



Urban Capacity Study (incl. Windfall Assessment)

Strategic Housing Land Availability Assessment
November 2020

Main Report

Dacorum Local Plan 2020 - 2038

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Executive Summary

The Strategic Housing Land Availability Assessment (Urban Capacity, including Windfall), or “Urban Capacity Study”, is prepared to inform the new Local Plan 2020 – 2038 for Dacorum Borough Council. Its core objective is to determine, in accordance with national policy and guidance, how much development is likely to come forward in the built up area of the six main settlements for the plan period. The six main settlements are:

- Hemel Hempstead
- Berkhamsted
- Tring
- Bovingdon
- Kings Langley
- Markyate

The assessment considers various sources of housing supply and subjects these to different levels of assessment in order to robustly determine how much land is likely to come forward in these areas (i.e. the urban capacity of Dacorum). The main conclusions are presented in Section 4 of this report, with further detail set out in the various Appendices that accompany it. These are summarised as follows:

A **review of existing residential-led allocations** has identified the potential to **deliver just over 3,900 new homes** across 21 sites. This figure include those sites released from the Green Belt through the previously adopted Site Allocations DPD.

The full assessment of other identified sites has determined that 34 sites are suitable for further consideration, with an estimated development potential of almost 2,400 homes. The assessment has looked at these in more detail for their potential to be allocated in the new Local Plan. **Ten possible new allocations are recommended** for further testing, including through the Sustainability Appraisal, with the potential to **deliver an additional 1,700 new homes**.

A comprehensive windfall assessment is included in the study which **recommends a maximum windfall allowance of 200 dwellings per annum**, having regard to historic and likely future trends, including consideration of what the recent COVID-19 pandemic may have on housing delivery. For the plan period, the overall windfall allowance is calculated to be just over 2,408 dwellings, using an incremental approach which commences in 2024 to ensure no double-counting occurs with known commitments.

Together with a known commitments figure of 2,465 dwellings to be provided from 2020, the **estimated urban capacity of Dacorum is approximately 10,440 dwellings** in total. A summary breakdown for each settlement is provided below.

	Hemel Hempstead	Berkhamsted & Northchurch	Tring	Bovingdon	Kings Langley	Markyate
Review of allocations	3,895	56	74	40	10	33
New urban allocations*	1,660	40	0	0	0	0
Commitments	1,873	173	313	27	71	8
Windfall	1,710	217	144	24	48	24
Urban Capacity	9,138	486	531	91	129	65

*Subject to further testing, including through Sustainability Appraisal

When known commitments and a windfall allowance is included for the rural area (i.e. outside of the six main settlements), an additional 514 homes are predicted to be provided, resulting in an **overall existing capacity for the borough (urban and rural) of almost 11,000 homes**.

1. Introduction

- 1.1. The Strategic Housing Land Availability Assessment (Urban Capacity, incl Windfall), or “Urban Capacity Study”, is a technical study which forms part of a suite of evidence prepared to inform the new Local Plan 2020 - 2038.
- 1.2. The study assesses land availability for potential development within the district over the lifetime of the Local Plan to 2038. It forms part of process that informs the selection of sites for inclusion in the Local Plan. This work is fundamental in guiding decisions on the level of Green Belt releases the Council may have to consider in order to meet future housing needs.
- 1.3. It is important to emphasise that while the Urban Capacity Study is an important evidence source to inform plan making, it does not in itself determine whether a site should be allocated for development, or that planning permission would be granted if an application was submitted for a site contained within it. It is the role of the study to provide information on a wide range of sites. It is for the plan making process to allocate those sites with the greatest potential to meet the strategy of the new Local Plan.

How does the study relate to ongoing plan making?

- 1.4. The study is one of two important evidence base studies which provide the starting point in the site selection process for the Local Plan. It also helps inform wider decisions on the quantum of Green Belt release the Council will have to consider if it is to meet its local housing need and progress towards achieving a 5-year housing land supply. The study proportionately considers a wide range of sites within the built-up area of the six main settlements in Dacorum and assesses them for their suitability, availability and achievability, in accordance with the most up-to-date guidance¹.
- 1.5. Importantly, it also reviews in detail past and predicted future trends for sites not specifically identified in the Council’s development plan (i.e. windfall sites). This is done in order to assess their future contribution to housing supply.
- 1.6. The study is complemented by a separate Site Assessment Study, prepared by AECOM which looks at sites outside of the built up area of the six main settlements (i.e. the “Rural SHLAA”). That assessment focuses on land promoted to the Council that is outside of the six main settlements, and includes greater consideration of other important designations, including the Green Belt and the Chilterns Area of Outstanding Natural Beauty (AONB).
- 1.7. Combined, these studies form the starting point on which potential development sites are considered for the new Local Plan. Further detail on how these studies relate to the plan making process is set out in the Section 3 (Methodology) of this assessment.

¹ Planning Practice Guidance – Section on “*Housing and economic land availability assessment*” (Published 6 March 2014, Last updated 22 July 2019). Available from <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>

2. Policy Context and Evidence

National Policy

- 2.1. The National Planning Policy Framework (NPPF) was first published in March 2012 and updated in February 2019². It provides the overarching framework to inform plan making and decision making alike.
- 2.2. This assessment does not seek to extensively repeat national policy, but notes a small number of sections and paragraphs which are most relevant to this study, including:
 - Chapter 3: Plan-making
 - Paragraph 31 states the need for policies to be informed by relevant, up-to-date and proportionate evidence.
 - Chapter 5: Delivering a sufficient supply of homes.
 - Paragraph 59 highlights the importance of having a sufficient amount and variety of land which can come forward where it is needed.
 - Paragraph 67 notes that authorities “should have a clear understanding of the land availability in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability suitability and likely economic viability”. It also clarifies the distinction between ‘deliverable’ and ‘developable’ sites.
 - Chapter 7: Ensuring the vitality of town centres.
 - Paragraph 85 notes that residential development often plays an important role in ensuring the vitality of centres and encourages such development on appropriate sites.
 - Chapter 11: Making effective use of land.
 - Paragraph 117 highlights the importance of making as much use as possible of previously-developed or ‘brownfield’ land.
 - This is reflected again in Paragraph 118, where it also notes that policies should promote and support the development of under-utilised land and buildings, including converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure.
 - Paragraphs 122 and 123 focus on achieving appropriate densities. In this it states that plans should “avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site”. It also states that plans “should include the use of minimum density standards for city and town centres, and other locations that are well served by public transport”. It notes that “these standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate”.
 - Section 13: Protecting Green Belt land
 - Although the Green Belt is not directly relevant to the sites being considered in this study, Paragraph 137 states that ‘before concluding that exceptional circumstances

² National Planning Policy Framework, 2019, MHCLG. Available to view online at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development.”

- The same paragraph reiterates that in order to achieve this, authorities should make as much use of suitable brownfield sites/underutilised land and to optimise the density of development in line with chapter 11 including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport.
 - Sections 14-17 make clear the importance of climate change mitigation and adaptation, conserving and enhancing the national and historic environments, and also the sustainable use of minerals.
- 2.3. National policy forms an important consideration in terms of the assessment of sites against existing designations and constraints and is expanded upon further within Section 3 (Methodology) of this assessment.
- 2.4. The NPPF is available to view online using the following link:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Guidance

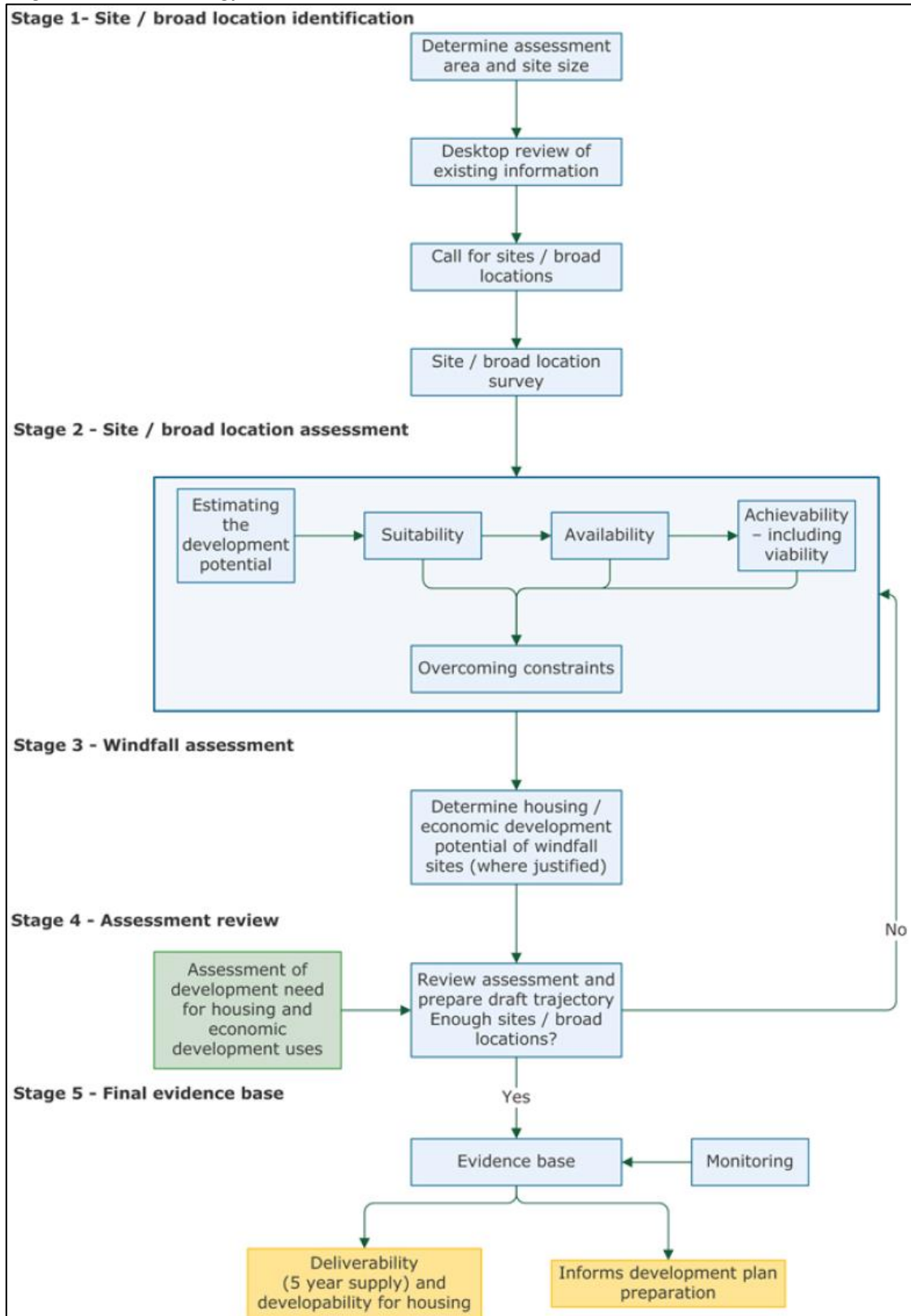
- 2.5. The Planning Practice Guidance (PPG) supports the overarching policies of the NPPF³. It was introduced on 29 November 2016 and includes a wide range of guidance covering everything from plan-making processes to detailed considerations and legal agreements. The PPG is subject to regular updates, including changes in 2019 following the publication of the revised NPPF.
- 2.6. The PPG contains a dedicated section on the processes underpinning the preparation of housing and economic land availability assessments. The PPG methodology forms the basis on which this study is prepared. The flowchart on the next page is taken from the PPG and summarises the key steps and stages associated with the preparation of the assessment.
- 2.7. Section 3 (Methodology) of this assessment sets out in further detail how it aligns with the key stages and wider methodology as set out in the PPG. This report takes account of the most up-to-date version of the relevant section of the PPG (July 2019).

