

Response to Inspectors questions regarding the calculation of a windfall allowance.

The inspectors advisory note issued on the 7th January 2016 at paragraph 5 sought a further explanation/justification on the windfall calculation in relation to his comments on other matters in July 2015 paragraph 3.6.

The following is a response to the matters raised in paragraphs 3.5 and 3.6 of the July note.

Paragraph 3.5.

The first bullet requested a breakdown of the completions and commitments in relation to table 1 of the Local plan and the subsequent bullets sought the inclusion of the windfall allowance for each area, sensitivity tested by a reduction of 10 and 20 percent.

The proposed schedule of further significant changes to the local Plan change number 26 updates table 1 of the local plan including separating completions and commitments. This is also reflected in the tables below.

In response to the bullets 2,3 and 4, the following three tables expand table 1 of the local plan to include the windfall allowance (Table A) together with a reduction in the windfall allowance by 10% (Table B) and 20% (Table C).

Table A - Cornwall Council's Windfall Allowance.

Location	Proposed Allocation	Completions 2010-15	Planning Permission Not Started and Under Construction	Windfall	Remaining Requirement
Penzance / Newlyn	2,150	230	439	340	1,141
<i>West Penwith CNA residual</i>	1,000	280	454	300	-34
Hayle	1,600	103	971	110	416
St Ives-Carbis Bay	1,100	456	249	370	25
<i>Hayle and St Ives CNA residual</i>	480	150	187	110	33
Helston	1200	204	241	140	615
<i>Helston and the Lizard CNA residual</i>	1,100	391	420	500	-211
CPIR	5,200	1020	3344	660	176
<i>CPR CNA residual</i>	1000	291	267	330	112
Falmouth-Penryn	2,800	630	999	270	901
<i>Falmouth and Penryn CNA residual</i>	600	215	241	160	-16
Truro-Threemilestone-Shortlanesend	3,900	534	2545	190	631
<i>Truro and Roseland CNA residual</i>	1200	462	261	330	147
St Agnes and Perranporth CNA	1,100	385	449	250	16
Newquay	4,400	842	2509	600	449
<i>Newquay and St Columb CNA residual</i>	400	136	176	120	-32
Eco-Community	1,500	0	0	0	1,500
St Austell	2,600	938	1062	190	410
<i>St Austell CNA residual</i>	300	208	69	120	-97
St Blazey, Fowey and Lostwithiel CNA	900	308	273	230	89
China Clay CNA	1,800	716	408	360	316
Wadebridge	1,100	126	235	60	679

Location	Proposed Allocation	Completions 2010-15	Planning Permission Not Started and Under Construction	Windfall	Remaining Requirement
<i>Wadebridge and Padstow CNA residual</i>	1,000	340	294	280	86
Bodmin	3,100	365	604	140	1,991
<i>Bodmin CNA residual</i>	100	34	32	70	-36
<i>Camelford</i>	375	125	29	60	161
Camelford CNA residual	625	151	198	190	86
Bude-Stratton-Poughill	1200	157	466	110	467
<i>Bude CNA residual</i>	600	136	109	220	135
Launceston	1,800	346	821	100	533
<i>Launceston CNA residual</i>	500	145	158	230	-33
Liskeard	1,400	187	645	80	488
<i>Liskeard and Looe CNA residual</i>	1,500	398	674	320	108
<i>Callington</i>	480	128	109	80	163
Caradon CNA residual	520	119	316	200	-115
Saltash	1,200	131	37	130	902
Torpoint	350	3	22	0	325
<i>Cornwall Gateway CNA residual</i>	350	65	67	50	168
TOTAL:	52,530	11,455	20,380	8,000	12,695

