

# Reviewing the Plan for Purbeck's future

Purbeck Local Plan Review  
Windfall and Character Area Potential  
Background Paper, January 2018



Thriving communities in balance  
with the natural environment

## Contents

<b>Introduction</b> .....	<b>3</b>
<b>Windfall</b> .....	<b>4</b>
<b>Background</b> .....	<b>4</b>
<b>Summary of historic windfall in Purbeck</b> .....	<b>5</b>
<b>Broad locations: Character Area Potential</b> .....	<b>5</b>
Difference between CAP and windfall .....	5
Delivery of CAP and windfall .....	6
Reassessment of the method for the CAP study .....	8
Allowance for conversions of buildings to residential under ‘permitted development’ .....	9
Summary of updated CAP method and where it applies .....	10
<b>Summary of results</b> .....	<b>12</b>
Potential reliance on CAP in the Local Plan Review .....	13
<b>Conclusions</b> .....	<b>13</b>
<b>Recommendations for the Local Plan Review</b> .....	<b>14</b>

## List of tables

Table 1: summary of CAP results .....	12
---------------------------------------	----

## Appendices

Appendix 1: character areas of smaller settlements .....	15
Appendix 2: key circumstances for converting buildings to residential without planning permission .....	18
Appendix 3: breakdown of CAP by settlement .....	21
Appendix 4: recommended data sources for Character Area Potential .....	43

## Executive Summary

This paper looks at the potential contribution towards the Council's housing supply that could be reasonably achieved through windfall development, including Character Area Potential (CAP).

The Council has reviewed the assessment of potential CAP in PLP1 and its delivery, and updated the methodology. We have re-examined all CAP sites in light of updated constraints and the practicalities of bringing sites forward. In addition, we have looked at the development potential of other settlements across the district, as well as taking into account updated PD regulations, which now allow certain buildings to be converted to residential use without planning permission.

The overall result is an updated figure of 281 potential homes from CAP sites, which the Council considers to be an accurate and robust figure to contribute to the Local Plan's housing target. The 281 CAP dwellings would come forward at around 31 per year, which the Council considers to be realistic, given the level of confidence in the deliverability of the sites and historic housing delivery rates from unallocated sites.

Historic trends showed the significant contribution from windfall in the district and there is no reason to doubt it would come forward throughout the plan period. Monitoring shows this has been the case, with 70% (380) of homes delivered between 2012 and 2017 being on windfall sites.

Given historic windfall rates and the Council's confidence in the CAP calculation, the Council believes it can justify a reliance on CAP / windfall of 50 homes per year during the last 9 years of the plan period (2024-2033). This will comprise around 31 homes from CAP and 19 homes from unidentified windfall per annum, which will equal around 450 homes overall.

A 50% discount has been applied to CAP to allow for a degree of uncertainty, such as the potential unwillingness of landowners to bring sites forward.

## Introduction

1. The Council is preparing a local plan review. In the summer of 2016, the Council consulted on options, which included specific proposed development sites. Several respondents raised concerns that the Council should be looking to rely more on windfall development, rather than allocating greenfield sites for development. Windfall is defined by the National Planning Policy Framework (NPPF)<sup>1</sup> as:

‘Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.’

2. One result of the consultation was a resolution from the Council to look more closely at windfall potential across the district.
3. The larger settlements in Purbeck have settlement boundaries, as defined by Policy LD (General Location of Development) of the PLP1. A summary of these settlements, as set out in the Settlement Strategy Update, is in appendix 1 of this report. Within a settlement boundary, there is a presumption that development is acceptable in principle; outside the boundary is open countryside, where development is more strictly controlled. Through the Local Plan Review options consultation, the Council also put forward an option to ‘round off’ settlement boundaries where there may be logical circumstances. However, it was clear from the Council’s consultation report<sup>2</sup> that further information would be required to consider this option further. In order for the Council to take an informed view, investigative work would be needed to see the range of potential sites and windfall numbers this option could provide.
4. This paper looks at windfall in Purbeck, setting out:
  - Background
  - Summary of historic windfall in Purbeck
  - Character Area Potential
  - Results
  - Windfall on ‘unidentified’ sites
5. The paper ends with overall conclusions and recommendations for the Local Plan Review.

---

<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

<sup>2</sup> The Partial Review Options Consultation Report (January 2017) can be accessed online via: <https://www.dorsetforyou.gov.uk/Purbeck-local-plan-review>

# Windfall

## Background

7. Through the Local Plan Review options consultation (2016), the Council received feedback that it should be looking more closely at windfall opportunities in order to help deliver housing.
8. Paragraph 47 of the NPPF requires councils to maintain a rolling five-year, 6-10 year and, where possible, 11-15 year supply of housing in line with identified needs. Housing sites can come from allocations in the local plan, or unplanned windfall sites. But in the case of the latter, paragraph 48 of the NPPF says the Council would need strong justification to include it in the five-year supply:

‘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 Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.’

9. The NPPF is not so strict with the use of windfall in years 6-10 or 11-15, saying at footnote 12 that sites in this part of the housing supply need to be:

‘in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged’.

10. It is worthwhile noting that footnote 12 does not preclude the inclusion of residential gardens.
11. Planning Practice Guidance (PPG) gives details on how to assess specific sites and ‘broad locations’ for development<sup>3</sup>. The Council already looks in detail at sites formally submitted through the SHLAA process, but the SHLAA does not look at broad locations. The Council interprets broad locations to be areas of the district where there is potential for development, further to an assessment of the locations’ constraints. The assessment of broad locations can then feed into an allowance for windfall potential (where justified). The PPG is clear that a desktop review is an important aspect of assessing broad locations, requiring plan makers to ‘be proactive in identifying as wide a range as possible of sites and broad locations for development (including those existing sites that could be improved, intensified or changed)’<sup>4</sup>.
12. The PPG contains a summary of potential data sources for the assessment process<sup>5</sup>, which the Council considers to form a logical framework for this background paper. The Council’s response to the PPG’s suggestions is shown in appendix 4.

---

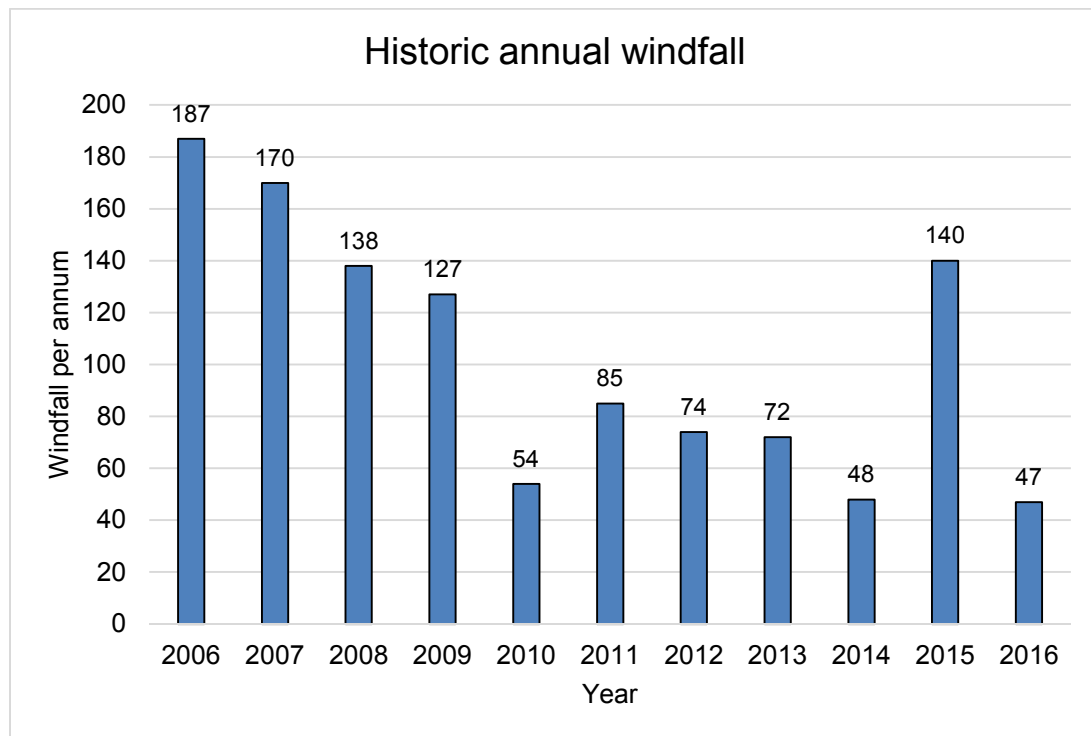
<sup>3</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/578755/land-availability.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/578755/land-availability.pdf)

<sup>4</sup> Ref ID: 3-011-20140306

<sup>5</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/575032/Type\\_of\\_site\\_and\\_potential\\_data\\_source.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/575032/Type_of_site_and_potential_data_source.pdf)

## Summary of historic windfall in Purbeck

13. Monitoring reports<sup>6</sup> show that between 1st April 2006 and 31st March 2017, 1,476 new homes have been completed in Purbeck. Of these, 334 were from allocated sites at Purbeck Gate in Wool and Westgate in Wareham. This means that there have been 1,142 homes delivered on windfall sites in the district since 2006 (around 104 per year) and the proportion of the overall number that has resulted from windfall is 77%. Around 32% of windfall sites were residential gardens. The graph below summarises the rate of historic windfall in Purbeck since 2006. Although the general trend shows windfall rates have been in gradual decline, windfall is still clearly a major contributing element of housing supply.



## Broad locations: Character Area Potential

14. The 2012 PLP1 was informed by the Character Area Potential (CAP) study<sup>7</sup>. This looked at character areas identified in the Council's townscape character appraisals<sup>8</sup> and the potential for additional development within them. This was carried out by looking at previous planning permissions in the relevant character area and identifying additional, similar opportunities. This included residential gardens, which are not excluded by footnote 12 of the NPPF. The Council considers that CAP falls under the allowance for identifying broad locations for development.

### Difference between CAP and windfall

15. Windfall is unplanned development; in other words, not allocated in a local plan. CAP is also not allocated in a local plan, which makes it very similar to windfall. However, there is a key difference between the two: CAP results from an analysis of specific

<sup>6</sup> <https://www.dorsetforyou.gov.uk/article/396741/Monitoring-of-the-Purbeck-District-Local-Plan>

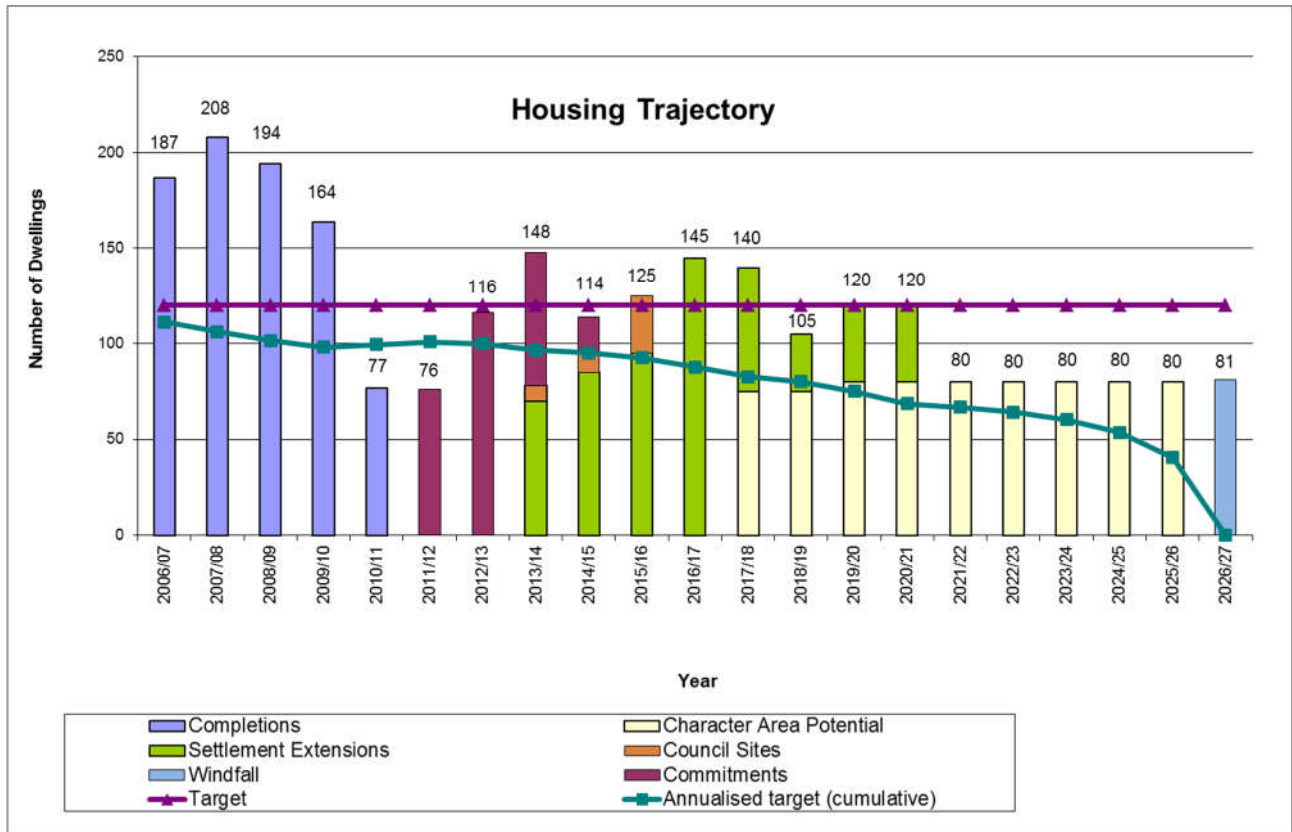
<sup>7</sup> [https://www.dorsetforyou.gov.uk/media/200719/Character-Area-Development-Potential---2014/pdf/2014\\_Character\\_Area\\_Development\\_Potential.pdf](https://www.dorsetforyou.gov.uk/media/200719/Character-Area-Development-Potential---2014/pdf/2014_Character_Area_Development_Potential.pdf)

<sup>8</sup> <https://www.dorsetforyou.gov.uk/397020>

sites and factors in planning constraints to ascertain the likelihood of them coming forward. Windfall, on the other hand, is not identified. So in other words, CAP is essentially planned windfall and because of the degree of analysis involved in identifying CAP sites, the Council can have confidence in CAP as a reliable source of housing. This does not infer that unplanned windfall is an unreliable source that the Council should not allow for: historic trends are clear that windfall has been a reliable housing source consistently for years.

