Appendix B: Implications of the change in application of 'Windfall' allowance

This paper seeks to review the implications of the change in the application of windfall allowance in determining future housing priorities as a consequence of the recently published NPPF which now supersedes PPS3: Housing (June 2011).

Previous Government guidance on 'Windfall' allowance in PPS3, Paragraph 59

> Allowances for windfalls (31) should not be included in the first 10 years of land supply unless Local Planning Authorities can provide robust evidence of genuine local circumstances that prevent specific sites being identified. In these circumstances, an allowance should be included but should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends.
>
> (31) Windfall sites are those which have not been specifically identified as available in the local plan process. They comprise previously-developed sites that have unexpectedly become available. These could include, for example, large sites resulting from, for example, a factory closure or small sites such as a residential conversion or a new flat over a shop.

New Government guidance regarding 'Windfall' allowance in NPPF, Paragraph 48

> 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.
>
> **Windfall sites:** Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.

The definition of windfall is largely the same however a principal deference is that you can now include a 'Windfall' allowance in the first 10 years of Plan period for the purpose of calculating land supply where previously you could not. The NPPF also clarifies that National Guidance no longer expects residential garden plots to be included within the 'Windfall' allowance.

Under the previous definition of 'Windfall' allowance within PPS3, SSDC had sought to calculate the likely extent of development within the Yeovil Urban Framework and by implication the likely size of the Yeovil Urban Extension. The most up to date calculation appears in the current report to Council on the Core Strategy 'Table 8: Potential Dwelling Provision within the Yeovil Urban Framework – April 2011'and is replicated below for convenience.

Potential Dwelling Provision within the Yeovil Urban Framework – April 2011

	Achievable capacity	Theoretical Potential	Already Approved	Allocations
Completions	1221	1221		
Commitments	2483	2483		
Key sites				
KS/BRYM/1	97	97	620 commitments	717
KS/YEWI/1	137	137	*636 commitments	**786
KS/YEWI/2			830 commitments	830
Yeovil Urban Village	196	278		
SHLAA sites	257	724		
Potential windfall sites	1200	1200		
Flats above shops and conversion of houses (Urban Cpacity Study)	84	84		
Total	5675	6224		

* 717 approved at outline, superseded by reserved matters applications but considered in the potential
** Increase from 717 to take consideration of land still available within the site
Produced 9/3/12

This assessment (the SHLAA approach) has been made on the basis of completions, commitments as at April 2010, Strategic Housing Land Availability Assessment sites and crucially an estimate of windfall provision post 2022 and not before i.e. in the first 10 years. It is noted that the potential windfall sites (2022-2028) of 1200dwg (please note: that this figure was based on past build rates without deleting allocated site completions and it includes housing provision from residential garden land).

An alternative approach to the estimation of the Yeovil Urban Capacity is put forward (the windfall approach), that seeks to explore the implications of the new definition and is presented below. This approach does not seek to revise the table above but to provide an alternative approach to its calculation in the light of new guidance. Allocated sites in the SSDC Local Plan 2006 and Residential Garden Plots have been excluded for the calculation as per the NPPF definition.

(A) Calculation of Yeovil's past 'Windfall' allowance

1. Yeovil Completions (April 2006 – April 2011) – Table 1
2. Minus Yeovil Allocated Sites (Completed in the first 5 years) – Table 2
3. Minus Residential Garden Plots (Completed in the first five years) – Table 3
4. Equals past 'Windfall' allowance in first 5 years of Plan period – Table 4

Table 1: Completions (April 2006 – April 2011)

Yeovil - Completions (April 2006 – April 2011)	1,221 dwg

Table 2: Yeovil Allocated Sites (Completions in Plan period April 2006 – April 2011)

Allocation	Site Name	Planning Application	Delivered in Plan period
HG/BRYM/2	Abbey Manor Phase 7	97/00141/OUT 97/00721/OUT 03/02231/REM 168 dwg) 04/02118/REM (168 dwg)	94 dwg (site capacity 168 dwg)
KS/YEWI/1	Lyde Road	06/01050/OUT 08/04443/REM (226 dwg) 139 complete 08/04785/REM (119 dwg) 77 complete 10/02968/REM (126 dwg) 10 complete 10/02973/REM (103 dwg) 10/04977/S73 (of 10/03252/REM) (63 dwg) 2 complete 11/03821/REM (2 dwg) pending consideration	228 dwg (site capacity 717 dwg)
HG/YEOV/1	Bucklers Mead	15 Application 08/00271/REM (37 dwg) Refused - Approved on appeal	37 dwg
HG/YEOV/2	Larkhill Road	04/01812/FUL (150 dwg)	150 dwg
Total			509 dwg