Table B – Windfall Allowance Reduced by 10%

Location	Proposed Allocation	Completions 2010-15	Planning Permission Not Started and Under Construction	Windfall -10%	Remaining Requirement
Penzance / Newlyn	2,150	230	439	306	1,175
<i>West Penwith CNA residual</i>	1,000	280	454	270	-4
Hayle	1,600	103	971	99	427
St Ives-Carbis Bay	1,100	456	249	333	62
<i>Hayle and St Ives CNA residual</i>	480	150	187	99	44
Helston	1200	204	241	126	629
<i>Helston and the Lizard CNA residual</i>	1,100	391	420	450	-161
CPIR	5,200	1020	3344	594	242
<i>CPR CNA residual</i>	1000	291	267	297	145
Falmouth-Penryn	2,800	630	999	243	928
<i>Falmouth and Penryn CNA residual</i>	600	215	241	144	0
Truro-Threemilestone-Shortlanesend	3,900	534	2545	171	650
<i>Truro and Roseland CNA residual</i>	1200	462	261	297	180
St Agnes and Perranporth CNA	1,100	385	449	225	41
Newquay	4,400	842	2509	540	509
<i>Newquay and St Columb CNA residual</i>	400	136	176	108	-20
Eco-Community	1,500	0	0	0	1,500
St Austell	2,600	938	1062	171	429
<i>St Austell CNA residual</i>	300	208	69	108	-85
St Blazey, Fowey and Lostwithiel CNA	900	308	273	207	112
China Clay CNA	1,800	716	408	324	352

Location	Proposed Allocation	Completions 2010-15	Planning Permission Not Started and Under Construction	Windfall -10%	Remaining Requirement
Wadebridge	1,100	126	235	54	685
<i>Wadebridge and Padstow CNA residual</i>	1,000	340	294	252	114
Bodmin	3,100	365	604	126	2,005
<i>Bodmin CNA residual</i>	100	34	32	63	-29
<i>Camelford</i>	375	125	29	54	167
<i>Camelford CNA residual</i>	625	151	198	171	105
Bude-Stratton-Poughill	1200	157	466	99	478
<i>Bude CNA residual</i>	600	136	109	198	157
Launceston	1,800	346	821	90	543
<i>Launceston CNA residual</i>	500	145	158	207	-10
Liskeard	1,400	187	645	72	496
<i>Liskeard and Looe CNA residual</i>	1,500	398	674	288	140
<i>Callington</i>	480	128	109	72	171
<i>Caradon CNA residual</i>	520	119	316	180	-95
Saltash	1,200	131	37	117	915
Torpoint	350	3	22	0	325
<i>Cornwall Gateway CNA residual</i>	350	65	67	45	173
TOTAL:	52,530	11,455	20,380	7,200	13,495

Table C – Windfall Allowance Reduced by 20%

Location	Proposed Allocation	Completions 2010-15	Planning Permission Not Started and Under Construction	Windfall -20%	Remaining Requirement
Penzance / Newlyn	2,150	230	439	272	1,209
<i>West Penwith CNA residual</i>	1,000	280	454	240	26
Hayle	1,600	103	971	88	438
St Ives-Carbis Bay	1,100	456	249	296	99
<i>Hayle and St Ives CNA residual</i>	480	150	187	88	55
Helston	1200	204	241	112	643
<i>Helston and the Lizard CNA residual</i>	1,100	391	420	400	-111
CPIR	5,200	1020	3344	528	308
<i>CPR CNA residual</i>	1000	291	267	264	178
Falmouth-Penryn	2,800	630	999	216	955
<i>Falmouth and Penryn CNA residual</i>	600	215	241	128	16
Truro-Threemilestone-Shortlanesend	3,900	534	2545	152	669
<i>Truro and Roseland CNA residual</i>	1200	462	261	264	213
St Agnes and Perranporth CNA	1,100	385	449	200	66
Newquay	4,400	842	2509	480	569
<i>Newquay and St Columb CNA residual</i>	400	136	176	96	-8
Eco-Community	1,500	0	0	0	1,500
St Austell	2,600	938	1062	152	448
<i>St Austell CNA residual</i>	300	208	69	96	-73
St Blazey, Fowey and Lostwithiel CNA	900	308	273	184	135
China Clay CNA	1,800	716	408	288	388
Wadebridge	1,100	126	235	48	691

Location	Proposed Allocation	Completions 2010-15	Planning Permission Not Started and Under Construction	Windfall -20%	Remaining Requirement
<i>Wadebridge and Padstow CNA residual</i>	1,000	340	294	224	142
Bodmin	3,100	365	604	112	2,019
<i>Bodmin CNA residual</i>	100	34	32	56	-22
<i>Camelford</i>	375	125	29	48	173
Camelford CNA residual	625	151	198	152	124
Bude-Stratton-Poughill	1200	157	466	88	489
<i>Bude CNA residual</i>	600	136	109	176	179
Launceston	1,800	346	821	80	553
<i>Launceston CNA residual</i>	500	145	158	184	13
Liskeard	1,400	187	645	64	504
<i>Liskeard and Looe CNA residual</i>	1,500	398	674	256	172
<i>Callington</i>	480	128	109	64	179
Caradon CNA residual	520	119	316	160	-75
Saltash	1,200	131	37	104	928
Torpoint	350	3	22	0	325
<i>Cornwall Gateway CNA residual</i>	350	65	67	40	178
TOTAL:	52,530	11,455	20,380	6,400	14,295

Paragraph 3.6 of the Inspectors note of the 13th July 2015 raised a number of further questions. These are repeated and responded to below.