### Delivery of CAP and windfall

16. Below is a copy of the housing trajectory used in the PLP1 in 2012. It shows sources of housing delivery from the start of the plan period in 2006, projected to the end of the plan period in 2027.



17. The PLP1 trajectory has a notable absence of windfall in the five-year period post adoption of the PLP1 in 2012, despite the level of historic windfall experienced in the district. This is a symptom of the restrictive wording of paragraph 48 of the NPPF, which, at the time of the PLP1 examination, the Council did not want to risk falling foul of. This led to the Council taking a cautious approach by not including any CAP or windfall in the five-year supply (from adoption in 2012). Instead, the PLP1 incorporated a reliance on 710 homes coming forward on CAP sites from year 6 onwards for the nine-year period to 2025-2026. This would be an average of 79 per year.
18. The PLP1 inspector raised concerns at paragraph 36 of his report<sup>9</sup> over the Council’s reliance on CAP to deliver housing in the latter part of the plan period. This is because there was not sufficient confidence about the availability and therefore deliverability of

<sup>9</sup> [https://www.dorsetforyou.gov.uk/media/177543/Report-on--the-Examination-into-the-Purbeck-Local-Plan-Part-1/pdf/FINAL\\_REPORT\\_for\\_Council\\_31\\_10\\_12.pdf](https://www.dorsetforyou.gov.uk/media/177543/Report-on--the-Examination-into-the-Purbeck-Local-Plan-Part-1/pdf/FINAL_REPORT_for_Council_31_10_12.pdf)

sites. In paragraph 44, he concluded that the review of the PLP1 would offer the opportunity to address this.

19. In reality, the Council believed that historic trends showed the significant contribution from windfall in the district and there was no reason to doubt it would come forward throughout the plan period. Indeed, monitoring shows this has been the case, given that of the 539 homes completed between 2012 and 2017, 380 were windfall (70%). Of these homes on windfall sites, 71 – around 19% – had been identified through the CAP study. The majority of these (36) were in Swanage.
20. Given that only 71 homes have come forward so far on sites identified in the CAP study, this does put into question the over-reliance of CAP as a source of housing. But this clearly needs to be balanced in context: the housing trajectory in the PLP1 necessarily reflected the Council's position at that time in taking the above-mentioned cautious approach in light of paragraph 48 of the NPPF. Housing supply is made up from CAP, unidentified windfall and allocated sites, all of whose levels fluctuate, but the Council has consistently maintained a five-year supply of housing thanks to a mixture of these sources.
21. Nevertheless, it is worth revisiting the 2012 CAP study method, to ensure that it is still appropriate and to consider updates for the following reasons:
  - The original study only looked at the district's towns and key service villages, not every defined settlement. The Council should consider the potential contribution from additional settlements;
  - Updated constraints introduced since 2012 may rule out old sites, but lead to the identification of new ones. These include revised flood zones; new tree preservation orders; revised conservation areas; proposed changes to the approach to the 400m heathland buffer in north Upton; proposed minor changes to settlement boundaries; and the new Swanage Local Plan Policy STC (Swanage Townscape Character and Development), which includes guidelines for development in specific parts of Swanage;
  - Emerging policy, e.g. coastal change management areas<sup>10</sup>, could affect the developability of sites, particularly in Swanage;
  - There may be updated planning history associated with specific sites (e.g. planning appeal decisions) that give a firmer indication of a site's deliverability;
  - The Wareham Neighbourhood Plan group has contacted the Council with suggested sites to investigate; and
  - The Government has now introduced permitted development rights to allow the conversion of various buildings and to residential use, without planning permission. This could form additional housing supply.
22. The purposes of this study are to respond to the PLP1 inspector's concerns over the reliance on CAP for the latter part of the plan period; and see to what extent the PLP1

---

<sup>10</sup> <https://www.dorsetforyou.gov.uk/media/214759/CCMAs-background-paper/pdf/CCMAs-background-paper.pdf>



and its review can rely on a contribution of CAP and ‘unidentified’ windfall towards the housing target.

## **Reassessment of the method for the CAP study**

### Overview of the original method

23. The CAP study<sup>11</sup> involved using character areas identified in the Council’s adopted Townscape Character Appraisal Supplementary Planning Documents<sup>12</sup>, looking at previous planning permissions in each character area. This showed what kind of development has come forward, and could therefore come forward in future. Officers then made judgements on plot size and density to identify a realistic dwelling potential for each character area. Constraints were also taken into account, such as flood zones, the 400m heathland buffer, trees with preservation orders and conservation areas.
24. The Council then discounted the number of dwellings that could potentially come forward by 50% and rounded down to nearest 10.
25. The Council has never published maps of CAP sites identifying every garden or individual property suitable for subdivision, as this could cause unnecessary upset to the occupier or neighbour of affected premises. The PLP1 inspector did not criticise the Council’s method, which was approved by the Council’s Strategic Housing Land Availability Assessment Panel, comprised of officers from all Dorset councils, the Environment Agency, Natural England, local architects and house builders.

### Critique of the original method

26. The Council believes that the identification of sites according to constraints, site characteristics and prevailing local character is a logical approach. However, whilst citing previous planning applications in the area might be a useful point of reference, it is not necessarily a vital piece of information. This is because planning law requires planning applications to be judged on their merits and therefore any precedent in the locality should not be a material consideration. Consequently, the Council no longer believes it is necessary to reference other planning permissions.
27. The Council considers that it is appropriate to continue to use residential gardens as a potential source of housing. The Council’s SHLAA goes into detail about the proportion of windfall that has resulted from garden developments, concluding that 32% of windfall between 1<sup>st</sup> April 2006 and 31<sup>st</sup> March 2017 has been from gardens. This is a meaningful part of the housing supply and the Council believes it is reasonable to identify opportunities for garden developments in the CAP study.
28. The Council continues to believe that applying a 50% discount is appropriate, given the level of uncertainty over identifying potential windfall sites. However, the Council no longer believes that it is necessary to round the figures down to the nearest 10. This is because doing so can rule out some settlements from any potential altogether. For example, some settlements have limited potential that after the 50% discount results in fewer than 10 units. Therefore, rounding to the nearest 10 indicates no

---

<sup>11</sup> [https://www.dorsetforyou.gov.uk/media/200719/Character-Area-Development-Potential---2014/pdf/2014\\_Character\\_Area\\_Development\\_Potential.pdf](https://www.dorsetforyou.gov.uk/media/200719/Character-Area-Development-Potential---2014/pdf/2014_Character_Area_Development_Potential.pdf)

<sup>12</sup> <https://www.dorsetforyou.gov.uk/397020>

potential whatsoever, which is not a true reflection. Instead, the Council believes it would be more appropriate to round to the nearest whole number.

29. To help overcome concerns over the deliverability of sites, this update has involved a review of all sites with the Council's development management team. This has led to a better understanding of the planning history of sites and the likelihood of them coming forward, for example due to multiple ownerships and the use of third party land for access.
30. The Council maintains the view that contacting every site owner could cause unnecessary upset. Equally, the Council is conscious of the PLP1 inspector's reservations with over-relying on CAP as a source of housing, in terms of availability and therefore deliverability of sites. Furthermore, the Council needs to be mindful of the PPG's core outputs<sup>13</sup>, which require a list of all sites or broad locations considered, cross-referenced to their locations on maps to 'ensure consistency, accessibility and transparency'.
31. The Council believes that publishing the method and the character area maps demonstrates consistency, accessibility and transparency, but negates the potential upset that could be caused to landowners. The Council believes this is a pragmatic way forward, which accords with the section of the PPG that discusses whether or not plan makers can use a different method for assessing land<sup>14</sup>. Here it says 'the assessment should be thorough but proportionate'.

#### Identifying CAP sites in locations without a townscape character appraisal

32. The original study focussed on the district's largest settlements. Larger settlements will tend to have more diverse and identifiable character areas, compared with smaller settlements, which will generally have less variation. The most identifiable features of Purbeck's smaller settlements are that some are fragmented; some have conservation areas; and some have no conservation areas. This is a logical way to approach identifying new character areas. Appendix 1 contains maps and a summary of how the additional settlements are split.
33. For the purposes of this update, the Council has only looked at settlements with boundaries, as listed in Policy LD<sup>15</sup>. This is because settlement boundaries offer a degree of containment and easy identification, which allow for greater confidence in the study. It is worth noting, though, that the Council does acknowledge that unplanned windfall will likely continue to come forward in countryside locations, e.g. through conversions of farm buildings and rural exception sites. But as unplanned windfall is, by its nature, in locations that are not possible to identify with certainty, it would be inappropriate to allow for this in the CAP study.

#### **Allowance for conversions of buildings to residential under 'permitted development'**

34. In 2013, the Government introduced a temporary allowance through the General Permitted Development Order for the conversion of some buildings in particular uses

---

<sup>13</sup> Ref ID: 3-028-20140306

<sup>14</sup> Ref ID: 3-005-20140306

<sup>15</sup> Chaldon Herring, Church Knowle, Kimmeridge and Kingston have been excluded from this study. These settlements currently have a settlement boundary, but the Council's Settlement Strategy Update (June 2017) recommends that the settlement boundaries should be removed. The Settlement Strategy Update can be accessed online via: <https://www.dorsetforyou.gov.uk/Purbeck-local-plan-review>

to residential use, without the need for planning permission. This is known as 'permitted development' (PD). The legislation was made permanent in 2015 and conversions are subject to certain circumstances<sup>16</sup>. Note that none of the conversions are confined to settlement boundaries and so all are applicable to the countryside.

35. The key circumstances that allow for buildings to convert to residential as PD are provided in appendix 2 of this paper. The appendix also includes a summary of all sites that have come forward and are deemed PD since the legislation was introduced. This source has delivered a total of 15 homes.
36. The Council's method for estimating the potential housing supply from these sources involved surveying all employment sites shown in the Council's Strategic Economic Land Availability Assessment<sup>17</sup>, as well as town and village centres. These are easily identifiable. Identifying potential from agricultural buildings is much less straightforward, however, as there is no mapped source of such sites. The most reliable source of information is the Council's Strategic Housing Land Availability Assessment<sup>18</sup> (SHLAA), which features sites being promoted to the Council for housing development and includes agricultural buildings. This indicates that they are available for development. Note that although some agricultural buildings have been ruled out for strategic development to the SHLAA criteria, they could still pass the criteria for conversion under PD.

### **Summary of updated CAP method and where it applies**

37. In summary, the updated method for calculating CAP is:
  - Look at character areas identified in adopted townscape character appraisal SPDs and the character areas identified in appendices 2 and 3 of this paper;
  - Apply constraints, e.g. flood zones, 400m heathland buffer, TPOs, designated heritage assets, etc.;
  - Look for opportunities within those character areas for developing homes, e.g. through conversions, intensifications, splitting plots, etc.;
  - Take into account suggestions for sites made through previous Local Plan Review consultations and through neighbourhood plan groups;
  - Take into account the planning history of any potential sites;
  - Make judgements on capacity, based on e.g. plot size, local character, density, etc.;
  - Circulate sites internally for comments from specialist officers;
  - Take estimated capacity for each settlement and apply a 50% discount, rounding to the nearest whole number.
38. The CAP study now applies to the following settlements:

---

<sup>16</sup> [http://www.legislation.gov.uk/uksi/2015/596/pdfs/uksi\\_20150596\\_en.pdf](http://www.legislation.gov.uk/uksi/2015/596/pdfs/uksi_20150596_en.pdf) and [http://www.legislation.gov.uk/uksi/2016/332/pdfs/uksi\\_20160332\\_en.pdf](http://www.legislation.gov.uk/uksi/2016/332/pdfs/uksi_20160332_en.pdf)

<sup>17</sup> <https://www.dorsetforyou.gov.uk/media/214771/SELAA-june-2016/pdf/SELAA-june-2016.pdf>

<sup>18</sup> <https://www.dorsetforyou.gov.uk/media/214760/compressed-SHLAA/pdf/compressed-SHLAA.pdf>

Towns:

Swanage, Upton and Wareham.

Key Service Villages:

Bere Regis, Bovington, Corfe Castle, Lytchett Matravers, Sandford and Wool.

Local Service Villages:

Langton Matravers, Stoborough, West Lulworth and Winfrith Newburgh.

Other Villages with a Settlement Boundary

Briantspuddle, East Burton, East Lulworth, Harmans Cross, Lytchett Minster, Moreton Station, Studland, Ridge and Worth Matravers.

39. Planning Practice Guidance contains a table of 'recommended data sources'<sup>19</sup>, which can help councils to identify broad locations for development (which the Council believes can include CAP). Appendix 4 of this report recreates the table to show how sources have been taken into account in the CAP study.

---

<sup>19</sup>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/575032/Type\\_of\\_site\\_and\\_potential\\_data\\_source.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/575032/Type_of_site_and_potential_data_source.pdf)

## Summary of results

40. Below is a summary of the updated CAP study by settlement. Maps and the full results by character area are shown in appendix 3.

Settlement	2012 CAP	Updated CAP
<b>Bere Regis</b>	20	0
<b>Bovington</b>	10	14
<b>Briantspuddle</b>	-	0
<b>Corfe Castle</b>	0	6
<b>East Lulworth</b>	-	0
<b>Harmans Cross</b>	-	1
<b>Langton Matravers</b>	-	4
<b>Lytchett Matravers</b>	50	12
<b>Lytchett Minster</b>	-	2
<b>Moreton Station</b>	-	2
<b>Ridge</b>	-	0
<b>Sandford</b>	0	5
<b>Stoborough</b>	-	0
<b>Studland</b>	-	3
<b>Swanage</b>	260	57
<b>Upton</b>	150	25
<b>Wareham</b>	160	126
<b>West Lulworth</b>	-	1
<b>Winfrith Newburgh</b>	-	0
<b>Wool and East Burton</b>	60	22
<b>Worth Matravers</b>	-	1
<b>Totals</b>	<b>710</b>	<b>281</b>

Table 1: summary of CAP results

41. Table 1 shows a significant difference between the original total and the updated total, despite the new allowance for additional settlements. The most notable change is in Swanage, which has changed from 260 potential units in 2012 to 57 potential units. There are several reasons for this. For example, development at many sites would now be prevented because of: new tree preservation orders; flood zones; and the identification of coastal erosion zones. Swanage has also accounted for over half of the CAP sites that have come forward since 2012, thus reducing the potential left.
42. In reviewing all sites from the 2012 study, the Council has taken into account multiple landownership, for example involving garage blocks, as well as in terms of accessing garden plots over another landowner's land. The 2012 study included sites that were logical in townscape terms, but the practicalities of ownership, access and therefore likelihood of them coming forward were not taken into consideration at that time. Being mindful of the PLP1 inspector's concerns over confidence in the availability and therefore deliverability of CAP sites, this study update notes the importance of the practicalities of development. The result, however, is that this has led to a reduction in potential plots across the district, most notably in Swanage, Upton and Lytchett Matravers.

