

# Greater Norwich Local Plan

## Topic Paper: Policy 7.5 Small Scale Windfall Housing Development

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### Summary

This topic paper explains the evolution of Policy 7.5, the ‘small scale windfall policy’ in the GNLP. It explains that the policy context is a pro-active approach to windfall, and considers the evidence for the policy, which includes a consistently high windfall rate across the area.

The topic paper explains the policy options consulted on through the Growth Options document, and the subsequent draft policy included in the Regulation 18C draft plan. A range of representations were submitted during Regulation 18. These representations included a broad spectrum of views supporting the social sustainability of the policy, concerns raised about the environmental impacts of the policy, and various suggestions for revisions.

Between Regulation 18C and Regulation 19, there were changes to vary the limit to the number of homes that can be provided through the policy according to the size of the parish. The final policy supports the self-build agenda with a socially-sustainable approach to windfall, allowing cumulatively 3 homes per small parish, 5 homes per

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larger parish, outside of settlement boundaries but adjacent to a recognisable built-up area, through the lifetime of the GNLP.

## Purpose

1. This topic paper is part of a series of papers. The paper provides further justification and explanation of policy 7.5 for small scale windfall for the submission of the Greater Norwich Local Plan (GNLP) and its consideration at examination. Policy 7.5 is reproduced at Appendix 1. This topic paper should be read alongside policy 1 of the Greater Norwich Local Plan (GNLP), the Homes Topic Paper and the Statement of Consultation for each stage of the plan-making process.
2. The topic paper contains the following:
  - the policy background to the settlement hierarchy approach;
  - a brief summary of the evidence documents that informed the policy;
  - a summary of the evolution of GNLP policy 7.5 for small-scale windfall housing development;
  - representations made by key stakeholders at Regulation 18; and
  - identification of the changes to windfall policy made for Regulation 19.

## Background

3. The Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS), which was adopted in March 2011 with amendments adopted in January 2014, identified a settlement hierarchy for Greater Norwich. The hierarchy ensured growth was broadly directed in proportion to the level of local service provision. Development boundaries were defined down to the level of 'other villages' and infill development or small groups of dwellings could be accommodated within these.
4. The JCS also defined windfall sites as those where planning permission for housing development is granted during the plan period but which are not identified in the plan for housing development.
5. The adopted local plans for South Norfolk and Broadland include 39 Other Villages, where development has been limited to windfall development within the development boundary and exception sites. There are also many small villages and hamlets which the JCS classed as Smaller Rural Communities and the Countryside, which do not have development boundaries so would rely upon exception sites for development. Exception sites can include those for affordable housing to meet local need; farm diversification; home working; commercial enterprises where a rural location can be justified; as well as uses allowed under the NPPF.

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6. The GNLP continues the settlement hierarchy approach as set out in Policy 1 (reproduced at Appendix 1) planning for new development appropriate to the local range of services and facilities and using settlement boundaries (development boundaries) to allow infill development.
7. Elected members representing the rural areas of Broadland and South Norfolk have been keen to have an all-inclusive approach that includes limited growth opportunities in smaller villages and rural areas. This has led to a policy providing allocations in “clusters” based on primary school catchments (see policy 7.4 and its topic paper for further details). This approach will help social sustainability in the more rural areas of Greater Norwich and support services and the rural economy. This type of comprehensive coverage is an innovative approach. To further support this approach and to provide choice and flexibility in provision, a proactive windfall exception policy has also been included at policy 7.5. There has been great support from rural elected members for this approach, which will provide opportunities for people with local connections to stay in the area, will bring vitality and help to support the retention of facilities and the self-build agenda in settlements of all sizes.
8. It is reasonable to assume that delivery from this source will be strong:
  - a. The policy opens up a limited number of opportunities for a new development market in desirable locations that have not been available for decades;
  - b. It provides opportunities for self-build and SMEs;
  - c. It is likely that demand will exceed the maximum limit of 3 or 5 dwellings and, therefore, it can be expected that new sites will come forward quickly within the plan period.

## Context

9. The NPPF promotes sustainable development including a social objective “*to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being*”. There is also a stated need to take local circumstances into account, to reflect the character, needs and opportunities of each area. Policy 7.5 supports this national objective, taking account of the rurality of parts of the area, increasing choice and supporting small communities and social sustainability in the smaller villages (e.g. supporting local clubs and activities).
10. Paragraph 68 of the NPPF requires plans to identify land to accommodate at least 10% of the housing requirement on sites of no larger than one hectare. The GNLP

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addresses the requirement for smaller sites/self-build (12% of the homes allocated through the plan are on sites of no larger than 1ha), but sites anticipated from policy 7.5 will also address this national requirement. See the Homes topic paper for the latest information on the self-build registers in Greater Norwich.

