (Reference ID: 23b-021-20160519 to 23b-023-20160519) of the Planning Obligations section of the national PPG. This guidance (and any subsequent updates or new guidance) would be used to apply vacant building credit in the borough.

Affordable Housing Exception Sites

53 The new national affordable housing policy and national guidance make it clear that the changes to policy should not apply to rural exception sites.

Paragraph 013 (Reference ID: 23b-013-20160519) of the Planning Obligations section of the PPG also makes it clear that “*the restrictions on seeking planning obligations contributions do not apply to development on Rural Exception Sites*”. Affordable housing exception sites, including rural exception sites, will continue to be considered against policy HOUS2 of the West Dorset, Weymouth & Portland Local Plan 2015.

Decisions by the Senior Leadership Team and Planning Committees

- 54 On 25 May 2016 the new national planning policy on affordable housing was considered by the councils’ Senior Leadership Team (SLT). SLT took the view that the new national policy, including the national 10 and 5-unit thresholds and ‘vacant building credit’, should normally be given significant weight in decision-making and should normally be used in the determination of planning applications.
- 55 Since that time this approach has been used in the determination of delegated planning applications. A number of planning applications have also been re-considered by the Planning Committees of both councils (West Dorset DC – 16 June 2016 and Weymouth and Portland BC – 06 July 2016), where the national 10 and 5-unit thresholds and vacant building credit have been applied.

The Housing and Planning Act 2016

- 56 The Housing and Planning Act received royal assent on 12 May 2016, which provides the legislative basis for starter homes. In December 2015, the Government also consulted on changes to national planning policy, which set out how it would:
- Broaden the definition of affordable housing to expand the range of low cost housing opportunities;
 - Support development on small sites and brownfield land; and
 - Support the delivery of starter homes.
- 57 The Government has yet to produce a revised NPPF, but given that many of the proposed changes (particularly in relation to starter homes) seek to take forward the provisions of the Housing and Planning Act, it seems unlikely that they will differ significantly from those set out in the December 2015 consultation document.
- 58 On 01 March 2016 Management Committee approved the 2016 Local Development Scheme (LDS) and agreed to begin the local plan review. Paragraphs 5.24 to 5.26 of that report recognised the need to review policy HOUS1, in light of the shift in emphasis in national policy from affordable housing for rent to affordable housing to buy.
- 59 Further changes to national planning policy will almost certainly come forward before the local plan review is in place (estimated date December 2019), in which case a further report (or reports) will be brought to members to discuss the implications for decision-making.

Corporate Plan

- 60 The approach set out in this report is likely to support Priority B1, which is “*preventing homelessness and supporting communities to meet their housing needs*”, although in cases where the thresholds in national policy

are applied, the delivery of housing on small sites would not include affordable housing.

Financial

- 61 The council currently seeks affordable housing contributions, either in the form of on-site dwellings or off-site financial contributions. In cases where the thresholds in national policy are applied, no off-site financial contributions for affordable housing would be collected from sites at or below the 10- and 5-unit thresholds.

Equalities

- 62 The Government produced an equality statement in February 2015 following the publication of the new national affordable housing policy in November 2015. The issue of whether the Government had breached the public sector equality duty was considered both by the High Court and the Court of Appeal. Whilst the High Court concluded that the duty had not been satisfied, the Court of Appeal came to a different conclusion and decided that it had.
- 63 The application of the new national affordable housing policy would be likely to deliver a higher proportion of market homes and fewer affordable homes on small sites; although the Government anticipates that the policy will stimulate the development of such sites. It is possible that the application of the thresholds in national policy might give rise to equality issues. However, the extent of any impact may be limited, particularly if the result is a material increase in the overall delivery of housing across the area, as anticipated by the Government.

Environmental

- 64 In cases where the thresholds in the new national affordable housing policy are applied to small sites, all other policies in the Local Plan, including those that aim to protect the environment, will still remain the starting point for decision making. It is, therefore, unlikely that the application of the thresholds in national policy would have any adverse impacts on the environment.

