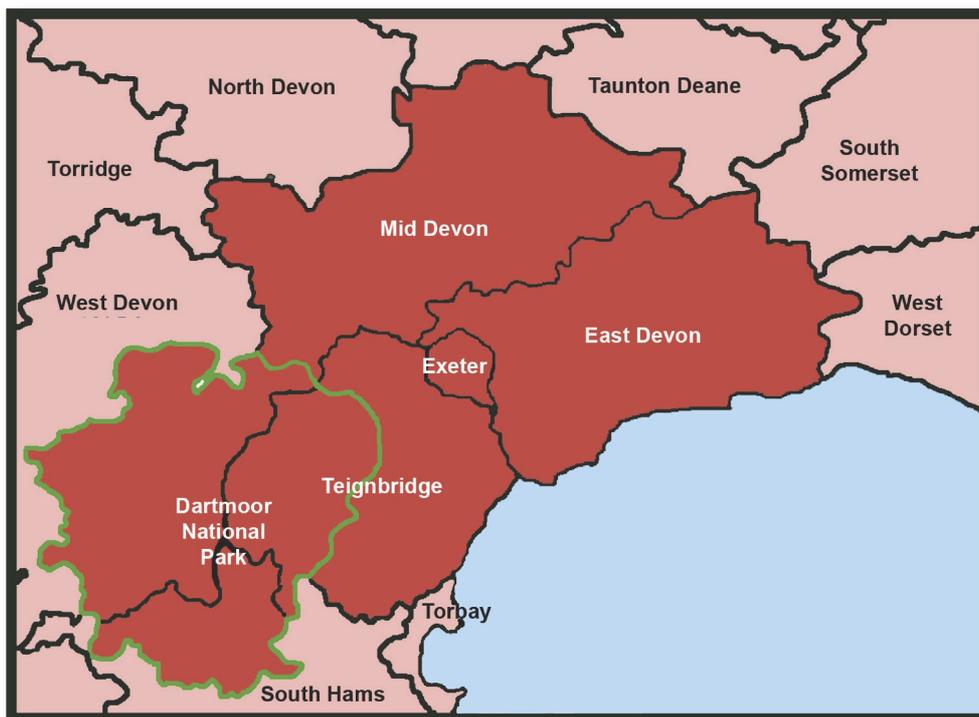


# Methodology for Strategic Housing Land Availability Assessments

Exeter Housing Market Area

Revised September 2010



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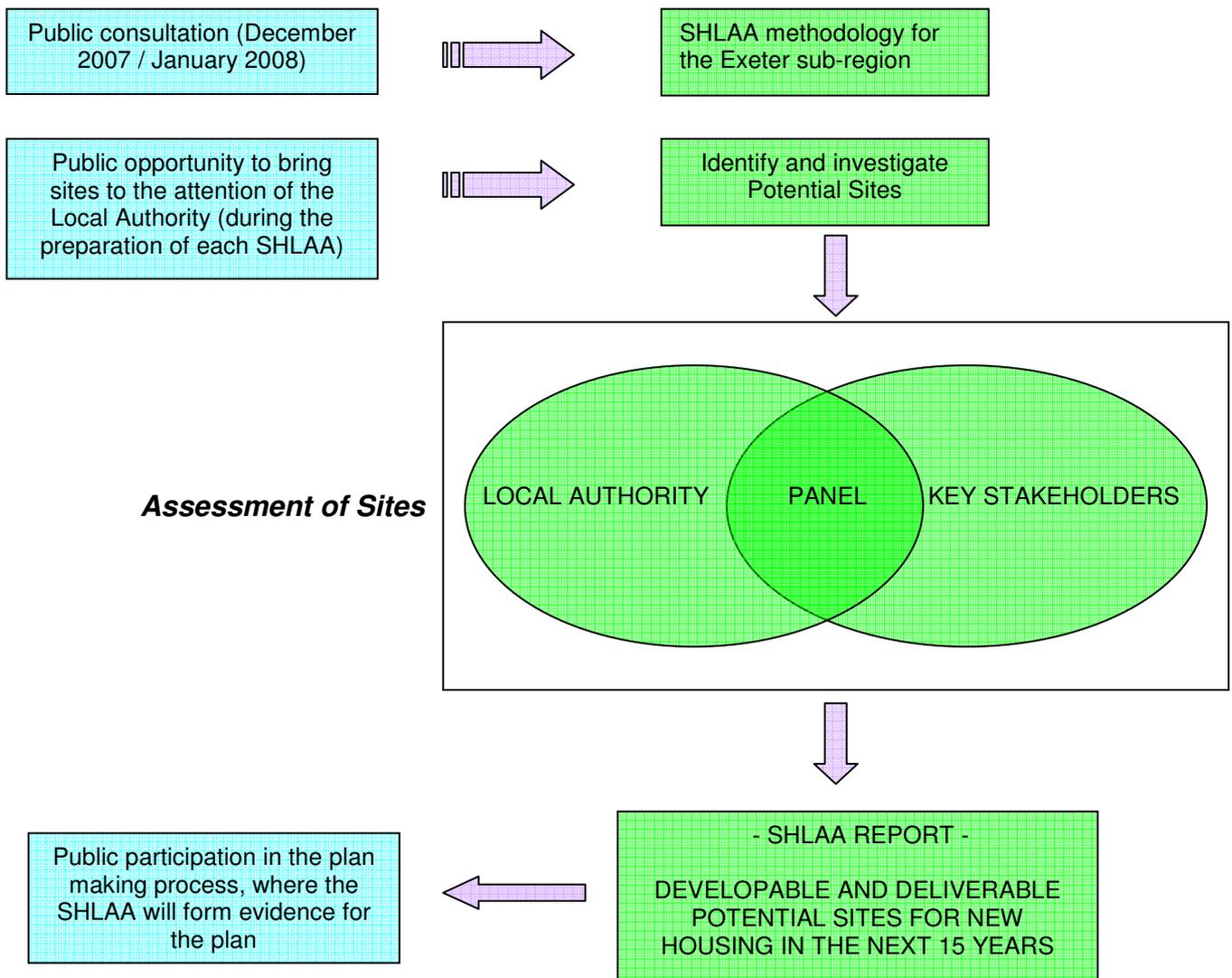
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## Strategic Housing Land Availability Assessments in the Exeter Sub-Region - an explanation

Strategic Housing Land Availability Assessments (SHLAAs) are studies that form part of the evidence base for the preparation of Local Development Frameworks (LDFs). They help identify potential sites that may be deliverable and developable for new housing over a period that looks forward over the next 15 years, or the period for the LDF.

Local Authorities in the Exeter housing market area sub-region (Teignbridge, Mid Devon and East Devon District Councils, Exeter City Council and the Dartmoor National Park Authority) have prepared SHLAAs and will keep these under review in accordance with national planning policy and guidance, and a methodology detailing the approach to be taken locally.

Potential sites will be assessed by each Local Authority (with a Panel of Key stakeholders including representatives from a broad cross-section of the house building industry) in terms of their availability and suitability for new housing, and whether they are likely to be developed. The inclusion of sites in each SHLAA report does not guarantee that planning permission will be granted or that they will be allocated in a development plan document.



## 1.0 Introduction

- 1.1 *Planning Policy Statement 3 (PPS3) Housing* places a requirement for Local Authorities to prepare a Strategic Housing Land Availability Assessment (SHLAA) as part of a more responsive approach to land supply at the local level. A SHLAA identifies as many sites as possible with housing potential in and around settlements which may have potential to contribute towards sustainable, mixed communities. To be considered ready to develop, potential sites must be suitable for development in planning terms, available now, and capable of being achieved at a particular point in time. This will have regard to site viability, including likely costs where there may be a requirement for infrastructure, open space, community facilities, and affordable housing.
- 1.2 Local Authorities in the Exeter housing market area have taken a partnership approach towards the preparation of a common Methodology for preparing SHLAAs in the sub-region. This follows the Government's Practice Guidance published in July 2007.