The complete guidance on Housing and Economic Land Availability Assessments is available to view online using the following link:

<https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>

³ Planning Practice Guidance – Section on “*Housing and economic land availability assessment*” (Published 6 March 2014, Last updated 22 July 2019). Available from <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>

Figure 1: PPG Methodology Flowchart⁴



⁴ Planning Practice Guidance – Section on “Housing and economic land availability assessment” (Published 6 March 2014, Last updated 22 July 2019). Flowchart available online from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/578755/land-and-availability.pdf

Core Strategy and ‘Saved’ Policies

- 2.8. Dacorum’s Core Strategy was adopted on 25 September 2013 and sets the strategic policy framework for growth across the borough up to 2031⁵. It identifies a growth figure of 430 net additional dwellings per annum and allocates a number of sites to meet this need.
- 2.9. The Core Strategy policies are complemented by ‘saved’ policies from the Dacorum Borough Local Plan 1991-2011 (DBLP)⁶.

Site Allocations Development Plan Document (DPD)

- 2.10. The Council adopted the Site Allocations DPD in July 2017. It sets out how the policies and proposals in the Core Strategy are to be delivered⁷. It allocates land for housing and other uses, such as retail and employment and includes site specific proposals.
- 2.11. The site allocations and policies from the Core Strategy, ‘Saved Policies’ and Site Allocations DPDs will be replaced by the new Local Plan.

Strategic Housing Land Availability Assessment (SHLAA) 2016

- 2.12. An early iteration of the Council’s SHLAA, prepared by AECOM was published in April 2016⁸. It covers the whole of the administrative area of Dacorum Borough Council and presents a high level overview of the suitability, availability and achievability of both rural and urban sites. The 2016 SHLAA is replaced by this study and the new Site Assessment Study prepared by AECOM.

⁵ Dacorum Borough Council Core Strategy 2006-2031, Adopted 25 September 2013. DBC. Available to view online at: <https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/local-planning-framework/core-strategy>

⁶ Dacorum Borough Council Local Plan Policies 2004, Adopted 21 April 2004 and amended by the Core Strategy and Site Allocations DPD. Available to view online at: <https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/local-plan-1991-2011>

⁷ Dacorum Borough Council Site Allocations 2006-2031, Adopted 12 July 2017. DBC Available to view online at: <https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/local-planning-framework/site-allocations>

⁸ Dacorum Borough Council Strategic Housing Land Availability Assessment (SHLAA), 2015, AECOM. Available to view online at: <https://www.dacorum.gov.uk/home/planning-development/planning-strategic-planning/new-single-local-plan/technical-work-for-the-early-partial-review>

3. Methodology

- 3.1. As mentioned in the previous section, the methodology aligns itself with the NPPF and PPG. This section sets out in further detail the Council's approach to the various stages of the assessment, including how it has considered various sources of data and how sites are assessed in terms of their suitability, availability and achievability.
- 3.2. This section is not intended to repeat in detail all of the requirements as set out in the PPG, but will focus on how key matters have been dealt with at the local level. Where the methodology of this assessment differs from the approach as set out in the PPG, it makes clear the reasons for following an alternative approach.

PPG Overview

- 3.3. The PPG sets out a five stage approach to the preparation of land availability assessments, as set out in Figure 1 on page 8. This study identifies and assesses a range of sites for their development potential as well as their suitability, availability and achievability, in accordance with the PPG. It draws upon a wide range of data sources to both identify sites and assess them against constraints.
- 3.4. Monitoring data is used to inform the Council's review of historic completions and this study determined if a windfall allowance can be justified for the new Local Plan. It also recommends an appropriate allowance having regard to both historic and likely future trends.
- 3.5. This section presents the methodology of the study in line with the five stages of the PPG, clarifying the approach taken by the Council for each of these.

Stage 1: Identification of sites and broad locations

What geographical area should the assessment cover?

- 3.6. The assessment covers sites within the built-up area of the six main settlements of Dacorum Borough Council, namely:
 - Hemel Hempstead
 - Berkhamsted
 - Tring
 - Kings Langley
 - Bovingdon
 - Markyate
- 3.7. The PPG states that the assessment should cover the housing market area which locally extends to the South West Hertfordshire sub-region. Dacorum has chosen to undertake two separate assessments which cover the whole of the administrative area of the borough, as this aligns with the geographic extent of the new Local Plan.
- 3.8. The justification for undertaking two separate studies is that the methodology differs on a small number of specific, but important considerations. These are set out as follows:
 - The Urban SHLAA seeks to maximise the development potential of urban areas which are inset to the Green Belt. It includes consideration of a wide range of sites, including sites not specifically promoted to the Council. This is consistent with paragraph 138 of the NPPF which seeks authorities to channel development towards urban areas inside the Green Belt boundary, including towns and villages that are inset to the Green Belt.

- The Rural SHLAA gives more detailed consideration to elements such as Green Belt and landscape character. These have more specific implications for the developable site area, design, layout and form, and therefore density. Sites in the Urban SHLAA are less sensitive to these elements and most predominantly comprise of brownfield land.
- The Urban SHLAA gives detailed consideration of significantly higher densities than the Rural SHLAA, as sites in the built up areas of the six main settlements are likely to be closer to town/local centres and other locations that are well served by public transport⁹.
- The Urban SHLAA includes a detailed section on windfall sites and an assessment to inform a future windfall allowance for the borough. Evidence demonstrates that the vast majority of the existing windfall sites are located within the built-up area of the six main settlements and form part of the important exercise of channelling development towards these locations.
- The Urban SHLAA considers those that might normally be discounted based on size, rather than plausible capacity. This is again in accordance with paragraph 138 of the NPPF.
- Undertaking two separate SHLAA's allows for a clearer understanding of the contribution from rural and urban locations, especially given the NPPF's emphasis on optimising development from the latter.

Should the assessment be constrained by the need for development?

3.9. The Urban SHLAA takes a proactive approach to site assessment and does not in itself consider current housing needs for the district. The assessment does however assume that needs are unlikely to be met wholly through urban capacity and existing allocations, and includes measures to maximise the development potential of sites in urban areas. The Site Selection Topic Paper¹⁰ summarises evidence from both the Urban and Rural SHLAAs and considers their outcomes against the updated housing needs for the new Local Plan.

What site/broad location size should be considered for assessment?

3.10. The Urban SHLAA considers all sites capable of delivering 5 or more dwellings, fully consistent with the PPG.

3.11. To ensure a comprehensive approach to assessment, sites likely to fall below this threshold were considered as part of the assessment on the basis that densities can vary substantially across the study area. These form an important consideration in determining the development potential of each site and therefore the Council considers it appropriate not to discount smaller sites early on.

3.12. Where the overall assessment site concludes that a site it is unlikely to deliver five or more dwellings, it is deemed unsuitable and its development potential is not considered as part of the outputs of this assessment. This ensures a consistent approach with the PPG.

How should sites/broad locations be identified?

3.13. The Urban SHLAA proportionally considers a wide range of sites, including sites that could be improved, intensified or redeveloped. It has also taken a proactive approach to sites, including considering those not actively promoted but which could play a part in meeting the future development needs of the borough.

⁹ National Planning Policy Framework, 2019, MHCLG. Chapter 11

¹⁰ Site Selection Topic Paper forms part of the evidence base accompanying the new Local Plan to 2036

What types of sites and sources of data should be used?

3.14. The following table lists the type of site and potential data sources used, and follows the approach set out in the PPG¹¹.

Table 1: Sources of data used

Type of site	Source of Data
Existing housing allocations and site development briefs not yet with planning permission	Core Strategy Site Allocations DPD Grovehill Neighbourhood Plan Development Briefs
Planning permissions for housing development that are unimplemented or under construction	Planning application records Monitoring data
Planning applications that have been refused or withdrawn	Planning application records
Land in the local authority's ownership	Call for sites – sites put forward by Dacorum Borough Council Engagement with the Council's Property and Estate team.
Surplus and likely to become surplus public sector land	Call for sites – sites put forward by other public sector bodies Engagement with other public sector bodies
Vacant and derelict land and buildings	Call for sites Data on vacancy rates Aerial photography survey
Additional opportunities in established uses Large scale redevelopment and redesign of existing residential or economic areas	Ordnance Survey Maps Aerial Photography Planning applications Development briefs / Masterplan statements Brownfield Land Register
Sites in rural locations Sites in and adjoining villages or rural settlements and rural exception sites Potential urban extensions	These are addressed through the Rural SHLAA ¹²

Should plan makers issue a call for potential sites and broad locations for development?

3.15. The Council underwent a call for sites consultation in 2015 and again in 2017. In addition to this, the Council actively considers sites promoted between and since these consultations, to ensure a comprehensive approach to assessment and all opportunities are fully explored.

What characteristics should be recorded during the survey?

3.16. For those sites identified for full assessment, the following table considers each of the characteristics highlighted in the PPG in turn:

¹¹ Planning Practice Guidance – Section on “Housing and economic land availability assessment” (Published 6 March 2014, Last updated 22 July 2019). Type of site and potential data source available from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/820367/190718_paragraph_012_table_PUBLICATION_FINAL.pdf

¹² Site Assessment Study for Dacorum Borough Council, 2020, AECOM. Available as part of the Council's evidence base.

Table 2: Addressing Site Characteristics

Characteristic	Council's approach
Site size, boundaries and location	The study considers these.
Current land use and character	The study considers existing policy designations based on the adopted policies map and includes detail on the type of uses on site.
Land uses of surrounding area	The study considers these.
Physical constraints	The study considers access, contamination from historic or current landfill sites as well as contamination from current land uses, flood zones 2 and 3 and the location of any physical features which could be a constraint to development (e.g. electricity pylons, drainage features, etc.).
Potential environmental constraints	The study considers each site's relationship with Sites of Special Scientific Importance (SSSIs), Special Areas of Conservation (SACs), wildlife sites, nature reserves, Tree Preservation Orders (TPOs), Source Protection Zones (SPZs), Air Quality Management Areas (AQMAs) and agricultural land quality.
Development progress	The study considers sites where development has come forward in recent years, those under construction, and those with planning permission and which already contribute towards the Council's supply of housing.
Initial assessment of whether the site is suitable for a particular type of use or as part of a mixed-use development.	The study considers this in the context of each site's potential to contribute towards housing delivery and supply.

Stage 2: Site/broad location assessment

3.17. Due to different sources of information, the site assessments vary depending on each the existing land use designation, allocation, or planning status. The majority of sites are subject to a full assessment, however there are some specific sites/broad locations, such as existing allocations which are subject to targeted reviews in order to determine whether they require full assessment. The approach taken is considered to be fully consistent with national policy and guidance, and is set out in further detail below:

Table 3: Sources of different sites

Source of site	Approach taken
Existing allocations and site development briefs not yet with planning permission	<p>Subject to targeted review (see Appendix A):</p> <ul style="list-style-type: none"> Where the review concludes that a site (or part of the site) is completed or under construction it recommends to delete all (or part) of the allocation. Where the site is subject to a live planning application or it is known that an application is expected in the

Source of site	Approach taken
	<p>short term, it recommends to retain the existing allocation and to review its development potential against evidence submitted through the planning application.</p> <ul style="list-style-type: none"> • Where there is sufficient evidence to demonstrate that the site is deliverable/developable, it recommends to retain the allocation and review its development potential. • If there is no reasonable prospect that part/all of a site will come forward for development in the plan period, it recommends to review the site for its development potential through the Urban Capacity Study, and to delete the allocation.
Planning permissions for housing development that are unimplemented or under construction	These form part of the assessment of windfall sites, except where the planning permission has expired.
Planning applications that have been refused or withdrawn	Subject to full assessment where identified.
Land in the local authority's ownership	Some sites are existing allocations and are subject to targeted assessment. Remaining sites are subject to full assessment where appropriate.
Surplus and likely to become surplus public sector land	Subject to full assessment where identified.
Vacant and derelict land and buildings	Subject to full assessment where identified.
Additional opportunities in established uses Large scale redevelopment and redesign of existing residential or economic areas or other designations	Subject to full assessment where identified.

How should the development potential be calculated?

3.18. The development potential of each site that is subject to a full assessment is determined using the following calculation:

$(\text{Site Area} - \text{a deduction to the area based on known constraints}) \times \text{estimated density} = \text{Development potential}$

Addressing constraints

3.19. The area of each site is accurately determined using GIS software. Where there are constraints which are likely to impact the development potential, then an appropriate deduction is made to the site area to exclude any land which is unlikely to be built upon.

