

# FAREHAM LOCAL PLAN 2037

## Additional Topic Papers Consultation – July 2022

ON BEHALF OF: THE HAMMOND FAMILY, MILLER HOMES AND  
BARGATE HOMES

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## 1. Introduction

- 1.1. Following the Fareham Local Plan examination hearings, the Inspector sent a Post Hearings letter to the Council on the 6th June 2022.
- 1.2. The Post Hearings letter contained her findings on a range of matters relating to the Local Plan, including landscape, biodiversity net gain and housing supply. At the Inspector's request, the Council have prepared updates to three topic papers on housing supply matters to understand the implications of her findings. These topic papers are: –
  - Revised Affordable Housing Background Paper (FBC089)
  - Revised Housing Supply Topic Paper (FBC090)
  - Windfall Analysis Update (FBC090)
- 1.3. The Inspector has requested (as set out in 'The Way Forward' – paragraphs 57 to 61 of the Post Hearings Letter) that the Council undertake a focused consultation on these three topic papers to seek views from those representors who have previously made representations on the relevant Revised Publication Local Plan policies.
- 1.4. The following representations are submitted by Pegasus Group on behalf of The Hammond Family, Miller Homes Ltd and Bargate Homes Ltd.

## 2. Revised Affordable Housing Background Paper

- 2.1. The Revised Affordable Housing Background Paper provides analysis of the need and supply of affordable housing in the Borough and seeks to provide justification for the affordable housing requirement set out in the Fareham Borough Council Local Plan 2037. This Background Paper provides the latest position in relation to the Council's affordable housing need and supply and supersedes the affordable housing need position identified in the Council's Affordable Housing Strategy (HOPO01) and in the answer to question 9 in the Council's response to the Inspector's Initial Questions (FBCO01).
- 2.2. The Revised Background Paper acknowledges that National Planning Practice Guidance (PPG) provides information on how the affordable housing need and supply should be assessed by Local Planning Authorities.



### **The need for affordable housing**

- 2.3. The Council calculate the total affordable housing need to be 5,422 homes, consisting of 4,874 households in current need and a further 548 affordable homes to address newly arising needs over the plan period.
- 2.4. Our representations concern the calculation of the newly arising needs.
- 2.5. The newly arising needs as a proportion of the total affordable housing need is extremely low at just **10%**. This figure is even lower than the previous very low figure of 14% in the Council's FBCO01.
- 2.6. Paragraph 21 of the PPG (Reference ID: 2a-021-20190220) provides advice for calculating the future need or the need to be determined through newly arising households, as shown below:

**“Projections of affordable housing need will have to reflect new household formation, the proportion of newly forming households unable to buy or rent in the market area, and an estimate of the number of existing households falling into need. This process will need to identify the minimum household income required to access lower quartile (entry level) market housing (strategic policy-making authorities can use current costs in this process, but may wish to factor in anticipated changes in house prices and wages). It can then assess what proportion of newly-forming households will be unable to access market housing.**

**Suggested data sources: Ministry of Housing, Communities and Local Government household projections, English Housing Survey, local authority and registered social landlords databases, and mortgage lenders.**

**Total newly arising affordable housing need (gross per year) = (the number of newly forming households x the proportion unable to afford market housing) + existing households falling into need.”**

- 2.7. The Revised Affordable Housing Background Paper claims there is no published information on the identification of the minimum household income required to access lower quartile (entry level) market housing.
- 2.8. The Paper also states that the Demography Team in Hampshire County Council (HCC) have advised that the ONS hold national data for the percentage of the UK population by income brackets in the UK and this could be used to project and model a figure to determine the proportion of households in the borough that are unable to afford market housing.

*“However, they have advised that this data is crude and would need to be heavily caveated as household income varies widely by Local Authority. There is also no clear data set from the English Housing Survey at the local level to*



provide information on the proportion of households unable to afford market housing". (para. 3.31)

- 2.9. Instead, the Paper advocates an alternative method of calculation simply based on the existing proportion of affordable housing stock to market housing stock as set out below.