Partner Local Authorities
Teignbridge District Council
Exeter City Council
Mid Devon District Council
East Devon District Council
Dartmoor National Park Authority
Devon County Council

- 1.3 A draft Methodology was published for consultation in December 2007 and a final version was published in September 2008. Following the revocation of Regional Spatial Strategies and amendments to *PPS3*, and in light of the partner Local Authorities' experience of producing SHLAAs, the Methodology was subsequently revised (September 2010). Advice on the final wording of the Methodology was sought from key stakeholders on a SHLAA Stakeholder Panel, including house builders, social landlords, local property agents, local communities and other agencies such as the Environment Agency and Natural England which have a recognised interest in the sub-region. Further information about the Panel is included in this methodology.
- 1.4 Should you require further information about SHLAAs, or the Methodology and approach to be taken by partner Local Authorities in the Exeter housing market sub-region, please contact the following:

Mr Tristan Peat, Principal Planner (Projects & Monitoring), Teignbridge District Council. Tel: 01626 215710. Email: [tpeat@teignbridge.gov.uk](mailto:tpeat@teignbridge.gov.uk)

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Mrs Linda Renshaw, Senior Development Plans Officer, East Devon District Council. Tel: 01395 571683. Email: [lrenshaw@eastdevon.gov.uk](mailto:lrenshaw@eastdevon.gov.uk)

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## **2.0 About the Strategic Housing Land Availability Assessment (SHLAA)**

### Purpose

- 2.1 A Strategic Housing Land Availability Assessment is an assessment of land in a specific area that is likely to be available and capable of development for new housing within a certain timeframe.
- 2.2 The SHLAA has two primary purposes. It identifies suitable sites with potential for housing, investigates their housing potential and assesses when they are likely to be developed. This gives early focus on sites in the plan making process for each Local Authority, with the aim being to find sufficient sites for at least the first 10 years of a plan from the anticipated date of adoption and ideally for the whole plan period. The SHLAA also assesses the 5 year supply of deliverable sites for the purpose of *PPS 3* and National Indicator 159.
- 2.3 The SHLAA identifies sustainability issues and physical constraints that might make a site unsuitable for development, including what action could be taken to overcome constraints on particular sites.
- 2.4 At the discretion of each partner Local Authority, the SHLAA may be used to identify deliverable and developable sites to accommodate Gypsies and Travellers.
- 2.5 The assessment of sites for new housing through the SHLAA process and the identification of potential housing sites in the SHLAA report does not indicate that the site(s) will be allocated for new housing development in Development Plan Documents or that planning permission will be granted for new housing<sup>1</sup>. Potential sites for new housing which have been identified through the SHLAA may be further tested through the plan making process for Development Plan Documents where judgements will be made about whether sites should be allocated through plan policy. This will include testing through Sustainability Appraisal / Strategic Environmental Assessment, Appropriate Assessment, stages of public participation and independent examination. Planning proposals on sites identified in the SHLAA report will be judged on their merits against the relevant Development Plan policies unless material considerations indicate otherwise. The SHLAA does not preclude sites from being developed for other suitable uses, neither does it preclude other sites that have not been identified in the SHLAA being developed for housing.

### Status

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<sup>1</sup> The SHLAA does not make judgements about whether a site should be allocated for housing development.

- 2.6 The SHLAA report is not a Local Development Document, but once completed and approved by each partner Local Authority it becomes an important technical document in the evidence base for respective Local Development Frameworks. The SHLAA may also be a material consideration in the determination of planning proposals.

#### Timeframe

- 2.7 Each partner Local Authority is responsible for the preparation of a SHLAA for its planning administrative area, and the timetables for each SHLAA may vary across the sub-region. Each SHLAA should cover a period of at least 15 years, or the timeframe for the Local Development Framework.

#### The need for a SHLAA Methodology

- 2.8 This Methodology sets out the approach to preparing SHLAAs locally in the sub-region<sup>2</sup>. It is based on the Government's Practice Guide<sup>3</sup>, but adds more details on matters including:

- participation of key stakeholders in the process,
- determining which sites may be "suitable", "available" and "achievable",
- a method for estimating the housing potential for each identified potential site,
- presentation of evidence in the SHLAA report, and
- setting a local site size threshold.

- 2.9 The Methodology sets out how identified sites will be assessed in the context of adopted and "saved" Development Plans and relevant national planning guidance.

### **3.0 The Partnership Approach for Local Authorities**

#### Housing market area basis

- 3.1 A joint housing market assessment was completed for the Torbay and Exeter housing market area sub-regions in July 2007 and the Steering

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<sup>2</sup> The preparation of a "local" approach is similar to emerging practice outside the sub-region where Methodologies for preparing SHLAA have been published by other local authorities.

<sup>3</sup> Strategic Housing Land Availability Assessments: Practice Guidance (July 2007), Department for Communities and Local Government.

Group for this study recognised the need for joint working arrangements in preparing SHLAA's in accordance with *PPS3*. However, since the timescales for the preparation Local Development Frameworks by each Local Authority differ, the preparation of a single SHLAA covering the entire housing market area is not practicable.

#### Partner Steering Group

- 3.2 Torbay Council employed consultants to prepare a SHLAA to cover its administrative boundary. Work on this was completed in mid-2008. The partner Local Authorities in the Exeter housing market area sub-region formed a Steering Group. This was tasked with:
- Preparing the Methodology setting out a common approach for the preparation of local authority level SHLAAs in the sub-region.
  - Working with each partner Local Authority in the preparation and review of its SHLAA, to facilitate broadly comparable SHLAA reports on the potential supply of land for new housing that may be used to inform plan policy making at the sub-regional and regional levels in terms of their presentation and content.
  - Setting up the "Panel" of key stakeholders.

#### **4.0 Involvement of key stakeholders**

##### The SHLAA Stakeholder Panel (the "Panel")

- 4.1 Integral to the preparation of SHLAAs in the Exeter sub-region is a "Panel" of key stakeholders who have a recognised interest in the development of land for housing in the sub region. Membership of the Panel is representative of the broad cross section of the house building industry, including housebuilders (volume and small scale schemes), social landlords, local property agents, and other related professions, local communities<sup>4</sup> and other agencies. Where a partner Local Authority's SHLAA is being used to identify potential sites to accommodate Gypsies and Travellers, the Local Authority will seek to include on the Panel individuals/organisations that have expertise in the delivery of pitches for Gypsies and Travellers, with an understanding of the viability of schemes and how they can be managed. In assessing the delivery of Gypsies and Traveller accommodation, a partner Local Authority may choose to seek advice outside the SHLAA Panel from a Gypsy and Traveller forum of similar group, where this may exist.

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<sup>4</sup> Community representation on the Panel will be determined by each partner Local Authority in the preparation of its SHLAA, and this could include more than one community group.