## Potential reliance on CAP in the Local Plan Review

43. The Local Plan Review is timetabled for adoption in 2019 and is likely to cover the plan period up to 2033. This updated CAP study shows that a contribution of 281 homes from CAP sites towards the housing target would be realistic and robust.
44. If the Council were to continue to be cautious and not rely on CAP during the first five years from adopting the plan (i.e. 2019-2024), and use a contribution from CAP sites in the last 9 years of the plan, this would be around 31 homes per year.
45. Although the average number of homes that have come forward from CAP sites in the last five years has been around 14 per year, the Council does not believe that a reliance of 31 homes per year would be unrealistic. The CAP sites have been reviewed thoroughly through this study update and this gives the Council confidence in them. Furthermore, historic records show that an average of 104 homes per year over the last 11 years have come forward from windfall, proving that it is realistic to rely on sites not allocated in local plans as a source of housing.
46. Although windfall rates have declined since 2006, they have maintained a level of around 50 homes per year in recent times. Given this consistency, plus the historic trend showing clearly that windfall makes a significant contribution to housing delivery, the Council believes it would be justified to continue to rely on windfall in the Local Plan Review. The Council's proposal is to combine the CAP identified in this paper with windfall during the last 9 years of the plan period (2024-2033). Whilst the Council acknowledges that windfall / CAP will be extremely likely to come forward in the first five years of the plan (2019-2024), avoiding a reliance on it in the first five years ensures no question of any conflict with paragraph 48 of the NPPF.
47. The Council believes that a reliance of 50 homes per year from CAP / windfall during the last 9 years of the plan is realistic. This will be made up from around 31 homes on CAP sites and 19 homes on windfall sites, totalling around 450 homes. The Council will continue to monitor housing delivery rates and should they fall, this could trigger an immediate review of the Council's housing policies to look to increase supply.

## Conclusions

48. The purpose of this paper was to examine the extent to which an allowance for CAP could contribute towards the Local Plan housing target.
49. This updated study has re-looked at the method behind the 2012 study and re-examined all CAP sites in light of updated constraints and the practicalities of bringing sites forward. In addition, it has looked at the development potential of other settlements across the district, as well as taking into account updated PD regulations, which now allow certain buildings to be converted to residential use without planning permission. This update should allay the concerns raised by the PLP1 inspector regarding the deliverability of sites.
50. The overall result is an updated figure of 281 potential homes from CAP sites, which the Council considers to be an accurate and robust figure to contribute to the Local Plan's housing target. Given that it takes into account the practicalities of development (such as multiple landownership and site access); looks at updated constraints; and continues to be heavily discounted by 50%, the Council believes that it can have confidence in the updated figure and sites would be deliverable. Monitoring of CAP

delivery since 2012 has shown 71 homes have come forward at an average rate of around 14 per year. The 281 CAP dwellings would come forward at around 31 per year, which the Council considers to be realistic, given the level of confidence in the deliverability of the sites and historic housing delivery rates from unallocated sites.

51. Given historic windfall rates and the Council's confidence in the CAP calculation, the Council believes it can justify a reliance on CAP / windfall of 50 homes during the last 9 years of the plan period (2024-2033). This will comprise around 31 homes from CAP and 19 homes from unidentified windfall per annum, which will equal around 450 homes overall.

## Recommendations for the Local Plan Review

52. Based on its findings, this paper makes the following recommendation:
  - Given historic windfall rates and the Council's confidence in the CAP calculation, the Council plans for CAP / windfall of 50 homes per year during the last 9 years of the plan period (2024-2033). This will comprise around 31 homes from CAP and 19 homes from unidentified windfall.

## Appendix 1: character areas of smaller settlements

### **Briantspuddle**

The village is small and wholly within the conservation area. There are no identifiable character areas and the village should be treated as a whole.

### **East Lulworth**

The village's settlement boundary is fragmented into two distinct areas:

- East; and
- West.

### **Harmans Cross**

The village is not fragmented and has no conservation area. The A351 is a strong landline that runs through the middle of the village and is the most logical way to subdivide it:

- North; and
- South.

### **Langton Matravers**

The village's settlement boundary is split into three distinct areas:

- East;
- Central; and
- West.

### **Lytchett Minster**

The centre of the village is a conservation area, with a parcel either side:

- East;
- Conservation area; and
- West.

### **Moreton Station**

The village is small and without a conservation area. There are no identifiable character areas and the village should be treated as a whole.

### **Ridge**

The village is small and without a conservation area. There are no identifiable character areas and the village should be treated as a whole.



## **Sandford**

The village is fairly large, but with no historic core that can help split it. A logical approach is:

- North Sandford
- North east Sandford; and
- South Sandford.

## **Stoborough**

The village's settlement boundary is fragmented and includes a conservation area. This splits it into three distinct areas:

- Stoborough conservation area;
- Stoborough non conservation area; and
- Stoborough Green.

## **Studland**

The village's settlement boundary is fragmented and includes a conservation area. This splits it into three distinct areas:

- East;
- Central non conservation area;
- Conservation area; and
- South.

## **West Lulworth**

The village's settlement boundary is fragmented, but its conservation area crosses both fragments. The most logical split is:

- North conservation area;
- North non conservation area;
- South conservation area; and
- South non conservation area.

## **Winfrith Newburgh**

Part of the village is in the conservation area and part is not. This sets out two distinct areas:

- Conservation area; and
- Non conservation area.

## **Worth Matravers**

The centre of the village is a conservation area, with a parcel either side:

- North;
- Conservation area; and
- South.

## Appendix 2: key circumstances for converting buildings to residential without planning permission

### Retail and specified sui generis uses (including betting offices, payday loan shops and launderettes) to dwellinghouses (Class M)

- The existing use had to be established on or before 20<sup>th</sup> March 2013;
- Only 'reasonable' building operations would be allowed to convert the building;
- The building size is limited to 150sqm floor space;
- It does not apply to the AONB, conservation areas and listed buildings;
- Sites cannot be within 400m of heathland;
- Factors such as transport impacts and contamination have to be taken into account;
- Sites cannot be in the flood zone; and
- Development would not be allowed if the site is required to meet local retail needs.

### Specified sui generis uses (including amusement arcades or centres and casinos) to dwellinghouses (Class N)

- The existing use had to be established on or before 19<sup>th</sup> March 2014;
- Only 'reasonable' building operations would be allowed to convert the building;
- The building size is limited to 150sqm floor space;
- It does not apply to the AONB and listed buildings or their curtilages;
- Sites cannot be within 400m of heathland;
- Factors such as transport impacts and contamination have to be taken into account; and
- Sites cannot be in the flood zone.

### Offices (other than professional and financial services that have regular footfall) to dwellinghouses (Class O)

- The existing use had to be established on or before 29<sup>th</sup> May 2013;
- It does not apply to listed buildings or their curtilages;
- Sites cannot be within 400m of heathland;
- Sites cannot be in the flood zone; and
- The noise of neighbouring uses has to be taken into account.

### Storage or distribution centre to dwellinghouses (Class P)

- The existing use had to be established before 19<sup>th</sup> March 2014 and in use for at least four years prior;
- The building size is limited to 500sqm floor space;
- If it has an agricultural tenancy, the landlord and tenant have to agree to the development;
- It does not apply to the AONB and listed buildings or their curtilages;
- Sites cannot be within 400m of heathland;
- Sites cannot be in the flood zone;
- Factors such as transport impacts, contamination, air quality and the noise of neighbouring uses have to be taken into account; and
- If the site is required to meet local storage or distribution needs.

### Premises in light industrial use to dwellinghouses (Class PA)

- Conversion is limited to between 1st October 2017 and 30th September 2020;
- The existing use had to be established before 19<sup>th</sup> March 2014;
- The building size is limited to 500sqm floor space;
- If it has an agricultural tenancy, the landlord and tenant have to agree to the development;
- Sites cannot be within 400m of heathland;
- It does not apply to listed buildings or their curtilages;
- Sites cannot be in the flood zone;
- Factors such as transport impacts and contamination have to be taken into account; and
- If the site is required to meet local industrial needs.

### Agricultural buildings to dwellinghouses (Class Q)

- The existing use had to be established on or before 20<sup>th</sup> March 2013;
- Only 'reasonable' building operations would be allowed to convert the building;
- Cumulative floor space cannot exceed 450sqm;
- Development is limited to three new dwellings;

- If it has an agricultural tenancy, the landlord and tenant have to agree to the development;
- It does not apply to the AONB, conservation areas and listed buildings;
- Sites cannot be within 400m of heathland;
- Sites cannot be in the flood zone; and
- Factors such as transport impacts, contamination, air quality and the noise of neighbouring uses have to be taken into account.

### Summary of sites that have come forward as permitted development

Address	Previous use	Net number new dwellings
<b>Everdene House, Sandford Lane, Wareham</b>	B1(a) offices	8
<b>Land at Higher Loop Farm, Castle Farm Road, Lytchett</b>	Agricultural	1
<b>88 Wareham Road, Lytchett Matravers</b>	A2 (financial and professional services)	1
<b>Rogers Hill Farm, The South Stables, Briantspuddle</b>	Agricultural	3
<b>Redbridge Farm, Dolmans Hill, Lytchett Matravers</b>	Agricultural	1
<b>TOTAL</b>		<b>14</b>

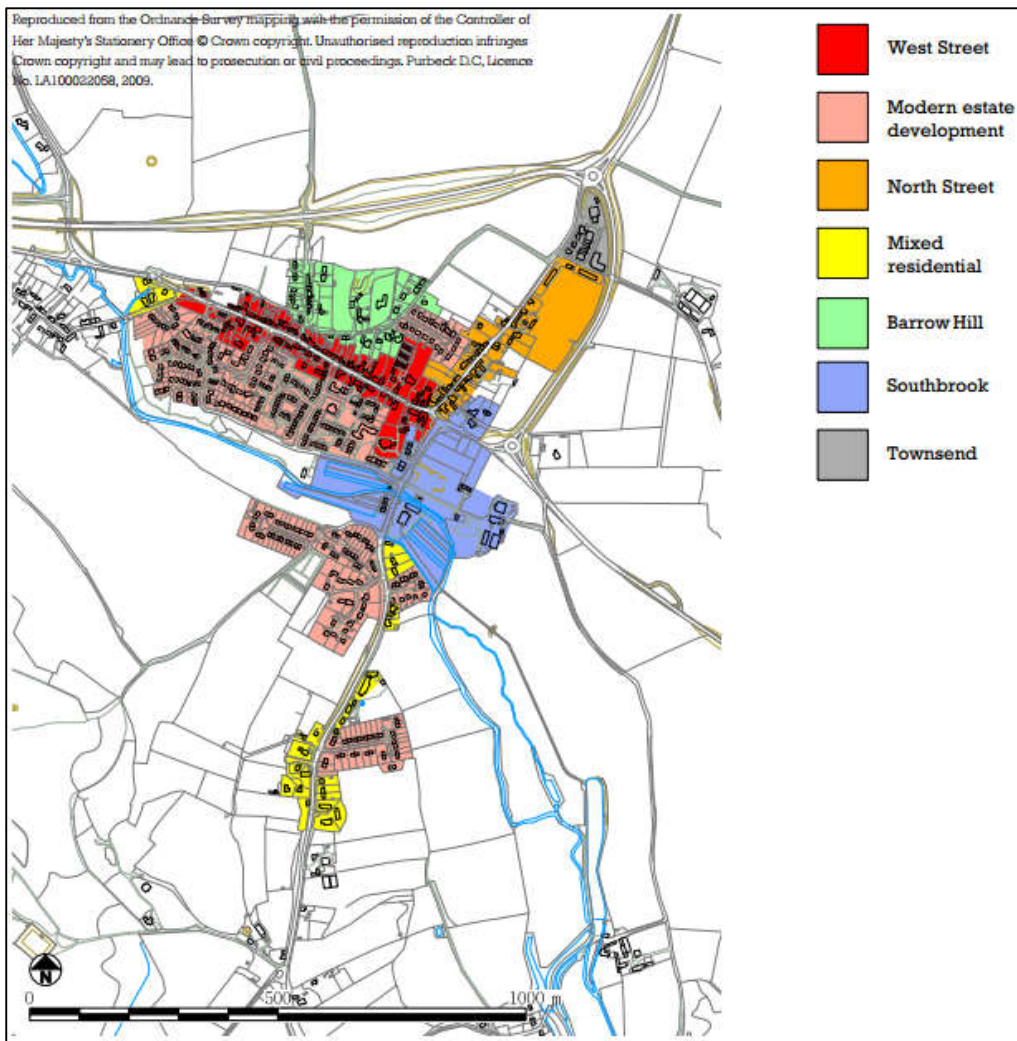
## Appendix 3: breakdown of CAP by settlement

The following is a breakdown of character area potential for each settlement. Each table contains a row to reflect the potential from conversions under 'permitted development' (PD), which legislation allows without planning permission. Some conversions are allowed in countryside locations and therefore the figures below are not necessarily representative of potential within each settlement. For the ease of counting and assigning the potential in the countryside to a location, the Council has attributed the potential to the nearest settlement.

Note: the maps below do not identify sites. They identify the character areas.