11. Paragraphs 68 and 77 of the NPPF also state that local planning authorities should support the development of windfall sites through their policies, giving great weight to the benefits of using suitable sites within existing settlements for homes. Paragraph 78 states that planning policies should identify opportunities for villages to grow and thrive. Policy 7.5 will allow additional small sites to come forward as windfall in settlements; in addition to infill development within settlement boundaries, development will also be allowed outside defined boundaries and within or adjacent to a recognisable group of dwellings in settlements that do not have defined boundaries.
12. The NPPF also states at paragraph 70 that there should be compelling evidence that any allowance for windfall sites as part of anticipated supply will provide a reliable source of supply. Policy 7.5 is a new, innovative and positive approach to windfall and can be relied on to deliver (see paragraph 8 above).
13. Paragraph 70 of the NPPF also states plans should consider setting out policies to resist inappropriate development where this would cause harm to the local area. Policy 7.5 requires developments to respect the character of the settlement and results in no adverse impact on the landscape and natural environment.
14. Policy 5 of the GNLP sets a minimum allocation size of 12-15 dwellings, aiming to maximise affordable housing provision. Policy 7.5 balances this approach, allowing a limited number of smaller sites to come forward.
15. The South Norfolk Village Clusters Housing Allocations Plan is also under development concurrently with the GNLP. Although the GNLP contains no allocations in South Norfolk villages, policy 7.5 applies to all parishes in Broadland and South Norfolk.

## Evidence

### Sustainability Appraisal Report for GNLP

16. All the GNLP policies and sites have been assessed against the Sustainability Appraisal objectives in order to consider any negative impacts identified and to mitigate through policy where possible.
17. The Regulation 18 draft of policy 7.5 scored:

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**‘positive’** for Biodiversity, Geodiversity & GI; Landscape; Housing; Natural Resources, Waste & Contaminated Land;

**‘neutral’** for Air Quality & Noise; Climate Change Mitigation & Adaptation; Population & Communities; Deprivation; Health; Crime; Education; Economy; Transport & Access to Services; Historic Environment; Water.

18. The SA Report states that this reflects that the policy is an efficient use of land.

19. Many of the sites enabled by Policy 7.5 are likely to have reasonable access to services. The policy applies to all parishes, including the Norwich fringe, towns, key service centres and smaller villages with a range of services. Many smaller villages with limited services are reasonably close to the urban area, towns, key service centres and/or other villages with services. The diagrammatic map at Appendix 2 shows the areas within 4.5 mile radius (representing approximately 5 miles by road or approximately 30 mins cycle ride time) of the centre of Main Towns and Key Service Centres (plus Attleborough, Bungay and Beccles which lie just over the Greater Norwich boundary). Although in some places the option to cycle will be limited by the safety and lighting of rural roads, this is considered an achievable cycling distance for most people (according to the Department for Transport’s Cycle Infrastructure Design, which is available at [this link](#)).

## Regulation 18 Consultations

20. There was a call for sites in 2016. For more information about sites, please see the site assessment booklets, which are produced at a settlement level.

21. During late 2017/early 2018, the Regulation 18A Growth Options consultation considered the all-inclusive approach to development in rural areas, and included the following elements dealing with windfall:

- Question 6: *Do you agree that windfall development should be in addition to the 7,200 homes?* (N.B. this was prior to including a Policy 7.5 type approach with its positive encouragement to windfall outside boundaries). A total of 167 responses were received. Of these, 45 answered Yes, 110 answered No and a further 12 did not select either option but made additional comments. The majority of ‘yes’ comments were from agents, arguing that windfall should be additional to any buffer. Alternative ‘Yes’ comments included arguments that windfall could provide an appropriate buffer, that it is useful in providing small-scale development in villages to address needs for young families and the elderly, and that windfall should be encouraged through positive policies. The ‘No’ comments broadly split between many who thought that it was illogical not to include windfall in the housing calculation as it contributes to needs; to those

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who thought the windfall should be the buffer and to those (generally agents) who thought it should be excluded entirely because of its uncertainty.

