

PROJECT TITLE: GREATER NORWICH LOCAL PLAN - EXAMINATION HEARINGS  
PROJECT REF: 5624  
DATE: 14 JANUARY 2022  
PREPARED BY: PW

## WOODS HARDWICK PLANNING HEARING STATEMENT IN RESPECT OF MATTER 3 - ISSUE 5 SMALL SCALE WINDFALL HOUSING DEVELOPMENT

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- 1.1 This Hearing Statement is prepared in respect of Woods Hardwick Planning Limited's appearance at the Greater Norwich Local Plan Examination Hearings on behalf of Gosford Ltd in respect of Matter 3 - Issue 5 Small scale windfall housing development. It seeks to respond to the questions set out in the Inspectors Matters and Questions (Part 1) and responds to each of the questions in turn.
- 1.2 We are also appearing at the Examination on behalf of Gosford Ltd in respect of Matter 2 - Issue 2 Housing Growth and Matter 3 - Issue 4 Village Clusters. We are relying on our original Regulation 19 Representations in respect of Matter 2 - Issue 2 and have prepared a further separate Hearing Statement in respect of Matter 3 - Issue 4.

**1. To what geographical area would Policy 7.5 apply? Would it apply to land on the edges of Village Clusters, Key Service Centres, or Main Towns? Would it apply to land within the South Norfolk Village Clusters Housing Site Allocations Local Plan?**

- 1.3 The reading of the policy is that the geographical area applies all parishes including Village Clusters, Key Service Centres and Main Towns. We note that paragraph 19 of the Council's Topic Paper: Policy 7.5 Small Scale Windfall Housing Development (page 5) indicates that the policy applies to all parishes, including the Norwich Fringe, towns, key service centres and small villages. This is confirmed in the supporting text to the policy at paragraph 389 which confirms that the policy applies to all parishes. It would also apply to land within the South Norfolk Village Clusters, with the South Norfolk Parishes set out at Appendix 7 - Implementation of Policy 7.5.

**2. Would Policy 7.5 encourage new dwellings to be constructed in locations that are poorly served by public transport, services, and facilities? Would it be consistent with national policy in this regard?**

- 1.4 On the basis that the policy applies to all parishes as noted above, we consider that the general approach of the policy is consistent with national policy. Furthermore, it is appropriate for small scale windfall development to be located in the rural parish areas having regard to national policy guidance. Under the heading of 'Rural housing', paragraph 79 of the National Planning Policy Framework (July 2021) (NPPF) seeks to promote sustainable development in rural areas and notes that housing should be located where it will enhance or maintain the vitality of rural areas. Paragraph 79 further states that 'Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services' and that 'Where there are groups of smaller settlements, development in one village may support services in a village nearby'.
- 1.5 We would have no objection to the principle of including a small scale windfall policy on this basis. However, as set out within our Regulation 19 representations in respect of Policy 1, Table 6 and Policies 7.1 to 7.4, we consider that the small scale windfall homes to be delivered through Policy 7.5, together with the additional windfall allowance, should be excluded from the total housing supply figure for the Local Plan area as set out in Table 6 and Policy 1.

**3. What does the ‘positive consideration will be given to self and custom build’ mean in the context of the policy? Is this necessary? Is it justified? Is it an effective approach?**

- 1.6 The provision of self and custom build is not a requirement of the policy so in our view the reference to ‘positive consideration will be given’ is superfluous in the context of the policy. If proposals come forward for development in line with the policy requirements there would be a presumption in favour of sustainable development in accordance with the NPPF in any event.

**4. Is the policy effective in the way in which it would work? Is it justified that the policy allows 100% market housing?**

- 1.7 The policy seeks to allow for additional small scale windfall housing development in addition to ‘exception sites’ for affordable housing as allowed for within the NPPF and additionally provided for within Policy 7.4 Village Clusters. It could be argued that allowing 100% market housing is justified given the policy is aimed at small scale housing development.
- 1.8 There can be no guarantee that sites will come forward under the terms of the policy and there would be no control over what, when and where sites come forward. Each site would be judged on its merits having regard to the requirements of the policy. This is in contrast to sites which are, or will be, the subject of specific allocation within the Local Plan.
- 1.9 We appreciate that the policy is aimed at small scale housing development, however in light of the above we have argued that the estimated housing numbers arising from the policy should be excluded from the total housing supply figure and distributed to the settlement hierarchy.

**5. Are the caps on development within each parish capable of operating effectively in the event that multiple applications are lodged around the same time?**

- 1.10 As noted above, there can be no control over what, when and where sites come forward under the terms of the policy. Each site will need to be judged on its merits and we assume that in the event that multiple applications are lodged at the same time, a decision will need to be made as to the relative merits of each site having regard to the policy criteria in deciding which application should be approved.

**6. Is the assumed contribution of 800 dwellings from this source justified?**

- 1.11 As set out within our Regulation 19 representations, we consider that the small scale windfall homes to be delivered through Policy 7.5, together with the additional windfall allowance, should be excluded from the total housing supply figure for the Local Plan. Such windfall sites do not provide the required level of certainty on delivery and timing and do not provide a level of commitment comparable to allocated sites. Paragraph 71 of the NPPF states that 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 and that any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall rates and expected windfall rates.
- 1.12 It appears that the only evidence for these small scale windfall sites coming forward is set out at paragraph 8 of the Councils’ Topic Paper: Policy 7.5 (page 3). This simply indicates that it is reasonable to assume delivery from this source will be strong based on *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 over the plan period.* These are assumptions and we consider that this source is not justified having regard to the requirement of the NPPF for ‘compelling evidence’ that windfall sites will provide a reliable source.