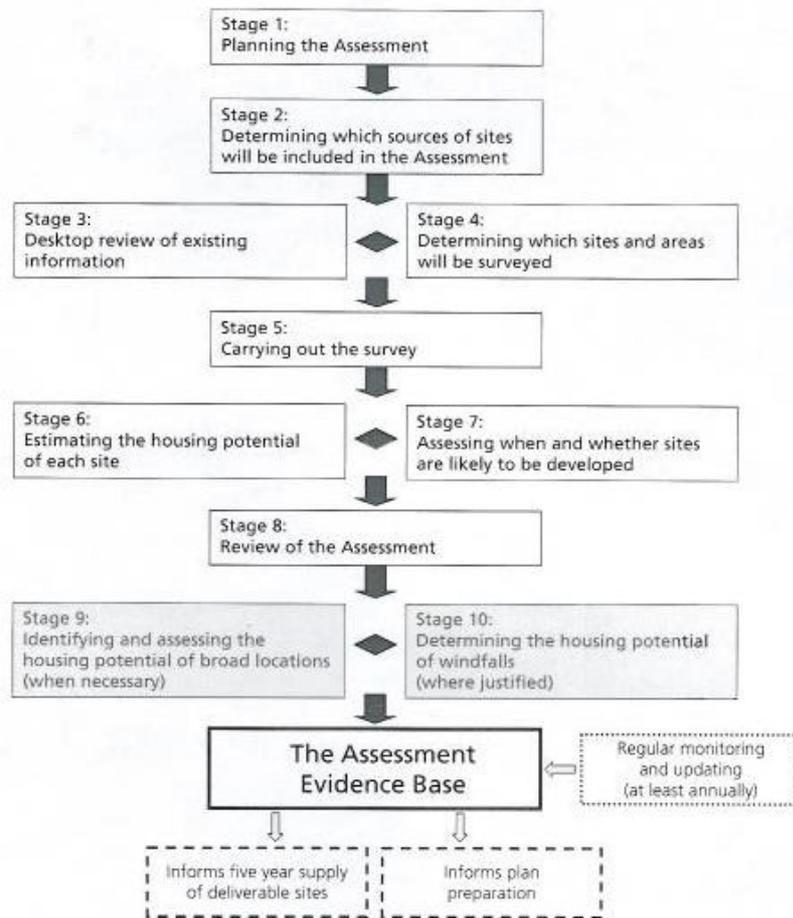
- 4.2 The Panel works in a participatory role with the partner Local Authorities, in particular by providing advice on the “achievability” of identified sites that are deemed by each Authority to be “suitable” and “available” for residential development. The expertise and knowledge of Panel members is important in helping the partner Local Authorities identify which potential sites may be deliverable and developable in the next 5, 10 and 15 years, and which may contribute towards the supply of land for housing. Panel members are not precluded from commenting on sites they have an interest in. Panel members are required to declare an interest in any site under consideration. Further details on the how the Panel is formed and operates, including its key responsibilities, are set out in a Constitution and Terms of Reference, which is included in **Appendix 6**.

#### Other key stakeholders

- 4.3 The preparation of SHLAA reports in the sub-region also involves consultation with other key stakeholders on the “availability” of potential sites for development for housing. Each partner local authority provides an opportunity for land owners, agents or other individuals and organisations, and the community to bring potential sites to their attention for assessment. A potential housing site pro forma has been prepared for this purpose, which is included in **Appendix 1**. A shorter version of the pro forma, which can be used when a local authority is reviewing its SHLAA and does not require as much information from the land owner (etc) is included in **Appendix 2**. Further details on how potential sites are assessed in terms of their “availability” are included in Section 5 of this Methodology.

## **5.0 The Methodology**

- 5.1 The Methodology accords with the approach to SHLAAs set out in the Government’s Practice Guidance, but also includes the opportunity for sites to be brought to the attention of each partner Local Authority. Additional sources of sites and data that will be considered through the preparation of each SHLAA are shown through italicised text in Tables 1 and 3.
- 5.2 Replicated in Diagram A below is an extract from the Government’s Practice Guidance identifying the eight main stages for the preparation of a SHLAA, with a two further optional stages covering broad locations and windfalls. While the stages should generally be carried out in order, Stages 3 and 4, 6 and 7, and 9 and 10, may be carried out in parallel.



**Diagram A: Stages for the preparation of a SHLAA**

### **Stage 1 – Planning the Assessment**

- 5.3 Each partner Local Authority carries out the Assessment using the agreed Methodology for the Exeter sub-region and ensures that its SHLAA accords with the requirements placed through *PPS3* and the Government’s Practice Guidance.
- 5.4 Once each partner Local Authority has completed a SHLAA for its administrative area it will publish and consult on this as part of its approach to public participation on Development Plan Documents, where the SHLAA will be part of the evidence base for the plan. Comments on sites assessed in the SHLAA will relate to the plan making process and not to the SHLAA as such<sup>5</sup>.

<sup>5</sup> This approach follows advice published by the Planning Advisory Service: “Strategic Housing Land Availability Assessment and development plan document preparation” (January / February 2008)

## Stage 2 – Determining which sources of sites will be included in the Assessment

### Sites that will be included in the SHLAA

- 5.5 Each SHLAA will cover the sources of sites in Table 1, subject to them being applicable in the context of the urban/rural nature of the administrative area and established/emerging strategic planning policies for development distribution. Subsequent reviews of the SHLAA may be restricted to sites which have already been identified and are in the planning process.

**Table 1: Sources of sites to be included in the SHLAA**

<b>Sites in the planning process</b>
<ul style="list-style-type: none"> <li>• Land allocated (or with permission) for employment or other land uses which are no longer required for Development Plan purposes for those uses</li> <li>• Existing housing allocations and site development briefs</li> <li>• Unimplemented / outstanding planning permissions for housing, and sites where planning permission has lapsed</li> <li>• <i>Sites where planning permission will be granted subject to the applicants completing a Section 106 planning agreement</i></li> <li>• Planning permissions for housing that are under construction</li> <li>• <i>Sites that have potential to make a significant contribution to housing delivery during the 5 year period e.g. draft local plan proposed allocation (initial or revised deposit stage)</i></li> </ul>
<b>Sites not currently in the planning process</b>
<p>Examples:</p> <ul style="list-style-type: none"> <li>• Vacant and derelict land and buildings</li> <li>• Surplus public sector land</li> <li>• Land in non-residential use which may be suitable for re-development for housing such as commercial buildings or car parks, including as part of mixed-use development</li> <li>• Additional housing opportunities in established residential areas, such as under-used garage blocks</li> <li>• Large scale redevelopment and re-design of existing residential areas</li> <li>• Sites in rural settlements and rural exception sites</li> <li>• Urban extensions</li> <li>• New free standing settlements</li> <li>• <i>Sites that have been brought to the attention of each partner local authority by landowners, agents and developers, and Town and Parish Councils through the public consultation exercise provided early in the preparation of the SHLAA.</i></li> <li>• <i>Any other sites that the partner local authority or the SHLAA Stakeholder Panel wishes to consider.</i></li> </ul>

### Unsuitable locations for housing

- 5.6 As far as practicable, all potential sites that have been identified by a partner Local Authority, the Panel or other key stakeholders will be assessed. However, not all potential sites may be considered to be suitable for housing development due to their location. The approach that will be taken in the Exeter sub-region for assessing whether or not a location is suitable for housing development is detailed later in this Methodology in “**Stage 7a - Assessing suitability for housing**”. Locations considered to be unsuitable for housing development are set out in Table 2. Potential sites that are in locations considered to be unsuitable for housing development will be given a nil housing potential. Where a partner Local Authority considers other locations are unsuitable for housing development these will be identified in the SHLAA report and a justification provided.

### *Strategic policy considerations*

- 5.7 Whether sites may be found unsuitable due to strategic policy considerations will be largely dependent on the stage reached in the preparation of development plan documents. Up-to-date / recently adopted Development Plan Documents may constrain the area of search for potential sites for new housing (e.g. policies defining settlement development boundaries / allocated sites / areas of search for new development). Where potential sites identified through the SHLAA do not accord with such policies they may be deemed to be unsuitable for housing and excluded from further assessment through the SHLAA. Where there is no up to date / recently adopted Development Plan Document and policies are being reviewed, the area of search may be broad so that the Local Planning Authority is in the best possible position when it comes to decide its strategy for delivering its housing objectives. This is reflected in paragraph 21 of the Government’s Practice Guidance. Identified housing potential may differ significantly in SHLAAs across the Sub Region where policy constraints for assessing the suitability of sites reflect different stages reached on the preparation of development plan documents.