Table 3: Residential Garden Plots (Completions in Plan period April 2006 – April 2011)

Residential Garden Plots	98 dwg

Table 4: Yeovil 'Windfall' allowance in first five years

Past 'Windfall' allowance in first 5 years of Plan period Completions (1221dwg) – Allocated Sites (509 dwg) – Garden Plots (98 dwg)	614 dwg
Average 'Windfall' in first five years (614 dwg / 5 years)	123 dwg

(B) Calculation of Yeovil's existing 'Windfall' supply

1. Yeovil Commitments & Under Construction (April 2011) – Table 1
2. Yeovil Allocated sites (Commitments April 2011) – Table 2
3. Residential Garden Plots (Commitments April 2012) – Table 3
4. Yeovil Existing 'Windfall' supply

Table 1: Commitments & Under Construction (April 2011)

Yeovil – Commitments	2,455 dwg
Yeovil – Under Construction	28 dwg

Table 2: Yeovil Allocated Sites (Commitments April 2011)

Allocation	**Site Name**	**Planning Application**	**Delivered in Plan period**
KS/YEWI/2	Thorne Lane	05/00753/OUT (830 dwg) 11/00361/REM (298 dwg) pending consideration	830 dwg
KS/BRYM/1	Lufton	05/00931/OUT (620 dwg) 10/01875/REM (717 dwg) pending	620 dwg
KS/YEWI/1	Lyde Road	06/01050/OUT 08/04443/REM (226 dwg) 139 complete 08/04785/REM (119 dwg) 77 complete 10/02968/REM (126 dwg) 10 complete 10/02973/REM (103 dwg) 10/04977/S73 (of 10/03252/REM) (63 dwg) 2 complete 11/03821/REM (2 dwg) pending consideration	489 dwg (site capacity 717 dwg)
Total			1,939 dwg

Table 3: Residential Garden Plots (Commitments April 2012)*

Residential Garden Plots	54 dwg

Table 4: Yeovil existing 'Windfall' supply

Existing 'Windfall' supply Commitments (2,455 dwg) + Under Construction (28 dwg) – Allocated Sites (1,939 dwg) – Garden Plots (54 dwg)	490 dwg
Existing 'Windfall' (490 dwg / 123 dwg)	4 year existing 'windfall' supply

(C) Yeovil's projected future 'Windfall' allowance to 2028

Yeovil's projected future 'Windfall' allowance to 2028 (123 dwg x 13 years)	1,599 dwg

(D) Yeovil's Urban Capacity (using Windfall approach)

Yeovil Completions (April 2006 – April 2011)	1,221 dwg
Under Construction (As at April 2011)	28 dwg
Commitments not started (As at April 2011)	2,455 dwg
Yeovil's projected future 'Windfall' allowance from 2015 to 2028*	1,599 dwg
Total: Yeovil Urban Capacity (**using 'Windfall' approach**)	**5,303 dwg**

* Windfall allowance includes 'SHLAA' sites to avoid double counting.

Summary

- Calculation (A) demonstrate that over the first five years of the Plan period, Yeovil's average 'Windfall' rate has been 123 dwg a year if you exclude Allocated sites and Residential Garden sites that have come forward in the same period.
- Calculation (B) demonstrates that Yeovil has an existing residual 'Windfall' allowance for the next 4 years to 2014. These are sites with existing Planning permission.
- Calculation (C) demonstrates that should Yeovil's average 'Windfall' allowance be projected forward from 2015 – 2028 to the end of the Plan period, Yeovil can expect a further 1,599 dwg to come forward.
- Calculation (D) demonstrates Yeovil has a potential Urban Capacity of approximately 5,303 dwg.

Conclusion

The revised calculation using 'Windfall' allowance for the remainder of the Plan period demonstrates a Yeovil Urban Capacity of some 5,303 dwg. This figure is broadly the same as the lower Yeovil Urban Capacity estimate of 5,675 dwg using the SHLAA approach. Given the Local Plans stated aim and Policy position to maximise Yeovil's Urban Capacity before Greenfield land it is still considered appropriate to aim for the higher estimate of 6,224 dwg. Should the lower figure materialise however then the Yeovil housing requirement of 7,815 dwg could be met on a higher proportion of development in the Yeovil Urban Extension up to its full deliverable site capacity of 2,500 dwg.