*"However, registered landlords' and local authority databases for the borough provide information on the number of affordable housing stock in the borough. The Council believes that this is the most appropriate data set for determining the proportion of households unable to afford market homes by calculating the proportion of affordable stock to market housing stock. There are currently 2,074 properties owned by Registered Providers in the borough and 2,432<sup>3</sup> Council properties in the borough, therefore the total affordable stock in the borough is 4,506 properties. The borough's total housing stock as last reported to DLUHC in September 2021 reports 50,602 properties in the borough. Therefore, the proportion of affordable stock to overall housing stock is 8.9%. The Council has used this figure as the proportion that are unable to afford market housing in the calculation of newly arising need in the borough."*

- 2.10. The method outlined above simply replicates the existing proportion of affordable housing provision with no reference to future ability to afford market housing by reference to house prices and income. Such a method is not only crude, entirely contrary to PPG and unjustified, it is underpinned by the assumption that the existing proportion of affordable housing is sufficient to meet affordable housing need when this is demonstrably not the case given that the Council accept that notwithstanding the current stock there are 5,422 households in need of affordable housing.
- 2.11. Numerous other Councils have successfully undertaken such calculations in accordance with PPG, principally through the publication of their Strategic Housing Market Assessments (SHMAs)
- 2.12. For example, in neighbouring Winchester the assessment of affordable housing need is neatly summarised in Table 5.1 on page 27 of the SHMA published in February 2020:

2 – Newly Forming Households	An annual estimate of the number of new households forming with a need for affordable housing	The number of new households forming is based on outputs from the demographic projections, looking at younger households (aged under 45) forming for the first time. An affordability test is applied, again based on income and housing costs
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		data. Analysis based on 2a-O21 of the PPG.
3 – Existing Households Falling into Need	An annual estimate of the number of existing households who will have a need in the future	Based on analysis of data on social housing lettings where accommodation has been provided to a household previously living in their own accommodation (whether rented or owned). No methodology for this stage is provided in the PPG and so the method used links to older SHMA guidance

- 2.13. They draw information on house prices from internet sources (such as Rightmove) and then constrain this to be consistent with the figures shown from the Land Registry source. They also gain information on private rent rates from the VOA.
- 2.14. Winchester establish that that the average income of newly forming households is around 84% of the figure for all households and that overall around two-fifths of newly forming households will be unable to afford market housing (to rent privately) and this equates a total of 328 newly forming households per annum.
- 2.15. Winchester also assess newly arising need of existing households falling into need. This is an estimate of the number of existing households currently living independently whose circumstances will change such that there is a requirement for affordable housing. Using estimates of the number of existing households falling into need each year by looking at recent trends the SHMA calculated a need arising from 207 existing households each year.
- 2.16. In contrast, Fareham discount any additional requirement arising from existing households falling into need, for reasons set out in paragraph 3.33 of the Updated Background Paper: -

*“Lastly, the existing number of households falling into need is reported from the Housing Register above as highlighted in paragraph 20 of the PPG. The current number of households on the Register as of March 2022 is 552. However, to avoid double counting with categories i-vi above, this figure is not added again. There is no reason to believe that there likely changes in house prices and wages that will impact the future level of households falling into need. This statement is evidenced by the fact that the housing register has not increased over a number of years as set out in Table 1”.*

2.17. The Council's approach is to assume that no existing households fall into affordable housing need as all of those currently in need are already accounted for. This is patently not a logical or reasonable conclusion. Additionally, the Council's suggestion that the stability of the number of households registered in need indicates that households do not fall into need is unjustified as this takes no account of the fact that affordable homes have been provided to address those needs. It would therefore appear that the newly arising need which apparently accounts for **only 10%** of the total need in Fareham has been substantially under-estimated.