**Table 2: Locations considered unsuitable for housing development**

Locations considered to be unsuitable for housing development	Justification
<p>Site and potential scale of development for housing <b>does not</b> accord with strategically appropriate locations through:</p> <ol style="list-style-type: none"> <li>1. A Submission or Adopted Core Strategy DPD;</li> <li>2. A “saved” adopted Development Plan (which includes the policies of the Devon Structure Plan 2001 to 2016);</li> <li>3. National guidance on the sustainable location of development.</li> </ol>	<p>Development in locations unrelated to settlements defined through existing / emerging development plan policies may not contribute towards the creation of sustainable, mixed communities</p>
<p>Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Ramsar site (wetlands of international importance), Special Protection Area (SPA)</p>	<p>National Policy advises against development that would have an adverse impact on national and internationally important nature conservation interests.</p>
<p>Flood Risk Zone 3b</p>	<p>National Policy advises that only the water compatible uses and essential infrastructure that has to be there should be permitted in Flood Zone 3b.</p>

### Stage 3 – Desktop review of existing information

5.8 Data sources to identify sites with potential for housing are listed in Table 3 below. To ensure a consistent approach is taken across the Exeter housing market area sub-region, each partner Local Authority will have regard to all of the data sources identified. Where information from a data source is not available, the onus will be on the partner Local Authority to indicate this is the case and provide an explanation why.

#### Site size threshold

5.9 Past trends data from residential land monitors indicates that a significant amount of new housing delivery in each local planning authority administrative area takes place on small sites – typically unidentified windfall sites within urban areas. This could include infilling, redevelopment schemes, the conversion of non-residential properties, and the sub-division of existing dwellings. However, the partner Local Authorities recognise that to survey all potential sites (where a very significant number of these might comprise small sites) will be a resource intensive process, which may be impracticable. Therefore in order to strike a balance between work that is feasible and

the consideration of small sites through the SHLAA, the partner Local Authorities propose that a minimum site size threshold should be set at:

5 dwellings (gross) or 0.15 hectare.

To ensure that each SHLAA has a consistent approach, this will be applied by each partner Local Authority, without exception, across the whole Exeter housing market area sub-region.<sup>6</sup>

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<sup>6</sup> Housing supply calculations in SHLAAs will also include sites below sites below 5 dwellings or 0.15 hectare that currently have planning permission.

**Table 3: Stage 3 - Sources of data to identify sites with potential for housing**

<b>Sites in the planning process</b>	<b>Purpose</b>
Site allocations not yet the subject of planning permission	To identify sites
Planning permissions/sites under construction (particularly those being developed in phases)	To identify sites
Sites where planning permission has lapsed	To identify sites
Site specific development briefs	To identify sites and constraints to delivery
Planning application refusals	To identify sites – particularly those applications rejected on grounds of prematurity
Dwelling starts and completions records	To identify the current development progress on sites with planning permission
<i>Sites where planning permission will be granted subject to the applicants completing a Section 106 planning agreement</i>	<i>To identify sites</i>
<i>Unallocated brownfield sites that have potential to make a significant contribution to housing delivery during the 5 year period e.g. draft local plan proposed allocation (initial or revised deposit stage)</i>	<i>To identify sites</i>
<b>Other sources of information that may help to identify sites</b>	<b>Purpose</b>
<i>Sites that have been brought to the attention of each partner local authority by landowners, agents and developers, and Town and Parish Councils through the consultation exercise provided early in the preparation of the SHLAA.</i>	<i>To identify sites</i>
Previous Local Plan representation sites	To identify sites
Local planning authority Urban Capacity Study	To identify buildings and land, and any constraints to delivery
Local planning authority Empty Property Register	To identify vacant buildings
National Land Use Database	To identify buildings and land, and any constraints to delivery
Register of Surplus Public Sector Land	To identify buildings and land
Local planning authority Employment Land Review	To identify surplus employment buildings and land
Valuation Office database	To identify vacant buildings
Local planning authority vacant property registers (industrial and commercial)	To identify vacant buildings
Commercial property databases e.g. estate agents and property agents	To identify vacant buildings and land
British Geological Survey Maps	To identify constraints to delivery
Ordnance Survey maps	To identify land
Aerial / ground level photography	To identify land

### Public opportunity to identify potential sites

- 5.10 During this stage in the preparation of its SHLAA, each partner Local Authority will publish a press release giving notice of the opportunity for landowners, agents and developers, Town and Parish Councils and the wider public to bring potential sites to its attention for their assessment of housing potential<sup>7</sup>. Each partner Local Authority will need to ensure that it complies with the standards in its Statement of Community Involvement.

### **Stage 4 – Determining which sites and areas will be surveyed**

#### Sources

- 5.11 Ideally, all sites identified by the desktop review should be visited. However, this may not be possible given the resources available and the potentially significant number of sites that may still be identified through the application of the minimum threshold.
- 5.12 Where sites have planning permission for new housing a visit may not be necessary. To get an up-to-date view on development progress, starts and completion records may be obtained from the responsible Building Control department. This discretion will be up to each partner Local Authority, dependent on how it maintains and keeps its residential land monitor records up to date, and the onus will be on each Local Authority to make clear in preparing its SHLAA the approach that will be taken.

#### Geographic scope

- 5.13 The findings of the 2007 Housing Market Assessment for the Exeter and Torbay housing sub-region indicate likely high levels of development and a significant need for housing to be provided for households unable to afford market housing. In the light of this, each SHLAA will focus on locations within and adjacent to existing settlements where development would contribute to the creation of sustainable, mixed communities. Each partner Local Authority will make clear in its SHLAA which settlements will be included for the survey purposes.

### **Stage 5 – Carrying out the survey**

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<sup>7</sup> Each partner Local Authority will determine at what point in the preparation of its SHLAA it will make publicly available details of potential sites for new housing that will be assessed.

- 5.14 Site surveys in each Local Authority administrative area will be undertaken by officers from the respective Local Authority. All persons involved in site surveys will be briefed to ensure that they follow consistent practice in identifying sites and recording information. To ensure consistency of approach, a common pro forma for the Site Suitability Appraisal methodology has been prepared and is included in **Appendix 3**. Panel members may also undertake site visits in order to be able to provide detailed advice on the potential deliverability and developability of identified sites.

### **Stage 6 - Estimating the housing potential of each site**

#### Gross to net developable area

- 5.15 The partner Local Authorities have agreed that common indicative “gross to net ratios” should be applied across the sub-region (see 5.17 below). The exception to this will be where alternative gross to net ratios are justified based on evidence, including through sensitivity testing (e.g. through existing examples and development) and advice from the SHLAA Panel.
- 5.16 The estimation of housing potential will be based on the net developable area of each identified site. Smaller sites will typically make use of existing roads and facilities, potentially enabling up to 100% of the site area to be developed for housing. However, the area for housing development on larger sites may be reduced through the provision of internal access roads and strategic open space or landscaping. In addition to these generalisations, development potential of individual sites may be affected by constraints such as wildlife conservation interests, protected trees or listed buildings.
- 5.17 Subject to paragraph 5.15 the following common gross to net ratios will be used in calculating the net developable area for sites identified in each SHLAA for the Exeter housing market area sub-region:

<u>Site size</u>	<u>Gross to net ratio standards</u>
Up to 0.4 hectare	100%
0.4 to 2 hectares	80%
2 hectares and above	60%

#### Density

- 5.18 The following density standards will be applied to the net developable area of each identified site. These will be a start point to assessing

potential yield. However, alternative density standards may be applied where a Local Authority has set local standards in a housing density policy that complies with *PPS3*, or where density may be affected by specific site characteristics or revised through sensitivity testing which looks at actual densities achieved in similar locations. It will be up to each Local Authority, in producing its SHLAA, to justify the use of alternative density standards. The Panel should feel able to support those alternative standards in coming to their conclusions on individual sites:

<u>Location</u>	<u>Density (dwellings per hectare, net)</u>
City Centre	101 and over
Town Centre / Planned Urban Extension /	51 to 100
New community	As yet undetermined - to be resolved through development plan policy
Sub-urban / rural settlement	30 to 50

Each partner Local Authority will make clear in its SHLAA report where these locations apply in its study area.