Densities

- 3.20. A proportionate approach is taken to estimating the density of each site. The study makes an assumption that all sites could deliver a minimum density of 40 dwellings per hectare (gross). This is considered to be a reasonable starting point based on current analysis of development trends and completions where these consist of schemes of five or more residential units and do not include conversions/change of use and/or prior approvals.
- 3.21. The NPPF also notes that it may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas¹³. The assessment has given consideration to areas in the borough where densities could be higher or significantly higher, having regard to historic trends in terms of completions, as well as other evidence including masterplans, briefs, review of existing allocations, etc.
- 3.22. Where feasible, site visits have been undertaken, and provides an additional source of data for understanding if higher density schemes are feasible. Sites visits assist with confirming existing heights of buildings in the area, neighbouring uses, important views and whether higher density schemes would be out of character with the prevailing nature of the area. Some sites have not been visited for safety reasons due to COVID-19.
- 3.23. The analysis of data used to inform a broad typology of densities is not set out in detail in this study. It broadly relies on the same extensive monitoring data used to inform the assessment of historic windfall sites (considered later in this study) which is presented in **Appendix C**. The typologies are presented in Table 4 below:

Table 4: Densities to be applied to sites subject to full assessment

Settlement	Hemel Hempstead	Berkhamsted /Northchurch	Tring	Bovingdon	Kings Langley	Markyate
Established Residential Areas	40	40	40	30	40	30
Within/Part within Conservation Area	30	30	30	30	30	30
Within 400m of a Town Centre / Bus Station / Train Station*	80	50	50		50	
Within a Town Centre designation	125	50	50			
Within a Local Centre designation	70	50	50			
Within Maylands, Hemel Hempstead	90					
Within Two Waters/Apsley, Hemel Hempstead	140					
Sites identified as suitable for higher densities	125	100	100	50	75	50
Sites identified as suitable for significantly higher densities	250					

* Excluding sites in Conservation Areas

- 3.24. The Council considers the approach to densities is proportionate to the evidence being prepared at this stage. It is likely that the actual development potential of each individual site may be higher or lower than the assumptions contained in this assessment.

What factors should be considered when assessing the suitability of sites/broad locations?

- 3.25. As noted at the start of this report, the suitability of sites is determined at a high level and solely for the purpose of plan making. The assessment does not in itself determine whether a site should be allocated for development, or that planning permission would be granted if an application was submitted for the site in question.

¹³ National Planning Policy Framework, 2019, MHCLG. Page 36/37, Paragraph 123

3.26. The assessment takes a proactive approach to site suitability. Sites are broadly considered suitable for further consideration (for their potential to be allocated in the Local Plan, or whether they could contribute towards a future windfall allowance) unless there are intrinsic constraints which are so severe that very limited or no development could feasibly come forward. For this assessment, sites are considered unsuitable if they meet any of the following criteria:

- **A significant proportion of the site is located within Flood Zones 3.** *Justification* – Paragraph 155 of the NPPF states that “inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk”. Paragraph 157 states that “all plans should apply a sequential, risk-based approach to the location of development... so as to avoid, where possible flood risk to people and property”. Other sites which contain areas of Flood Zone will be considered suitable for further consideration, however a deduction will be made to the development potential of the site based on the extent of the risk.
- **At least 75% of the site is designated as a Special Area of Conservation, a Site of Special Scientific Interest and/or Ancient Woodland.** *Justification* – Paragraphs 175 and 176 of the NPPF attach particular importance of the need to restrict development in such locations where these would have a resulting adverse effect. Other sites which contain, in part, these constraints, will be considered suitable for further consideration, however a deduction will be made to the development potential of the site.
- **At least 75% of the site is a Scheduled Monument.** *Justification* – Paragraph 194 of the NPPF attaches particular importance on the need to protect heritage assets of the highest significance from any harm or loss. Other sites which contain, in part, this constraint will be considered suitable for further consideration, however a deduction will be made to the development potential of the site. Sites that contain, or are within the setting of listed buildings and/or conservation areas have the potential to accommodate some sensitive development and therefore similar deductions may be made in such instances.
- **The site serves a strong economic purpose and evidence demonstrates that it should be safeguarded for its current and/or future use.** *Justification* – Paragraph 80 of the NPPF attaches significant weight on the need to support economic growth and productivity. Where evidence demonstrates that the land/premises continues to serve a strong economic purpose at the national or local scale, then the site should be considered unsuitable for further consideration. Site visits also confirm if existing employment land and premises are being utilised efficiently, are in decline, or are predominantly vacant.
- **The site is allocated for open space, sports and recreational buildings and evidence demonstrates that it should be safeguarded for its current and/or future use.** *Justification* – Paragraph 97 states that such existing uses should not be built on except where evidence demonstrates it is surplus to requirements. The study considers the outputs of the Open Space Assessment Report and includes sites considered to be low in both quality and value. For sports and recreational buildings, this assessment recognised that new or improved facilities can be delivered through enabling development. This is usually achieved through the relocation of such facilities to a more appropriate site. While the study cannot prescribe alternative locations, it takes a positive approach recognising the development potential of such land, should it become available during the plan period (as a windfall site).
- **The site partly or wholly consists of an authorised or historic landfill site.** *Justification* – Paragraph 178 of the NPPF states that sites should be suitable for their proposed use taking account of ground conditions and any risks arising from land instability and contamination. Such land is likely to be contaminated. Many historic landfill sites were not subject to the strict level of regulations that exist today and could contain a range of hazardous materials

and gases. The study therefore assumes that such sites are unsuitable for residential development.

- **Development Potential is less than 5 dwellings / cumulative impact of constraints.**

Justification – The identification of one or more constraints can affect the development potential of the site to the extent that the scale of development falls below 5 dwellings. Where the development potential of any site is deemed to be below 5 dwellings, it will be considered unsuitable and any potential will not count towards the outputs section of this report. Such sites could however contribute towards a future windfall allowance.

3.27. Sites with planning permission or those which are already allocated for housing or mixed use development are considered suitable.

What factors should be considered when assessing availability?

3.28. The study has regard to information provided by site promoters through the call for sites process, formal consultation responses, planning history, and any other correspondence which would indicate if the site is available for development and when it could come forward for development.

3.29. Where there is no information on the availability of some sites (including many carried forward from previous assessments), the assessment does not necessarily assume that they are unavailable for development. Although they are not currently promoted for development, the assessment does not preclude the option that the site may come forward for development at some point in the plan period, and could contribute towards housing supply as a windfall site.

What factors should be considered when assessing achievability including whether the development of the site is viable?

3.30. A number of development scenarios have been developed and tested in terms of their viability. This includes various development typologies and scales of development in locations across the borough¹⁴. This assessment has been used to broadly determine if sites are achievable, having regard to a range of factors and assumptions in accordance with the PPG¹⁵.

3.31. The viability assessment has identified if there are any fundamental issues with the deliverability of each site, based on their scale, location, existing use, and market values in the area, and likely additional costs required as a result of other policy considerations (e.g. affordable housing, space standards, etc).

How should the timescale and rate of development be assessed and presented?

3.32. The study considers the suitability, availability and achievability of each site and sets out how sites could come forward. These figures are indicative only and are split as follows:

Deliverable: The scale of housing that could be delivered in the first five years of the plan period. To be deliverable, sites need to be suitable (for further consideration), available for development, and are achievable/viable. The scale of the site/development potential determines how much the site could feasibly deliver in the first five years of the plan period.

Developable: The scale of housing that could be delivered after the first five years of the plan period. To be developable, sites need to be suitable (for further consideration) and are

¹⁴ Dacorum Borough Council Local Plan Viability Assessment, BNP, 2020, available as part of the evidence supporting the new Local Plan to 2036

¹⁵ Planning Practice Guidance – Section on Viability, available from: <https://www.gov.uk/guidance/viability>

achievable/viable. For the purposes of this study, sites which do not have any information on availability, but which are both suitable and achievable contribute towards being developable on the basis that, if not allocated in the plan, they could make a contribution towards the windfall allowance.

Stage 3: Windfall Assessment

3.33. The NPPF recognises the important role that windfall sites can play when considering land availability. This section forms part of the initial justification for setting an appropriate allowance for future windfalls over the plan period (see Chapter 4 for more details).

3.34. For windfall sites, paragraph 70 of the NPPF states the following:

“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. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”¹⁶

3.35. The NPPF definition of windfall is *“Sites not specifically identified in the development plan”*.¹⁷

3.36. To clarify, this approach differs from that used to determine a windfall allowance for previous statements on housing supply. The windfall allowance of the existing Core Strategy only considered small sites (<5 dwellings) in residential areas of the six main settlements, and new build and conversions/change of use in other locations including rural areas. It did not include any contributions from larger windfall sites, appropriate garden land development or potential rural exception sites.

3.37. The Council considers that, for the new Local Plan, there is likely to be a greater focus on windfall sites. Importantly, the updated NPPF definition does not set any size thresholds for such sites. The Council believes that there is a role for larger windfalls of 5 or more units that should be properly taken into account within this study given:

- the Government’s emphasis on making effective use of urban land;
- the growing relaxation of planning control to increase the supply of housing;
- potential opportunities for increasing densities in key locations;
- a growing housing supply and buoyant housing market;
- the importance of demonstrating that urban capacity has been optimised before considering Green Belt releases; and
- the need to plan effectively for infrastructure provision.

How should a windfall allowance be determined in relation to housing?

3.38. The PPG provides the following guidance:

¹⁶ <REF NPPF>

¹⁷ <REF NPPF, Annex 2, p73>

“A windfall allowance may be justified in the 5-year supply if a local planning authority has compelling evidence as set out in paragraph 70 of the National Planning Policy Framework.

Local planning authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance based on a geographical area.”¹⁸

3.39. The assessment of windfall sites will determine the most appropriate approach for when a windfall allowance should be implemented, having regard to the various scales of development.

Completions

3.40. The starting point for considering the quantum of windfall is to establish overall levels of (net) completions since the start of the current plan period i.e. from 2006. On this basis, the study uses monitoring data as at 1 April 2020. The Council reviews housing delivery rates on an annual basis as part of its regular development monitoring routines and in preparing the following documents:

- Residential Land Position Statements; and
- Authority Monitoring Reports

3.41. The data used to produce these documents is the same as that used to inform the windfall assumptions in this study. The data relates to individual dwelling completions at the end of each financial year rather than fully completed sites.

Sources of Plan allocations

3.42. To understand the level of historic windfall completions over the period 2006-20, sites allocated in the following Development Plan Documents have been removed to ensure consistency with the NPPF definition for windfall sites:

- Core Strategy (adopted September 2013);
- Site Allocations (adopted July 2017); and
- ‘Saved’ Dacorum Borough Local plan (adopted April 2004).

Garden land development

3.43. Although the NPPF places an emphasis on plans to consider policies resisting inappropriate development of residential gardens, it does not prevent some development of residential gardens where these are considered appropriate. The revised NPPF also removes reference to windfall allowances not including residential gardens, which was a consideration under the original version in 2012.¹⁹

3.44. The Council’s approach is to include garden land developments as part of the review of historic windfall delivery rates. It is clear from the evidence that they make a contribution to housing supply and should be accounted for if the Urban SHLAA is to provide a comprehensive overview of capacity.

3.45. Figures relating to garden land development are included within the categories set out in 3.45 above, due to manner in which monitoring data is collected.

¹⁸ <REF PPG Paragraph: 24 Reference ID: 3-24-20140306 Revision date: 06 03 2014>

¹⁹ <REF 2012 NPPF, Para 48>

Office to Residential, and other Prior Approvals

- 3.46. The Council has chosen to exclude from this review completions delivered under the Prior Approvals process i.e. converting offices to residential. It were an important part of housing completions and commitments in recent years, particularly in Hemel Hempstead. However, it is clear that there is a need to protect the remaining stock of offices in order to meet future employment needs.
- 3.47. Since key legislation was introduced in 2013²⁰, over three hundred schemes were granted through the Prior Approval process. In 2020, the Council introduced safeguards to its stock of offices in key employment areas through the application of Article 4 Directions. This requires proposals to be considered through the standard planning application process including consideration of national and local policies.
- 3.48. Following the COVID-19 outbreak, Government introduced additional permitted development rights and other flexibilities to support the economic recovery. There is limited data available to understand the implications of these recent changes by both the Council and Government and whether they will result in more or less completions.
- 3.49. Historic data relating to prior approvals is therefore not considered a reliable source of data, and there is insufficient evidence to determine likely future trends at this stage. For these reasons, prior approvals are not considered further as part of the windfall assessment. It is expected that prior approvals will continue to make a contribution towards future windfall delivery dates, and excluding them at this stage provides a degree of resilience towards meeting annual windfall targets.

