



Rutland County Council

Local Plan

Small Site Windfall Housing Study

July 2020



Rutland
County Council

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1.0 Background

- 1.1 The National Planning Policy Framework (NPPF) states that local planning authorities may make an allowance for windfall sites as part of their anticipated 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.
- 1.2 The policy framework requires any allowance to be realistic, having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. The policy framework also states that such an allowance should not include inappropriate development of residential gardens, for example where development would cause harm to the local area.
- 1.3 There is evidence to show windfall sites becoming available in Rutland and this aspect of future housing delivery should therefore be taken into account in the Local Plan Review.

2.0 Purpose of the Study

- 2.1 The purpose of the Small Site Windfall Housing Study is to form part of the evidence base for the preparation of the emerging Local Plan. The study looks at housing contributions since 2006 from small windfall sites (9 dwellings or less) and assesses the scope for identifying windfall contributions that may come forward over the plan period up to 2036. This is done by assessing a possible future rate of windfall site contributions, taking account of both historic rates of supply and being realistic about future prospects for past rates to be sustained.
- 2.2 The assessment of a robust position on the expected contribution from windfall housing development enables the Council to determine the amount and geographical distribution of allocated sites for new housing to meet the strategic requirements as set out in the Regulation 19 Pre-submission version of the Local Plan.
- 2.3 This study provides an update to the previous Small Windfall Housing Study published in July 2017. The report provides a desktop assessment of possible future small windfall housing sites and the inclusion of the housing completions/commitments up until 31st March 2019.
- 2.4 This study does not include assessment of large (10 dwellings or above) site windfalls as the emerging Local Plan will allocate appropriate sites for development.

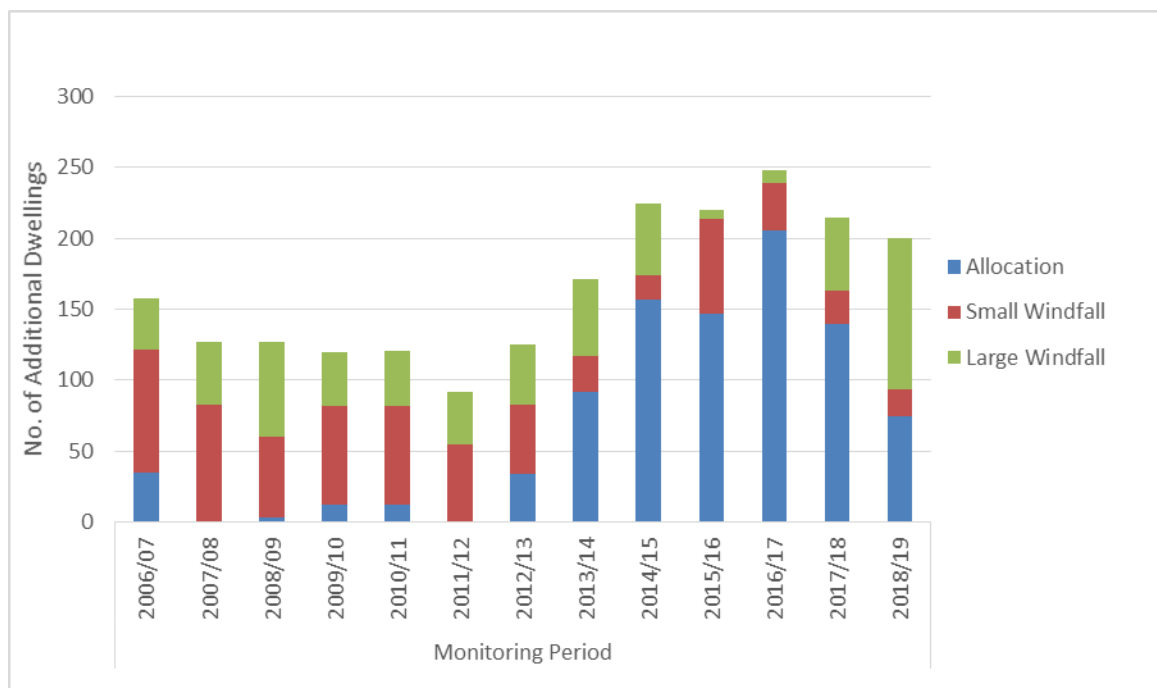
3.0 Looking Back

- 3.1 The NPPF states that any windfall allowance should be realistic having regard to historic windfall delivery rates. The 2017 small windfall housing study looked at past rates from 2006-2017. This study updates completions from 2017-2019 to provide a complete a picture.