#### **The supply of affordable housing**

2.18. On the supply side, the Council identify the current stock of affordable homes which will become available over the Plan period to be 2,639 units. As a result of applying the proposed Local Plan affordable housing requirements and thresholds the Council assume an additional 2,727 affordable units will be provided in the Plan period. Therefore, on the Council's own figures there will be **deficit of 56<sup>1</sup>** affordable housing units.

2.19. This deficit is likely to be greater in reality due both to the substantial under-estimation of the need for affordable housing as identified above and to the unrealistic supply assumptions as set out in the sections below.

### **3. Revised Housing Supply Topic Paper**

2.20. The Revised Housing Supply Topic Paper supplements the Submission Local Plan housing supply which had a base date of April 2021. This paper updates this position to reflect the supply situation as of April 2022 and takes into account completions during 2021/22, new permissions, and progress on sites to date.

#### **Plan period supply**

2.21. The revised topic paper also takes into account the Inspector's position on housing supply as expressed in the Post Hearing Letter (INSP015) in relation to the delivery assumptions for Welborne (both in terms of start date and peak housing delivery rates), and also the removal of two allocations, Fareham Station East (FTC3) and Fareham Station West (FTC4). These changes result in a loss of **814** dwellings from the Local Plan housing supply.

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<sup>1</sup> 5,422 -2,639-2,727



- 2.22. The Council have identified 376 additional dwellings on 4 large sites approved in 2020/21. One of these at Funtley Road South has outline planning permission allowed at appeal (31st May 2022) adding a further 70 dwellings to the supply. The site was previously included in the supply for 55 dwellings as a proposed allocation, however, the planning permission is for up to 125 dwellings. Whilst the appeal decision was issued after the base date (April 2022), it has been included so that the allocation (HA10) reflects the latest position.
- 2.23. The updated delivery rate (Table 1 in the Report) shows an anticipated total supply of 10,237 units between 2021 and 2037.
- 2.24. As a result of changes to the housing supply position and in particular, the Inspector's position on the removal of two allocations and a reduction in the contribution from Welborne, the contingency buffer has reduced to **7.1%**.
- 2.25. As put forward, in our response to MIQ Matter 7, Q8, the Inspectorate recommend that Local Plans seek to identify a supply 10% above the minimum housing requirement, which would require a total supply 10,516 homes across the Plan period. To achieve such a 10% buffer additional sites capable of delivering 279 homes will need to be identified in the Plan.

#### **The stepped housing requirement**

- 2.26. The Revised Topic Paper proposes a revised step trajectory for the following reasons:

*"Having considered the projected delivery rates as well as comments from other parties during the Local Plan Hearings, it is considered that the stepped requirement could be improved upon. The first 'step' as proposed is shorter, only applying to the first two years of the plan period. However, lower than anticipated delivery rates in 2021/22 mean that the Council is now proposing a lower initial step of 210 dwellings per annum This is essential to enable the Council to pass the HDT as soon as possible, avoid the associated implications and ensure development in the Borough can be genuinely planned as soon as possible".*

- 2.27. The stepped approach of the Council acts to unnecessarily and unsustainably constrain meeting the needs of households in the early years of the Plan, which further compounds the substantial backlog in housing delivery (including affordable housing delivery) which has occurred since at least 2011. The principal reason the Council proposes a very low delivery rate in the early years is simply to pass the HDT at the expense of those households in urgent need of suitable housing now including those requiring affordable housing. It is therefore unjustified and contrary to PPG (68-021).