Types of windfall sites subject to review

3.50. Windfall sites reviewed in this assessment are categorised as follows:

- **Small windfall sites (new build, conversions and replacement dwellings)** – Sites with planning permission that have delivered up to 4 units (net) and excludes prior approvals. This is historically what has been used to inform the windfall allowance of existing development plan documents. Similar scale sites are not normally considered through a land availability assessment.
- **Medium windfall sites (new build, conversions and replacement dwellings)** – Sites with planning permission that have delivered between 5 and 9 units (net) and excludes prior approvals. Such sites are of similar scale to sites that can be considered through a land availability assessment, but are not considered ‘major development’²¹.
- **Large windfall sites (new build, conversions and replacement dwellings)** – Sites with planning permission that have delivered 10 units or more (net) and excludes prior approvals. Such sites are also of similar scale to sites that can be considered through a land availability assessment, but meet the definition of ‘major development’.

²⁰ This figure includes a small number of Retail and Agricultural conversions to residential

²¹ Town and Country Planning (Development Management Procedure) (England) Order 2015; NPPF Annex 2, p.68

Stage 4: Assessment Review

3.51. The study will be subject to regular review and updates where it is considered appropriate in tandem with the new Local Plan. The assessment has been prepared and finalised in tandem with other evidence, with an understanding that there are sufficient sites/broad locations to meet the objectively assessed needs for the borough.

Urban sites with the greatest potential for allocation in the new Local Plan

3.52. It is appropriate that the outcomes of the study include recommendations on what sites have the potential to be considered as possible allocations in the new Local Plan. With this the study considers sites with the development potential to deliver at least fifty residential units, as these are likely to make the greatest potential towards future housing delivery and any associated infrastructure.

3.53. Smaller sites are likely to have less issues with respect to their design and infrastructure requirements and can more appropriately be addressed through the development management process (i.e. as a windfall site).

3.54. The study considers these sites in further detail through a review of their respective planning histories, whether there are additional documents or guidance (such as Supplementary Planning Documents) which add further detail and support their development, before a recommendation is made on their suitability as allocations.

4. Outcomes

Stage 1: Identification of sites and broad locations

Review of existing housing and mixed-use allocations

- 4.1. A comprehensive review of existing allocations was undertaken to determine their current status and to identify any issues with delivery of these sites. Where there was uncertainty about the deliverability of some existing allocations (through engagement with the development management team, site promoters, landowners and/or agents), these were reintroduced into the study and subject to a full assessment.
- 4.2. Where existing allocations continue to demonstrate deliverability in the short term or where there is a reasonable prospect that they can come forward later in the plan period, these are retained and their development potential has been reviewed to ensure such land is optimised in accordance with national policy.
- 4.3. The review is presented in **Appendix A** with a summary as follows:
- Five of the six Local Allocations (those with the prefix “LA”) will be retained as there is a high degree of certainty that each of these sites will contribute towards the housing land supply during the plan period. The remaining site is LA5 – Icknield Way, Tring. Construction works have significantly progressed on site, however part of LA5 that was previously allocated for employment has identified issues in terms of its deliverability for that use, and is now recommended to deliver an additional 50 dwellings on that site.
 - Of the twenty Housing Allocations (those with the prefix “H”), six are wholly complete and ten (either whole in part) are recommended to be retained. Deliverability is a concern for the remaining four allocations which are recommended to be deleted as allocations and added to the full assessment in this study. These are:
 - H/1 – Land rear of 186-202 Belswains Lane, Hemel Hempstead
 - H/6 – Leverstock Green Tennis Club, Grasmere Close, Hemel Hempstead
 - H/10 – The Point (former Petrol filling station), Two Waters Road, Hemel Hempstead
 - H/16 – Western Road, Tring
 - Of the eight Mixed-Use Allocations (those with the prefix “MU”) that are within the study area, two are wholly completed and two have delivered in part. Of the remaining sites and land that have not come forward, deliverability is a concern for one part of MU/1 – West Herts College, which is added to the full assessment in this study. There is sufficient evidence available to conclude the remaining sites are deliverable or there is a reasonable prospect that they will come forward in the plan period.
- 4.4. As a result of this review, this study recommends that the following sites are carried forward as allocations in the new Local Plan:

Table 5: Existing allocations proposed to be retained for the new Local Plan

Existing Allocation:	Previous allocation:	Recommended allocation:	Change in density
LA1 – Marchmont Farm, Hemel Hempstead	350	385	↑
LA2 – Old Town, Hemel Hempstead	80	90	↑
LA3 – West Hemel	900	1,150	↑
LA4 – Land at Shootersway (Hanburys), Berkhamsted	40	40	=

Existing Allocation:	Previous allocation:	Recommended allocation:	Change in density
LA5 – Icknield Way, Tring	200	50*	↑
LA6 – Chesham Road/Molyneaux Avenue, Bovington	60	40	↓
H/2 – National Grid Land, Hemel Hempstead	350	400	↑
H/4 – Ebbens Road, Hemel Hempstead	30	30*	↑
H/7 – Land at Turners Hill, Hemel Hempstead	43	60	↑
H/8 – 233 London Road, Hemel Hempstead	10	10	=
H/11 – Land rear of St Margaret’s Way / Datchworth Turn	32	50	↑
H/13 – Frogmore Road	150	170*	↑
H/15 – Miswell Lane	24	24	=
H/18 – Land adjacent to Coniston Road	12	10	↓
H/19 – Corner of Hicks Road / High Street	15	13	↓
H/20 – Watling Street (rear of Hicks Road/High Street)	10	20	↑
MU/1 - West Herts College site and Civic Zone, Queensway	600	200*	=
MU/2 - Hemel Hempstead Hospital Site, Hillfield Road	400	450	↑
MU/3 - Paradise/ Wood Lane	75	350*	↑
MU/4 - Hemel Hempstead Station Gateway, London Road	200	350	↑
MU/7 – Gossoms End / Billet Lane	30	30	=
MU/9 - Berkhamsted Civic Centre and land to rear of High Street	16	16	=

* represents where there is a reduction in the area of the existing allocation, reflecting that part of that allocation is under construction or has already delivered housing.

Review of existing SHLAA sites

4.5. A review of the existing SHLAA evidence base has resulted in 58 sites within the study area being carried forward into the new assessment. The previous SHLAA contained a significantly larger number of sites, however the review has identified that:

- A number of sites have already received planning permission and contribute towards the council’s housing supply; and
- A large number of sites are outside of the study area, and are considered separately under the Rural SHLAA.

Review of sites promoted through a Call for sites

4.6. The Council has undertaken two Call for Sites exercise in 2015 and 2017, although such processes traditionally do not tend to yield many new urban opportunities. However, three additional sites have been identified in the study area for inclusion in the full assessment. These are:

Hemel Hempstead

- Kier Park (Plots 2 and 3)

Berkhamsted and Northchurch

- Sarthe Business Park, Billet Lane

- The Old Mill Public House
- Bovingdon**
- Scout Hall, St Lawrence Close

Review of Brownfield Land Register sites

4.7. The Brownfield Land Register (BLR) provides a potential source of urban capacity, although there is a significant overlap with sites covered in this section. Two additional sites were identified on the brownfield land register which are in the study area and which are appropriate for including in the full assessment. These are:

- Hemel Hempstead**
- Dacre House, Hillfield Road
 - No.121, Leys Road

4.8. There are other sites included in the assessment which are considered to be wholly or in part previously developed land. Such sites were identified through other sources of data and included in the brownfield land register.

Review of existing employment allocations

4.9. A review of existing employment allocations/designations, including their accompanying evidence base, has determined that seven sites/locations have been included for full assessment. The justification for their removal as employment allocations is summarised as follows:

- Their current uses are not considered to fall under the “B-use” employment classes, an example being car showrooms (considered under “Sui-generis”).
- Some sites have been specifically promoted for residential development on the basis that current leases on site will expire during the plan period.
- There is evidence which demonstrates that there is a lack of demand for some allocations to come forward for “B-Use” class employment.

4.10. The review of employment allocations has identified the following 12 sites for inclusion in the full assessment:

- Hemel Hempstead**
- Car dealerships at Corner Hall
 - Travis Perkins, Lawn Lane
 - High Banks House, Lawn Lane
 - Apsley Mills Cottage, London Road
 - Mercedes-Benz, London Road
 - Frogmore Mill
 - Bus Depot, Whiteleaf Road
 - Symbio Site, Whiteleaf Road
 - Industrial units south of London Road / West of Whiteleaf Road
 - 66 and 72 Wood Lane End
 - Noble House, Eaton Road
 - Cupid Green Depot

4.11. Although these sites have been included as part of the full assessment, this should not be taken to mean that the sites are no longer suitable for their current use. This will be

considered in more detail by the Council through the Local Plan. Where the Council consider sites continue to serve an important economic purpose for the area, will be retained. Where this is not the case these sites will be considered for release.

Review of other sources of data

4.12. Following a review of other sources of data, including a desktop survey of maps, aerial photography, and other information that has been made available to the Council, an additional 32 sites have been identified and included in the full assessment. These are listed as follows:

<p>Hemel Hempstead</p> <ul style="list-style-type: none"> • B&Q, Two Waters Road • Two Waters East (industrial/storage) • Central Nurseries • London Road Retail Park • Nash Mills Church • High Standards Scaffolding Site • Buncefield Lane Natural/Semi-Natural Open Space • Fire Station • Garages off Wootton Drive • Garages south of Sempill Road • Garages off New Park Drive • Garages on Dione Road • Garages on Sleddale • Garages west of Wensleydale • Garages east of Wensleydale • Garages north of Housewood End • Garages south of Housewood End • Garages off Guinery Grove 	
<p>Berkhamsted and Northchurch</p> <ul style="list-style-type: none"> • Telephone Exchange • Berkhamsted Sports Centre • Rear of 49a High Street 	
<p>Tring</p> <ul style="list-style-type: none"> • Tring Market Place • Tring Fire Station • Roy Chapman, Western Road 	
<p>Kings Langley</p> <ul style="list-style-type: none"> • Sunderland Yard • Montessori Nursery • Garages on Beechfield • Garages on Waterside • Skyline Roofing, The Nap • Garages on Great Park 	
<p>Bovingdon</p> <ul style="list-style-type: none"> • Land east of High St 	
<p>Markyate</p> <ul style="list-style-type: none"> • Ver House 	

Total Sites

4.13. In total, 113 sites are identified for full assessment within the built up area of the six main settlements. These are distributed as follows:

Table 6: Overall distribution of sites subject to full assessment

Settlement	Number of sites
Hemel Hempstead	77
Berkhamsted and Northchurch	14
Tring	7
Kings Langley	7
Bovingdon	6
Markyate	2
Total	113

Stage 2: Site/broad location assessment (full assessment)

4.14. Having regard to the methodology set out in section 3, and the detailed assessment of each site which is presented in **Appendix B**, the following table summarises the key outputs of the assessment of urban sites.

Table 7: Summary of the full assessment by settlement

Settlement	Suitable for further consideration*	Suitable “subject to”	Unsuitable / too small
Hemel Hempstead	28 sites: 2,267 dwellings	25 sites: 2,343 dwellings	24 sites
Berkhamsted and Northchurch	2 sites: 82 dwellings	6 sites: 238 dwellings	6 sites
Tring	0 sites	6 sites: 140 dwellings	1 site
Bovingdon	1 site: 8 dwellings	1 site: 84 dwellings	4 sites
Kings Langley	3 sites: 26 dwellings	4 sites: 139 dwellings	0 sites
Markyate	0 sites	0 sites	2 sites
Total	34 sites: 2,383 dwellings	42 sites: 2,944 dwellings	37 sites
Of which:			
Are available	9 sites: 803 dwellings	2 sites: 58 dwellings	2 sites
Reasonable Prospect	13 sites: 781 dwellings	8 sites: 489 dwellings	7 sites

* Subject to further testing on suitability, viability and the development potential of these sites.