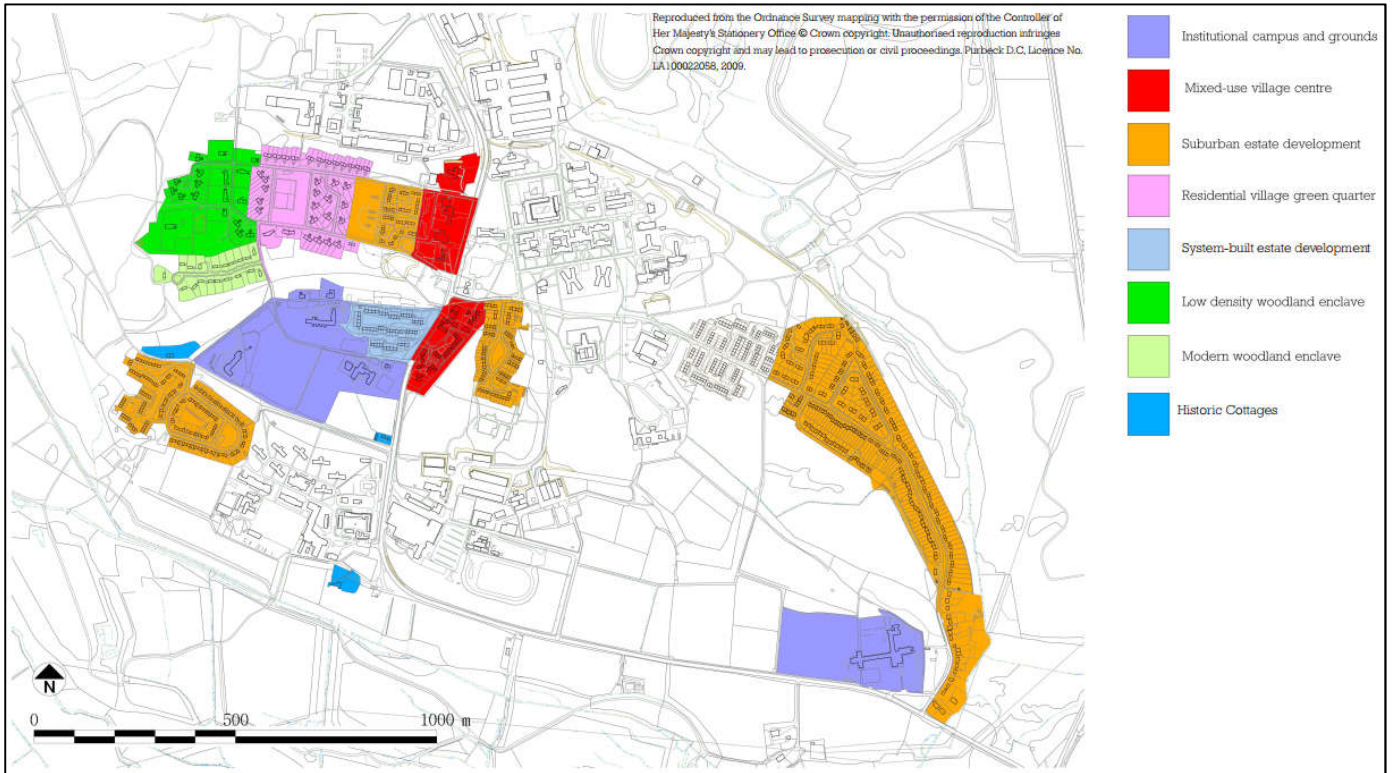
### Bere Regis

No potential identified.



# Bovington

Character area	Potential units
Institutional campus	5
Mixed institutional / residential	14
Mixed use village centre	8
Conversions under PD	0
<b>Sub total</b>	<b>27</b>
<b>-50% discount</b>	<b>14</b>



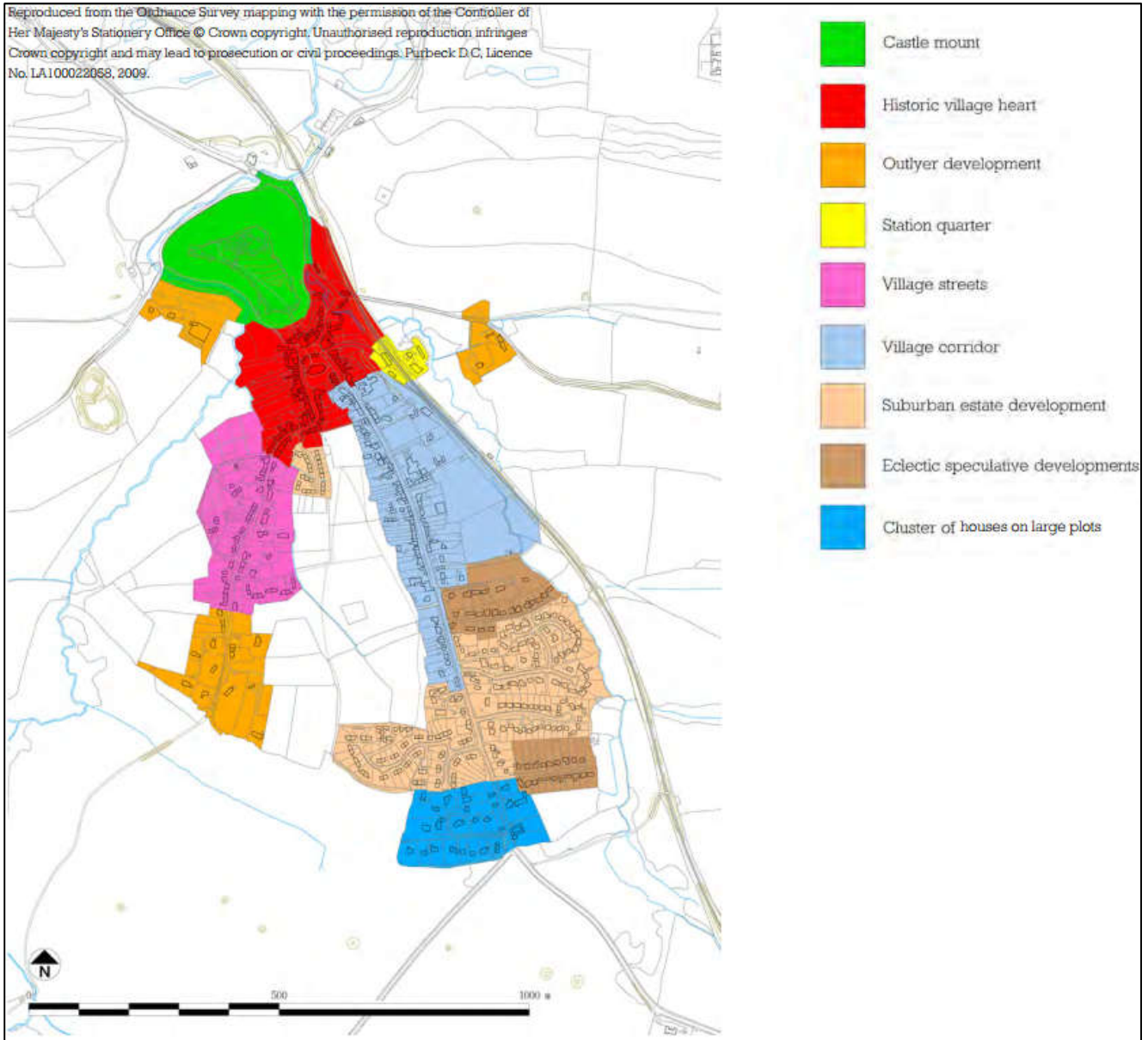




## Corfe Castle

Character area	Potential units
Cluster of houses on large plots	3
Eclectic speculative developments	8
Conversions under PD	0
<b>Sub total</b>	<b>11</b>
<b>-50% discount</b>	<b>6</b>

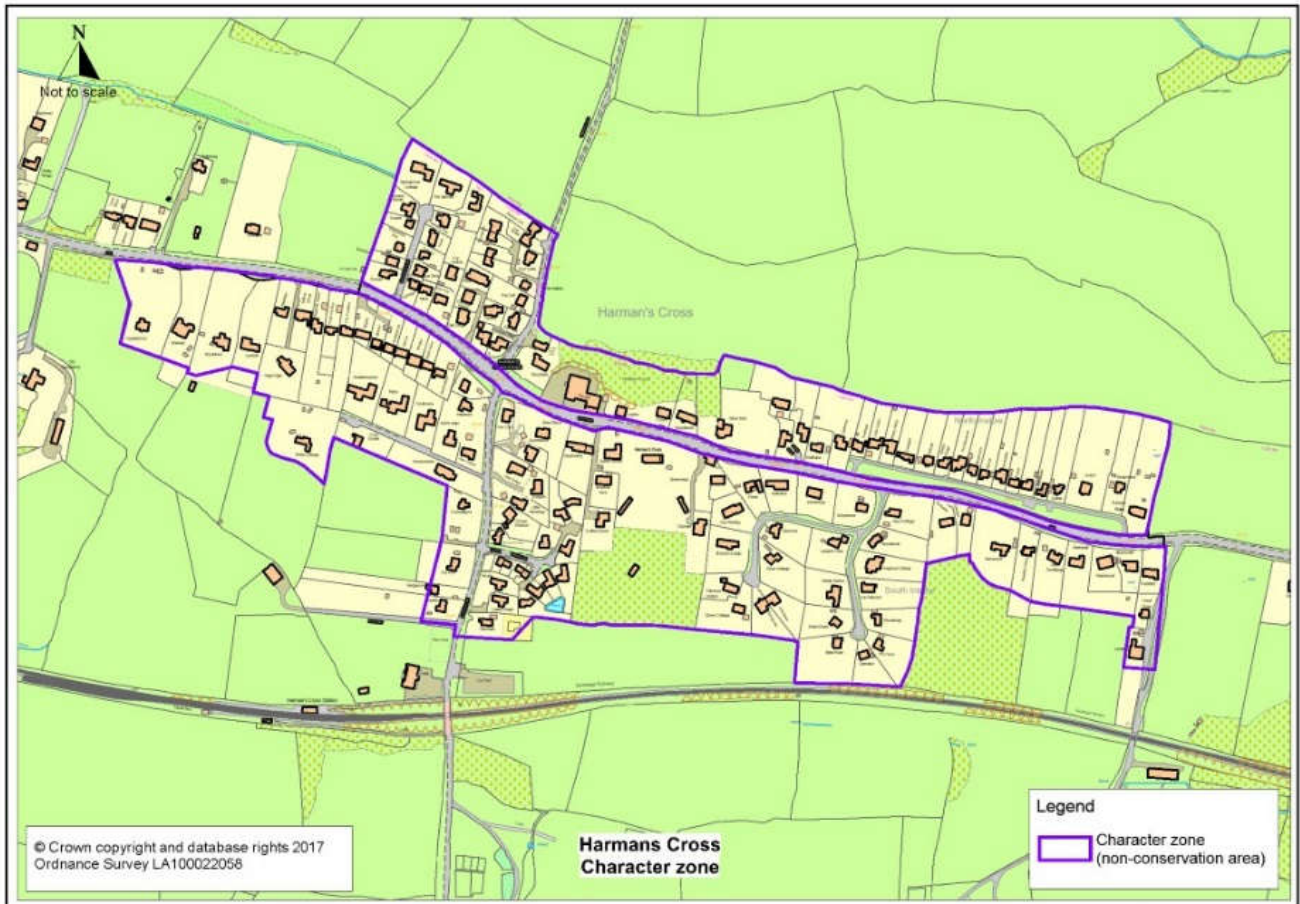
Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Purbeck D.C. Licence No. LA100022068, 2009.





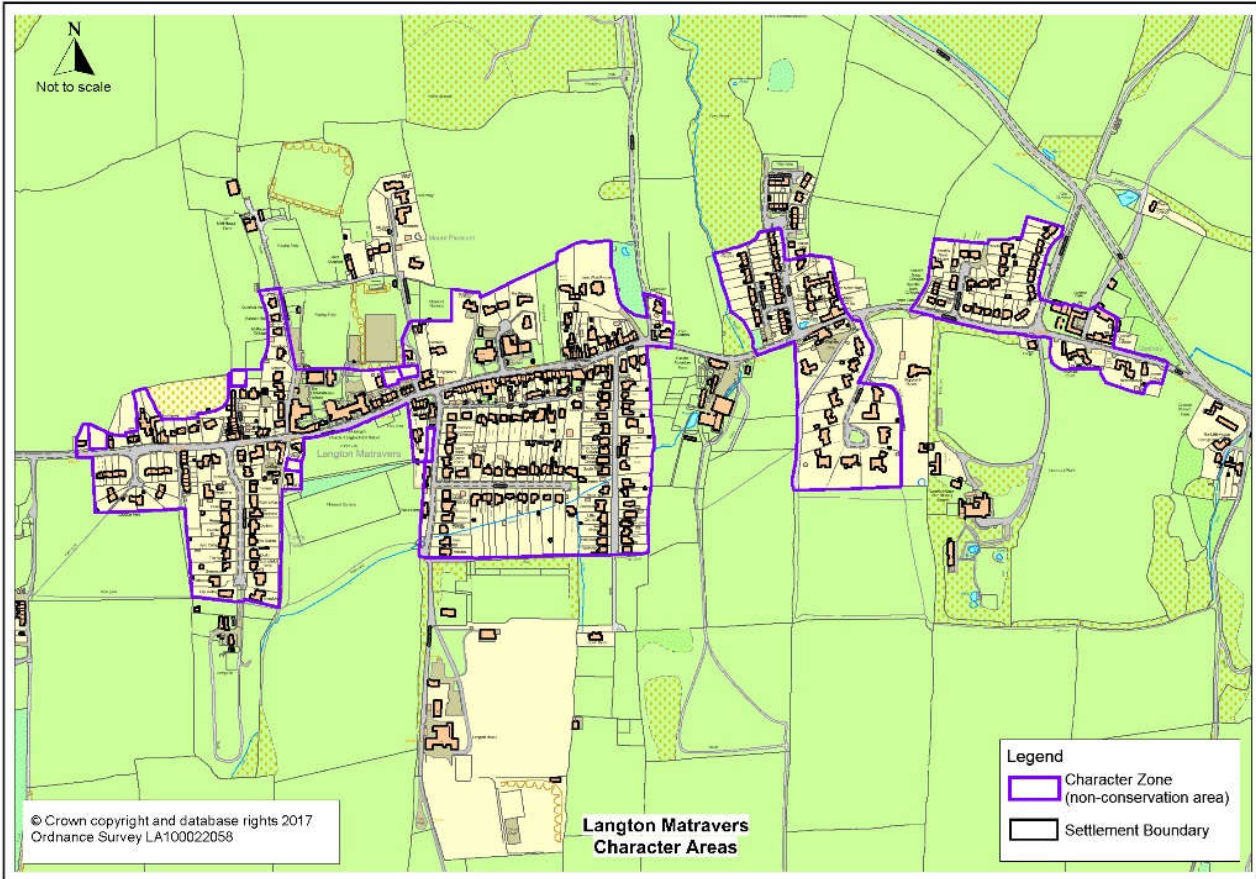
## Harmans Cross

Character area	Potential units
North A351	1
Conversions under PD	0
Sub total	1
-50% discount	1