Commencement of development, build out rates and sites with planning permission

- 5.19 The Government’s SHLAA Practice Guidance<sup>8</sup> makes clear that the delivery factors to consider when assessing whether identified sites are “achievable” include: the developer’s own phasing; the realistic build out rates on larger sites (including likely earliest start and completion dates); whether there is a single developer or several developers offering different housing products; and the size and capacity of the developer. The partner Local Authorities have taken advice from the Panel on these matters.
- 5.20 The following approach has been agreed between the partner Local Authorities and the Panel for determining when the erection of dwellings could potentially commence on identified sites and the build out rate for the new dwellings. This will be applied to the assessment of identified potential sites and is necessary to provide the basis for informing the preparation of a SHLAA Housing Trajectory. The approach has regard to the capacity of the development industry to build, reflected through past rates of completion achieved and the need

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<sup>8</sup> DCLG Strategic Housing Land Availability Assessments: Practice Guidance (July 2007), para 40, third bullet point

for the industry to respond to increased future rates of delivery to meet likely future strategic planning provision requirements.

#### *Commencement of sites*

- 5.21 Suitable sites<sup>9</sup> without known time constraints to the delivery of housing will be assumed to commence 2 years from the site being identified as “available” for development.<sup>10</sup> This recognises the time taken to obtain necessary planning and other forms of consent, and to undertake site works. For smaller sites (up to 15 dwellings) this period may be reduced to 1 year, recognising there may be fewer obstacles to development. Where there are known time constraints to delivery (for example, access to the site is reliant upon an adjacent SHLAA site being developed), it will be assumed that potential commencement will not be until at least Year 6 in the 15 year SHLAA timeframe. This model for the commencement of development has been agreed between the partner Local Authorities and the Panel for pragmatic reasons, as a significant number of identified sites may need to be assessed. It may be subject to refinement through the preparation of future SHLAAs in the Exeter sub-region, resulting from viability assessments or other appropriate evidence.

#### *Calculation of build out rates*

- 5.22 The build out rates of housing sites may typically follow a pattern indicating a gearing up from the completion of show homes and a few dwellings for sale in the year of commencement to a period of peak construction activity. The rate of completion may also be affected by the buoyancy of the housing market and the ability of a developer to sell properties at an acceptable profit. For pragmatic reasons, the following approach has been agreed between the partner Local Authorities and the Panel for calculating the build out rates of identified sites considered “suitable”, “available” and “achievable”: This is based on normal market conditions (e.g. prior to the current economic downturn) and will be affected by subsequent ‘market conditions models’ that are agreed by the Panel when necessary to reflect current market conditions. The approach will be applied to the assessment of identified sites (including sites currently with planning permission), with the exception where Panel members may be aware of circumstances likely to affect the build out of individual sites, in which case adjustments will be made.
- Up to 25 dwellings to be completed in the first year of building, to include show homes

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<sup>9</sup> Stage 7a – Assessing suitability for housing, paragraphs 5.29-5.34

<sup>10</sup> If a site is identified as immediately available, the year for commencement will be calculated from April of the year following the SHLAA or SHLAA Review

- Maximum of 50 dwellings per year for a single developer
- Sites up to 500 dwellings: assume single developer (maximum build of 50 dwellings per year)
- Sites 501 to 1000 dwellings: assume two developers (maximum build of 2 x 50 dwellings = 100 dwellings per year)
- Sites of 1001 dwellings or more: assume three developers (maximum build of 3 x 50 dwellings = 150 dwellings per year).
- 150 dwellings per year is the maximum potential build rate.

*Panel advice*

- 5.23 Following an initial assessment by the Local Authority of potential housing yield on a site, there will be scope for the yield to be adjusted to reflect advice by the Panel. This may be necessary where the Panel can identify constraints affecting a site or advise on the likely number of dwellings that may be accommodated.

Calculating the 5 year supply of deliverable sites

- 5.24 Each partner Local Authority will use its SHLAA to review and update on an annual basis its calculation of the 5 year supply of deliverable sites, for the purpose of PPS3 Housing and National Indicator 159 “The supply of ready to develop housing sites”. Each year this will provide a 5 year look forward from April in the following year and the calculation will be reported in each partner Local Authority’s Annual Monitoring Report.
- 5.25 Calculations for the 5 year supply of deliverable sites must take account of market considerations at the time of assessment of sites for each SHLAA. There is currently no national guidance detailing precisely the approach for this, and it is acknowledged that market considerations will be subject to change. Therefore each SHLAA report will set out the approach that has been taken at that time.
- 5.26 Calculations for demonstrating a 5 year supply of deliverable sites for housing will include sites with planning permission or which are allocated in a local plan, and also certain unallocated but strategically suitable sites that have potential to make a contribution to housing delivery during the 5 year period. Sites with planning permission may include previously unidentified windfall sites, as well as those previously allocated in plans and / or identified in a SHLAA.

## **Stage 7 – Assessing when and whether sites are likely to be developed**

- 5.27 The Government’s Practice Guidance makes clear that assessing the “suitability”, “availability” and “achievability” of a site will provide the information on which a judgement can be made though plan making as to whether a site can be considered “deliverable”, “developable” or not currently developable. To be considered:
- “Deliverable” – a site is available now, offers a suitable location for housing development now and there is reasonable prospect that housing will be delivered on site within 5 years from the date of adoption of the plan, and
  - “Developable” – a site should be in a suitable location for housing development, and there should be a reasonable prospect that it will be available for and could be developed at a specific point in time i.e. it is achievable.
- 5.28 The Government’s practice guidance divides Stage 7 into four sub-stages, which the partner Local Authorities will follow to assess the suitability, availability and achievability of potential sites for new housing.

### **Stage 7a - Assessing suitability for housing**

- 5.29 A site is suitable for housing development if it offers a suitable location for development and would contribute to the creation of sustainable, mixed communities. In the Exeter sub-region, a two stage “sieve” will be applied to determine whether potential sites are in suitable locations for housing development.
- 5.30 Stage A will assess the suitability of potential sites in terms of their:
- Conformity with strategic policy for development distribution and settlement hierarchy,
  - Impact on Biodiversity and Geodiversity
  - Potential Flood risk.

Where a potential site is assessed and fails to satisfy the criteria in Stage A it will be deemed to be in an unsuitable location for housing development and will not be tested through Stage B. Unsuitable locations for potential sites are set out in Table 2.

- 5.31 Stage B lists criteria that will be considered in the assessment of potential sites identified in suitable locations through Stage A:

- Potential for impact on biodiversity, the historic, cultural and built environment; landscape character; mineral resources; air quality; water Source Protection Zones; open space and recreation facilities; employment land
  - Access to public transport, services and facilities
  - Highway access, pedestrian and cycle links
  - Land Status
  - Constraints to delivery
  - Infrastructure capacity
  - Compatibility with existing and/or proposed surrounding uses
- 5.32 A Site Suitability Appraisal pro forma is included in **Appendix 3**. This reflects the two stage sieve approach and will be used by each partner Local Authority to assess the suitability of potential sites. The site suitability appraisal takes into consideration policy restrictions, physical problems or limitations, potential impacts, and the environmental conditions which would be experienced by prospective residents.
- 5.33 Sites allocated in existing plans for housing or with planning permission for housing will be regarded as suitable unless there have been subsequent changes in circumstances which may affect this position.
- 5.34 Where access to a site relies upon third party land that does not form part of another SHLAA site with identified housing potential, it will be regarded as unsuitable.