- 2.28. The Council are adjusting the stepped trajectory to seek to achieve at least 75% of the HDT in 2023<sup>2</sup> and therefore avoid the presumption in favour of sustainable development once the 2023 HDT results are published in late 2023/early 2024. The Council is not therefore proposing the stepped requirement to provide for sustainable development by addressing housing needs in a timely fashion but rather simply for the policies of the Local Plan Review to be up-to-date as soon as possible notwithstanding the fact that the stepped housing requirement will work to prevent households being provided the housing they need as is required by paragraph 8 of the NPPF.
- 2.29. It is important to recognise that the failure to pass the HDT is derived from the chronic under-delivery in the last couple of years, despite the adjustment in the HDT due to the pandemic. The stepped housing requirement does not respond appropriately or sustainably to this issue but instead seeks to constrain the supply of housing to address these unmet needs.
- 2.30. The Council point to the nutrient neutrality issue as for why completions have not kept up with need. It would be a matter of government policy to adjust the HDT to take this into account rather than the unilateral adjustment of the housing requirement as proposed by the Council. As stated in paragraph 4.7 of the Revised Topic Paper the Council has been lobbying Government for a number of years on the nutrient neutrality issue 'to no avail'. This suggests that the Government have considered the issue and concluded no adjustment is necessary, and that the unsustainable unmet need for housing should take precedence in determining whether policies are out-of-date. Furthermore, other authorities in the sub-region affected by the nutrient neutrality directive from the EA have passed the HDT, including East Hampshire (138%), Eastleigh (178%), Gosport (100%), New Forest (141%), Southampton (138%), Test Valley (184%) and Winchester (138%). Only Havant (74%) and Portsmouth (54%) have also failed the HDT in the area.
- 2.31. The very low initial stepped requirement for 420 homes in the period 2021-23 is even more surprising given that the trajectory suggests 476 completions in the first two years, a 'surplus' of 56 units. Notwithstanding the fact that the principle of a stepped requirement which will have substantial adverse impacts on the ability of households to access the housing they need is not sustainable, even if a stepped housing requirement is found to be sound, the requirement over the period 2021-23 should be increased to match the trajectory (238pa).

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<sup>2</sup> The current HDT result 2022 of 2021 is 68%.



Indeed, it would be unjustifiable to set a stepped housing requirement at a level below that which the Council consider to be deliverable.

- 2.32. The artificially reduced stepped housing requirement for the period 2021–23 also has the effect of increasing the stepped housing requirement over the remainder of the plan period, with consequent adverse effects on the ability of the Council to demonstrate a 5–year land supply throughout the plan period as illustrated in Table 4 of the Revised Topic Paper. Setting a higher stepped housing requirement in the early years of the plan period will therefore assist the Council in maintaining a 5–year land supply throughout the plan period.
- 2.33. This constrained stepped housing requirement will also not materially assist the Council to demonstrate a 5–year land supply in the short–term, as even if the Local Plan Review is able to proceed to adoption, this is now unlikely to be before 2023 and therefore at the point of adoption (or shortly thereafter) the 5–year land supply will be assessed for the period 2023–28 when the proposed lower stepped housing requirement does not apply.

#### **The five–year land supply**

- 2.34. The Framework requires planning policies to identify a supply of specific, deliverable sites for years one to five of the plan period, with the appropriate buffer. The Revised Topic Paper at paragraph 5.1 states:

*“In this regard and taking into account the requirement for a 20% buffer (as determined by the 2020 and 2021 HDT results) on the five–year housing land supply, the housing target proposed in Policy H1 ensures that the Council can achieve a five–year housing land supply on adoption of the Local Plan that is realistic and can be sustained” (our emphasis).*

- 2.35. However as observed by reference to Table 4 in the Revised Topic Paper this is plainly not correct, with the Council unable to demonstrate a 5–year housing land supply from 2027/28 onwards. Furthermore, on the Council’s figures the 5–year supply is marginal in 2026/27 at 5.07 years. Additional sites should be allocated to ensure continuation of supply across the Plan Period as required by the NPPF.
- 2.36. The Revised Topic Paper justifies the later years failure to demonstrate a 5–year supply by reference to the Inspector’s Post Hearing Letter which advises that the Council should commit to an early review of the plan through Main Modifications, such that by year six, the Local Plan and associated housing supply will be reviewed.
- 2.37. However, paragraphs 8 and 9 of the Inspector’s Letter explain the context for the commitment to the early review of the Plan: –



