

Part B – Please use a separate sheet for each representation

Name or Organisation: **CPRE Staffordshire**

3. To which part of the Local Plan does this representation relate?

| | | | | | |
|-----------|-----------------------------|--------|--|--------------|----------------|
| Paragraph | Table 8 – last line Page 23 | Policy | Spatial Housing Strategy Policy not identified | Policies Map | Not applicable |
|-----------|-----------------------------|--------|--|--------------|----------------|

4. Do you consider the Local Plan is :

| | | | | |
|--|-----|--------------------------|----|---|
| 4.(1) Legally compliant | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |
| 4.(2) Sound | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> No |
| 4 (3) Complies with the Duty to co-operate | Yes | <input type="checkbox"/> | No | <input type="checkbox"/> |

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

CPRE Representation Number 4

Windfalls

South Staffordshire Council defines a windfall site in the plan as –

A site not specifically identified in the planning process, but which unexpectedly becomes available for development during the lifetime of a plan. Most “windfalls” are referred to in a housing context.

The Plan includes an allowance of 600 in Table 8 but does not explain how this has been derived.

The Council’s document:

[Housing Monitoring and Five Year Housing Land Supply 2020 – 2021](#)

reads:

“7. Windfalls

7.1 An analysis of windfall development was undertaken in the SHLAA 2016 paragraphs 5.31 – 5.39. It is clear that South Staffordshire has

consistently delivered windfall sites and that such sites have continued to become available year on year. Between 2010 and 2016 there were approximately 100 gross windfall completions/pa on non residential land.”

It goes on to say:

“It is considered reasonable and pragmatic to assume that a minimum of 30 dwellings each year will come from windfall sites.”

The chart on Page 8 shows windfall rates over a prolonged period, but only to 2018. The reason for the cessation of monitoring since 2018 is not explained.

The paragraph under the chart reads:

7.3 As shown above, during the Council’s current plan period there has been a consistent supply of windfall dwellings which have historically exceeded 100 dwellings per annum in every year of the plan period. As set out in paragraph 5.38 of the 2016 SHLAA10, even if all windfall supply from sites of 10 or more dwellings were excluded from historic windfall trends, there is still a windfall supply significantly above the assumed 30 dwellings per annum allowance purely arising from small sites within the district (e.g. infill plots within villages, prior approval applications for barn conversions).

(Our underlining).

No explanation is given for the assumption of only 30 dpa when there have been over 100 windfalls in every year both before and during the current Local Plan period.

The tables later in the document relate to 2021 to 2022 and show that windfalls are still a significant contributor to housing provision.

The first chart in Appendix 1 relates to large sites with planning permission and shows a total of 606 homes of which 254 are on allocated sites, the remainder (352) are presumed to be windfalls.

The second chart shows large sites under construction and in the first column totals 1397 - of which more than a thousand are windfalls.

The small sites on the following pages are virtually all windfalls and total over 360 (net).

Small sites under construction, on the final pages, total over 140.

We are convinced that on the basis of both ‘Historic’ and ‘Current’ data the windfall allowance is unjustifiably low, a fraction of what is actually happening ‘on the ground’ and results in the unnecessary loss of Green Belt and greenfield sites.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To substantially increase the windfall allowance in the Plan.

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes

I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To contribute to any debate on the issue if this is included in a hearing session.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.