

Bradford Local Plan

Core Strategy Examination

**Further Statement Relating to Comments Made In
relation to Windfall**

Date: 29th April 2015

Introduction

- 1.1 This statement sets out the Council's response to comments made by the Ilkley Design Statement Group in submission PS/F080 relating to windfall.
- 1.2 Within PS/F080 the objector states "IDSG maintains its views expressed at the hearing concerning windfall sites."

Response

- 2.1 The Council considers that its approach to windfall and its decision not to include a windfall allowance within the land supply is fully in line with the NPPF and has been explained and justified in its earlier statements and at the Examination hearing session.
- 2.2 The objector fails in their latest submission to respond to the points made by the Council or explain in detail what further points they wish to make. As a result the Council considers that it can only re-iterate and re-state its position which is clearly set out within SD/009 (Statement of Consultation For Publication Draft': This is set out below:

Extract From SD/009 – Appendix 7J Pages 31-34

The Council does not think it would be either appropriate or in line with the principle to plan positively to meet the housing needs of the district to include a windfall allowance within the plan period. It considers that bearing in mind past under delivery of housing, the current shortages of homes within the main urban areas and the projected rapid increases in households, there is a strong argument that there should be certainty and confidence that an adequate land supply for the plan period is in place. Relying on windfall would reduce that certainty.

The Council would also point out that there has been no change in the National Planning Policy Framework – the NPPF allows Councils to include a windfall allowance but does not as some objectors suggests require it. NPPF paragraph 48 of states, "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."

The Council's view is that there is no case for an inclusion of a windfall allowance within the first 5 years of the plan period. This is in fact the period when there is most certainty over the nature and spread of sites which are likely to come forward via the information gathered within the SHLAA. Since all sites within the SHLAA are candidates for allocation within the Local Plan none of those which are deliverable can be considered to be windfalls. Moreover the site size threshold for inclusion in the SHLAA been reduced to just 0.2ha or 5 dwellings (compared to the RUDP threshold for allocation of 0.4ha) meaning that the range of sites which would be ineligible for inclusion in the Local Plan and which would therefore deliver windfalls has been reduced.

The Council also considers that past rates of windfall delivery are unlikely to be maintained in the new plan period. Windfall sites are defined in the NPPF as: "Sites which have not been specifically identified as available in the Local Plan process."

The last plan which was put in place was the RUDP which was prepared during 2001-2, some 13 years ago, and adopted in October 2005. It is therefore not surprising that

windfall sites have become the main contributor to supply by number and proportion, as the actually allocated sites have been gradually built out and there has been no new Local Plan to formally identify and allocate recycled land and sites as they become available.

This is not the position going forward. The planning system now incorporates a requirement for a more rigorous analysis of potential land supply in SHLAA's which was not in place when the last RUDP was prepared and the Council is now preparing a new allocations plan based on its SHLAA. The SHLAA and Allocations process will sweep up any current and emerging sites or buildings and if sustainable and deliverable will allocate them. They will not therefore be windfalls. To include an allowance for windfall could therefore effectively double count the contribution which recycled land and buildings will make to future supply.

The Council's view is that while it is likely that windfall will make an ongoing contribution it is likely, for the reasons set out above, to be at a lower level than in the recent past. It considers that any contribution made should be viewed as providing a modest level of additional insurance that the required rates of housing delivery will be met. It may also allow the allocated land supply in the new Local Plan last a little longer than would otherwise be the case.