*“Whilst it is clear that there is likely to be a significant unmet housing need in the sub region, until the PFSH work is completed, there is uncertainty regarding the quantum of unmet need, how this would be met and what the implications may be for Fareham. In these circumstances, I consider that the Council’s approach, making a limited contribution to the unmet need of neighbouring authorities in the sub region, but addressing the needs of Portsmouth, is appropriate and justified.*

*Considering the relatively short timescales for the PFSH work to be completed, I consider it necessary for the Council to include a commitment in the Plan, that an early review would be undertaken in the event that the work concludes the borough should make an additional contribution to sub regional unmet need”. (emphasis added)*

- 2.38. It is clear then, that the expectation is that the housing requirement for Fareham will increase, with the associated increase in the 5-year housing land supply targets. There is therefore no justification for not planning to identify a sufficient supply to maintain a 5-year housing land supply in this Plan across the plan period, even against a housing requirement which may be too low.
- 2.39. There are continuing anomalies in the way that the Council has calculated the overall Housing Land Supply some of which include that: -
- a) The capacity has been over-inflated by 58 homes by: -
1. 3 homes at 68 Titchfield Park Road (HA38) which has planning permission for the conversion of a 6-bed care homes (which equates to the loss of 3 homes) to 9 homes,
  2. 1 home at Phase 1, 69 Botley Road (HA17) which has planning permission for 12 homes following the demolition of the existing dwelling,
  3. 1 home at 195-205 Segensworth Road (HA47) which has planning permission for 8 homes and the demolition of 1 dwelling,
  4. 3 homes at Hammond Industrial Estate (HA31) which has planning permission for a 68-bed care home (which equates to 36 homes) and the demolition of 3 homes,



5. 22 homes at Land east of Brook Lane, Warsash (HA1) which is subject to RM applications for 118 rather than 140 homes<sup>3</sup>,
6. 20 homes at Land adjacent 125 Greenaway Lane (HA1) which is subject to an RM application for 80 rather than 100 homes (P/21/1780/RM),
7. 1 home at Land at 18 Titchfield Park Road which has outline planning permission for the erection of 6 homes and the demolition of 1 home; and
8. 7 homes at Land south of Longfield Avenue (HA55) which is subject to an outline planning application for 1,200 homes and an 80-bed care home (which equates to 43 homes) rather than 1,250 homes.

b) The trajectories for numerous sites are wholly unrealistic including (but not limited to) for example at:

1. A number of sites such as Heath Road (HA9) and Robann Park (HA3), which benefit from a resolution to grant outline planning permission but no application or the approval of reserved matters, and yet the Council suggest that these sites will deliver homes within a year.
2. Welborne (LP3) which has been further delayed<sup>4</sup>, still does not benefit from a residential application for the approval of reserved matters and requires significant upfront infrastructure works, and yet the Council assume that the first completions will be achieved within 2 years as compared to the average

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<sup>3</sup> P/21/0300/RM: 76 homes approved 18/02/2022 & P/21/2019/RM: 42 homes approved subject to legal agreement 13/07/2022

<sup>4</sup> Including because the application for the approval of reserved matters for enabling infrastructure works was submitted in June 2022 (rather than May 2022 as assumed by the Council in FBC081) and remains undetermined and subject to unresolved objections and so there is no prospect of work commencing in the summer of 2022 (as assumed by the Council in FBC081); it appears that housebuilders have still not been selected notwithstanding that the Council assumed that this would be achieved in May 2022 in FBC081; and there remains no residential application for the approval of reserved matters as assumed would be the case in the summer of 2022 by the Council in FBC081.



identified in the Start to Finish report which identifies that it takes 2.3 years from the approval of reserved matters until the first completion<sup>5</sup>.

