

Windfall and other sources of unplanned housing delivery in Forest Heath District

Forest Heath District Council

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- 1.1 A windfall site is one that has not been specifically identified as available in the Local Plan process. The NPPF glossary suggests that 'they normally comprise previously developed sites that have unexpectedly become available'.
- 1.2 National guidance as set out at para 48 of the NPPF states as follows;
"Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens".
- 1.3 Whilst the supply of housing should be focused on specific deliverable sites, the Planning Practice Guidance (PPG) states that Local Planning authorities have the ability to identify broad locations in years 6-15 of the plan period, which could include a windfall allowance based on a geographical area (subject to the same caveats as set out in paragraph 48 of the NPPF).
- 1.4 The council has undertaken an assessment of windfall likely to come forward through the plan period (to 2031). This is a realistic assessment undertaken in accordance with the above guidance and having regard to the local circumstances particular to Forest Heath district as described in this paper.
- 1.5 That is not to say that developments will not come forward on residential gardens and contribute towards meeting the housing requirement but to accord with NPPF they should be excluded from any calculations.
- 1.6 There is no requirement to include a windfall allowance in either the five year housing land supply or housing supply trajectory. In the context of the NPPF and the emphasis on boosting housing supply, the housing requirement figure for an area is not a ceiling and, therefore, some additional housing would be acceptable over and above that provided by extant planning permissions and Local Plan housing allocations. Where windfalls have historically been an important component of housing supply, and there is evidence available that indicates they will continue to

provide a reliable supply source, it is logical to make an allowance for them in housing supply calculations.

Historic windfall delivery rates

1.7 Windfall rates in recent years reflect a period of time when the majority of the site allocations from the 1995 local plan had already been brought forward. In some years the council could not demonstrate a five year housing land supply and therefore a large proportion of sites coming forward were windfall, although some of these sites were much larger than those normally referred to as such. Therefore relying on past levels of windfall to predict future supply could lead to an overestimate.

1.8 With a view to predicting future windfall rates in Forest Heath District it is considered only sites meeting the following criteria should be considered as windfall;

- Sites of less than 10 dwellings
- Housing development has been completed
- Sites not allocated in the adopted local plan (1995) or SALP submission (reg 19) local plan
- Sites not previously identified in the Strategic Housing Land Availability Assessment (SHLAA) or Urban Capacity Study (UCS)
- Sites not previously residential gardens

1.9 This results in the following historic windfall rates, shown in table 1.

Table 1: Historic windfall rates

Monitoring year	Historic windfall delivery rates (number of housing units)
2011/12	9
2012/13	27
2013/14	37
2014/15	20
2015/16	12
2016/17	75
Total	180

Other Sources of Windfall

1.10 The historic windfall rate will not cover all potential sources of unexpected delivery. It does not include sources from sites identified in the following:

- SHLAA sites
- large sites (10 dwellings or more) including those arising from prior notification and prior approvals and rural exception sites

Strategic Housing Land Availability Assessment (SHLAA) sites

1.11 When seeking to estimate how much of the housing supply will come specifically from windfall sites, it is important to avoid 'double-counting' the contribution that is likely to come from sites that can reasonably be identified through the plan-making process. As such, it is necessary to take account of the current criteria by which potential development sites will be identified and allocated.

1.12 National planning policy has increased the emphasis on identifying specific sites, whether or not they are actually allocated, through documents such as Strategic Housing Land Availability Assessments (SHLAA). As the SHLAA informs the preparation of the Local Plan, sites identified in it are, therefore, considered to have been identified as part of the Local Plan process and can not usually counted as windfall sites: this includes sites which have been withdrawn from the SHLAA assessment process or which have been declared unavailable or unsuitable. However the SHLAA can make an allowance for windfall itself, but it hasn't in this case, therefore it would be reasonable to assume the sites excluded from the SHLAA due to being below the threshold can be included within a windfall calculation in the housing trajectory.

1.13 The SHLAA is produced annually by the council to help demonstrate the district has sufficient sites to meet housing land supply. It is made up of sites put forward by landowners and developers as well as sites identified by the council through previous studies and work. The latest SHLAA (published April 2016) (CD: C24) can be read at the following link.

http://www.westsuffolk.gov.uk/planning/Planning_Policies/local_plans/for_est-heath-local-plan-background-evidence.cfm

1.14 It is usual practice for SHLAAs to exclude any sites below a certain size threshold so that it can focus on more strategic major sites. Sites below the size threshold can, therefore, be counted as windfalls.

1.15 In the SHLAA (2016), the size threshold for sites has been amended to remove sites below 0.2ha as too small for consideration as part of the assessment. Those in Forest Heath are listed within table 2 below, this excludes those which are garden land. The SHLAA highlights that these

sites may still come forward as 'windfall' development. No allowance is made for windfall in the SHLAA therefore its appropriate for it to be counted as windfall in the housing trajectory.