4.15. As set out above, 34 sites have been identified as suitable for further consideration, with the potential to deliver 2,383 dwellings, subject to further testing. Of these, nine sites are promoted and have the potential to deliver housing in the early stages of the plan period. These could deliver c.800 dwellings, while a further 13 sites are identified as having a reasonable prospect that they could deliver a further 780 dwellings in the plan period.

4.16. There are a number of sites that could be made suitable, subject to specific requirements that are in accordance with national policy. 42 such sites have been identified through the assessment, with the potential to deliver a further 2,944 dwellings. Of these, only two are

identified as potentially delivering some housing early in the plan period, while a further eight sites have a reasonable prospect of coming forward for development later in the plan period.

- 4.17. These outcomes are provided on the basis that any identified (and unknown) constraints could be satisfactorily overcome. Sites not carried forward for allocation and/or identification in the new Local Plan could contribute towards a future windfall allowance, should they come forward for development.

Stage 3: Windfall Assessment

Risks of planning for a future windfall allowance

- 4.18. It is important to note from the outset that there are two important risks associated with windfall allowances. The first is if a lower allowance is chosen, it is more likely that the target can be met year-on-year, but leaves a greater risk that the demand for future infrastructure provision (such as schools, health, transport, etc.) will be under-estimated in real terms.
- 4.19. If a high windfall figure is chosen, there is an increased risk of not meeting the target year-on-year. A higher allowance which is more reflective of actual windfall deliver rates can allow for better longer term planning of infrastructure.
- 4.20. It is therefore important that a windfall allowance needs to be both balanced and realistic. This section presents the evidence relating to windfall sites, and makes a recommendation on a suitable windfall allowance, having regard to this.

Historic windfall data

- 4.21. The primary evidence on windfall sites consists of detailed monitoring information on completion rates for the borough across a 14 year period.
- 4.22. Table 8 below presents the historic windfall data for each year since 2006. As set out in the methodology earlier in this report, the data includes garden land developments but does not include dwellings delivered through prior approvals/permitted development rights. The table forms the basis for much of the analysis of the windfall data.
- 4.23. The information presented a summary of extensive monitoring data gathered, which is available to view in **Appendix C** of this document.

Table 8: Windfall as a proportion of completions in Dacorum between April 2006 - 2020

Year	Annual Total Completions	Windfalls				Windfalls as a proportion of Completions
		Small (<5)	Medium (5-9)	Large (10+)	Total	
2006/07	411	113	38	139	290	70.6%
2007/08	390	109	26	129	264	67.7%
2008/09	415	120	19	169	308	74.2%
2009/10	237	68	9	111	188	79.3%
2010/11	600	53	50	494	597	99.5%
2011/12	447	90	29	279	398	89%
2012/13	290	80	39	100	219	75.5%
2013/14	219	63	16	23	102	46.6%
2014/15	379	76	20	94	190	50.1%

Year	Annual Total Completions	Windfalls				Windfalls as a proportion of Completions
		Small (<5)	Medium (5-9)	Large (10+)	Total	
2015/16	660	72	51	246	369	55.9%
2016/17	723	95	26	274	395	54.6%
2017/18	586	75	27	186	288	49.1%
2018/19	557	101	49	156	306	54.9%
2019/20	481	98	40	235	373	77.5%
Totals	6,395	1,213	439	2,635	4,287	67%

Review of overall windfall numbers against overall completions

- 4.24. Table 8 shows the percentage of dwellings delivered on windfall sites as a proportion of total completions. Monitoring records show that since 2006, sites considered to be windfalls as defined by the NPPF have consistently delivered a significant proportion of the Borough's housing completions. In total they represent two thirds of all housing completions delivered in that time.
- 4.25. The information shows that windfalls as a proportion of completions vary from being as high as 99% in 2010 to as low as 46% in 2013. There are no identifiable trends between annual windfall deliver and overall completions. Between 2013 and 2019, windfall delivery steadily represented around half of annual completions, however in 2020 they represented over three-quarters of overall completions.
- 4.26. The data highlights the importance of windfall sites to the housing supply. **It is therefore considered appropriate that a windfall allowance can be justified for the new Local Plan.**
- 4.27. The following sections break down the analysis of windfall sites into three difference scales of windfall site (small, medium and large), and include recommendations on the scale of windfall allowance for each of these. The sections also recommend when such an allowance should be implemented.

Small sites (sites delivering less than five dwellings)

Table 9: Historic windfall delivery rates for small sites

Small Sites (<5 dwellings)			
Year	Total		
2006-2007	113		
2007-2008	109		
2008-2009	120		
2009-2010	68		
2010-2011	53		
2011-2012	90		
2012-2013	80		
2013-2014	63		
2014-2015	76		
2015-2016	72		
2016-2017	95		
2017-2018	75	Average (mean)	87
2018-2019	101	Average (median)	85

2019-2020	98	Average (last 3 years)	91
Overall Total	1213	Average (last 6 years)	86

- 4.28. On average, we can assume that between 85 and 91 dwellings come forward each year on sites that deliver less than 5 dwellings. In accordance with the PPG, such sites are not subject to full assessment in the study. Therefore any recommended allowance should only be determined using the historic data as well as predicted future trends.
- 4.29. Impacts of the economic downturn on delivery of small sites: Taking account of the last major economic downturn (which started to take effect in 2008), delivery rates roughly halved for the 2009/10 and 2010/11 years, before somewhat restoring themselves in the 2011/12 financial year. The table below presents this:

Table 10: Analysis of small site delivery during the last economic downturn

<5 dwellings	Period	Average annual delivery
2006/07 – 2008/09	Pre-downturn	114 dwellings
2009/10 – 2010/11	Downturn	61 dwellings
2011/12 – 2019/20	Post-downturn	83 dwellings

- 4.30. Since the last downturn, annual figures for such sites have exceeded 90 dwellings (2011/12, 2016/17, 2018/19 and 2019/20), which are comparable to what was delivered prior to the downturn, although year-on-year it has not been as consistent. There appears to be a general trend that numbers are steadily increasing.
- 4.31. The current COVID-19 crisis is predicted to have a negative impact on delivery in the short term, but the effects are less clear for the medium and longer term, when windfall figures apply. Evidence of the last economic downturn suggests confidence in smaller sites being restored relatively quickly (within 2-3 years).
- 4.32. Having regard to the information above, it is likely that confidence in delivering such schemes would be restored by the time windfall rates are applied, with the greatest impact expected during the period to which current/known commitments apply.
- 4.33. Conclusion on small sites: **It is recommended that a windfall assumption of 75 dwellings per annum on small sites** should be made, having regard to the evidence identified above. This figure is below all mean and median averages set out in Table 9 above. The figure is also below the pre and post economic downturn average delivery rates as set out in Table 10.
- 4.34. Application of windfall allowance for small sites: Historic data relating to the completion of small sites has demonstrated that, on average, small sites take between 2-2.5 years to be completed (from the time that planning permission has been granted). Detailed data that has informed this is presented in **Appendix C** of this document. Having regard to this information, and to the current economic climate, **it is recommended that a windfall allowance for small sites could be applied from year 4 of the most recent supply position.**

Medium sites (sites delivering between five and nine dwellings)

Table 11: Historic windfall delivery rates for medium sites

Medium Sites (5-9 dwellings)			
Year	Total		
2006-2007	38		
2007-2008	26		
2008-2009	19		
2009-2010	9		
2010-2011	50		
2011-2012	29		
2012-2013	39		
2013-2014	16		
2014-2015	20		
2015-2016	51		
2016-2017	26		
2017-2018	27	Average (mean)	31
2018-2019	49	Average (median)	28
2019-2020	40	Avg (last 3 years)	39
Overall Total	439	Avg (last 6 years)	36

- 4.35. For medium sites, averages over the 14 year period range between 28 and 39 dwellings per annum. On two occasions, the figure exceeded 50 dwellings, in 2010/11 and 2015/16.
- 4.36. The full assessment in this study considers a small number of this scale of site (17 in total), however only two of these are known to be actively promoted for development. The remainder of the sites include garages and other land in public sector ownership.
- 4.37. Such sites subject to full assessment do not provide an accurate basis on which to justify future trends for this scale of development. This is due to the nature of these sites, and the likely preferred approach by landowners/agents to engage directly through the (normally quicker) development management processes to determine the principle of development.
- 4.38. For this reason, any windfall assumption on medium sites should be justified through historic trends and likely future trends rather than through other sources of information or evidence.
- 4.39. Impacts of the economic downturn on delivery of medium sites: Taking account of the last economic downturn, trends are less defined than for the small sites. There was a steady fall in numbers between 2006/07 and 2009/10. What is clear is that the impact of the downturn was experienced in 2009/10, when only nine dwellings were completed.
- 4.40. Unlike small sites, the impact of the downturn on medium sites appeared to be short-lived, with a surge in completions in the following year (2010/11 - 50 dwellings completed). This suggests a greater motivation from the construction industry to deliver on commitments that were stalled in 2009/10, demonstrating a degree of resilience to ‘bounce back’ quickly for sites of this scale. The table below shows that despite significant under-delivery in 2009/10, the response in 2010/11 brought average delivery back on track.

Table 12: Analysis of medium site delivery during the last economic downturn

5-9 dwellings	Period	Average annual delivery
2006/07 – 2008/09	Pre-downturn	28 dwellings
2009/10 – 2010/11	Downturn	30 dwellings
2011/12 – 2019/20	Post-downturn	33 dwellings

- 4.41. Having regard to the information above, it is likely that confidence in the construction sector to deliver medium sized sites can be restored by the time that a windfall allowance is applied. Any adverse impacts to delivery of medium sites should be short-lived, taking account of these historic trends.
- 4.42. Conclusion on medium sites: **It is recommended that a windfall assumption of 25 dwellings per annum on medium sites** should be made, having regard to the evidence identified above. This figure is below all mean and median averages set out in Tables 11 and 12 above.
- 4.43. When considered against likely economic effects, there appears to be a degree of resilience with the delivery of medium sites. An assumption of 25 dpa is below mean averages for the period before, during and after the last economic downturn, offering a degree of resilience should the industry experience some difficulty in the medium and long term.
- 4.44. Application of windfall allowance: Historic data relating to the completion of medium sites has demonstrated that, on average, medium sites take between 2-2.5 years to be completed (from the time that planning permission has been granted). In some years, the average is as low as 1.6 years and as high as 3.3 years. Detailed data that has informed this is presented in **Appendix C** of this document.
- 4.45. Having regard to this information, and to the current economic climate, **it is recommended that a windfall allowance for medium sites could be applied from year 5 of the most recent supply position.**

Large sites (sites delivering ten or more dwellings)