Housing Completions

- 3.2 For the adopted Core Strategy plan period 2006 – 2026, the annual completion rate required to meet the Objectively Assessed Need identified in the Strategic Housing Market Assessment was 150 dwellings.
- 3.3 In the period 1st April 2006 to 31st March 2019, 2202 net additional dwellings were completed in the County. Figure 1 shows the split between sites allocated within the adopted Local Plan at that time, and sites which are windfall. The windfall sites are further split into small site windfall (9 dwellings or less); and large windfall (10 dwellings or more).

Figure 1: Total housing completions by type



- 3.4 Figure 1 shows an annual under delivery during the early part of the plan period (2007–2013) with an average of 134 dwellings per annum. This correlates with the national economic recession which began in 2007. Furthermore, the graph depicts that more than 50% of completions at this time were windfall sites, the majority of which were small site windfalls.
- 3.5 The graph demonstrates a significantly higher annual completion rate above the annual requirement of 150 dwellings per annum from 2013 to 2019 with a large proportion of completions being on allocated sites. This is attributable to the part completion of the Sustainable Urban Extension (Land to the north of Oakham) site, which was allocated within the adopted 2011 Core Strategy. However, completions of windfall sites within that period contribute to more than a third (34% of total completions).

- 3.6 Although large unallocated sites also make up a large part of the more recent supply of windfall sites, this report concentrates on small site windfall as any deliverable sites of 10 or more dwellings which are available at the time of preparing the Local Plan should be allocated through the Local Plan Review.

Settlement Hierarchy

- 3.7 For the purpose of forecasting a windfall allowance, it is helpful to know more precisely where in the County these completions occurred. This will make it possible to more robustly assess whether housing delivery is likely to take place in similar areas in the future, and at a similar rate, or whether any current conditions indicate that delivery is likely to increase or decrease in particular areas.
- 3.8 Policy CS3 of the Core Strategy set out a Settlement Hierarchy of: Main Town, Small Town, Local Service Centres; Smaller Service Centres; Restraint Villages; and Countryside. Windfall completions shown in the graphs below are set out in these categories although it is important to note that the hierarchy was reviewed in the Draft Local Plan Review (2017) and the Pre-Submission Local Plan proposes further changes this hierarchy.
- 3.9 Figure 2 sets out completions of small windfall sites by settlement hierarchy (as in the adopted Core Strategy). The NPPF states that Local “Plans should consider the case for setting out policies to resist inappropriate development of gardens ...” (NPPF 2019 paragraph 70). As such, figure 2 does not include development on garden sites.
- 3.10 Figure 2 demonstrates that the majority of the windfall completions over the plan period have occurred in the villages of Rutland, (78%), mostly within smaller service centres. On average, 12% of windfall completions took place in Oakham and 10% in Uppingham.

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Figure 2: Small windfall completions by Settlement Hierarchy