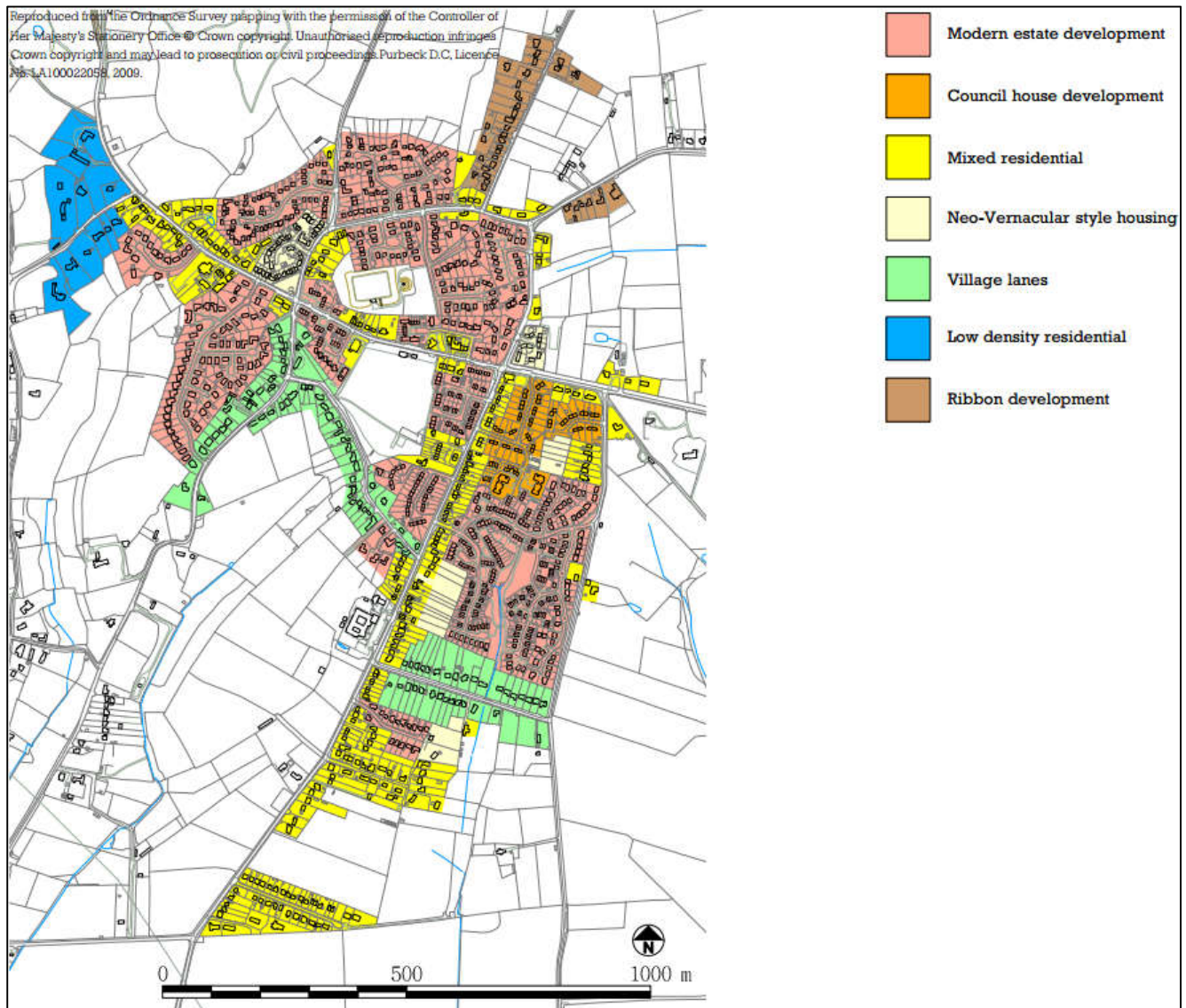
# Langton Matravers

Character area	Potential units
West	8
Conversions under PD	0
Sub total	8
-50% discount	4



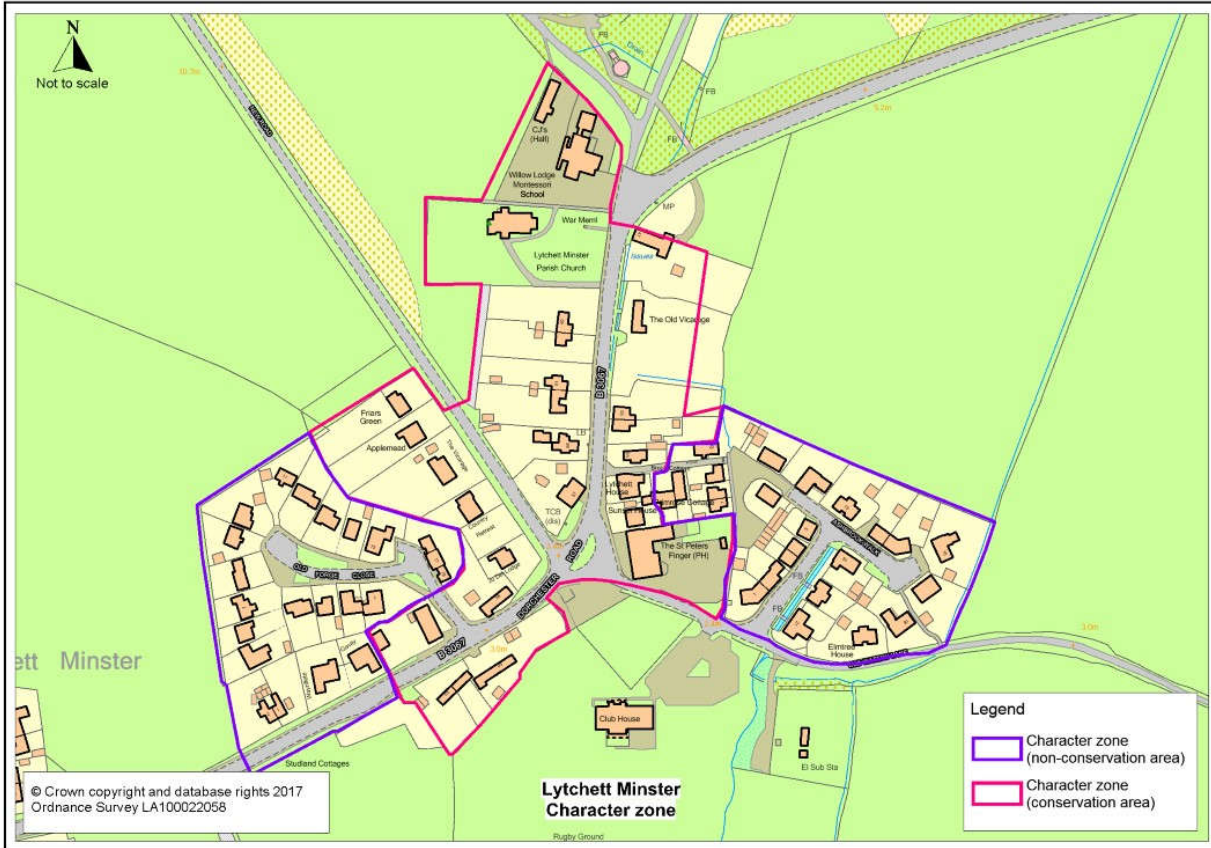
# Lytchett Matravers

Character area	Potential units
Mixed residential	6
Modern estate development	10
Neo vernacular	2
Village lanes	5
Conversions under PD	0
<b>Sub total</b>	<b>23</b>
<b>-50% discount</b>	<b>12</b>



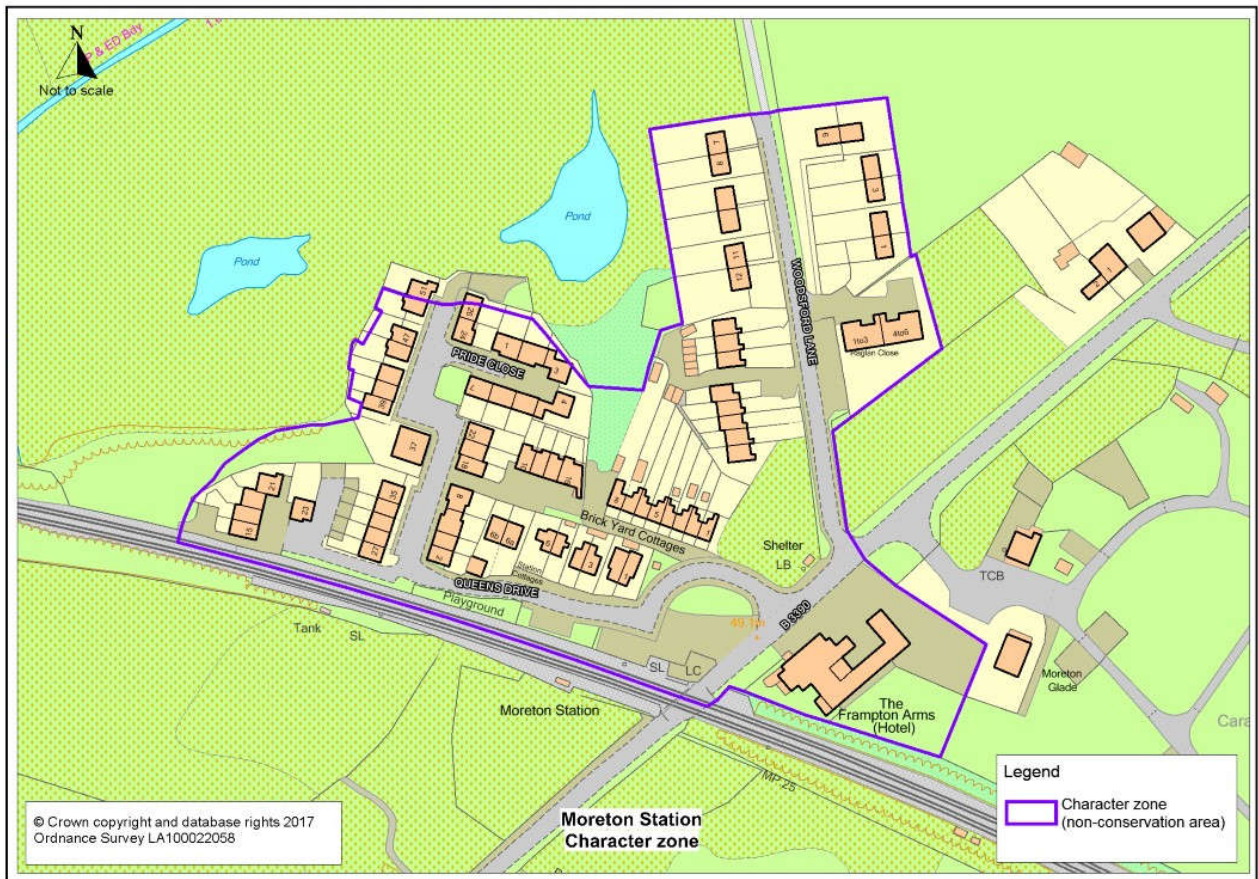
# Lytchett Minster

Character area	Potential units
Conversions under PD	3
Sub total	3
-50% discount	2



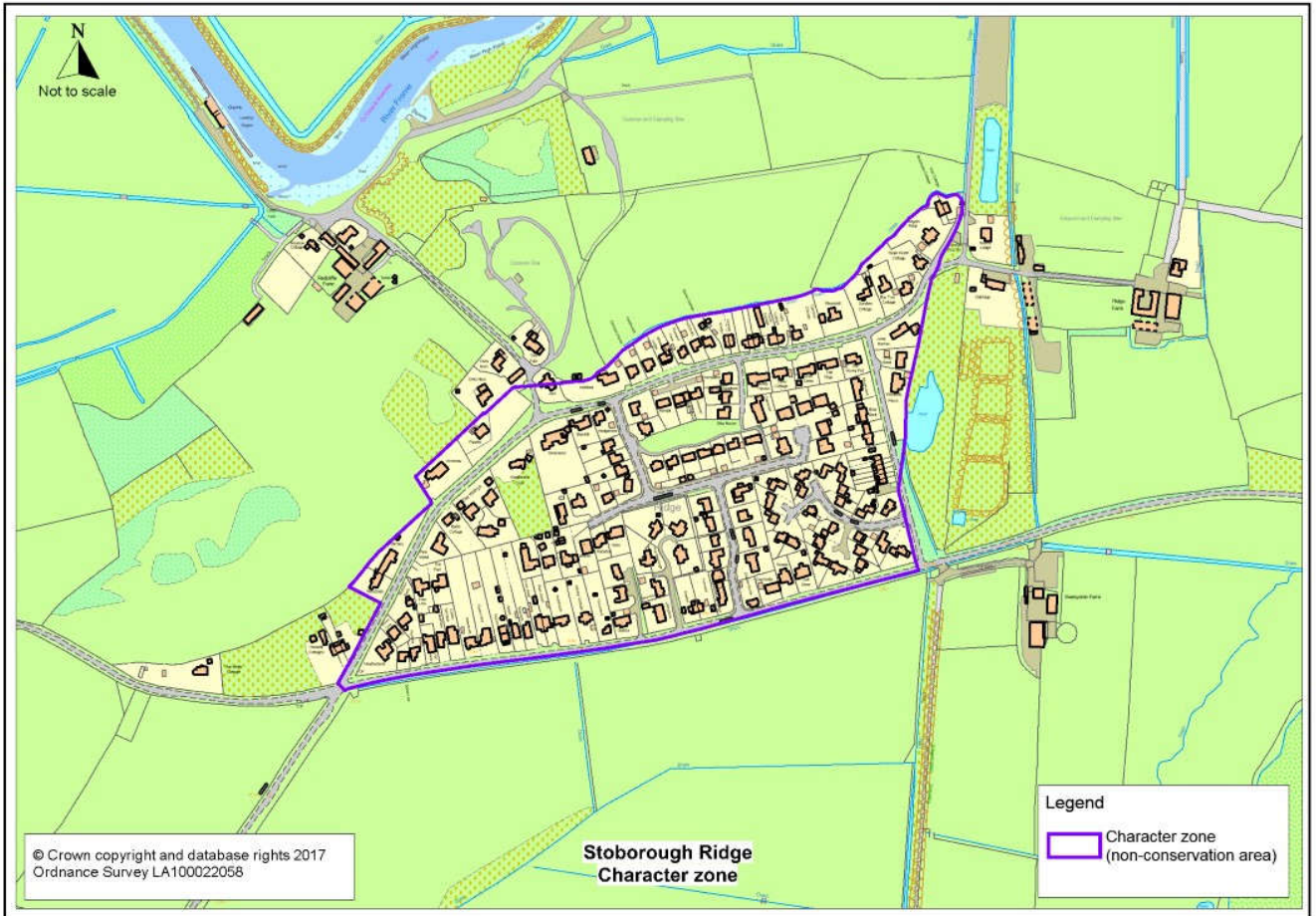
## Moreton Station

Character area	Potential units
Moreton Station	1
Conversions under PD	2
Sub total	3
-50% discount	2