- Question 40: *Which approach do you think should be taken to rural windfall and exception sites? Option AH7: allow 'small sites windfalls' to be permitted adjacent to development boundaries, subject to them meeting certain criteria in all settlements with a development boundary. Option AH8: don't allow any small-scale windfall sites for market housing, only for genuine 'exception' sites.* A total of 75 separate responses were received to this question. Of those who expressed a preference, 35 supported option AH7 and 37 supported AH8. There was no overwhelming majority view on the topic. 7 responses did not favour either option but offered a range of views on alternative approaches. Themes within responses on both sides of the argument centred on retaining each village's character, supporting the delivery of services, avoiding pressure on services, maintaining a sustainable approach to development, supporting the self-build agenda, and providing affordable homes.

22. For more information about representations, see the Statement of Consultation, which is organised by consultation question.

23. In early 2020, there was a further Regulation 18 consultation (Reg. 18C), this time on the draft plan. To pursue the inclusive approach to development in rural areas, Policy 7.5 was included as a proactive approach to windfall housing, but applied a limit of 3 dwellings per parish to all parishes. The policy provided opportunities for homes adjacent to settlements with development boundaries or on infill sites within a recognisable group of dwellings which do not have a development boundary. Developments would be required to respect the character of the settlement and landscape and the additional requirements applying to all sites such as providing safe highways access set out in policy 2 would be applied to these sites, though with greater flexibility in relation to access to services due to the very limited scale of development supported by the policy.

24. An alternative approach was identified for the consultation, which would allow up to 5 homes per parish.

25. Draft Plan Question 47 – *Do you support or object or wish to comment on the overall approach for Small Scale Windfall Housing Development? Please identify particular issues.* This question had 32 representations (5 Support, 7 Objections, 20 Comments). There was a range of comments which argued either for the social sustainability or against the environmental sustainability of the policy. Some comments suggested windfall should count against housing targets, some felt the limit of 3 dwellings should be increased, others felt it was appropriate and others did not approve of any development outside settlement boundaries. Some felt the

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policy should only apply to settlements with settlement boundaries, others felt the policy negated the need for an allowance for self-build homes on larger allocations.

26. For more information about representations, see the Statement of Consultation, which is organised by consultation question.

## **GNLP Reg. 19 Policy and publication February to March 2021**

27. For the Reg 19 version of the GNLP, a few minor changes were made to Policy 1, including an allowance for windfalls in table 6 and policy 1 (see row E of table 6 and footnote 64 to Policy 1 - 800 of these homes are anticipated to derive from Policy 7.5). These homes will increase provision and improve choice. Policy 1 states that proposals for windfall housing growth will be considered acceptable in principle at appropriate scales and locations where they would not have a negative impact on the character and scale of the settlement.
28. The policy was also amended to allow for development of sites adjacent to, as well as within, a recognisable group of dwellings in locations which do not have a development boundary. This change was made to allow for additional flexibility.
29. Policy 7.5 was also clarified and modified to apply to all parishes in Greater Norwich and limit the number of homes on small scale windfall sites to three in each smaller parish and five in each larger parish. Appendix 7 of the GNLP Strategy/ Appendix 3 of this topic paper defines the parishes classed as smaller or larger.
30. This approach supports the inclusive approach to development in rural areas, remains proportional to the size of local populations, and ensures the potential for the rural area to contribute to the additional homes needed.
31. During the publication period, there were 22 representations about policy 7.5 (5 Support, 17 Objections). As this is an innovative policy, there was some confusion about how it would be applied in general and in relation to self-build. Objections included: "First past the post" approach is unworkable and not sound; the split between parishes for 3 or 5 dwellings is too crude with monitoring and implementation issues; does not deliver affordable housing; sites adjacent to groups of dwellings without a settlement boundary are isolated dwellings in the countryside and therefore contrary to the NPPF; does not support rural growth; should allow for higher levels of growth; contrary to sustainable development, promotes car use. Supporters of the policy emphasised the link to self-build plots.

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## Conclusions

32. To support the elected member-led all-inclusive approach to development in rural areas, and in line with the social objective of the NPPF and paragraphs 68, 77 and 78, in each parish during the lifetime of the plan up to three homes in smaller parishes, and up to five homes in larger parishes may be developed on sites adjacent to settlement boundaries or on sites within or adjacent to a recognisable group of dwellings which do not have a development boundary. The policy requires such developments to result in no adverse impact on the landscape and natural environment. The application of Policy 2 will be flexible in relation to access to services, but other content of Policy 2 will apply. It is estimated that a total of 800 dwellings will be provided through this policy, contributing to overall housing provision. This will provide further choice for self-builders, people with local connections, choice for the wider market, support local services and maintain the vitality of local communities.

## Appendices

Appendix 1: Policy 7.5.

Appendix 2: Map of areas covered by a 4.5 mile radius to Main Towns and Key Service Centres

Appendix 3: List of settlements referred to in Policy 7.5 as appendix 7 in the strategy document.