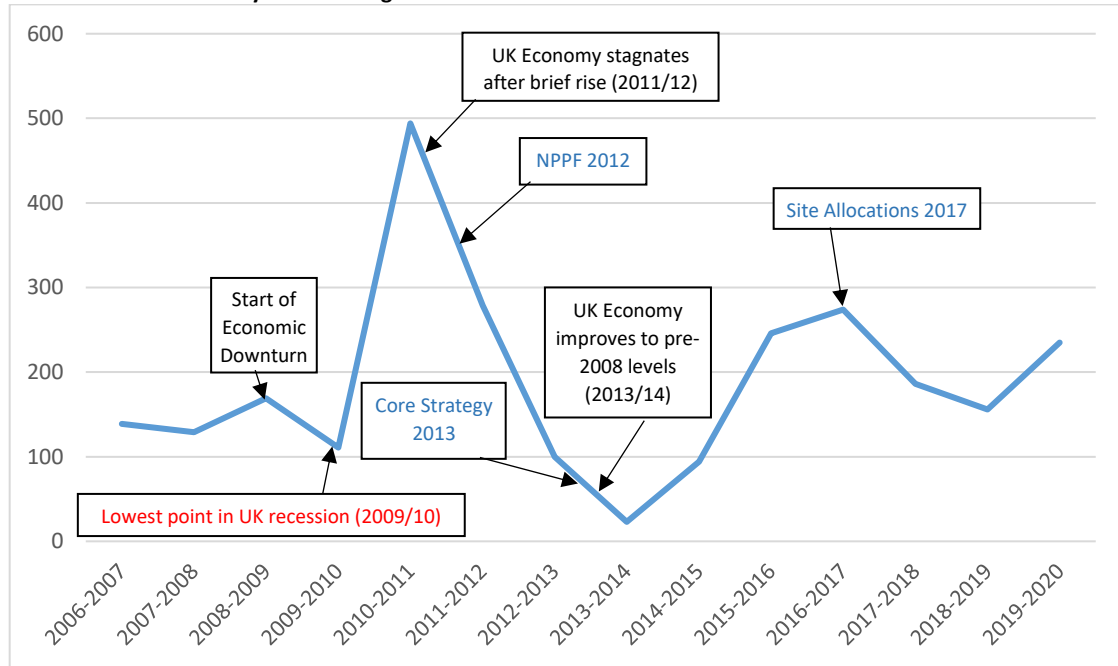
Table 13: Historic windfall delivery rates for large sites

Large Sites (10+ dwellings)			
Year	Total		
2006-2007	139		
2007-2008	129		
2008-2009	169		
2009-2010	111		
2010-2011	494		
2011-2012	279		
2012-2013	100		
2013-2014	23		
2014-2015	94		
2015-2016	246		
2016-2017	274		
2017-2018	186	Average (mean)	188
2018-2019	156	Average (median)	163
2019-2020	235	Avg (last 3 years)	192

Overall Total	2,635	Avg (last 6 years)	199
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- 4.46. The mean and median averages for large sites vary more than with the small and medium sites. Averages range from between 163dpa and 192dpa with the mean average at 188dpa.
- 4.47. Impacts of the economic downturn on delivery of large sites: Based on historic rates, it is difficult to identify how the 2008 economic downturn affected annual delivery, with variations in rates year-on-year. There is evidence that the delivery of larger sites slowed in 2009/10, corresponding with the analysis of small and medium sites. As with medium sites, a quick 'bounce back' appears to have occurred in 2010/11 with the largest annual delivery experienced over the 14 year period (494 dpa).
- 4.48. This peak in delivery can be attributed to the redevelopment of the former Kodak tower which in total (through multiple applications) delivered 359 dwellings in a single year. This means that other large sites delivered 135 dwellings, which is more in line with historic trends up to that time.
- 4.49. A second, more prolonged drop in the delivery on large sites appears to have occurred between 2012 and 2015, with only 23 dwellings completed in 2013/14.
- 4.50. It is unclear if this second lull in delivery is directly related to the 2008 economic downturn or other material factors, including changes in national and local policy. This second, more prolonged dip, was followed by an increase in delivery rates between 2015/16 and 2016/17, suggesting a further 'bounce back', with rates settling again after this.
- 4.51. For completeness, the graph below shows how delivery of large sites has changed over the past 14 years.

Table 14: Annual delivery rates on larger sites 2006 - 2020



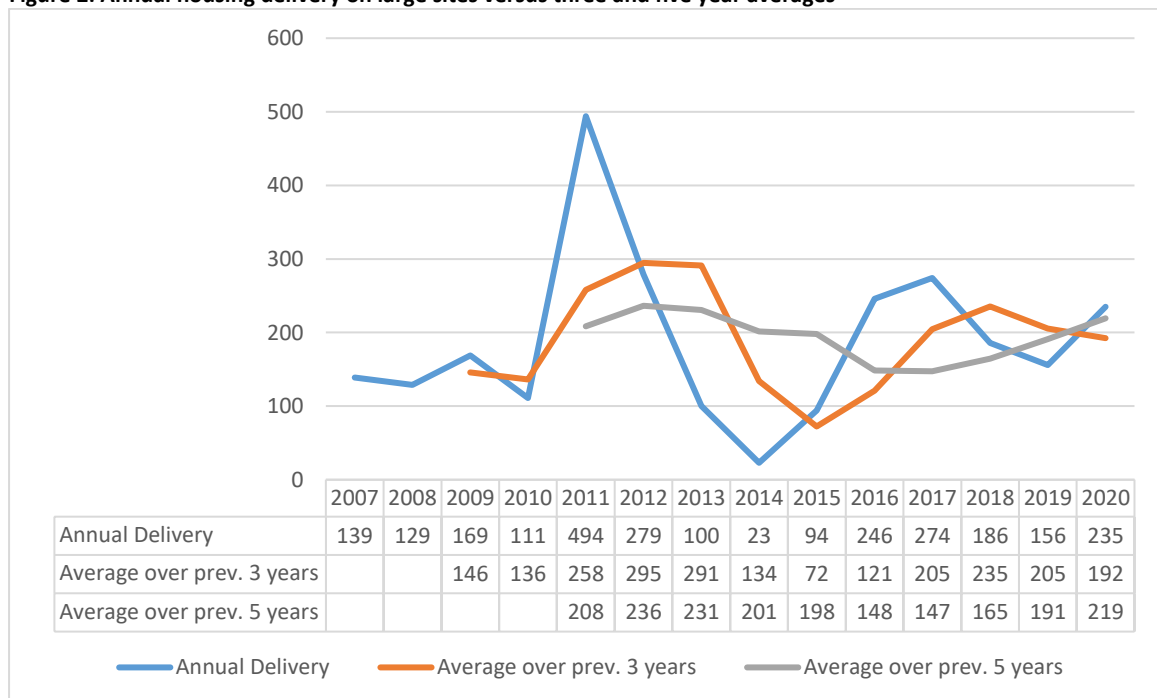
- 4.52. The graph better demonstrates the peaks and troughs experienced between 2009 and 2017. While the first dip relates to the period where the UK recession was at its peak, the second dip corresponds with a period where the wider economy was slowly but steadily recovering to pre-2008 levels of growth.
- 4.53. One justification for the second dip is that it corresponds with lower levels of activity in the planning sector overall. The number of applications dropped significantly when the downturn hit, and subsequently had an impact upon delivery rates three or four years later when larger applications would expect to start delivering on the ground.
- 4.54. A number of external reports support the conclusion that this second more prolonged drop is due to the economic downturn of 2008 and indicate a similar drop in completions during the 2013 to 2014 period²²²³. This corresponds with the Council’s windfall data which is presented in detail in **Appendix C** of this document.
- 4.55. A review of delivery rates on large sites conclude that this was likely the case as averages from the date the application was granted to its completion was 2.8-2.9 years. Similarly, those largest sites (those delivering 50 dwellings plus) took longer to complete (3.4-4.1 years).
- 4.56. An alternative justification for the second dip may be due to the introduction of the NPPF in February 2012 which created a lot of uncertainty in the planning system, where the interpretation of new policies were predominantly dealt with through planning appeals, case law and the introduction of planning practice guidance in subsequent years.

²² Housebuilding Report 2018, Knight Frank, available online at: <https://content.knightfrank.com/research/297/documents/en/uk-housebuilding-report-2018-5682.pdf>

²³ House building; new build dwellings, England: December Quarter 2019, MHCLG, available online at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/875361/House_Building_Release_December_2019.pdf

- 4.57. Conversely, the adoption of the NPPF-compliant Core Strategy in 2013 is followed closely by the second ‘bounce-back’ period, with housing delivery steadily increasing between 2014/15 and 2016/17.
- 4.58. A key conclusion from this analysis is that larger sites play an important role in contributing towards annual windfall allowances, however historic trends makes it difficult to determine a robust figure, given the variations in delivery year-on-year. The data demonstrates that periods where housing delivery is low is often accompanied by a period of strong delivery, which should result in more balanced outcomes when considered over longer periods of time. The following paragraphs consider this in a further detail.
- 4.59. Multiple year analysis: In order to address the variation in the delivery of large sites, data is reviewed over longer periods of time (averages across 3-5 years). This blends the peaks and troughs into a more steady line. Figure 2 below presents this information.
- 4.60. Using a three year blended average, delivery rates range between 72 and 295 dwellings per annum. The median figure is 199 dwellings per annum.
- 4.61. Using a five year blended average, delivery rates begin to close, ranging between 147 and 236 dwellings per annum. The median figure is 200 dwellings per annum.

Figure 2: Annual housing delivery on large sites versus three and five year averages



- 4.62. Conclusions on large sites: As with small and medium sites, historic trends show that large sites are impacted by economic change. These trends demonstrate that where external factors (such as an economic downturns) impact the annual delivery rates on large sites, such effects were most evident in the 3-5 years that followed. These impacts in delivery were subsequently compensated with higher housing delivery rates from years 6-9 before more rates stabilised.

- 4.63. Based on all of the analysis provided above, **it is recommended that a cautious windfall assumption of 100 dwellings per annum on large sites**. This figure is below all mean and median averages set out in table 13. Having regard to the analysis presented in Figure 2 above, the assumption of 100 dwellings per annum is below the blended averages across five year periods, and all but one of the blended averages across three year periods.
- 4.64. This approach is cautious on the basis that likely future trends as a result of COVID-19 may have a greater impact on annual delivery rates of large windfall sites compared to what was experienced through the last economic downturn. It is difficult to determine how significant the impact will be looking forward and therefore a more cautious approach is required in the absence of further evidence.
- 4.65. Application of windfall allowance: Historic data relating to the completion of large sites has demonstrated that, on average, large sites take approximately three years to be completed (from the time that planning permission has been granted). The annual average has been as low as 2 years, but has been as high as 5.1 years. Detailed data informing these outcomes is presented in **Appendix C** of this document.
- 4.66. Unlike small and medium sites, large sites cover a much wider range of scales and types of development, from schemes of 10 dwellings to those in their hundreds. Analysis of current commitments on unallocated large sites (including engagement with agents and housebuilders on future housing supply delivery) demonstrate that the majority of large sites are currently predicted to be delivered by the year 2023/24, or four years from the year of publication of this study. Only three sites are of a scale that will continue to deliver beyond this period, up to 2029/30.
- 4.67. It is recommended that a windfall allowance for large sites *could* be applied from year 5 of the most recent supply position. While this approach can be justified through raw data, the current situation relating to COVID-19 continues to raise uncertainties that future trends relating to the economy may not match those experienced in the past. It may be that the impacts from COVID-19 could be better or worse than those experienced during the last downturn.
- 4.68. Government has recently set out its approach to deregulating the planning system in the form of the August 2020 housing white paper²⁴ which will apply a 'Permission in Principle' approach to renewal and growth areas, with the aim of speeding up the planning process for development. In addition to this, permitted development rights are now updated to allow for an additional two storeys to detached blocks of flats in certain circumstances²⁵.

²⁴ Planning for the future, MHCLG, August 2020, available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/907647/MHCLG-Planning-Consultation.pdf

²⁵ New PD rights for additional storeys on detached blocks of flats coming into force 1 August 2020, Firstplan, July 2020, available at: <https://www.firstplan.co.uk/news/new-permitted-development-rights-for-additional-storeys-on-detached-blocks-of-flats-coming-into-force-1-august-2020/#:~:text=A%20key%20change%20coming%20into,without%20requiring%20full%20planning%20permission>

- 4.69. Recent information on planning applications received by Dacorum Borough Council indicate that while there has been a reduction in the numbers of planning applications following the 'lockdown', the situation has somewhat restored itself in a very short space of time. This is a positive sign that reduces the risk of a slowdown in housing delivery rates in coming years. The biggest risk remains with the wider economy and whether it will continue to support current delivery rates, or whether confidence in markets will result in a slowdown in demand for a period of time.
- 4.70. Having regard to all of the information presented above, it is suggested that a small buffer is applied with respect to large sites. Until further evidence indicates otherwise, **a windfall allowance for large sites could be applied from year 6 of the most recent supply position, and a reduced allowance should be made where known commitments exist in the medium term, to minimise the risk of double counting during this period.**

Overall recommendation and conclusions on a windfall allowance

- 4.71. The following table summarises the windfall allowance recommendations for small, medium and large windfall sites.