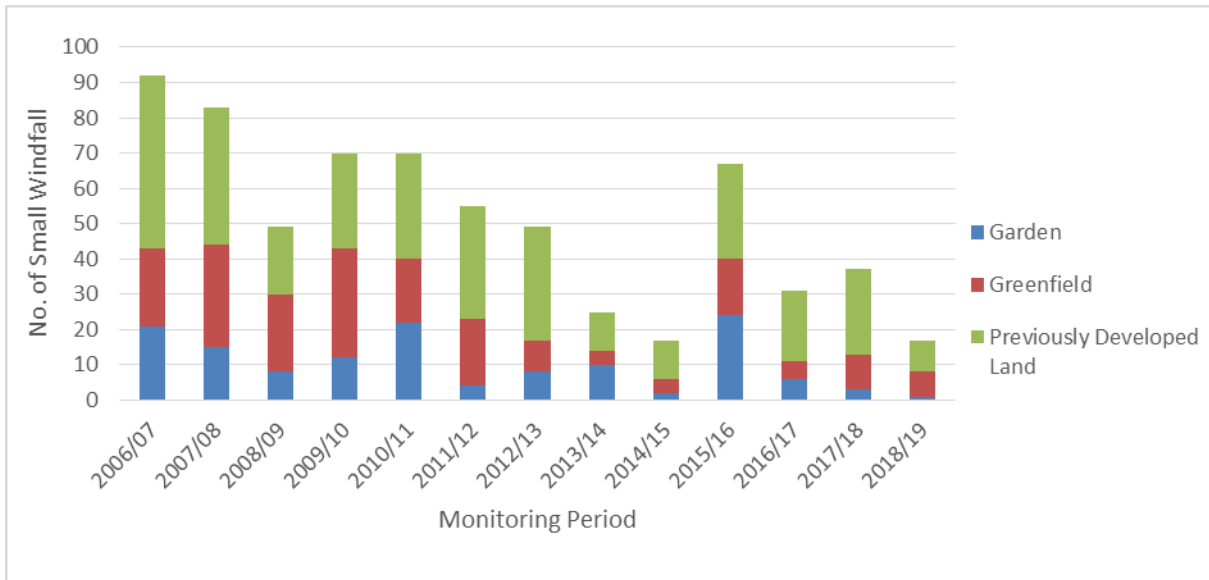


Greenfield vs. Brownfield

- 3.11 Unidentified previously developed land (PDL) sites and unidentified greenfield sites can both correctly be defined as windfall sites and both types have delivered housing in the County in the past. The definition of windfall sites in the NPPF glossary states that they are “Sites not specifically identified in the development plan”.
- 3.12 Figure 3 sets out completions by type of small windfall. Between 2006- 2019 on average 50% of completions were on previously developed land with 50% on greenfield. Of the greenfield total, 20% completions were on land which was previously a residential garden. The NPPF (2019) states that “*land in built-up areas such as private residential gardens, parks, recreation grounds and allotments*” should not be defined as brownfield land. In Rutland, the built up area of towns and villages is defined as that which is within the Planned Limits of Development.
- 3.13 It is important to note that the declining trend in the number of small windfall completions since 2013 with the exception of 2015/16. On average there were 25 small site windfall completions per annum (excluding gardens) between 1st April 2013 and 31st March 2019.

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Figure 3: Brownfield & Greenfield Small Site Windfall Completions



4.0 Moderating past trends

- 4.1 The evidence set out in section 3 proves that although the contribution of small windfall sites has generally decreased over the plan period, both brownfield and greenfield, sites have consistently become available annually. This section identifies factors that have arisen which may change windfall development rates in the future.
- 4.2 A small site allowance was calculated as evidence for the 2014 Site Allocations & Policies DPD. The allowance was based on historic rates of actual delivery over the 7 year period since 2006/07. For Oakham, Uppingham and the 7 Local Service Centres at that time the allowance was simply calculated as the average annual delivery multiplied by the remaining plan period. For the Other Villages a reduced allowance was presented recognising that the policy of managing increased restraint on the circumstances allowing for additional residential development would reduce delivery rates by 50%. In all cases outstanding commitments were deducted to avoid double counting inflating the small site windfall allowance.
- 4.3 The National Planning Practice Guidance (NPPG) requires Local Plans to be based upon and reflect the presumption in favour of sustainable development and recognises the importance of issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. The section on Rural Housing in the PPG goes further and states that all settlements can play a role in delivering sustainable development in rural areas by avoiding blanket policies restricting housing development in some and preventing other settlements from expanding unless their use can be supported by robust evidence.