### **Stage 7b - Assessing availability for housing**

- 5.35 The Government's SHLAA Practice Guidance indicates that a site is considered available for development where it is controlled by a housing developer who has expressed an intention to develop, or the land owner has expressed an intention to sell. The Methodology details two potential housing site pro forma in **Appendices 1 and 2**, for use in preparing SHLAAs in the Exeter sub-region. These invite land owners or agents to indicate if a site is available for development and the timeframe within which this may occur. Where a site is indicated as being available, this is understood as an expression of an intention of a land owner to sell.
- 5.36 The availability of potential sites for new housing will be indicated through consultation responses received through a potential housing site pro forma. While opportunity will be provided for landowners/agents and developers and the wider public to bring sites to the attention of each partner local authority, the pro forma will also be sent to the landowner/agent of all other sites identified through Stages 2 and 3 of the SHLAA following a desk-based assessment.

This is with the exception of sites with planning permission or permission subject to the completion of a Section 106 Agreement. In these cases, it will be assumed that the site is available unless the partner local authority has existing knowledge to the contrary, or upon the advice of the SHLAA Panel. This is for pragmatic reasons, given the significant resources required to determine site availability from all persons with planning permission.

- 5.37 Further investigation may also identify legal or ownership problems, such as multiple ownerships, ransom strips, tenancies or operational requirements of landowners which could in turn affect achievability. It is therefore imperative that the forms are filled in accurately and comprehensively.

### **Stage 7c - Assessing achievability for housing**

- 5.38 The achievability of a potential site will be determined by whether there is a reasonable prospect that housing will be developed on the site at a particular point in time. This will be affected by the market conditions at that time, the costs associated with undertaking the development and how long it takes to deliver the schemes. At this stage the partner Local Authority will make clear for each site whether there are likely to be abnormal costs relating to infrastructure, and what requirements may exist for the provision of affordable housing, open space and other community facilities or biodiversity considerations to make development acceptable in sustainability terms.
- 5.39 Each partner Local Authority will seek advice from the key stakeholders on the Panel about the likelihood of housing development taking place on each of the potential sites identified through the SHLAA. This advice will help the partner Local Authority determine the “achievability” of each site.
- 5.40 Each partner Local Authority may choose to supplement Panel responses through the use of residual valuation models, and / or advice from other sources where this may be relevant to help determine whether housing is an economically viable prospect for a particular site. Where residual valuation models are used this will be made clear in the preparation of each SHLAA report.

### **Stage 7d - Overcoming constraints**

- 5.41 Following on from the assessment, each partner Local Authority will look at any identified constraints to development on suitable sites i.e. those found to be not currently developable, and consider whether there are ways to overcome them. Due to the complexity of issues and variations between districts it is difficult to rely upon a set approach and

each partner Local Authority must work with the consultees and any other relevant partners to consider the best course of action. Key issues will be discussed between each partner Local Authority and the Panel to try and achieve a consistent approach wherever possible.

## **Stage 8 - Review of the assessment**

### Core outputs of the SHLAA report

- 5.42 SHLAA reports shall include the following core outputs for sites found to be “available”, “suitable” and “achievable” for housing development. This will assist the interpretation of SHLAA reports in the Exeter sub-region:
- A detailed assessment report for each potential site, cross referenced to a map / plan showing the location and boundary of the site. An example for this is shown in **Appendix 4**.
  - A spreadsheet listing all potential sites presenting the potential commencement of housing development and build out on an annual basis. An example of this is shown in **Appendix 5**.
  - An indicative housing trajectory showing potential delivery each year on deliverable and developable sites.

### Sensitivity testing

- 5.43 Each partner Local Authority may examine the robustness of the findings in its SHLAA report through sensitivity testing. This could include testing against alternative scenarios that may impact on the likely future development of land for housing. Where sensitivity testing is undertaken the approach for this will need to be set out in the SHLAA report.

### Review

- 5.44 To keep each SHLAA up-to-date there will need to be a re-assessment, in whole or in part, of identified potential housing sites. Dependent upon circumstances and resources available, this may take place annually or after another period specified in the partner authorities most recent SHLAA report.
- 5.45 The implementation of potential housing sites identified in a SHLAA will be reviewed as part of the Annual Monitoring Report exercise for each local authority. This will support the updating of the partner Local Authority’s housing trajectory and the five year supply of specific deliverable sites. It will include a review of the deliverability and

developability of sites in the SHLAA, including an evaluation of any changes in circumstances affecting the sites. The following information will be recorded:

- Whether sites have been completed or are under construction
- Whether sites are the subject of planning applications or permissions
- Progress which has been made on removing constraints to development and the developability/deliverability of sites;
- The identification of any new constraints
- Whether any previously unidentified sites have come forward that were not included in the SHLAA but meet the minimum site size threshold (i.e. 5 dwellings / 0.15 hectare or more)
- Details of any small sites below the 5 dwellings / 0.15ha threshold to provide important monitoring information on windfalls which can be used to inform revisions to SHLAA.

5.46 If the SHLAA is kept up to date and shows evidence of sites not coming forward for development as expected, this can assist the review of Development Plan Documents . It may become necessary to allocate new sites for housing in order to maintain a five year supply of specific deliverable sites. Under these circumstances, a SHLAA review which had focused on the supply of allocated sites rather than identifying new potential sites could be expanded to include a 'call for sites' and a more comprehensive survey.

#### **Stage 9 - Identifying and assessing the housing potential of broad locations (where necessary)**

5.47 General directions of growth can be identified through 'broad locations' to show the most appropriate location for new development, but without specifically identifying sites. This stage may be undertaken where, following the SHLAA review (Stage 8), insufficient sites are identified to meet development plan provision. Each partner Local Authority will make clear in its SHLAA report whether broad locations have been examined and the justification for this approach i.e. to direct development into areas with significant existing or planned infrastructure, or to avoid the coalescence of settlements where this may be supported through development plan policy, or to focus on issues and pressures that are unique to their administrative area. If broad locations are identified, any estimates on potential housing supply will need to have regard to the nature and scale of opportunities within the area identified and market conditions.

#### **Stage 10 - Determining the housing potential of windfall (where justified)**

- 5.48 No allowance will be made for potential housing development through windfall sites<sup>11</sup> in the first ten years of a SHLAA unless there is robust evidence of genuine local circumstances that prevent specific sites being identified. Each partner Local Authority will make clear in its SHLAA report whether or not there are such genuine local circumstances in its administrative area. Where such circumstances exist, and where there is a likely insufficient number of dwellings through the SHLAA to meet development plan provision totals, a windfall allowance may be used.
- 5.49 To determine the level of windfall allowance, an estimate will be made of the housing potential from each likely source of land for housing through reference to past completion rates from residential land monitor records. To estimate the potential from each source the average annual completion rate from the source will be calculated, taking care to avoid double counting sites and coming to an informed view as to:
- Whether the annual rate is likely to increase or decrease;
  - Whether the pattern of redevelopment is likely to remain the same, grow or decline; and
  - Whether current market conditions are likely to stay the same, worsen or improve in the future.

## **6.0 What happens next?**

- 6.1 This document provides the basis for a consistent approach to the preparation of SHLAAs in the Exeter sub-region. The Methodology will be kept under review in the light of emerging practice and published advice by the DCLG and the Planning Advisory Service (PAS), and further opportunity will be provided for public comment on this.

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<sup>11</sup> Windfall sites are those which have not been specifically identified as available in the local plan process. They comprise previously developed sites that have unexpectedly become available. Windfall sites are not simply sites which are not allocated in plans. Sites identified and assessed through the SHLAA are not windfalls, for the very reason that they have been identified.