Table 15: Summary of windfall allowance recommendations

Type	Recommended allowance	Can be effective from
Small sites (<5 dwellings)	75 dwellings per annum	Year four of supply
Medium sites (5-9 dwellings)	25 dwellings per annum	Year five of supply
Large sites (10+ dwellings)	100 dwellings per annum	Year six of supply
TOTAL	200 dwellings per annum	

- 4.72. Using the most recent data available on commitments at the time, it is important that no double counting occurs between any allowance and the largest sites with planning permission or have secured the principle of development through other means (prior approvals/permitted development rights, etc). The table below sets out the projected delivery rates of committed sites from April 2020, and considers the most appropriate windfall allowance rates for the new Local Plan.

Table 16: Application of windfall allowance recommendations

Year	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030+
Commitments	654	946	379	368	99	67	85	64	64	12	0
Small				0	75	75	75	75	75	75	75
Medium					25	25	25	25	25	25	25
Large						33	15	36	36	88	100
Total	654	946	379	368	199	200	200	200	200	200	200
Actual Allowance	0	0	0	0	100	133	115	136	136	188	200

- 4.73. As can be seen above, there are significant commitments expected up to 2023/24. After this, annual commitments fall below 100 dwellings per annum, and generally continue to fall in numbers until 2029/30.

- 4.74. For this reason, no windfall allowance is recommended for small sites in 2023, but start to apply from 2024 alongside an allowance for medium sites. With a projected total delivery of just under 200 dwellings in 2024, this is a cautious approach and reflects the potential for slower delivery as a result of the current COVID-19 situation.
- 4.75. From 2025, an allowance is made for larger sites. With the known commitments at this stage relating to the later stages of delivery on windfall sites, the corresponding allowance is reduced so that the total between commitments and the windfall allowance does not exceed 200.
- 4.76. The overall approach presented above results in an incremental increase in the windfall allowance over the plan period, ensuring a degree of robustness and resilience to the housing supply trajectory. From 2024 an allowance of 100 is made, rising to around 188 dwellings per annum between by 2029, and is then set at 200 from 2030.
- 4.77. Annual updates to the housing supply position should reflect a balanced approach between known windfall commitments and a future windfall allowance. **Where a windfall allowance is used, the sum of the commitments and allowance should never exceed 200 unless there is a strong justifiable reason for doing so. Equally, a windfall allowance should not apply where the known commitments (on sites not identified in the Local Plan) for that year already exceed 200 dwellings.**

Other windfall data: Distribution of windfall completions

- 4.78. The proposed distribution for windfall development is based upon historic delivery rates over the last 14 years taking an average by settlement. This data can be used to estimate how a future windfall allowance could apply to the six main settlements (and to the rest of the borough).
- 4.79. The proposed distribution of windfall allowance is as follows:

Table 17: Distribution of windfall between settlements

Settlement	Proportion of historic windfall completions
Hemel Hempstead	71%
Berkhamsted and Northchurch	9%
Tring	6%
Bovingdon	1%
Kings Langley	2%
Markyate	1%
Rest of the borough	10%

Other windfall data: Garden land development

- 4.80. As highlighted in section 3, the revised NPPF no longer restricts windfall allowance figures from considering garden land, but recognises that Local Plan policies can seek to restrict such land from inappropriate development.

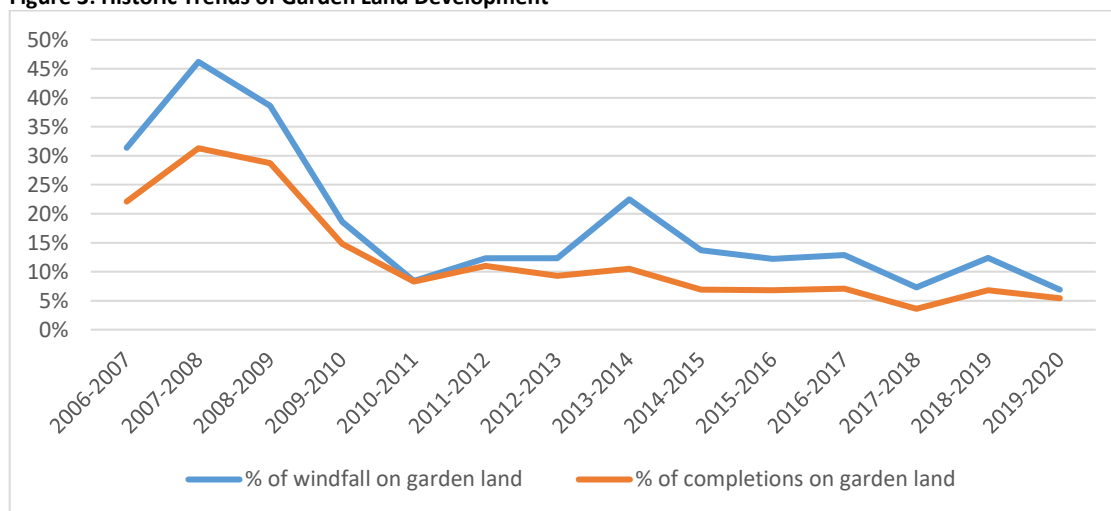
4.81. This section considers their historic contribution towards housing supply in the district, and Table 18 presents this information:

Table 18: Windfalls delivered on garden land in Dacorum between April 2006 - 2020

Year	Windfalls	Windfalls on garden land	Percentage of windfall on garden land	Percentage of completions on garden land
2006 – 2007	290	91	31.4%	22.1%
2007 – 2008	264	122	46.2%	31.3%
2008 – 2009	308	119	38.6%	28.7%
2009 – 2010	188	35	18.6%	14.8%
2010 – 2011	597	50	8.4%	8.3%
2011 - 2012	398	49	12.3%	11%
2012 – 2013	219	27	12.3%	9.3%
2013 – 2014	102	23	22.5%	10.5%
2014 – 2015	190	26	13.7%	6.9%
2015 – 2016	369	45	12.2%	6.8%
2016 – 2017	395	51	12.9%	7.1%
2017 – 2018	288	21	7.3%	3.6%
2018 – 2019	306	38	12.4%	6.8%
2019 – 2020	373	26	6.9%	5.4%
Totals	4,287	723		
Annual Average (14 years)	306	52	18.3%	12.3%
Average over the last 3 years	322	28	8.9%	5.3%

4.82. Historically, garden land developments made an important contribution towards housing delivery, both in terms of windfalls and also in terms of overall annual completions. In more recent years, such developments have become less important to housing supply, as the graph below demonstrates.

Figure 3: Historic Trends of Garden Land Development



4.83. The total number of dwellings delivered on garden land has almost halved in the eight years since the introduction of the NPPF, when compared to the six years that preceded that. It is likely that changes in policy at national and local level in that time have been an influencing

factor. An additional factor could be that the supply of garden land is more constrained now, with less opportunities coming forward for redevelopment.

Other windfall data: Prior approvals

- 4.84. As set out earlier in this study, prior approvals do not contribute towards the study’s recommendations on a windfall allowance as the evidence available is not sufficiently robust to justify a future allowance, having regard to historic and likely future trends. This is as a result of Article 4 measures recently implemented for a number of key employment sites, and further uncertainty surrounding Government’s revisions to permitted development rights.
- 4.85. Their exclusion adds a degree of resilience and buffer towards the windfall allowance figures set out above. Data is available from 2014 – 2020, and is presented in the table below:

Table 19: Historic trends for dwellings delivered under the prior approval system

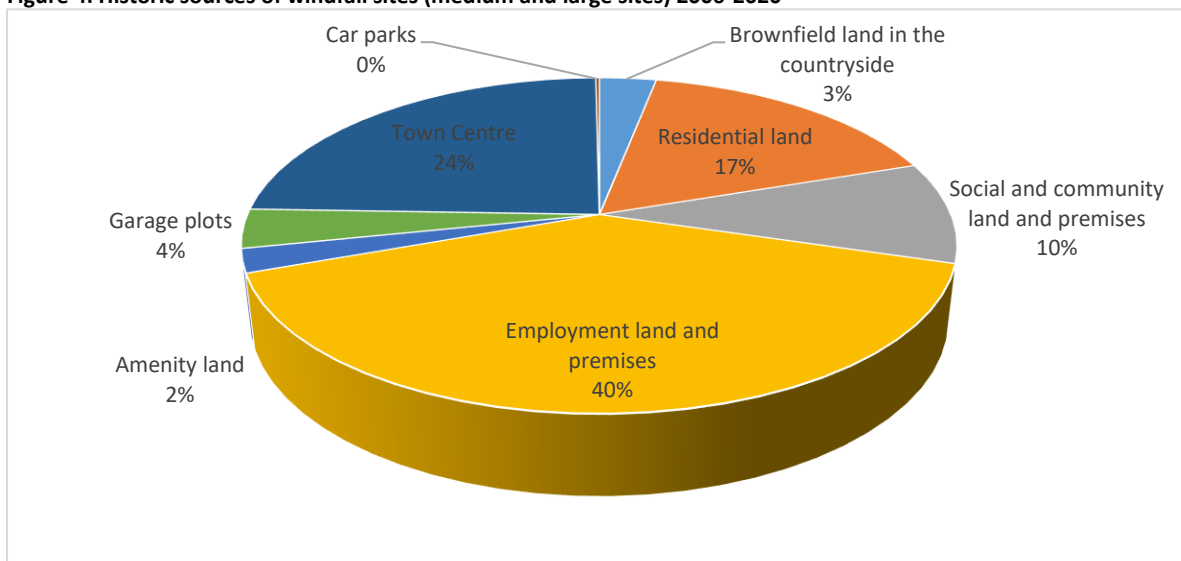
Year	Small sites	Medium sites	Large sites	Total
2014/15	5	0	0	5
2015/16	5	30	73	108
2016/17	16	11	19	46
2017/18	2	8	39	49
2018/19	12	0	64	76
2019/20	3	0	26	29
Total	43	49	221	313

- 4.86. On average (mean and median), around 50 dwellings were delivered annually through prior approvals, although figures do vary year-on-year. Prior approvals could therefore continue to make a contribution towards future windfall delivery rates, adding a layer of protection against any possible downturn in delivery from other sources of supply.

Other windfall data: Type/Location of windfall sites

- 4.87. The following chart presents an overview of the types of larger windfall sites (5+ dwellings, including garden land), including how much they contribute towards historic windfall rates.

Figure 4: Historic sources of windfall sites (medium and large sites) 2006-2020



- 4.88. Almost one quarter of dwellings completed on medium and large sites have come forward in town centre locations.
- 4.89. Outside of the designated town centres, almost 40% of dwellings from large windfall sites stem from land that was previously identified or allocated for employment uses. This demonstrates a strong emphasis on the effective re-use of previously developed land in the borough.
- 4.90. The contributions from employment land is likely to be significantly higher than shown given that many of the completions in town centre locations come from office buildings such as the Kodak building and Swan Court.
- 4.91. Almost one in five dwellings built on large windfall sites are being built on existing residential land, with just under half of these on garden land developments. The remainder principally relate to the intensification of existing sites, through redevelopment at higher densities.
- 4.92. Social and community facilities also make a contribution towards the supply of windfall sites (11%), which likely represents a combination of sites being surplus to requirement/no longer viable and the more attractive/viable nature of redeveloping such sites for residential use. Such redevelopment may also help to deliver more modern community facilities through enabling schemes.
- 4.93. Car parks, garage plots (or courts), amenity land and brownfield land in rural areas make very little contribution towards historic windfall completion.

Stage 4: Assessment Review and Conclusions

- 4.94. This section reviews all of the evidence and sources of data considered and presents an initial conclusion on the estimated urban capacity of the six main settlements and for Dacorum as a whole. The information presented is intended to be indicative only based on the best information available to the Council at the time that the assessment has been prepared. As part of further, more detailed work on the new Local Plan, the conclusions of this report may be subject to further review following consultation.

Existing allocations

- 4.95. Existing allocations have been reviewed for their potential to contribute towards the urban capacity of the new Local Plan. These sites have been considered for their potential to deliver more housing in accordance with national policy. The outcomes are presented in **Appendix A**.

