

**THANET DISTRICT COUNCIL LOCAL PLAN  
EXAMINATION**

**MATTERS 8 – HOUSING LAND SUPPLY**

**IN RESPECT OF**

**LAND AT MANSTON BUSINESS PARK**

**HEARING STATEMENT BY RPS  
ON BEHALF OF CHINA GATEWAY INTERNATIONAL  
LTD**

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**REPORT**


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# 1 MATTER 8 – ISSUE 4 – WINDFALL ALLOWANCE

Paragraph 48 of the Framework states that local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends, and should not include residential gardens. Taking this into account:

**Q1. What allowance has been made for windfall sites coming forward over the first five years, and thereafter throughout the plan period?**

**Q2. What is this based on and is it justified on appropriate available evidence?**

- 1.1 It is our view that Table 3 . Total Housing Supply, is over reliant on Windfall Sites which are proposed to deliver 225 units per year across the plan period (2011-2031). The Council should be aware of additional sites which are suitable to be allocated within the emerging Local Plan and avoid such a heavy reliance on windfall.
- 1.2 We also question whether it is realistic for this level of windfall to be delivered year on year across the Plan period. By their very nature, windfalls are sites which are not allocated in the Local Plan. As the Plan progresses and providing the Council can demonstrate and sustain a 5 Year Housing Land Supply (5YHLS) the level of windfall should diminish over time.
- 1.3 We consider it would be more appropriate, under a plan-led system (as advocated in paragraph 15 of the NPPF), for the Council to identify and allocate sites now rather than relying on windfalls. Since windfall can include any sites not specifically identified in the development plan, it is inevitable that the level of windfall will increase where a 5YHLS cannot be demonstrated. It is important to recognise that in these circumstances that, when a 5YHLS can once again be demonstrated, the level of windfall should decline, even in the context of revised NPPF paragraph 68c, which requires LPAs to support windfall sites. Consequently, evidence of previous levels of windfall should not automatically be deemed compelling evidence of future trends.
- 1.4 The Strategic Housing Land Availability Assessment (SHLAA) dated July 2018 provides a summary of historic windfall completions, which is used as a basis for the Local Plan windfall allowance. The calculation is based on data from a seven year period 2008-15, and excludes the first three years of the remainder of the Local Plan period 2015-18 to avoid double counting potential housing land supply. Given that Thanet has been relying on an out of date Local Plan from 2006, and have been unable to demonstrate a 5YHLS, a high proportion of the housing that has come forward has been from windfall sites. Once the new Local Plan is adopted, this reliance of windfall should reduce. It is important to note that out of the seven year period used to calculate the windfall allowance for the new Local Plan, 225 units or above was only achieved in two years. Even if the period 2015-18 was included, 225 units has only been achieved in three out of ten years.
- 1.5 We identify that based on the current total housing provision, approximately 26% of the total 857 dwellings required each year would be provided by windfall sites. We consider this is over dependant on windfall sites being brought forward for development and the Council should

instead be allocating additional sites. If this level of windfall allowance is to be carried forward in the plan, we request that further evidence is provided to demonstrate that the allowance is realistic regarding the Strategic Housing Land Availability, historic windfall delivery rates and expected future trends as required by the NPPF.

- 1.6 China Gateway International Limited has previously identified that Land at and to the East of Manston Business Park, through a phased delivery can support employment, mixed use and residential allocations which will help contribute to the employment and housing supply and reduce the dependency on windfall sites within the Local Plan.

## 2 MATTER 8 – ISSUE 6 – FLEXIBILITY

**Q1. What flexibility does the plan provide if some of the larger sites do not come forward in the timescales envisaged?**

- 2.1 If Land to the East of Manston Business Park was allocated, the development could come forward in a series of phases and sub phases providing additional flexibility for housing delivery. Residential units could then be delivered at a suitable rate that reflects the market.

### 3 PROPOSED AMENDMENTS

- 3.1 Land to the East of Manston Business Park should be allocated for residential mixed-use development. This site will provide up to 1,000 units that can be delivered over an 8-year period as set out in the proposed amendment to Appendix B (see RPS representations on Matter 5 Strategic Sites Policies SP3-18 and HO2). The windfall allowance could then be reduced to a more realistic level of 125 units per annum over a 10-year period. This would result in a more robust 5YHLS and reduce dependency on windfall sites coming forward.