# Ridge

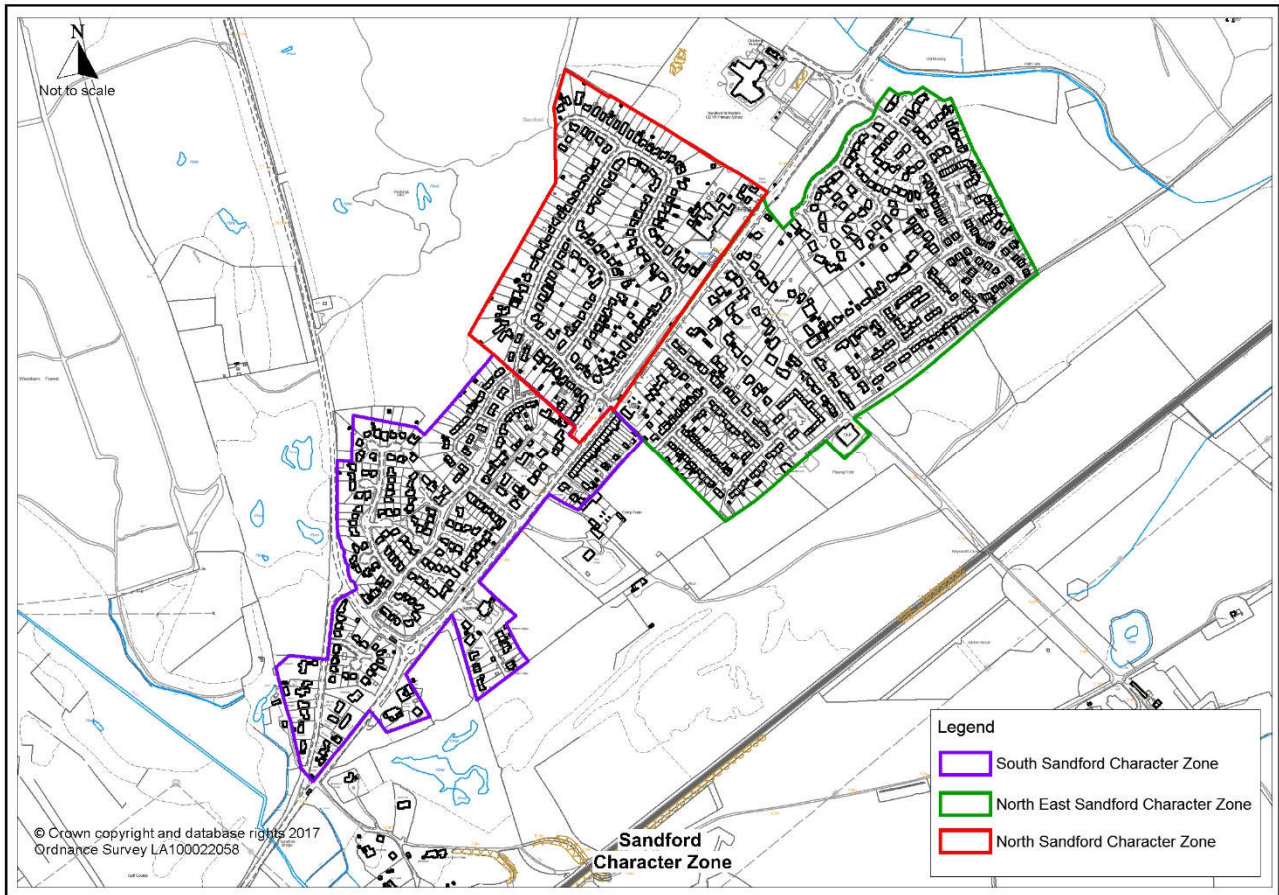
No potential identified.





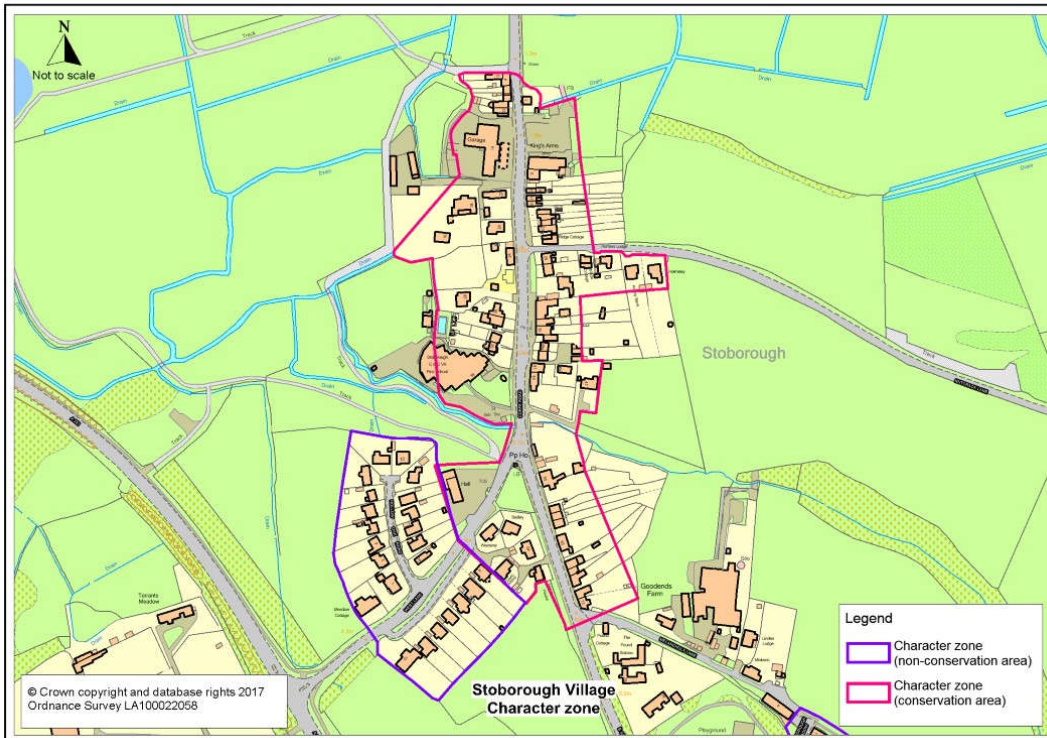
# Sandford

Character area	Potential units
North East Sandford	9
Conversions under PD	0
Sub total	9
-50% discount	5



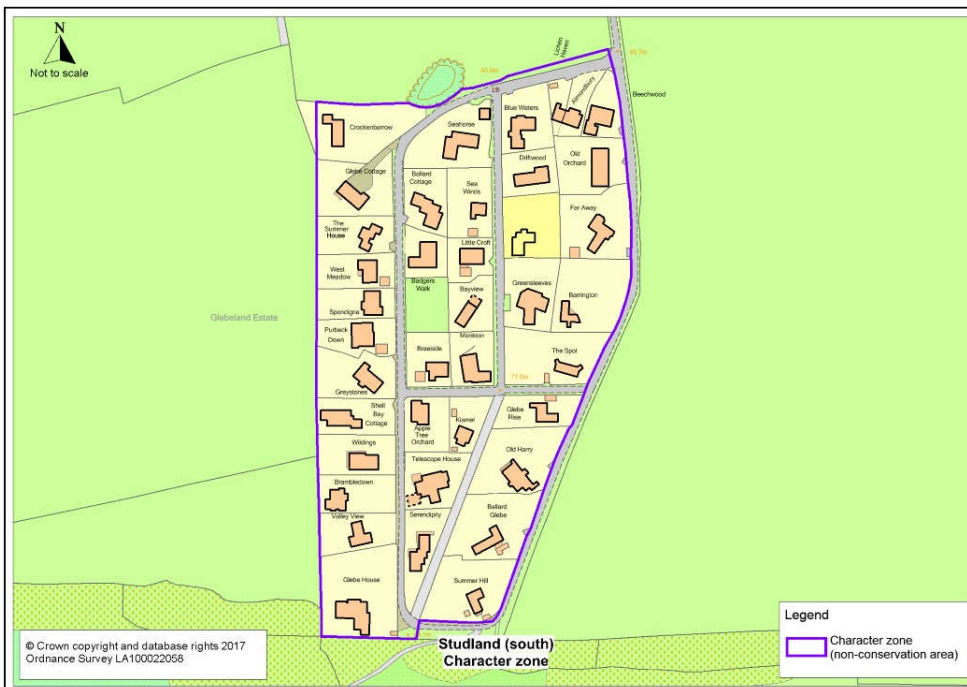
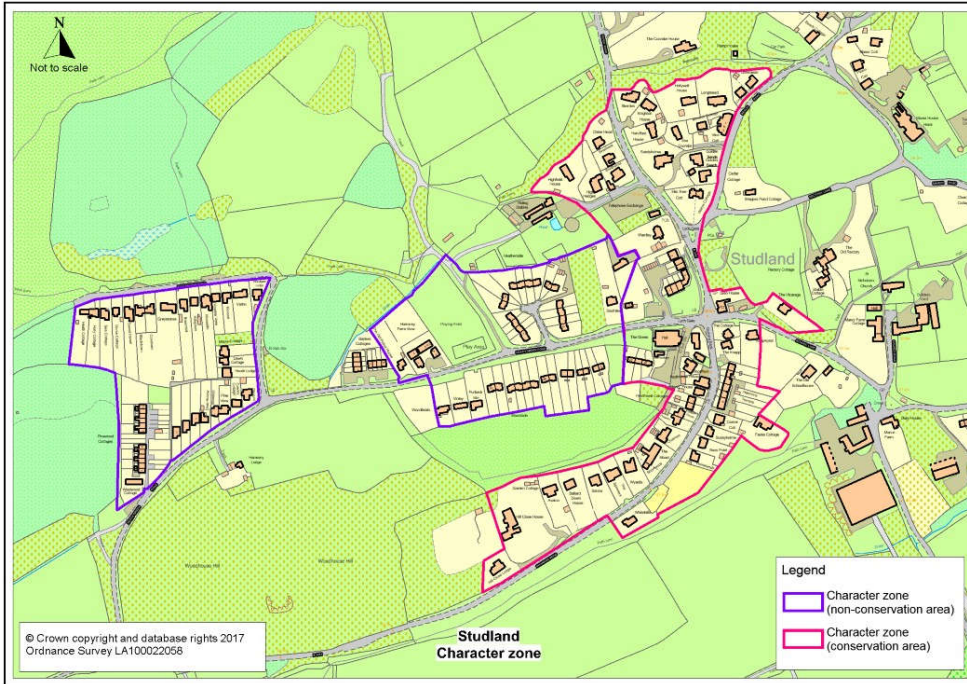
# Stoborough

No potential identified.



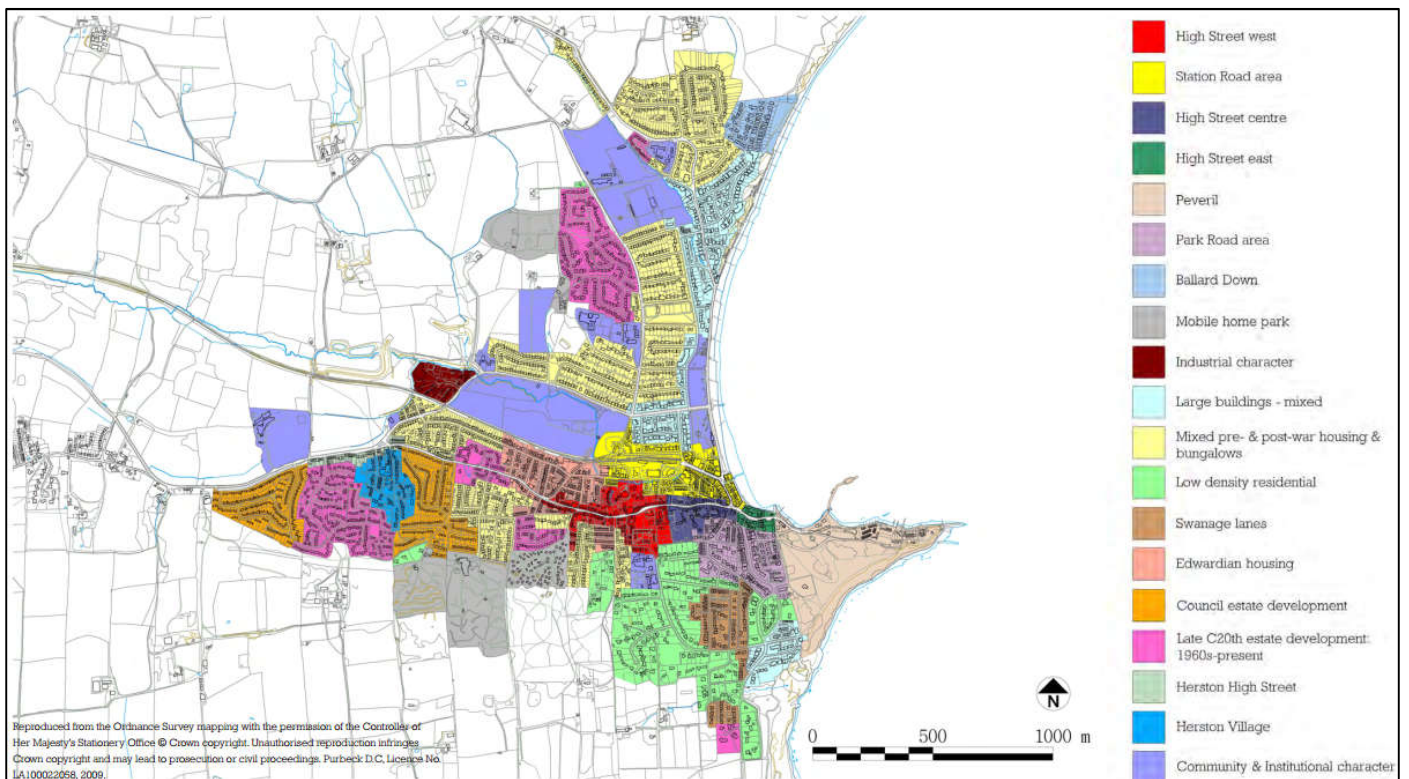
# Studland

Character area	Potential units
South	5
Conversions under PD	0
Sub total	5
-50% discount	3