Economic Development

- 65 The stated purpose for the change to national planning policy is to deal with what the Secretary of State sees as *“the disproportionate burden of developer contributions on small-scale developers, custom and self-builders”*. If successful, the application of new national affordable housing policy should help to stimulate the development of housing by small-scale developers on small sites. Small-scale developers are often local, so if successful, the application of the policy would offer economic benefits to the local area.
- 66 The application of new national affordable housing policy would result in less affordable housing being provided on small sites. However, this impact needs to be seen in the wider context of more fundamental changes to national policy on affordable housing with a shift in emphasis from affordable housing to rent to affordable housing to buy (including starter homes).

Risk Management (including Health & Safety)

67 The purpose of the report is to set out the general implications resulting from the reintroduction of the new national affordable housing policy. A benefit of the approach set out in this report should be to reduce the risk of officer planning decisions and recommendations to Planning Committee being inconsistent.

68 It is important to recognise that the implications of the changes to national policy and guidance are still the subject of debate and therefore not entirely clear. The interim position set out in this report reflects officers' best understanding of the current situation. However, on-going uncertainty means that a challenge to this general approach cannot be ruled out.

Human Resources

69 There are no human resources implications.

Consultation and Engagement

70 The development of policy HOUS1 was subject to extensive consultation as the local plan was taken forward and changes were made to the draft policy to reflect changes to national policy and a subsequent High Court judgement. Proposed changes to national policy on affordable housing have also been the subject of consultation by the Government.

Appendices

Appendix 1 - Written Statement on small-scale developers made by Brandon Lewis, the Minister of State for Housing and Planning on 28 November 2014

Background Papers

West Dorset, Weymouth & Portland Local Plan: Pre-submission Version (June 2013) – Chapter 5: Housing - <https://www.dorsetforyou.com/media/200902/05-HOUS/pdf/05HOUS.pdf>

West Dorset, Weymouth & Portland Local Plan: Schedule of Main Modifications (February 2015) – See MM 12, 13, 14 and 16 - https://www.dorsetforyou.com/media/202269/WDWP-Local-Plan---Schedule-of-Main-Modifications/pdf/Schedule_of_Main_Modifications_FINAL_VERSION_150117.pdf

Report on the Examination into the West Dorset, Weymouth and Portland Local Plan - The Planning Inspectorate (August 2015) - https://www.dorsetforyou.com/media/207336/WDWPReport-FINAL/pdf/WDWPReport_FINAL.pdf.

Report on the Draft West Dorset, Weymouth & Portland Community Infrastructure Levy Charging Schedules - https://www.dorsetforyou.gov.uk/media/207348/WestDorset-CIL-Report---Final/pdf/WestDorset_CIL_Report_-_Final.pdf

West Dorset, Weymouth & Portland Local Plan 2015: Adopted Plan (October 2015) – Chapter 5: Housing - <http://www.planvu.co.uk/wdwp/written/cpt5.htm>

R (on the application of West Berkshire District Council and Reading Borough Council) v Secretary of State for Communities and Local Government [2015] EWHC 2222 (Admin) -
<http://www.bailii.org/ew/cases/EWHC/Admin/2015/2222.html>

R (West Berkshire District Council and Reading Borough Council) v. Secretary of State for Communities and Local Government [2016] EWCA Civ 441 -
<http://www.bailii.org/ew/cases/EWCA/Civ/2016/441.html>

Consultation on Proposed Changes to National Planning Policy – DCLG (December 2015) -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/488276/151207_Consultation_document.pdf

Report to 09 February 2016 Executive Committee on the West Dorset, Weymouth & Portland Local Plan Review -
https://www.dorsetforyou.com/media/211534/West-Dorset-Weymouth-and-Portland-Local-Plan-Review/pdf/West_Dorset_Weymouth_and_Portland_Local_Plan.pdf

Planning Practice Guidance on Planning Obligations – see paragraph 031 onwards - <http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>

Planning Contributions (Section 106 planning obligations) – Government response to consultation (November 2014) -
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/381349/Planning_Contributions_Section106_planning_obligations_.pdf

Footnote

Issues relating to financial, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Report Author: Trevor Warrick – Spatial Policy and Implementation Manager

Telephone: 01305 252302

Email: twarrick@dorset.gov.uk