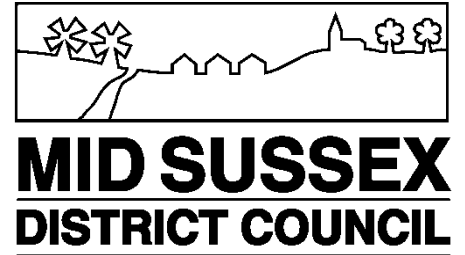


Mid Sussex District Council



Windfall Study Update

September 2019

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1.0 Introduction

- 1.0 This update has been prepared to support the preparation of the Site Allocations DPD. It is an update to the 2015 Windfall Study that was prepared to support the preparation of the District Plan.
- 1.1 Windfall sites are sites not specifically identified in the development plan¹. Paragraph 70 of the NPPF states:
- “Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will 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. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area”².
- 1.2 The Planning Practice Guidance sets out how a windfall assessment can be determined as part of the Housing and Economic Land availability Assessment. It states:
- “A windfall allowance may be justified in the anticipated supply if a local planning authority has compelling evidence as set out in paragraph 70 of the National Planning Policy Framework. Local planning authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance (using the same criteria as set out in paragraph 67 of the National Planning Policy Framework)”³.
- 1.3 The definition of windfall development has changed slightly since the 2015 study and it no longer states that they ‘normally comprise previously developed sites’⁴. Therefore, for the purpose of this review the council looked at previously developed and greenfield/ garden windfall sites.

2.0 Justification for the update

- 2.1 The 2015 study considered the potential windfall allowance that could be delivered on small sites, 1 – 5 units and large sites, 6+ units. This update focuses on the anticipated delivery rates on small sites of 1 – 9 units only. The threshold for small sites has changed as the District Plan policy DP6: Settlement Hierarchy allows for windfall development (subject to specific criteria) on sites of 1 – 9 units. Therefore it is appropriate that the windfall threshold is amended to reflect this.

¹ NPPF (2019), Annex 2: Glossary

² NPPF (2019), Paragraph 70

³ PPG (2019), Paragraph: 023 Reference ID: 3-023-20190722

⁴ NPPF (2012), Annex 2: Glossary

3.0 Windfall analysis

- 3.1 The tables below provide an analysis of the windfall completions on all sites. Past Windfall figures may be over-inflated, as sites may have been given permission during a period where there was no 5 year housing land supply. This has been addressed by analysing the past completions, and removing any from the calculation that were permitted only because there was no 5 year housing land supply (column “Number of Units NOT Policy Compliant”).
- 3.2 Policy DP6 allows for sites fewer than 10 units (i.e. 1-9 units) where they are contiguous with the built-up area. There has only been one monitoring year (2018-19) where this has been the policy position, but this is an exhaustive supply – there are only so many sites that are contiguous, suitable for up to 9 dwellings, and are not proposed for allocation. Analysis of the figures shows that very few units were completed in 2018-19 in this category; therefore we are not placing a heavy reliance on this source of supply (a cautious approach).
- 3.3 There is potential for double counting windfall completions on sites of 1-9 units with those that were allocated for 1-9 units (i.e. not windfall). The list of sites has been checked to ensure there is no double counting.
- 3.4 A discount of 20% has been applied to the total completions figure to be consistent with the 2015 study.
- 3.5 The previous NPPF defined windfall sites as those that “normally comprise previous developed sites”. This line has been removed from the latest version of the NPPF. Table 2 therefore takes a cautious approach by assuming the old definition.

Table 1: All sites

Monitoring Year	Completions 1-5 Units (District Plan Period)	Completions 6-9 Units (District Plan Period)	TOTAL 1-9 Units	Number of Units NOT Policy Compliant	TOTAL 1-9 Units Policy Compliant	TOTAL 1-9 Units Policy Compliant (20% Discount)
2014 - 2015	77	20	97		97	78
2015 - 2016	109	32	141		141	113
2016 - 2017	106	36	142		142	114
2017 - 2018	119	50	169	8	161	129
2018 - 2019	102	45	147	6	141	113
TOTAL	513	183	696		682	546
Per Annum	103	37	139		136	109

Table 2 – Previously developed sites

Monitoring Year	PD Completions 1-5 Units (District Plan Period)	Completions 6-9 Units (District Plan Period)	TOTAL 1-9 Units	Number of Units NOT Policy Compliant	TOTAL Sites 1-9 Units Policy Compliant	TOTAL Sites 1-9 Units Policy Compliant (20% Discount)
2014 - 2015	54	20	74		74	59
2015 - 2016	76	32	108		108	86
2016 - 2017	74	36	110		110	88
2017 - 2018	83	50	133	8	125	100
2018 - 2019	71	45	116	6	110	88
TOTAL	359	183	542		528	422
Per Annum	72	37	109		106	84

4.0 Conclusion

- 4.1 The evidence demonstrates that between 84 to 109 units are completed on windfall sites per annum which is an increase from the 45 units per annum applied in the District Plan. Therefore there is clear compelling evidence that an increased windfall allowance can make a contribution to the housing land supply over the Plan period.
- 4.2 On the basis of the assessment, it is proposed that the windfall allowance is increased from 45 dwellings per year to 84 dwellings per year. This is considered to be a highly cautious approach for the reasons set out in this paper.