- 1.16 It should also be recognised that the SHLAA does not have the scope to be able to identify all potential sites of 10 dwellings or more, for the whole of the plan period. Therefore, 'unknown sites' also provide a further potential source of future windfalls.
- 1.17 An assessment of SHLAA sites shows a capacity for 189 dwellings, not otherwise identified in the historic windfall calculations. However not all of these are likely to come forward, so a lower allowance assuming only 25% will be delivered has been made for the purpose of this assessment.
- 1.18 All SHLAA (2016) sites, below 10 dwellings, that are not deferred and not included in the submission Site Allocations Local Plan (reg 19) (SALP), not commenced and not with planning permission, excluding gardens, are counted as potential additional sources of windfall in the table below.

Table 2: SHLAA 2016 sites, below 10 dw, not deferred, not in SALP, not garden land

SHLAA (2016) sites in Towns, KSC, PVs and in smaller settlements, included, below 10 dwellings, not included in SALP, not residential gardens	No. of dwellings
Total	175

- 1.19 Table 3 shows the total number of units in other small sites, deferred in the SHLAA 2016 for falling below the threshold, excluding those which are garden land.

Table 3: Small sites deferred in SHLAA 2016 for falling below threshold

SHLAA (2016) sites deferred on their size (below SHLAA threshold)	No. of dwellings
Total	14

Prior notifications/approvals

1.20 Prior notifications/approvals, particularly conversion of agricultural buildings and offices to residential units, currently provide an additional source of new housing being delivered which is not counted in the supply.

1.21 All prior notification and prior approval are included in the table below. However to ensure no double counting in windfall contribution only sites over 10 dwellings are counted as potential emerging supply.

Table 4: Prior notification/approval completions over 10 dwellings

Monitoring year	Prior notification/approval completions in monitoring year (number of housing units for schemes over 10)
2016/17	22
Total	22

Rural exception sites

1.22 Core Strategy policy CS9 and para 3.8.8 supports rural exception housing. These sites are not otherwise identified through the local plan process and can be counted as windfall. Table 5 shows the following rural exception schemes have been implemented in Forest Heath.

Table 5: Rural exception sites

Monitoring Year	Number of units completed
2009-2010	10
2010-2011	0
2011-2012	0
2012-2013	8
2013-2014	12
Total	30

1.23 This gives an overall supply of 30 affordable units over a 5 year period, an average of 6 per annum.

1.24 As recorded completions are monitored for rural exception sites, although they contribute to the windfall these will already be counted in the historic windfall rates in table 1.

Overall windfall allowance

1.25 Having regard to past housing delivery and future assumptions on expected windfall, an allowance of 25 dwellings per annum for the final 9 years of the plan period (2022/23 to 2030/31) has been made. A small rise on the previous 20 dw per annum allowance used in the 5 year land supply report March 2016. This was based on evidence set out in the 'Technical paper to support the overall housing requirement and distribution for the district' published in August 2015 (CD: B47) which was published alongside the (Further) Issues and Options Single Issue Review (SIR) local plan (CD: B38).

1.26 The 25 dw per annum will give rise to a total of 225 homes being made over the plan period to 2031. This is considered to be a conservative allowance, as no windfall has been made for the first 5 years of the plan period, even though in reality it is expected windfall will come forward.

1.27 This is based on historic windfall delivery since 2011 which gives an average of 30 dwellings per year (table 1) and additional provision from SHLAA sites (tables 2 and 3) identifies 189 units and sites over 10 dwellings, including prior notifications. It also recognises the local and national planning policies allow some housing provision to come forward in rural areas when specified criteria or circumstances have been met.

1.28 From the evidence set out below it is realistic to expect at least 25 dwellings to be achieved each year after 2022/23.

- Historic windfall rates **30 dw per annum** (table 1)

1.29 Other sources of windfall not included within historic rate

- SHLAA sites (below 10 dw) – total identified potential is 189 dwellings, of which only a proportion are likely to come forward (tables 2 and 3) we have taken a pragmatic view that only 25% will come forward over plan period = **5 dw per annum**
- Prior notification/approval (for 10 or more dwellings) – not identified in Local Plan (22 dwellings) (table 4) = **3 per annum**

1.30 This gives a total additional potential provision of $30 + 5 + 3 = \mathbf{38}$ **per annum**. This is greater than the allowance of 25 homes per annum that has been assumed, so is considered reasonable and fully justified.

Conclusions

- 1.31 Therefore in accordance with paragraph 48 of the NPPF, there is compelling evidence of windfall sites in the district and accordingly it is correct to include a windfall allowance as a reliable source of housing supply.