

6+MAIDSTONE BOROUGH LOCAL PLAN REVIEW

DRAFT PLAN FOR SUBMISSION (REGULATION 19)

OBJECTION TO SOUNDNESS ON BEHALF OF LENHAM PARISH COUNCIL

PARAGRAPH 5.13: TOTAL HOUSING REQUIREMENT

REALISTIC RESIDENTIAL WINDFALL ALLOWANCE

LPC FIVE

1. Lenham Parish Council (LPC) believes Maidstone Borough Local Plan Review (MBLPR) seriously underestimates the allowance which should be made for residential windfall development over the plan period from 2022-2037.
2. Paragraph 5.9 of the MBLPR states that the estimated windfall contribution 2022-2037 is 2,738 units, this equates to some 183 units per annum. This is said to be based on 'latest trends and forecasts'.
3. The rate of windfall supply over the last 13 years is 294 dwellings per annum. LPC believes it is prudent to extrapolate this past rate of windfalls over the next 15 years from 2022 to 2037. More detail on the calculation of windfalls is included below in Appendix LPC 3.
4. If past rates are extrapolated, windfalls would add some 4,410 units to the supply.
5. The current windfall allowance in the MBLPR is 2,738 units.
6. If the MBLPR were to assume this modest continuation of the past rate of windfall supply an additional 1,672 units would be added to the supply.
7. Windfall sites are defined in Annex 2, the glossary of the National Planning Policy Framework (NPPF) as in 'sites not specifically identified in the development plan'. These are sites which will come forward for development irrespective of any allocation in the development plan. They are sites which will come forward in an event and which the local planning authority cannot realistically prevent.
8. LPC believes it is appropriate, having regard to trends on permitted development rights for rural and employment buildings to assume that, as a very minimum, windfall sites will continue over the plan period to 2037 at the same rate experienced in recent years.
9. If some 1,672 units were to be added to the supply these units would not need to be found on other, mainly greenfield, sites. In that case it would not be necessary to make an allocation at Heathlands which is assumed to add 1,400 dwellings to the supply over the plan period to 2,037.

10. LPC believes the MBLPR is not sound because it does not include a realistic allowance for windfalls. As a result, it has been necessary to include the Heathlands development at an unsustainable and unsuitable greenfield location.

What changes to the plan is LPC seeking as a result of this objection?

11. LPC would wish Heathlands to be deleted from the plan in its entirety.
12. LPC would wish the windfall allowance in the MBLPR, at paragraphs 5.8, 5.9 and 5.13, to be given as 4,410 units.

APPENDIX LPC 3

COMMENTARY ON WINDFALL HOUSING ALLOWNCE

1. The Maidstone Borough Housing Land Supply Update Analysis Paper is dated 1st April 2021. The overview at Section 1.0 records a healthy and improving situation in relation to housing land supply in the Borough.
2. The windfall sites contribution is presented at Section 8.0 of the paper.
3. Sustained levels of windfall development continue to add to the supply. There are several ways in which windfall supply can be dealt with in the plan. Each of these is discussed in turn below.

Maximum Supply

4. The December 2020 Maidstone Borough Local Plan Review ‘Preferred Approach’ document at paragraph 5.9 (page 41) comments on windfalls as follows:

“the historic windfall delivery rate on small sites (less than 1Ha) has been applied, this stands at 472 dwellings per annum.”

If that current rate of windfall allowance was continued over the entire 15 years of MBLPR (2022-2037) the resultant supply from this source alone would be 7,080 dwellings ($15 \times 472 = 7,080$).

5. The MBLPR at paragraph 5.9 reports:

“A modelled quantum of development of 603 units is anticipated to be included in the extant housing figures. This represents the amount of windfall anticipated to be granted planning permission during the 2021/22 financial year.”

If that current rate of windfall permission was to be continued over the entire 15 years of the plan 2022-2037, the resultant supply from this source alone would be 9045 dwellings ($15 \times 603 = 9,045$). With a continuation of changes to office buildings and rural farm conversions, the supply of 7,080 or 9,045 would probably be the absolute maximum level of windfall supply which would result.

Moderate Supply

6. The Maidstone Borough Housing Land Supply Update Analysis Paper (1st April 2021) shows past windfall site completions at Section 8.0 (pages 10/11). Table 8.1 shows actual past windfall completions from 2008/9 to 2020/21.
7. For the six years from 2008/9 to 2013/14 windfall completions averaged 269. For the seven years from 2014/15 to 2020/21 windfall completions averaged 319 dwellings per annum. This demonstrates that windfalls are both reliable and increasing over time.

8. The overall average windfall supply between 2008/9 and 2020/1 is 294 dwellings per annum.
9. If the supply of windfalls over the last 13 years was assumed to continue at the rate of 294 dwellings per annum, the total windfall allowance for the fifteen years 2022-2037 would be 4,410 dwellings ($294 \times 15 = 4,410$).

Minimum Supply

10. The MBLPR at paragraphs 5.8, 5.9 and 5.13 includes a windfall supply of 2,738 units. This allowance equates to some 183 dwellings per annum. This is 111 dwellings per annum less than the average annual amount of windfall supply actually achieved over the last 13 years.

Preferred Approach to Windfalls

11. The Maximum Supply at 472 or 603 dwellings per annum might be regarded as ambitious and difficult to rely on. LPC does not support this level of allowance, although the parish council recognises that in reality, unidentified windfall sites may in fact continue at a very high level.
12. LPC does not support the minimum supply at 183 dwellings per annum. This figure is substantially less than the actual rate of windfall supply achieved over the last 13 years. At this level the windfall allowance would considerably understate the level of supply which might reasonably be expected to be achieved over the plan period to 2037.
13. LPC believes that a moderate supply approach to the windfall allowance is the most robust and reliable figure. This figure continues the trend from the last thirteen years, despite changes in permitted development rights which might indicate that an increasing trend of windfall supply might actually continue in reality.
14. As a consequence, LPC would support a windfall allowance in the plan of 294 dwellings per annum. Such an allowance would result in a total windfall supply of 4,410 dwellings over the fifteen years of the plan.
15. The current windfall allowance within the plan is 2,738 dwellings. If the allowance were to be increased to 4,410 dwellings, then an additional 1,672 dwellings would not then need to be found on other (mainly greenfield) sites within the Borough. In that case Heathlands could be deleted from the plan in its entirety.