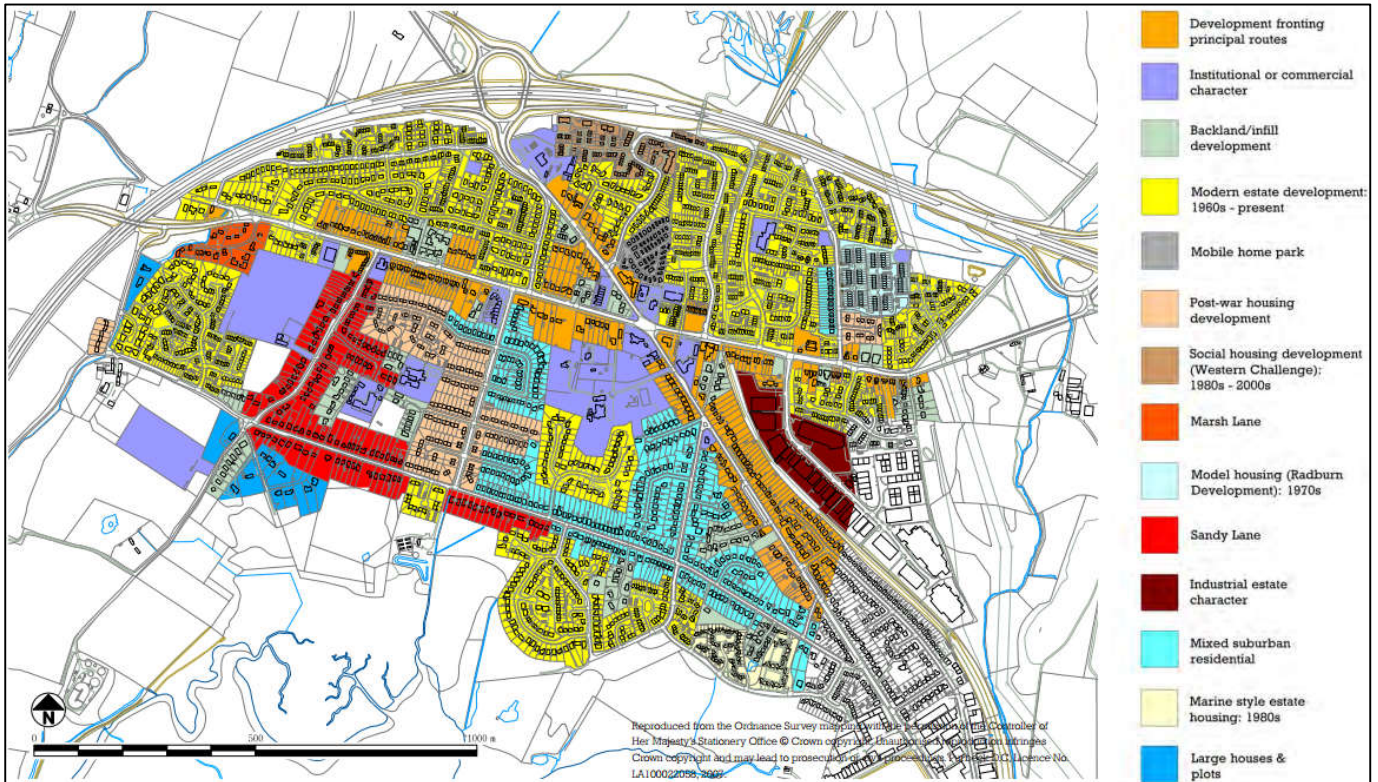
## Swanage

Character area	Potential units
Community & institutional	16
Council estate development	15
Herston Village	1
Large buildings - mixed	15
Late 20th Century estate development	24
Low density residential	29
Mixed pre- & post-war housing and bungalows	9
Swanage lanes	4
Conversions under PD	0
<b>Sub total</b>	<b>113</b>
<b>-50% discount</b>	<b>57</b>



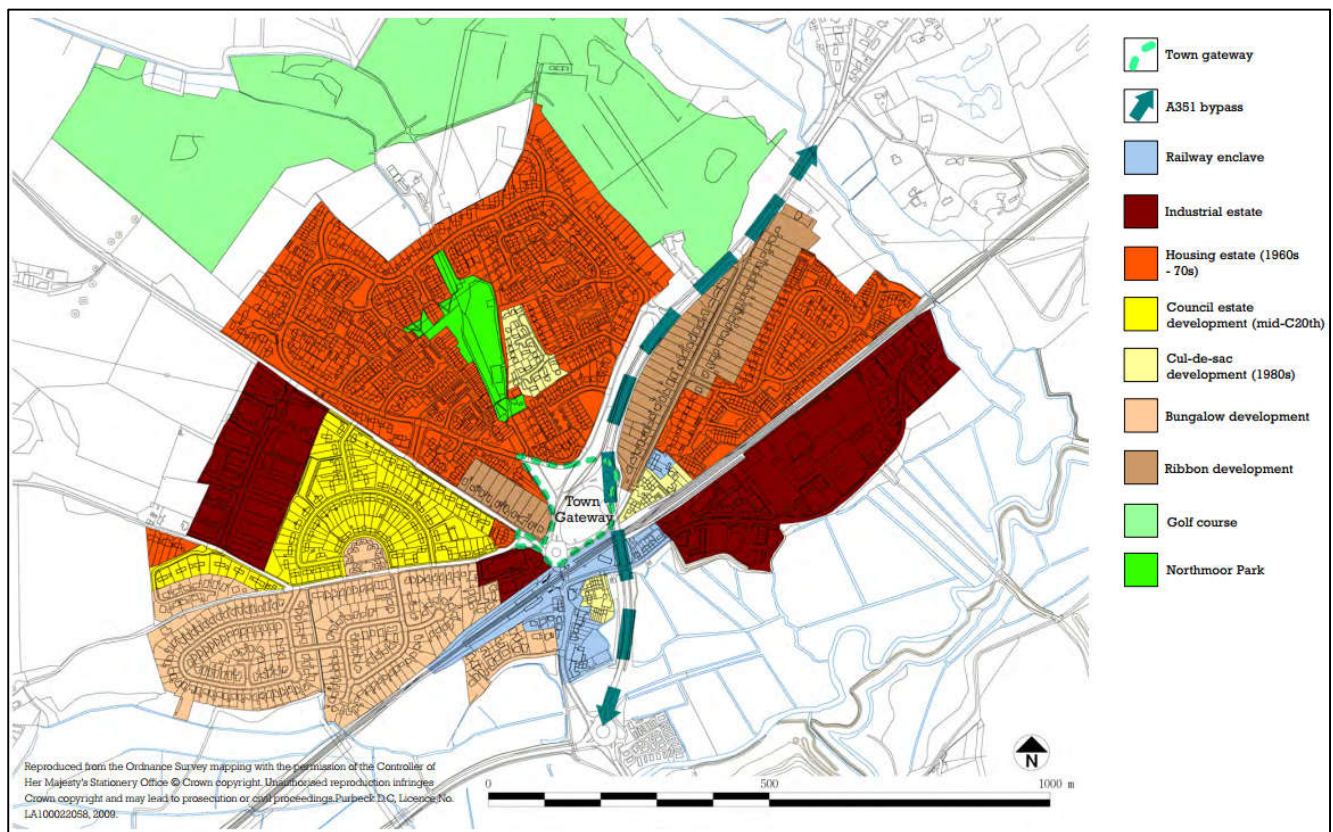
# Upton

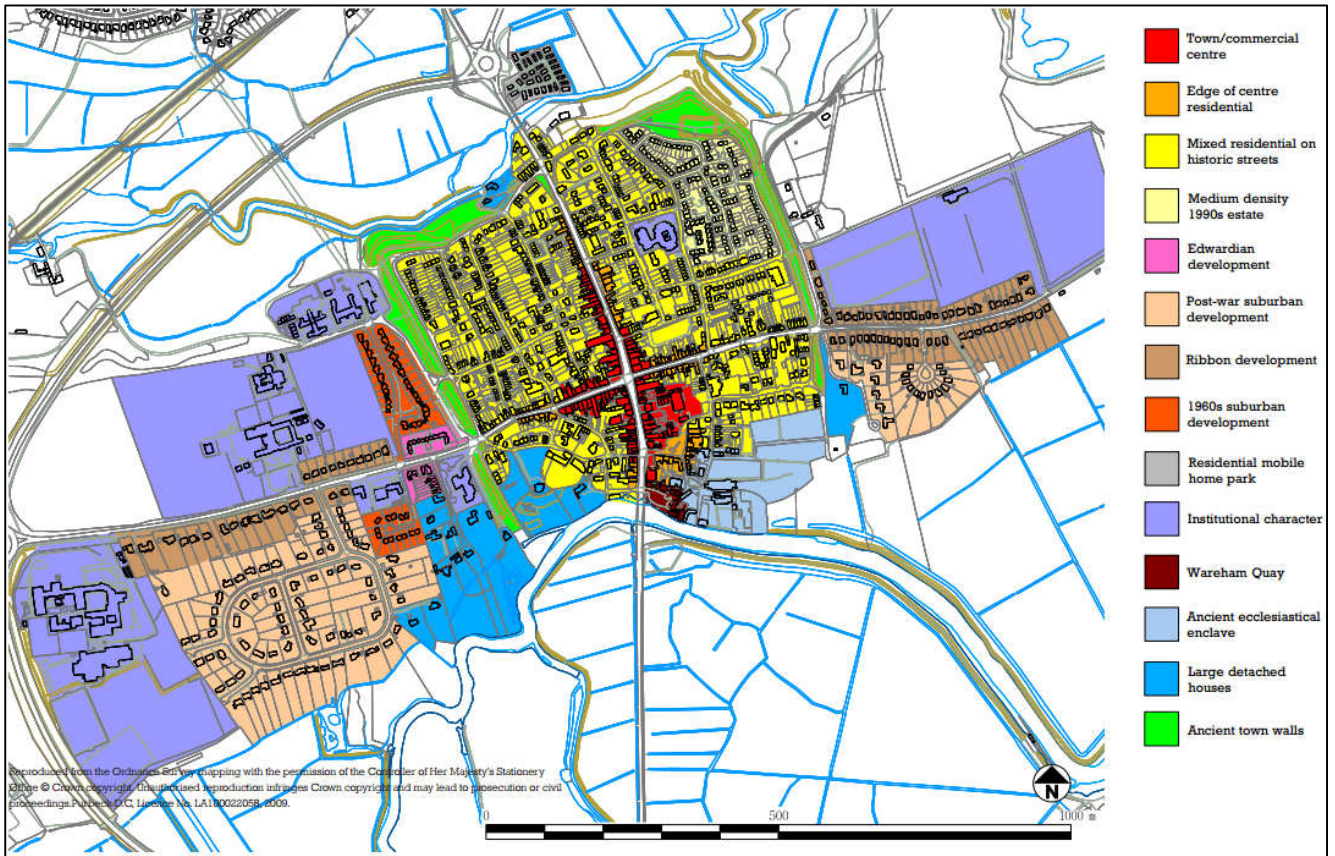
Character area	Potential units
Development fronting principal routes	11
Marsh Lane	1
Mixed suburban residential	6
Modern estate development 1960s-present	32
Conversions under PD	0
<b>Sub total</b>	<b>50</b>
<b>-50% discount</b>	<b>25</b>



## Wareham (North and Town)

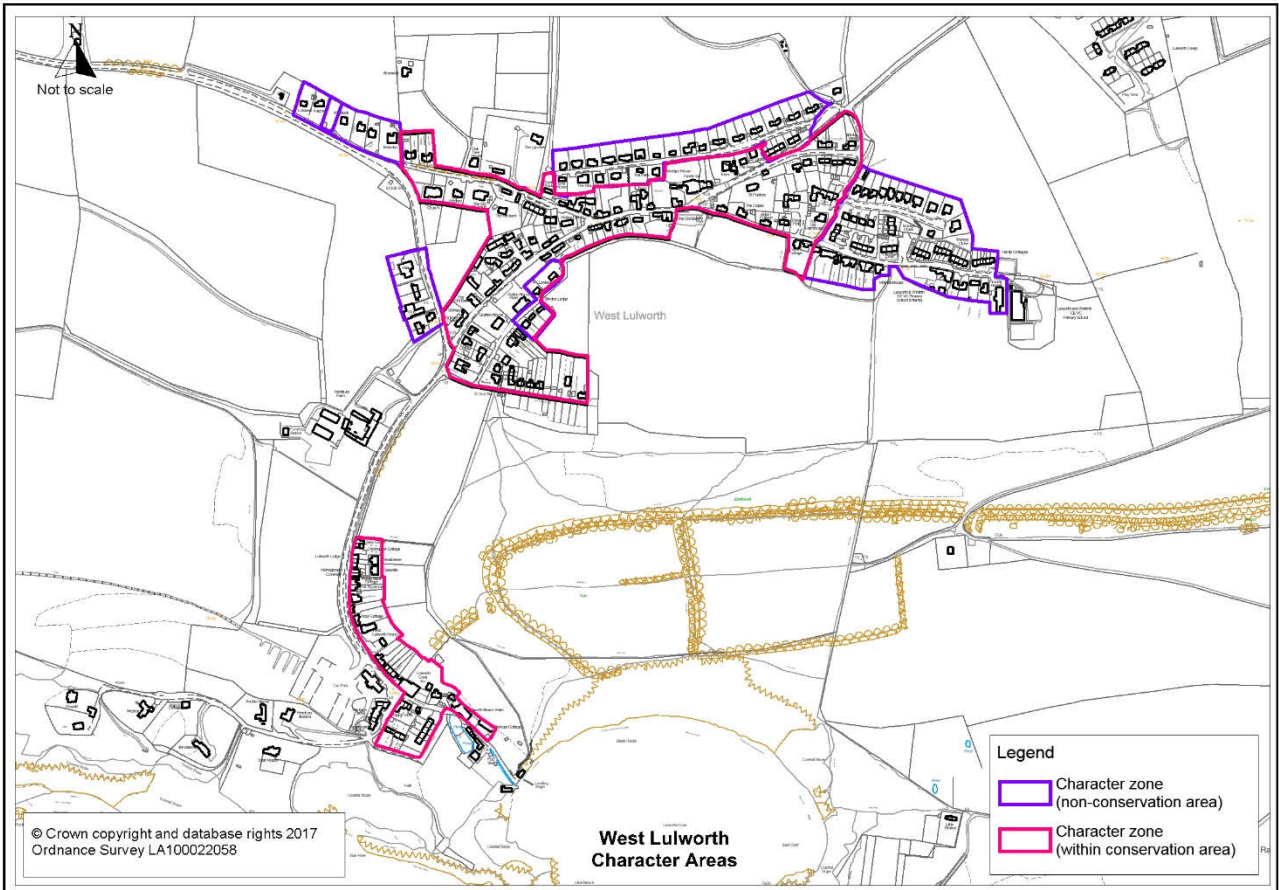
Character area	Potential units
Housing estate 1960s – 70s	27
Institutional character	120
Large detached houses	6
Mixed residential on historic streets	77
Ribbon development	19
Conversions under PD	2
<b>Sub total</b>	<b>251</b>
<b>-50% discount</b>	<b>126</b>