- 2.40. The trajectory provided in the Revised Topic Paper also only allows for an unrealistic 10% non-implementation rate on small permitted sites and unrealistically assumes that every dwelling on every large site will be delivered<sup>6</sup>.
- 2.41. Even on the basis of the Council's unrealistic trajectory, the Revised Topic Paper suggests that there will be a marginal 5-year supply for 2022-27, 2023-28 and 2026-31.
- 2.42. Given the uncertainty of delivery on all sites there is a high probability that the Council will find itself in the position of not being able to demonstrate a 5-year housing supply upon adoption of the Plan and for much of the plan period.
- 2.43. Notwithstanding the above, critically the Council has not provided any evidence (let alone clear evidence) in support of the contribution from any of the Category B sites as required by the NPPF<sup>7</sup>. As such the 5-year housing land position is materially lower than proposed by the Council. The Revised Housing Supply Topic Paper includes a supply of 2,282 homes over the period 2022-27 from proposed allocations and other sites with outline planning permission. Without clear evidence that these sites will deliver homes in this period, the deliverable supply would therefore be reduced by 2,282 homes which would provide for a 1.88yrs against the proposed phased housing requirement. For the period 2023-28, there is a supply of 3,075 such homes without which there would be a 1.29yrs. It will therefore be essential to the soundness of the Plan that clear evidence is provided to demonstrate that completions will be achieved at the rate envisaged on each of these sites.

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<sup>5</sup> Noting that in paragraph 26 of the Inspector's post-hearings letter, there appears to have been a misunderstanding as this suggests that it takes on average 2.3 years from the approval of outline planning permission.

<sup>6</sup> Including those which benefit from planning permission, those subject to a resolution to grant planning permission, existing allocations and proposed allocations

<sup>7</sup> where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years (NPPF Glossary)

2.44. Accordingly, once the errors are corrected and/or realistic trajectories are applied and/or in the absence of the necessary clear evidence, additional sites will need to be allocated to demonstrate a 5-year housing land supply at the adoption of the Plan.

## 4. Windfall Analysis Update

2.1. The Council has produced a windfall analysis update paper to include data from additional years 2019/20 and 2020/21. It also provides more details on the sources of the supply that are used to calculate the windfall allowance. This update supplements the Councils' Housing Windfall Projections Background Paper published in June 2020.

2.2. Based on the Council's assumptions, the additional two years of data has made negligible difference to the Councils' windfall allowance, with a reduction of 2 from 1,224 to 1,222 dwellings in the Plan period.

	Windfalls 2024-37
Small Sites (0-4)	650
Large Sites (5+)	572
Total Windfall Allowance	1,222

2.3. During the Examination clarity has been sought as to the supply of past windfalls used in the calculation of the allowance. Whilst past trends of delivery of small windfall sites is a generally a reasonable indicator of future delivery, that of larger sites requires more detailed analysis.

2.4. As highlighted in our response to the Inspector's MIQ Matter 7, Q4, the inclusion of unallocated large sites with the windfall allowance, many of which will not accord with the policies of the eFLP, is unjustified. These sites should be allocated now if they are to be relied upon.

2.5. Unfortunately, and for reasons that are not entirely clear, the Windfall Analysis Update only provides analysis for the period 2015 to 2021 in respect of those sites which contribute to the calculation of the windfall allowance. This is despite windfall completions stretching back to 2009/10 have been used to calculate the allowance. To be fully transparent, the Update should be further amended to include the historic data. The table also does not include the

year of completion which makes cross-reference to the Windfall Background Paper Table 2, as updated, very difficult.

- 2.6. Nevertheless, analysis of the data that is presented in the Update is informative.
- 2.7. Of the 347 dwellings counted as large windfalls (5+ dwellings) in the period 2015–21, 189 were on major developments (10+ dwellings). Of these 30 were office to residential permitted development conversions, 12 were allowed on appeal and the remainder were urban permissions.