If policy 22A (protection of the countryside) remains in the plan, would it inhibit greenfield windfalls in the future?

The proposed changes approved by Council in December 2015 remove this policy from the local plan and it would therefore not have any impact upon greenfield windfalls.

Would the new policy approach to infilling (policy 3 and paragraphs 1.34 – 1.37) reduce the opportunity for infilling compared with the past?

The delivery of 975 homes per year over the last 10 years has occurred within a policy approach that had tightly drawn settlement boundaries within which infilling was accepted but was tightly constrained elsewhere. The policy approach in the proposed Local Plan is a more dispersed approach than it has been in the

past, settlement boundaries have been removed and Local Plan policy allows infill development within a much wider range of settlements than was previously the case. All this would suggest that there will be more opportunities for small scale windfall development in the future.

Is it reasonable to include past contributions from rural exceptions sites in calculating future windfalls given that they are intended to be “exceptions” to normal plan-led provision and are where sites would not normally be used for housing?

The past rates that have been used to inform the windfall rate is likely to have contained an extremely low number of exception sites as the expectation is that the majority of exceptions sites would have been on sites of 10 or more dwellings and certainly the policy approach in the current Balancing Housing Markets DPD has been that exceptions sites would comprise 2 or more dwellings. An examination of the current permissions on small sites firstly shows that 48% are on sites of a single unit .

Whilst there is no data available for the 10 year period used to inform the windfall provision, data from the last 5 years completions shows that there were 129 dwellings completed on small sites less than 10 that were classed as exceptions sites. This represents just 3% of the 4232 homes completed since the start of the plan period. If this were applied to historic completions it would have a very limited impact upon future windfall rates.

Whilst it is maintained that exceptions sites have effectively not influenced the latest windfall assumptions, it is reasonable to assume that exceptions sites will occur in the future and indeed such sites are supported in policy and form a key element of the delivery for affordable housing. It would not be unreasonable to make an allowance for such housing in the future. Whilst Cornwall Council does not do this, it may be a reason not to apply any reduction to the existing windfall allowance.

Response to the Inspectors Questions in his note of July 2015 regarding 5 year supply.

The inspector raised three points in his note of the 13th July regarding 5 year supply:

Firstly with regard to the impact on the five year supply of any increased housing provision (para 3.7), secondly if the supply were to remain at 5.2 years where is there flexibility or a contingency to provide for changing circumstances (Para 3.8) and thirdly the justification for the statement at paragraph 1.41 is not understood (Para 3.9)

Cornwall Council has now published a five year supply statement following the Council's decision in December to increase the housing provision. The five year supply is calculated upon this increased provision of 52500 and the report, which is on the council's website claims a 5.25 years supply against this increased provision.

The statement recognises that there is a need to undertake more work to increase this supply and provide a contingency should sites not materialise. This includes, seeking to gather robust evidence to identify SHLAA sites that are likely to contribute to a five year supply. Currently no shlaa sites that do not have planning permission are relied upon in the supply. The Council also undertook a call for brownfield sites in the Autumn in an attempt to identify additional supply.

The council is also of the view that its approach has been a conservative one, particularly in terms of its application of delivery rates based upon those that have occurred over the last five years and that no windfall allowance has been identified within the five year supply. It may well be that actual building rates are higher than those assumed which would improve the five year supply position both in terms of reducing any shortfall earlier and delivering supply earlier.

The council also has identified a stock of SHLAA sites and proposed allocations that where there may be opportunities to bring them forward earlier and therefore enable them to contribute to five year supply should they be needed.

Finally the council has proposed changes to paragraph 1.41 (Change 24 in the schedule of further significant changes to the Local Plan currently out for consultation) to provide greater clarity.