## Appendix 1 – Potential Housing Site Pro forma (long version)

### Strategic Housing Land Availability Assessment

[Partner local authority]

### Potential Housing Site Pro forma – [Insert Date]

- Please complete the form clearly and legibly.
- You must give your name and address for your comments to be considered.
- You must attach a map showing the precise boundaries of the site
- **You must submit this form to [partner local authority] by [insert date]**

**For official use only:**

Reference

Received

Acknowledged

### DATA PROTECTION AND FREEDOM OF INFORMATION

We need your permission to hold your details on our database.

**I agree that the contact details and related responses can be held by the Planning Services Department of [partner local authority] and I understand that they will only be used in relation to Town Planning matters.**

<b>Signed:</b>		<b>Date:</b>	
<b>Please note that forms that are not signed and dated will not be accepted</b>			

This information is collected by [partner local authority] as data controller in accordance with the data protection principles in the Data Protection Act 1998. The purposes for collecting this data are:

- to assist in the preparation of a Local Development Framework;
- to contact you regarding your answers given in your form;
- for evaluation by an agreed Panel of key stakeholders, including representatives from the house building industry; and
- to compile reports of responses for [partner local authority] decision making process

The above purposes may require public disclosure of any data received by [partner local authority] in the consultation responses in accordance with the Freedom of Information Act 2000. Completed proforma will also be used in discussion with consultees, but the contact information contained on pages 1 and 2 of each pro forma will be detached and kept separate. If you have any concerns regarding the processing of your data, please contact the LDF Team on [partner local authority].

**Disclaimer: It should be noted that the assessment of the deliverability and developability of sites for new housing through the SHLAA process and the identification of potential housing sites in the local authority SHLAA report does not indicate that planning permission will be granted for new housing or that the site(s) will be allocated for new housing development in Development Plan Documents. Planning proposals on sites identified in the [partner local authority] SHLAA report will be judged on their merits against the relevant Development Plan policies unless material considerations indicate otherwise. The SHLAA report may represent a material consideration in the determination of such planning proposals.**

It may be necessary to visit the site to enable a full assessment to be undertaken. By completing and returning this pro forma you consent to officers for the Council (or their representatives) visiting the site in order to make an assessment against the Site Suitability Appraisal Methodology. Site visits will be conducted unaccompanied wherever possible. Where there may be reasons why an unaccompanied site visit may not be practicable (for instance where the site is secured and not visible from a public highway), please indicate below so that alternative arrangements for a site visit can be made as appropriate.

<b>Access to site for survey</b>		
<b>Are there any issues which would prevent and unaccompanied site visit?</b>	Yes (please specify)	
	No	
<b>If yes, provide contact details of the person who should be contacted to arrange a site visit.</b>		
<b>Are you the landowner?</b>	Yes	
	No – who owns the land?	
	No – are you acting on behalf of the landowner?	
	No – are you a 3 <sup>rd</sup> party, such as a parish council?	

<b>Your details (Land owner)</b>	
<b>Name</b>	
<b>Contact address</b>	
<b>Site Address</b>	
<b>Telephone Number</b>	
<b>E-mail</b>	

<b>Your details (Agent / Other) (n.b. all correspondence will be sent to the agent)</b>	
<b>Name</b>	
<b>Company / agent / body</b>	
<b>Representing</b>	
<b>Contact address</b>	
<b>Telephone Number</b>	
<b>E-mail</b>	

**For official use only:**

Reference \_\_\_\_\_

Received \_\_\_\_\_

Acknowledged \_\_\_\_\_

<b>Site details</b>	
<b>Site address</b>	
<b>Site postcode</b>	
<b>Site OS grid reference</b> if known	
<b>Previous SHLAA reference (if applicable)</b>	
<b>Please attach an up-to-date Ordnance Survey based map outlining the precise boundaries of the site in its entirety and the part which may be suitable for housing (if this is less than the whole). <u>Without this mapped information we are unable to register the site.</u></b>	

**CURRENT AND POTENTIAL USE**

<b>What is the current use of the site?</b>

<b>Is there an existing planning permission on the site?</b>	
Yes (please give planning permission number)	
No	

<b>What is the estimated area of the site (hectares/square metres)?</b>	
Area of whole site	
Area suitable for development	

<b>In your opinion, might the site be suitable for a mixture of housing and another use(s) e.g. housing and employment or retail? Please specify</b>

## POSSIBLE CONSTRAINTS

**To the best of your knowledge, are there any constraints that may prevent development on the site? Please provide brief details :**

Access difficulties	
Existing local plan policies	
Tree cover	
Topography	
Local character	
Ownership issues	
Legal issues e.g. covenants	
Contamination / pollution	
Environmental designation	
Flood risk	
Infrastructure requirements	
Market viability	
Other considerations	

**Do you believe constraints on the site could be overcome? If so, please explain.**

--

## AVAILABILITY

**Is the site immediately available for development?**

Yes	Is the site currently for sale and being marketed through a land agent?	Yes	
		No	
No			

**If the site is not immediately available for development, over what broad timeframe would you anticipate the site could first become available for development:**

Within the next 5 years i.e. by the end of March 2015	
Within a period 5-10 years thereafter i.e. between 2015 and 2020	
Within a period 10-15 years thereafter i.e. between 2020-2025	
After 15 years i.e. after 2025	
<b>If you anticipate the site could become available for development within the next five years, what would be your best estimate of a more precise year?</b>	
Before March 2011	
Between April 2011 and March 2012	
Between April 2012 and March 2013	
Between April 2013 and March 2014	
Between April 2014 and March 2015	

<b>Once commenced, how many years do you think it would take to develop the site?</b>	
Number of years	

<b>Do you know of any other issues that we should be aware of?</b>	

Thank you for completing this pro forma. This should be returned, together with a map which clearly identifies the boundary of the site, to [partner local authority] by [closing date]

**Appendix 2: Potential Housing Site Pro Forma (Availability Only)**

LOGO

**For official use only:**

Reference \_\_\_\_\_

Received \_\_\_\_\_

Acknowledged \_\_\_\_\_

**Strategic Housing Land Availability Assessment  
(Partner Authority SHLAA 2010)  
Availability Only Pro Forma**

- Please complete the form clearly and legibly.
- You must give your name and address for your comments to be considered.
- Only ONE pro forma may be considered by the Council for each site.
- A copy of the pro forma is available as a Word document on request by emailing **EMAIL**
- This form should be returned by **DATE**

**DATA PROTECTION AND FREEDOM OF INFORMATION**

We need your permission to hold your details on our database.

**I agree that the contact details and related responses can be held by the Planning and Regeneration Services department of Mid Devon District Council and I understand that they will only be used in relation to Town Planning matters.**

<b>Signed:</b>		<b>Date:</b>	
<b>Please print your name:</b>			
<b>Please note that forms that are not signed and dated will not be accepted</b>			

Site details	
Site address (including postcode)	
OS grid reference (if known)	
Previous SHLAA reference	
If the site boundary has changed since the original assessment in 2008, as part of the site allocation process or for any other reason, please attach a scale map (this may be Ordnance Survey based) outlining the precise boundary of the site in red.	