Detailed assessment of urban sites

- 4.96. Outside of the existing allocations, over 110 urban sites were subject to full assessment. The outcomes of this assessment are presented in **Appendix B** and identify that 34 sites are suitable for further consideration. These have the potential to deliver around 2,383 new dwellings, subject to further testing.
- 4.97. There 42 sites that are considered suitable subject to the appropriate relocation of existing services and facilities on site, or to it being demonstrated that there is no reasonable prospect that the current use cannot be retained. These have the potential to deliver a further 2,944 homes.

4.98. Beyond this, the remaining sites are considered to be unsuitable. The majority of these are on the basis that they are employment sites identified as important to current and future economic growth, with a number of other sites unlikely to deliver five or more dwellings.

Sites with the greatest potential for allocation in the new Local Plan:

4.99. It is important that opportunities to make efficient use of land in the urban area are maximised. This section looks in a little more detail at the sites identified as suitable for further consideration, and which could make a more significant contribution if they were proposed as allocations in the new Local Plan.

4.100. Of the 34 urban sites identified as suitable for further consideration, the majority of these (28) are located in Hemel Hempstead, three are located in Kings Langley, two in Berkhamsted and one in Bovingdon.

4.101. Eleven of these sites have a development potential of less than 10 dwellings, with a further seven sites capable of delivering between 10 and 40 dwellings. These sites are unlikely to make a significant contribution towards future needs, although there is nothing that prevents them from being considered through the development management process (i.e. as a windfall site) provided proposals are in accordance with the strategy and relevant policies of the new Local Plan.

4.102. The remaining 16 sites all have potential to be considered as possible allocations in the new Local Plan. 15 of these are located in Hemel Hempstead, principally located within or in close proximity to the town centre, Two Waters/Apsley and Maylands Business Park. One site is located close to Leverstock Green and the final site is located to the west of Berkhamsted town centre.

4.103. These sites are considered in further detail in **Appendix D** of this study, with a focus on additional matters such as a review of relevant planning history as well as other evidence including additional guidance documents and further analysis of flood risk.

4.104. This more detailed analysis recommends ten urban sites as potential allocations in the new Local Plan. If carried forward, these should be subject to Sustainability Appraisal and other relevant evidence prior to any final recommendations made on the Local Plan, having regard to the emerging strategy and overall housing and employment requirements. These sites are listed as follows:

Table 20: Sites recommended as possible allocations in the new Local Plan

Hemel Hempstead	Recommended allocation following review
Market Square / Bus Station, Marlowes	Around 130 dwellings; and Other uses at ground floor level.
NCP Car Park, Hillfield Road	Around 100 dwellings; and Other uses at ground floor level.
Two Waters North, consists of: <ul style="list-style-type: none"> • H/10 The Plough • Car dealerships at Corner Hall • B&Q, Two Waters Road • Travis Perkins, Lawn Lane 	Around 350 dwellings.
Two Waters East, Two Waters Road	Around 60 dwellings.
Symbio Site, Whiteleaf Road	Around 180 dwellings.
Kier Park (Plots 2/3), Maylands Avenue	Around 250 dwellings; and

	Around 1,400 sq.m of office floorspace.
66 and 72 Wood Lane End	Around 150 dwellings.
Cupid Green Depot	Around 360 dwellings.
South of Green Lane	Around 80 dwellings.
Berkhamsted	Recommended allocation following review
Sarthe Business Park, Billet Lane (Jewson Site)	Around 40 dwellings.

4.105. As with the smaller sites, the other sites that have not been recommended for allocation could still come forward for development (i.e. as windfall sites), provided they accord with the strategy and relevant policies in the new Local Plan.

Windfall allowance and its relationship with sites assessed

4.106. It is recommended that a windfall allowance of up to 200 dwellings per annum (dpa) is applied to the Local Plan. The approach is to introduce the allowance on an incremental basis, increasing over time. For the new Local Plan period, the allowance accounts for just under 15% of the total housing requirement of the borough.

4.107. When considering if there are sufficient sites identified to meet the windfall allowance, the study recognises that small and medium windfall sites (up to 9 dwellings) are not well represented in the assessment of urban sites. The study notes that such sites tend not to be promoted for allocation in Local Plans, but dealt with through the development management process. Therefore it is considered that historic data and predicted future trends represents the most robust evidence to justify a windfall allowance of 100 dwellings per annum (75 dpa for small sites; 25 dpa for medium sites).

4.108. The focus of the assessment of urban sites relates well to larger sites (those capable of delivering 10+ dwellings) and therefore it is important to consider if there is broadly sufficient land identified as suitable which could meet the windfall allowance for these sites. It should be recognised that large sites not identified in this study will come forward for development in the plan period and contribute towards future windfall supply. This section needs to ensure that there is a degree of confidence that the proposed windfall allowance could be met.

4.109. Determining the scale of windfall allowance for larger sites: Using the recommendations set out in Stage 3, the allowance for large sites is introduced on an incremental basis, to ensure no double counting occurs. For ease, the data is presented again here.

Table 21: Windfall recommendations for large sites

Year	2025	2026	2027	2028	2029	2030+
Large sites	33	15	36	36	88	100

4.110. Applying the information above to the plan period up to 2038, this means that there is a need to consider sufficient large sites capable of delivering **1,008 dwellings**.

4.111. The assessment of urban sites has identified a total of 23 sites that are capable of delivering 10 or more dwellings and are considered to be suitable. 13 of these are recommended as potential allocations in the new Local Plan. The remaining ten sites have the development potential to deliver around 762 new homes. It is worth noting that this includes sites not promoted to the council and may not come forward.

4.112. A further 39 sites are considered to be suitable subject to specific criterion being met, and which have the potential to deliver ten or more dwellings. These have the theoretical potential to deliver over 2,900 homes. The majority of these sites are in active economic use (23 sites – potential for c.1,500 homes). Such sites can only be considered for alternative uses (such as residential) if there is no reasonable prospect that they could be retained for their current use or comparable uses. It is not expected that all of these sites would come forward for development, but historic trends demonstrate that such land and premises do make an important contribution towards windfall supply.

4.113. The remaining sites play an important role in delivery community services and facilities, including sports/leisure facilities, specialist treatment for particular groups of people, telephone/broadband exchange buildings and services such as fire and rescue. Such facilities would in most instances require the relocation of existing uses. Appropriate locations could include new large strategic allocations, or could be compatible with land in the green belt on the edge of settlements. Redevelopment of such sites can help with enabling the development of new/modern facilities, replacing facilities which may be dated or in decline. While it is not expected that many of these sites could come forward for development, it is likely that a small number could deliver in the plan period.

4.114. It is therefore considered that for those large sites identified above, there is sufficient land identified as suitable or potentially suitable and capable of meeting the recommended windfall allowance of c.1,008 dwellings for larger sites.

Estimated urban capacity by settlement

4.115. The following tables presents the overall conclusions for each of the six main settlements, and for the borough as a whole. A windfall allowance of up to 200 dwellings per annum is provided for the borough, and apportioned to the main settlements and the rest of the borough based on historic delivery rates for each settlement.

4.116. The tables take account of the detailed testing of sites identified in this assessment as having potential to be allocated in the Local Plan (i.e. new urban allocations).

Table 22: Estimated Urban Capacity for Hemel Hempstead

Hemel Hempstead	Detail	Capacity
Local Allocations (“LA”)	LA1 – Marchmont Farm	385
	LA2 – Old Town	90
	LA3 – West Hemel	1,150
	Total	1,625
Housing allocations (“H”)	H/2 – National Grid Land	400
	H/4 – Ebbens Road	30
	H/7 – Land at Turners Hill	60
	H/8 – 233 London Road	10
	H/11 – Land r/o St. Margaret’s Way / Datchworth Turn	50
	H/13 – Frogmore Road	170
	Total	720
Mixed Use allocations (“MU”)	MU/1 – Civic Centre Site	200
	MU/2 – Hospital Site	450
	MU/3 – Paradise / Wood Lane	350
	MU/4 – Station Gateway	350
	Total	1,350

Neighbourhood Plan allocation	Grovehill Local Centre	200
Proposed new allocations	L1 – Market Square	130
	NCP Car Park, Hillfield Road	100
	Two Waters North	350
	Two Waters / London Road	60
	Symbio Place, Whiteleaf Road	180
	Wood Lane End	150
	Cupid Green Depot	360
	Kier Park (Plot 2/3)	250
	South of Green Lane	80
	Total	1,660
Commitments (from 1 April 2020)	Includes a deduction for non-starters	1,873
Windfall	71% of 2,408 dwellings (total windfall figure)	1,710
Estimated Urban Capacity		9,138

Table 23: Estimated Urban Capacity for Berkhamsted and Northchurch

Berkhamsted	Detail	Capacity
Local Allocations (“LA”)	Land at and to the rear of Hanbury’s, Shootersway	40
Mixed Use allocations (“MU”)	MU/7 Gossoms End / Billet Lane	30
	MU/9 Berkhamsted Civic Centre	16
Proposed new allocations	Former Durrants Furniture, Billet Lane (Jewson)	40
Commitments (from 1 April 2020)	Includes a deduction for non-starters	143
Windfall	9% of 2,408 dwellings (total windfall figure)	217
Estimated Urban Capacity		486

Table 24: Estimated Urban Capacity for Tring

Tring	Detail	Capacity
Housing allocations (“H”)	H/15 – Miswell Lane	24
	LA5 – Icknield Way	50
Commitments	Includes a deduction for non-starters	313
Windfall	7% of 2,408 dwellings (total windfall figure)	144
Estimated Urban Capacity		531

Table 25: Estimated Urban Capacity for Bovington

Bovington	Detail	Capacity
Local Allocations (“LA”)	LA6 – Chesham Road and Molyneaux Avenue	40
Commitments (from 1 April 2020)	Includes a deduction for non-starters	27

Windfall	1% of 2,408 dwellings (total windfall figure)	24
Estimated Urban Capacity		91

Table 26: Estimated Urban Capacity for Kings Langley

Kings Langley	Detail	Capacity
Housing allocations (“H”)	H/18 – Coniston Road	10
Commitments (from 1 April 2020)	Includes a deduction for non-starters	71
Windfall	2% of 2,408 dwellings (total windfall figure)	48
Estimated Urban Capacity		129

Table 27: Estimated Urban Capacity for Markyate

Markyate	Detail	Capacity
Housing allocations (“H”)	H/19 – Hicks Road/High Street	13
	H/20 – Watling Street	20
	Total	33
Commitments (from 1 April 2020)	Includes a deduction for non-starters	8
Windfall	1% of 2,408 dwellings (total windfall figure)	24
Estimated Urban Capacity		65

Table 28: Estimated Urban Capacity for Dacorum

Dacorum Urban Capacity	Capacity
Hemel Hempstead	9,138
Berkhamsted	486
Tring	531
Bovingdon	91
Kings Langley	129
Markyate	65
Estimated Capacity	10,440

4.117. The study demonstrates that **there is an estimated urban capacity of approximately 10,440 dwellings** for the borough.

Capacity of the rural area

4.118. Although not strictly part of the urban area, it is important for plan making and in particular when considered any release of land from the Green Belt that the fully existing capacity of the borough is recognised.

4.119. Although development will generally be constrained in the rural area, the scale of the land outside of the six main settlements is such that it does make a further contribution towards housing delivery and supply, both in terms of known commitments and a future windfall allowance. For this reason, the following table sets out the estimated capacity of the rural area.

Table 29: Estimated Urban Capacity for the Rural Area

Rural Area	Detail	Capacity
Commitments (from 1 April 2020)	Includes a deduction for non-starters	273
Windfall	4% of 2,408 dwellings (total windfall figure)	241
Estimated Rural Capacity		514

4.120. When added to the estimated urban capacity for the six main settlements, it can be concluded that there is the capacity to meet the needs of almost 11,000 homes prior to considering allocating further land for development outside of the urban areas of Dacorum.

Next Steps

4.121. The outputs of this assessment will need to be considered carefully alongside the outputs of the assessment of greenfield sites outside of the six main settlements and future housing needs for the borough. This will include the consideration of urban sites with the greatest potential to deliver the strategy of the new Local Plan.