REF		DECISION DATE	DWELLINGS
P/07/0848/FP	70 TRINITY STREET	24/09/2007	23
P/03/1439/FP	16 BOTLEY ROAD	30/01/2009	12
P/09/0672/FP	NEW PARK GARAGE, STATION ROAD	06/11/2009	13
14/0080/PC	FAREHAM POINT, WICKHAM ROAD	07/02/2014	18
P/14/0913/PC	44 HIGH STREET	31/10/2014	16
P/15/1261/FP	FURZE COURT LAND AT WICKHAM ROAD	27/07/2016	33
P/16/0295/FP	4-14 BOTLEY ROAD	14/09/2016	40
P/14/0033/FP	LAND AT WINDMILL GROVE	02/12/2016	24
17/0213/FP	FAREHAM AMBULANCE STATION, HIGHLANDS ROAD	31/05/2017	10
Total			189

- 2.8. Notably all these ‘major windfalls’ were granted some time ago, the latest being 2017 and several more than 10 years ago. This would suggest that the supply of major windfalls can no longer be relied upon as required by paragraph 71 of the NPPF: –

**“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” (our emphasis).**

- 2.9. The lack of data for the period 2009 to 2015 means that it is not possible to directly calculate the contribution from major windfalls in that period as a proportion of the large sites windfall assessment. However, it is possible to estimate the proportion which allows the windfall





allowance that would arise without major windfall developments, which have not been forthcoming in recent years and no reason to assume that this will change.

- 2.10. For the period 2015 to 2021 the proportion of large windfall sites which were major sites was 54%. Applying the same proportion to the 274 large windfall developments over the period 2009 to 2015 the resulting number of major windfall sites would be 149 dwellings<sup>8</sup>.
- 2.11. If these 149 dwellings are added to the 189 dwellings on major developments for the period 2015 to 2021, the total number of windfall dwellings on major sites in the period 2009 to 2021 is 338. The average large windfall allowance would consequently reduce from 52 dpa to 24 dpa<sup>9</sup>.
- 2.12. Applying this reduced windfall average for large sites to the Plan period, the resulting large sites windfall allowance would be 264 dwelling<sup>10</sup>, a reduction of 308 dwellings. The overall windfall allowance would be 914 dwellings<sup>11</sup>, compared to the Council's windfall allowance of 1,222 dwellings.
- 2.13. We would submit given the lack of certainty of any continuing contribution of major windfalls and the absence of any compelling evidence that future trends will depart from recent trends, the figure of 914 is a more realistic figure to be used in the housing supply trajectory.
- 2.14. Notwithstanding the above doubt on the continuing supply of major windfalls based on past trends, the analysis of the Council pays no regard to the SHELAA or expected future trends as required by paragraph 71 of the Framework. It also unreasonably assumes that the rate of the windfall permissions will be maintained notwithstanding the pandemic, the likely reduction in suitable sites, and the fact that the allocations will presumably reduce the contribution from windfalls.

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<sup>8</sup> 274x0.544

<sup>9</sup> (621-338)/12

<sup>10</sup> 24x11 (2026-2037)

<sup>11</sup> 650 (small sites)+264 (large sites)



## 5. Conclusions

2.15. The above analysis highlights serious shortcoming in the evidence in support of the Submitted Local Plan Review, including the Council's proposed modifications, as follows: –

1. The Council have not calculated the affordable housing need arising from newly formed households or from existing households falling into need in accordance with PPG, with the consequence that it has vastly underestimated the overall level of affordable housing need across the Plan period.
2. The stepped housing requirement is unjustified. Even if it is deemed to be sound in principle, the short-term requirement should be increased to enable the maximum number of households to access the much needed housing, including affordable housing, as possible.
3. There continue to be anomalies in the Council's assessment of the contribution of sites to the overall delivery and the 5-year supply.
4. There is no clear evidence of an assessment of Category B sites as required by the NPPF.
5. The Windfall allowance includes a projected continuing supply of major windfall sites which is not evidenced or justified.

2.16. On the basis of our analysis, the updated evidence base is wholly lacking in a number of regards, and this will need to be addressed in order for the Local Plan Review to be justified. Furthermore, the evidence that is available suggests that the Plan should identify additional sites to address the evident housing land supply shortfalls.

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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