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- 4.4 A review of the Settlement Hierarchy began in 2015, as part of the Local Plan Review. The Issues & Options consultation document and associated background paper proposed removing the 'Restraint Villages' as it was considered too restrictive following the publication of National Planning Practice Guidance (NPPG) section on rural housing. The Settlement category 'Small Villages' was considered more appropriate. Furthermore, an Accessible Villages with limited facilities category was added, recognising accessible sustainable locations within 2 miles of Oakham.
- 4.5 Following the Issues & Options consultation and in preparation of the Local Plan Consultation Draft, a further review of the Settlement Hierarchy was undertaken in June 2017. The study considered that accessible villages were better placed within the Small Villages category, rather than being added as an additional tier in the Settlement Hierarchy.
- 4.6 In response to the consultation responses made about the 2017 Draft Local Plan further work has been undertaken on the Settlement Hierarchy, including an update of settlement services and facilities which was undertaken in 2019. This paper concludes that a simplified approach to identifying two tiers of villages – Local Service Centres (LSC's) and Smaller Villages more appropriate reflects national planning policy. Villages within these two categories have defined Planned Limits of Development which will restrict windfall opportunities to sites within this boundary. Very small villages and hamlets not identified as Smaller Villages will be treated as open countryside where normal restrictive policies will apply. Going forward this will allow more opportunities for small scale windfall development in LSC's and Smaller villages where previously there were blanket restrictions applied in the Core Strategy and Site Allocations Policies Development Plan Documents.
- 4.7 Policy SD2 – The Spatial Strategy for Development in the emerging Local Plan sets out The Settlement Hierarchy for Rutland and is as follows:

Policy SD2 – The Spatial Strategy for Development

In order to contribute towards the delivery of sustainable development and meet the vision and strategic objectives of the Local Plan, new development in Rutland will be located as set out below.

The scale of development will reflect:

- the settlement's role, as defined in the settlement hierarchy;
- the settlement's character and setting;
- the need to deliver homes and jobs;
- the need to maintain or enhance services and facilities in villages; and
- the capacity of infrastructure within the settlement and the timeframe for any necessary investment and improvement.
- any environmental and policy constraints

Main Town

Oakham (including Barleythorpe): Major allocations of land to deliver new homes, employment land and other uses where necessary

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Small Town

Uppingham: Allocations of land will provide for new homes and employment opportunities in accordance with the intentions of the existing and emerging revised Neighbourhood Plan.

Local Service Centres

Small scale growth to support their service role through the allocation of sites and infill developments, redevelopment of vacant or previously development land and conversion or reuse of suitable redundant rural buildings

Local Service Centres are: Cottesmore, Edith Weston, Empingham, Great Casterton, Greetham, Ketton, Langham, Market Overton, Ryhall and Whissendine

Smaller Villages

Small scale development on infill sites, redevelopment of previously developed land and the conversion or reuse of existing buildings. Development which is demonstrated to be necessary to support and/or enhance community facilities that are considered important to the maintenance or enhancement of a sustainable community will be supported.

Smaller Villages are: Ashwell, Ayston, Barrow, Barrowden, Belmesthorpe, Belton, Braunston, Burley, Caldecott, Clipsham, Egleton, Essendine, Exton, Hambleton, Glaston, Little Casterton, Lyddington, Lyndon, Manton, Morcott, North Luffenham, Preston, Ridlington, South Luffenham, Seaton, Stretton, Teigh, Tickencote, Tinwell, Toll Bar, Whitwell and Wing.

Places not identified in the settlement hierarchy above are considered to be part of the wider countryside where development will only be appropriate if permitted by other policies of this plan, a neighbourhood plan or national policy.

St George's Barracks provides an opportunity to reuse a major brownfield site to create a new garden community providing new homes together with employment, local services, retail and community uses. The development will fulfil the role of a Local Service Centre. Development will be brought forward in accordance with the development principles outlined in Policies H2 and H3.

Land in Rutland on the edge of Stamford will be considered suitable for development as part of a single extension on the north side of Stamford in conjunction with land allocated within South Kesteven District. This will support the sustainable growth of Stamford and will therefore contribute towards South Kesteven District Council's housing need. Development within Rutland will only be acceptable as part of a comprehensive urban extension to the north of Stamford and will be dependent upon the site being allocated and supported by South Kesteven District Council.