# West Lulworth

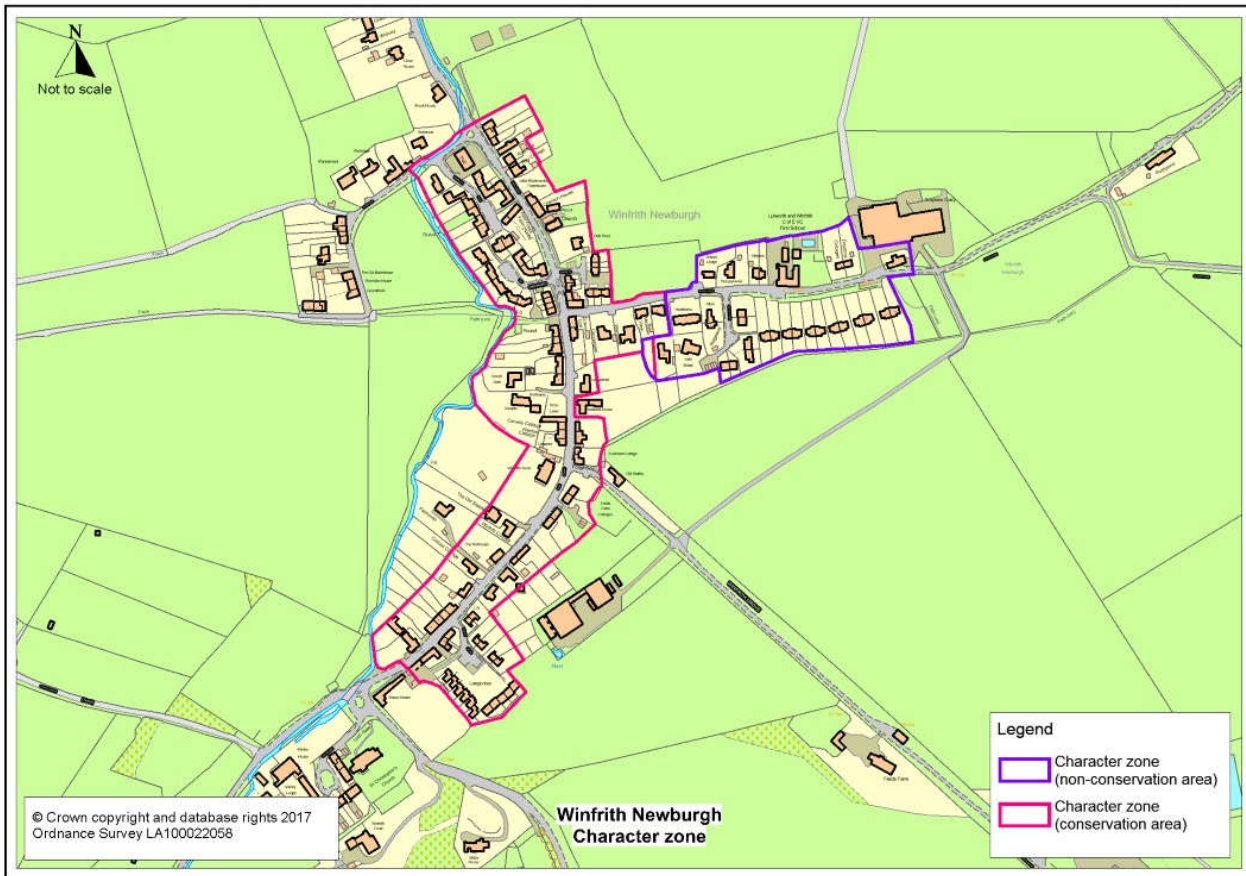
Character area	Potential units
North non conservation area	1
Conversions under PD	0
Sub total	1
-50% discount	1





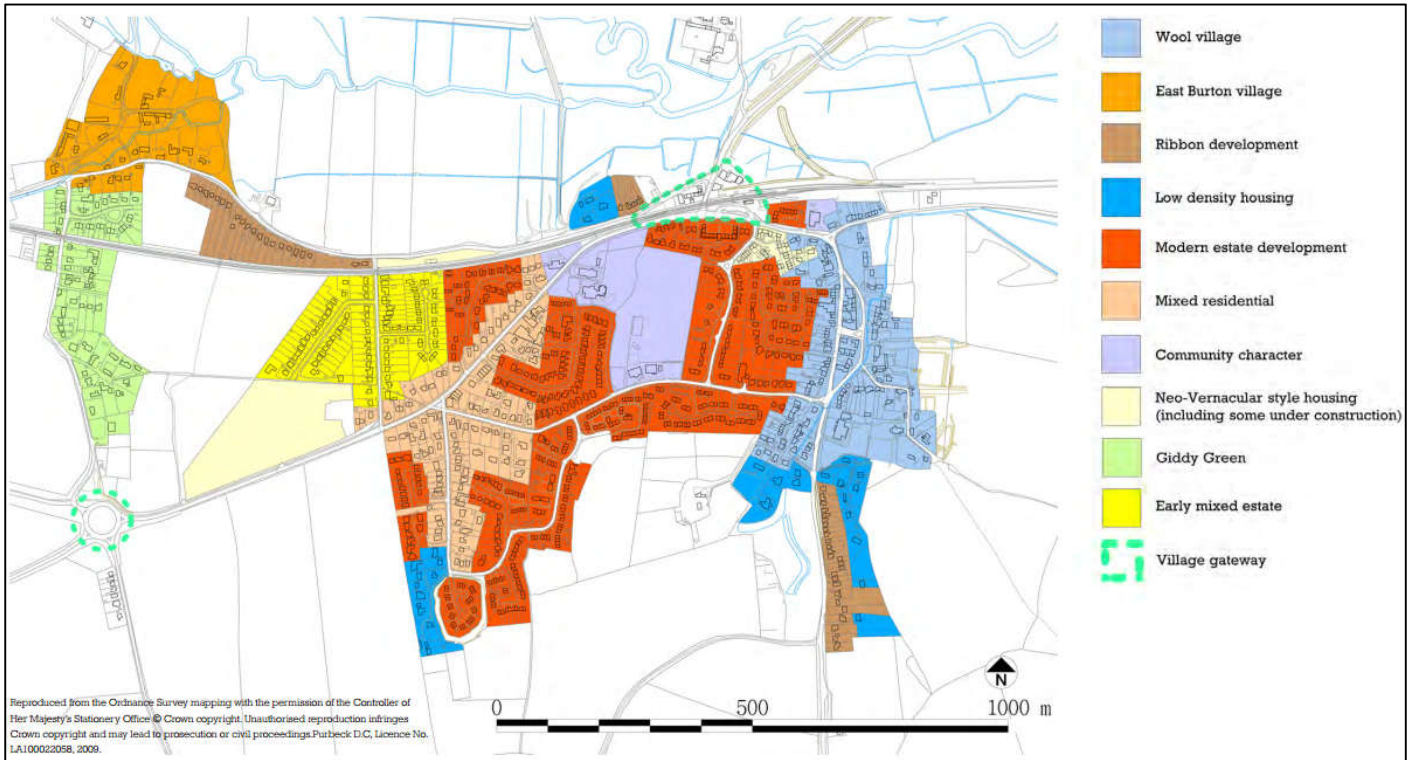
# Winfrith Newburgh

No potential identified.



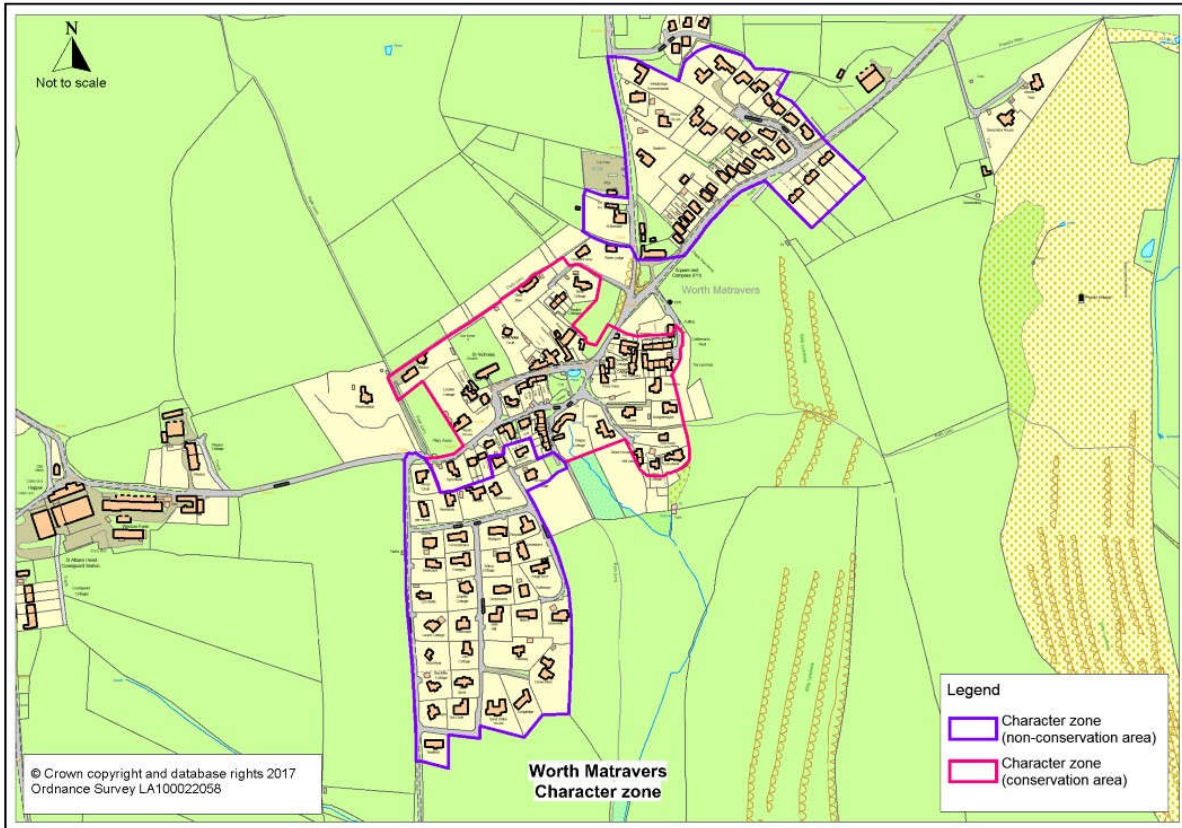
# Wool

Character area	Potential units
Early Mixed Estate	2
East Burton village	1
Mixed residential	6
Modern estate development	34
Conversions under PD	0
<b>Sub total</b>	<b>43</b>
<b>-50% discount</b>	<b>22</b>



# Worth Matravers

Character area	Potential units
South	1
Conversions under PD	0
Sub total	1
-50% discount	1



## Appendix 4: recommended data sources for Character Area Potential

53. The PPG includes a number of recommended data sources for identifying broad locations (which the Council believes can include CAP) for development<sup>20</sup>. The guidance is displayed below, with an additional column to show how the Council has taken the sources into account.

Type of site	Potential data source	Council response
<b>Existing housing and economic development allocations and site development briefs not yet with planning permission</b>	Local and neighbourhood plans Planning applications records Development briefs	These sites are already being considered through the Council's housing monitoring (five-year supply) assessment and are therefore not counted as CAP.
<b>Planning permissions for housing and economic development that are unimplemented or under construction</b>	Planning application records Development starts and completions records	
<b>Planning applications that have been refused or withdrawn</b>	Planning application records	These have been reviewed since 2012 (to reflect the current Local Plan and introduction of the NPPF). Most have been re-submitted and the reasons for refusal overcome. Officers have checked the reasons for refusal to see which could be overcome.
<b>Land in the local authority's ownership</b>	Local authority records	All Council-owned land that is available for development has been considered.
<b>Surplus and likely to become surplus public sector land</b>	National register of public sector land Engagement with strategic plans of other public sector bodies such as county councils, central government, National Health Service, police, fire services, utilities providers, statutory undertakers	The National register shows no public sector land available in Purbeck. Occupation data shows Natural England's Arne premises and Dorset Wildlife Trust land and offices, but these are not available and are constrained. The Council has contacted Dorset County Council, local town and parish councils, utility companies and infrastructure providers to enquire about any available land for development. Further

<sup>20</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/575032/Type\\_of\\_site\\_and\\_potential\\_data\\_source.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/575032/Type_of_site_and_potential_data_source.pdf)

Type of site	Potential data source	Council response
		detail is set out in appendices 2 and 3 of the SHLAA.
<b>Vacant and derelict land and buildings (including empty homes, redundant and disused agricultural buildings, potential permitted development changes, eg offices to residential)</b>	Local authority empty property register English House Condition Survey National Land Use Database Commercial property databases (eg estate agents and property agents) Valuation Office database Active engagement with sector	Empty residential properties are already part of the district's housing stock and therefore cannot be counted towards a housing target. Empty buildings and land, for example promoted through the SHLAA and SELAA, have been taken into account.  The Council has reviewed all the other sources listed, with the exception of estate and property agents. On reviewing local agents' websites, it became clear it would be impractical to monitor them because of the fast turnover of property.
<b>Additional opportunities in established uses (eg making productive use of under-utilised facilities such as garage blocks)</b>	Ordnance Survey maps Aerial photography Planning applications Site surveys	These sources have been taken into account in identifying CAP sites.
<b>Business requirements and aspirations</b>	Enquiries received by local planning authority Active engagement with sector	The Council's economic development team has regular contact with local businesses. Some employment land is being promoted for development through the SHLAA already.
<b>Sites in rural locations</b>	Local and neighbourhood plans	These sources have been taken into account in identifying CAP sites, except for large scale redevelopment and potential urban extensions. These are considered strategically through the local plan, rather than the CAP study, which has more of an urban capacity focus.
<b>Large scale redevelopment and redesign of existing residential or economic areas</b>	Planning applications Ordnance Survey maps Aerial photography	
<b>Sites in and adjoining villages or rural settlements and rural exception sites</b>	Site surveys	
<b>Potential urban extensions and new free standing settlements</b>		