### Appendix 1: Policy 7.5

#### Policy 7.5 – Small Scale Windfall Housing Development

Small scale residential development will be permitted adjacent to a development boundary or on sites within or adjacent to a recognisable group of dwellings where:

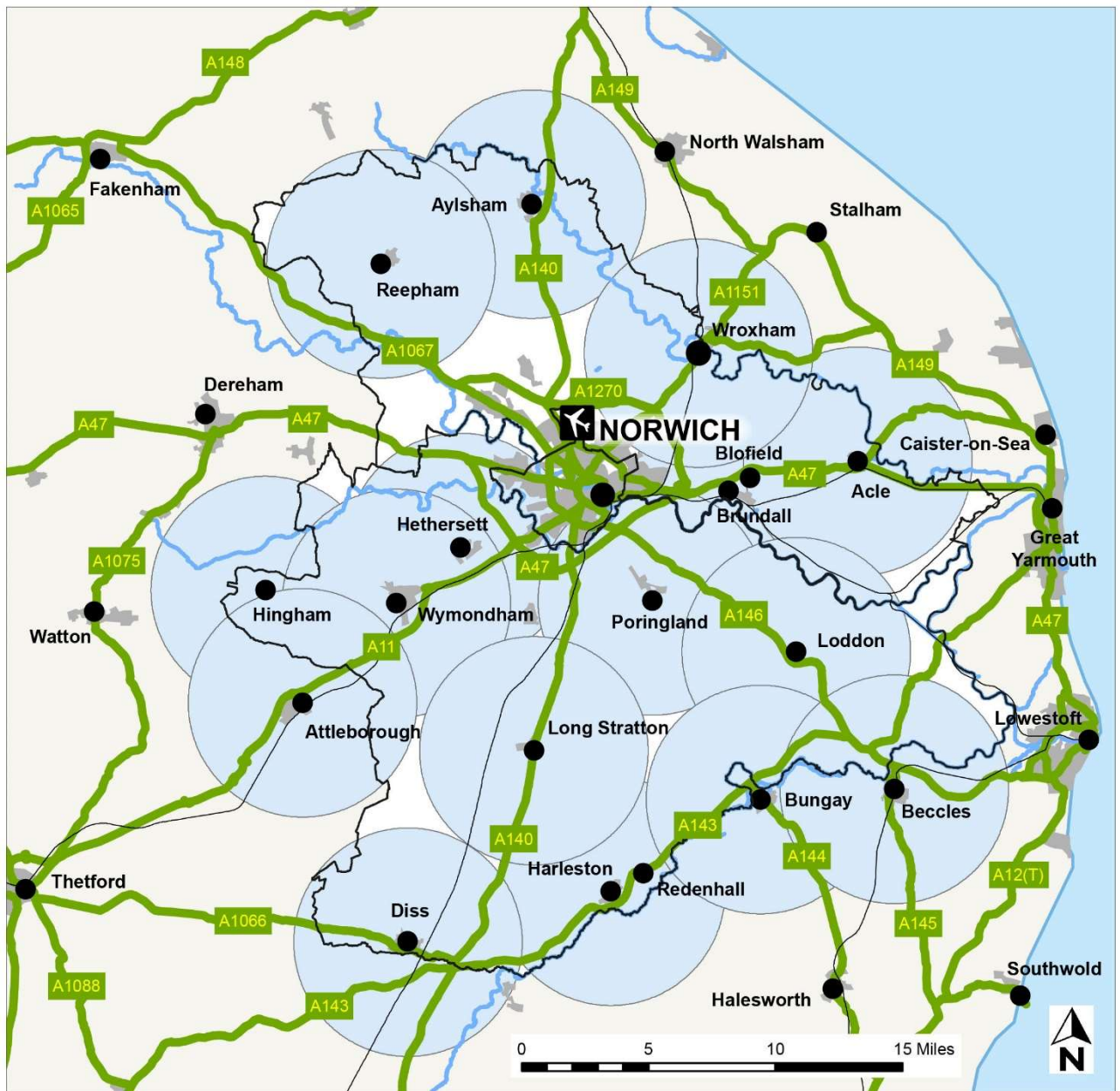
- Cumulative development permitted under this policy will be no more than 3 dwellings in small parishes or 5 dwellings in larger parishes (as defined in appendix 7) during the lifetime of the plan; and
- The proposal respects the form and character of the settlement; and
- The proposal would result in no adverse impact on the landscape and natural environment; and
- The proposal accords with other relevant Local Plan policies

Positive consideration will be given to self and custom build.