4.8 The introduction of Permitted Development Rights in 2014 has resulted in an increase the number of conversions of agricultural buildings into dwellings. In 2018 the number of homes that could be constructed from an agricultural building was extended from 3 to 5 dwellings which could further increase the impact of Class Q conversions on the number of small windfall development sites in Rutland.

4.9 Table 1 shows the number of dwellings completed in Rutland through Class Q Permitted Development Rights since the introduction of this in 2014. There has been minimal impact on the number of small windfall sites until the 2018-19 monitoring period when the 6 dwellings out of 16 dwellings completed on small windfall sites were completed due to Class Q (38%). Going forward this could have an impact on the number of small windfall site developments in Rutland as this trend is expected to continue.

Table 1: Number of Class Q permitted Development Rights Dwelling Completions

Monitoring Period	2014-15	2015-16	2016-17	2017-18	2018-19
No. of Dwellings	0	1	1	1	6

5.0 Looking forward – calculating future windfall

5.1 This section applies the moderating factors outlined above, including national guidance and the revised settlement hierarchy, and forecasts likely future windfall delivery rates.

5.2 The approach to setting a small site windfall allowance has previously been based on the average annual rate over the preceding 10 years continuing throughout the remaining plan period. Over time it is recognised that the availability of small windfall sites will decrease, however, policy changes such as those set out in the Local Plan Review means that new opportunities for windfall development will arise. It is recognised that there will be an impact on the local economy from the Covid-19 pandemic which could slow the development of small windfall sites.

5.3 Table 2 sets out the number of new homes which have been delivered on small sites in each of the settlement categories in the new settlement hierarchy over the whole of the current Local Plan reporting period 2006-2019. Table 3 then analyses these figures to provide an average annual windfall rate for each category based on the 13 years of the monitoring period (2006-2019). This represents the whole of the current adopted local plan period to date, as well as for the previous 10 years, five years and the most recent three years (2016-2019).

Table 2: Windfall Completions as per the Regulation 19 Pre-submission Local Plan Settlement Hierarchy

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Year	Oakham (including Barleythorpe)	Uppingham	Local Service Centres	Smaller Villages	Annual Total in Rutland
2006/07	19	4	10	33	66
2007/08	1	4	20	43	68
2008/09	6	3	10	30	49
2009/10	8	4	14	32	58
2010/11	3	11	11	23	48
2011/12	4	8	16	23	51
2012/13	2	4	10	25	41
2013/14	2	1	5	7	15
2014/15	2	2	5	6	15
2015/16	2	7	12	22	43
2016/17	2	0	13	10	25
2017/18	12	4	12	6	34
2018/19	1	2	6	7	16
Total	64	54	144	267	529
Average	5	4	11	21	41

Table 3: 5 year average Windfall Rates (2006-2019)

Year	Oakham (including Barleythorpe)	Uppingham	Local Service Centres	Smaller Villages	Rutland
2006/07	19	4	10	33	66
2007/08	1	4	20	43	68
2008/09	6	3	10	30	49
2009/10	8	4	14	32	58
2010/11	3	11	11	23	48
5 year total	37	26	65	161	289
Annual average 2006-2011	7	5	13	32	58
2011/12	4	8	16	23	51
2012/13	2	4	10	25	41
2013/14	2	1	5	7	15
2014/15	2	2	5	6	15
2015/16	2	7	12	22	43
5 year total	12	22	48	83	165

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Annual average 2011-2016	2	4	10	17	33
2016/17	2	0	13	10	25
2017/18	12	4	12	6	34
2018/19	1	2	6	7	16
3 year total	15	6	31	23	75
Annual average 2016-2019	5	2	10	8	25

5.4 Table 3 shows the average number of new dwellings on small windfall sites over the successive five year periods. This demonstrates that the annual windfall rate has decreased significantly over the 13 years of the current Local Plan period. Reducing from an annual average of 58 per annum over the first five years down to an annual rate of 25 per annum over the most recent three year period.