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## Appendix 2: Map of areas covered by a 4.5-mile radius to Main Towns and Key Service Centres



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NB. The map reflects a 4.5-mile radius from Main Towns and Key Service Centres within or just outside Greater Norwich, indicating an approximate 5-mile cycling distance by road. The 'white land' areas to the north and north-west of Norwich are largely within a 5 mile cycling distance of: district centres in the Norwich Fringe area (including Aylsham Road, Drayton Road, Old Catton); supermarkets in Norwich Fringe

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area and villages (including Horsford, Taverham and Hellesdon); and local and strategic employment centres (including Norwich International Airport and Longwater).

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## Appendix 3: List of settlements referred to in Policy 7.5 (appendix 7 in the strategy document).

This appendix relates to policy 7.5. It lists the parishes in Greater Norwich as either smaller parishes (with fewer than 140 dwellings based on council tax records in 2020), or larger parishes. Under policy 7.5, the maximum number of additional dwellings from small scale additional windfall from the adoption of the plan will be three in the smaller parishes and five in larger parishes as defined below.

### Three dwellings maximum

Broadland parishes:

Alderford, Attlebridge, Beeston, Belaugh, Blickling, Booton, Brampton, Brandiston, Burgh & Tuttington, Crostwick, Guestwick, Haveringland, Heydon, Little Witchingham, Morton on the Hill, Oulton, Reepham Whitwell\*, Ringland, Salle, Swannington, Themelthorpe and Wood Dalling.

South Norfolk parishes:

Ashby St Mary, Bedingham, Burgh St Peter, Carleton St Peter, Claxton, Colney, East Carleton, Flordon, Framingham Pigot, Gissing, Great Melton, Heckingham, Hedenham, Hellington, Heywood, Holverston, Howe, Ketteringham Kimberley & Carleton Forehoe, Kirby Bedon, Kirstead, Morningthorpe & Fritton, Mundham, Norton Subcourse, Raveningham, Shelton & Hardwick, Sisland, Stockton, Thwaite, Topcroft, Wheatacre, Wrampingham and Yelverton.

### Five dwellings maximum

Broadland parishes:

Acle, Aylsham, Beighton, Blofield, Brundall, Buxton with Lamas, Cantley, Cawston, Coltishall, Drayton, Felthorpe, Foulsham, Freethorpe, Frettenham, Great & Little Plumstead, Great Witchingham, Hainford, Halvergate, Hellesdon, Hemblington, Hevingham, Honingham, Horsford, Horsham & Newton St Faith, Horstead with Stanninghall, Lingwood & Burlingham, Marsham, Old Catton, Postwick with Witton, Rackheath, Reedham, Reepham, Reepham Hackford\*, Salhouse, South Walsham, Spixworth, Sprowston, Stratton Strawless, Strumpshaw, Taverham, Thorpe St Andrew, Upton with Fishley, Weston Longville, Woodbastwick and Wroxham

South Norfolk parishes: Alburgh, Aldeby, Alington, Ashwellthorpe & Fundenhall, Aslacton, Barford, Barnham Broom, Bawburgh, Bergh Apton, Bracon Ash & Hethel, Bramerton, Brandon Parva Coston Runhall & Welborne, Bressingham & Fersfield, Brockdish, Brooke, Broome, Bunwell, Burston & Shimpling, Caistor & Bixley, Carleton Rode, Chedgrave, Costessey, Cringleford, Denton, Deopham & Hackford, Dickleburgh & Rushall, Diss, Ditchingham, Earsham, Easton, Ellingham, Forncett, Framingham Earl, Geldeston,

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Gillingham, Great Moulton, Haddiscoe, Hales, Hempnall, Hethersett, Hingham, Keswick & Intwood, Kirby Cane, Langley with Hardley, Little Melton, Loddon, Long Stratton, Marlingford & Colton, Morley, Mulbarton, Needham, Newton Flotman, Poringland, Pulham Market, Pulham St Mary, Redenhall with Harleston, Rockland St Mary, Roydon, Saxlingham Nethergate, Scole, Seething, Shelfanger, Shotesham, Spooner Row, Starston, Stoke Holy Cross, Surlingham, Swainsthorpe, Swardeston, Tacolneston, Tasburgh, Tharston & Hapton, Thurlton, Thurton, Tibenham, Tivetshalls, Toft Monks, Trowse with Newton, Wacton, Wicklewood, Winfarthing, Woodton, Wortwell, Wreningham and Wymondham.

\*This is an error that will be deleted in the adopted local plan