5.5 Projecting this trajectory over the remaining 16 years of the new plan period would indicate a continuing decrease in the supply of windfall sites, which recognises that there is a finite supply of such sites. However taking account of the policy changes referenced above – in particular the three additional villages classes as Local Service Centres and the removal of the “restraint village” policy will ensure that there continues to be a supply of windfall sites coming forward under the new policy framework which might have been restricted by the policies in the current adopted plans. Added to this the ongoing supply of new homes provided by the Class Q regime it is reasonable to assume that the rate of supply from windfall sites will continue at a level of about 20 homes per annum. This is based on an assumption that about 3 dwellings per annum will be built in each of the two towns, a further 7 may come forward across the 10 Local Service Centres and 7 across the Smaller Villages category.

5.6 This predicted windfall rate will be used in the emerging Local plan review and will be the basis of a windfall allowance used to calculate the annual Five Year Housing Land Supply Statement.

5.7 Table 4 sets out these assumptions and, for the purposes of the annual Five Year Housing Land Supply Statement existing small site commitments as at 1 April 2019 are deducted to avoid double counting.

Table 4: Anticipated 5 year supply of Small Site Windfall Completions excluding residential gardens by Settlement Category

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Settlement Category	Average Annual Rate of Delivery for five years 2015-2020	Total Anticipated Small Sites Per Year	Total Anticipated Small Sites (over 5 years)	Existing Commitments	Total Anticipated Small Sites (excluding existing commitments)
Oakham (including Barleythorpe)	5	3	15	20	0
Uppingham	4	3	15	1	14
Local Service Centres	10	7	35	10	25
Smaller Villages	10	7	35	8	27
Rutland	29	20	100	39	64

Figures rounded up.

5.8 Table 5 assesses the total anticipated contribution which might be made by small site windfalls over the remaining plan period up to 2036.

Table 5: Anticipated Small Site Windfall Completions excluding residential gardens by Settlement Category 2020-2036

Settlement Category	Average Annual Past Rate of Delivery	Total Anticipated Small Sites Per Year	Total Anticipated Small Sites (over 16 years)	Existing Commitments	Total Anticipated Small Sites (exc. existing commitments)
Oakham (including Barleythorpe)	5	3	48	20	28
Uppingham	4	3	48	1	47
Local Service Centres	10	7	112	10	102
Smaller Villages	10	7	112	8	104
Rutland	29	20	320	39	281

5.9 The total anticipated annual small site windfall allowance 20 per annum. Taking account of small sites with permission the five year supply windfall allowance for small site completions is 100. Over the remaining plan period (16 years) the windfall allowance for small site completions is 320.

5.10 In all cases outstanding commitments are to be deducted to avoid double counting inflating the small site windfall allowance.

6.0 Conclusion

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- 6.1 The evidence set out in section 3 proves that small windfall sites, both brownfield and greenfield, have consistently become available since 2006.
- 6.2 Garden sites have constituted a significant proportion (20%) of past small site greenfield windfall completions. However, in line with the NPPF garden sites have not been included within the windfall allowance. “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.”
- 6.3 National policy changes which allow a more permissive approach to the conversion of agricultural and office buildings to form homes, together with the proposed removal of restraint policies in the Local Plan review will increase the opportunities for small site windfall development over the plan period.
- 6.4 Annual monitoring of small site windfall development shows that the average annual rate over the past 13 years has decreased gradually. Assuming that this rate will continue to reduce over the new plan period and adding an allowance for significant national and local changes in policy approach it is considered appropriate to include an allowance within the local plan review of 20 homes per annum for small site windfall development.
- 6.5 The total anticipated annual small site windfall allowance is therefore 20 homes. Over 5 years, the windfall allowance for small site completions is 100. Over the rest of the plan period (2020-2036 - 16 years) the windfall allowance for small site completions is 320. This is considered to be an appropriate allowance supported by robust evidence in line with paragraph 70 of the NPPF.