Your details (Land owner / Agent / Other)	
Name	
What is your interest in the land? (Owner / agent / other – please specify)	
Contact address	
Telephone Number	
E-mail	

Have any circumstances changed since the last SHLAA review?			
Yes	Developer has withdrawn	<input type="checkbox"/>	Please explain:
	No longer intend to develop the site	<input type="checkbox"/>	
	Timescale for development	<input type="checkbox"/>	
	Access and/or Highways issues	<input type="checkbox"/>	
	Flooding and/or drainage issues	<input type="checkbox"/>	
	Ownership or 'ransom strip' issues	<input type="checkbox"/>	
	Other constraints to development	<input type="checkbox"/>	

<b>No</b>	<input type="checkbox"/>
-----------	--------------------------

<b>Site Visit</b>	
<b>Are there any issues which would prevent officers of the Council undertaking a site visit unaccompanied? If so please indicate and give the name of the person to contact to arrange a visit:</b>	
<b>Yes/No</b>	
<b>(Reason/s)</b>	
<b>Contact to arrange accompanied visit</b>	

<b>Do you know of any other issues that we should be aware of ?</b>

Thank you for completing this form. It should be **returned by DATE** to the following address:

SHLAA Review 2010  
ADDRESS

Or by email to EMAIL

## FOR YOUR INFORMATION

This information is collected by Mid Devon District Council as data controller in accordance with the data protection principles in the Data Protection Act 1998. The purposes for collecting this data are:

- to assist in the preparation of a Local Development Framework;
- to contact you regarding your answers given in your form;
- for evaluation by an agreed Panel of key stakeholders, including representatives from the house building industry; and
- to compile reports of responses for Mid Devon District Council's decision making process

The above purposes may require public disclosure of any data received by Mid Devon District Council in the consultation responses in accordance with the Freedom of Information Act 2000. The forms will also be used in discussion with consultees, but the contact information contained on pages 1, 2 and 3 of this pro forma will be detached and kept separate. If you have any concerns regarding the processing of your data, please contact the Forward Planning Team on TEL, or by email: EMAIL

Sites may need to be visited to enable a full assessment. By completing and returning this pro forma you consent to officers for the Council (or their representatives) visiting the site. Site visits will be conducted unaccompanied wherever possible. Where there may be reasons why an unaccompanied site visit may not be practicable (for instance where the site is secured and not visible from a public highway), please indicate in the box provided so that alternative arrangements for a site visit can be made as appropriate.

## Stage A

### Locations considered unsuitable for housing development

Discount potential sites that do not satisfy the following criteria:

#### **Conformity with Strategic Policy for Development Distribution / Settlement Hierarchy**

Location of site and potential scale of development for housing accords with strategic policy for development distribution in terms of: a Submission or Adopted Core Strategy DPD; a “saved” adopted Development Plan policy (which includes the policies of the Devon Structure Plan 2001-2016); national guidance on the sustainable location of development.

Yes: - assess the identified potential site further

No: – site will be discounted from the SHLAA and assigned a nil housing potential

#### **Biodiversity and Geodiversity**

Does the site fall within, or will development cause harm to a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Ramsar site (wetlands of international importance), or Special Protection Area (SPA)?

Yes: – site will be discounted from the SHLAA and assigned a nil housing potential

No: assess the identified potential site further

#### **Land at risk of flooding**

Is the site situated within Flood Risk Zone 3b?

Yes: – site will be discounted from the SHLAA and assigned a nil housing potential

No: assess the identified potential site further

--

## Stage B

### Detailed site suitability assessment

Record factual information for each of the following criteria for potential sites identified in suitable locations through Stage A:

#### **Other Environmental issues:**

Detailed Biodiversity considerations (e.g. local conservation designations, species of flora / fauna, habitat for protected flora and fauna, wildlife corridors)

Impact on the Built Environment (e.g. Listed Building / Conservation Area / Scheduled Ancient Monument / Historic Park and Garden)

Impact on Landscape Character (e.g. AONB / local designation)

#### **Resources:**

Minerals Resources (e.g. Mineral Consultation Area)

Air Quality (e.g. air quality or Air Quality Management Area)

#### **Sustainability:**

Access to Public Transport (e.g. physical distance / frequency of service)

Access to Services and Facilities (e.g. distance to schools / post office / health centre etc)

Land Status (greenfield / previously developed land)

Constraints to Delivery (e.g. contaminated land / topography / land stability)

Source Protection Zone (does the site lie within a water Source Protection Zone?)

Open Space and Recreation (will facilities be lost / can any replacement provision be made if required?)

Loss of Employment site (will employment land or potential employment land be lost / can any replacement provision be made if required?)

Infrastructure Capacity (e.g. access to and servicing in terms of utilities and highways)

Highway Access (e.g. is access possible in accordance with County or Manual for Streets Standards?)

Pedestrian and Cycle Links (is access available to the site / could access be provided with investment?)

Compatibility (would development for residential uses be compatible with existing and/or proposed surrounding uses?)

## Appendix 4 – Worked example of a site appraisal

**New Ref:** 00000

**Parish Name:** Anytown

**Address:** Site A, Anytown

**Site Area:** 15

**Density yield (based on SHLAA Methodology):** 459-900

**Potential Land Uses:** Residential/Employment

**Site Description:**

The site is located on the western fringe of Chiltonwick outside but adjoining the existing built limits of Anytown. Recently a planning application has been submitted for 400 dwellings on part the site, this application covers an area of 10ha and comprises 5 parcels of land predominantly to the north of King Road but with one small triangular parcel of land south of the road. The site is undulating in nature and contains a number of valued hedgerows and trees which are protected by Tree Preservation Orders.

**Stage A (Site Suitability):**

**Strategic Planning Policy:**

Parts of Site A were previously proposed to be allocated for residential development within a previous Local Plan First Review. It was proposed to allocate 10ha of land for 350 new dwellings, although this Plan was not pursued to adoption it is important to acknowledge the Council had previously considered the development of the site.

**Biodiversity and Geodiversity:**

Site does not fall within / development will not cause harm to a Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Ramsar site (wetlands of international importance), or Special Protection Area (SPA)

**Flood Risk:**

The site is within flood zone 1 (little or no risk). A flood risk assessment has been submitted alongside the recent outline application for planning permission, this addresses issues including surface water drainage. A Surface Water Drainage Flood Risk Assessment will be required alongside any planning application. The site is currently recognised as open countryside by the adopted Local Plan.

**Stage B (Site Suitability Continued):**

Other Environmental Issues

Detailed Biodiversity considerations:

The site was previously identified within a Cirl Bunting Enhancement Zone however, recent studies have shown no evidence of Cirl Buntings within the site, this was confirmed in submitted evidence to the Core Strategy Examination. There are Tree Preservation Orders on part of the site, these will have to be retained as part of any development proposal. The most easterly parcel of land which has previously been considered as part of site assessment work but has been excluded from the site plan submitted alongside the recent planning application contains numerous Tree Preservation Orders and is not considered appropriate for residential development. The recent outline planning application notes that the proposal would result in enhanced wildlife opportunities, including foraging, enhancement of the hedgerow network and new attenuation basins. Consultation on the planning application did point to the need for a bat survey to be undertaken on the site to ascertain whether or not the site was a habitat for Greater Horseshoe Bats.

**Impact on Built Environment:**

The development of this site is unlikely to have an impact on listed buildings as the nearest structure is some 100m from the site. There is an archaeological site in the form of two circular earthworks on the ridge of higher ground immediately north of King Road, however only one of these mounds is currently visible. The existing communities on Princess Avenue will need screening from any potential development particularly as this area has a more 'village feel' to it both in terms of the type and density of existing built form. There is unlikely to be an adverse impact arising from this site's development.

**Impact on Landscape Character:**

There will invariably be some loss of landscape character arising from the development of the site despite the retention of trees and hedgerows wherever possible. Parts of the site are highly visible, particularly the ridge

which runs to the north of the main parcel of the site, this could be preserved as open space so as to minimise the impact on landscape character. The land south of the road will be subject to similar constraints and is more rural in terms of its appearance and wider setting.

#### Resources

##### **Minerals Resources:**

The site is not within a Minerals Consultation Area although it is bordered by a MCA to the north.

##### **Air Quality:**

The air quality in this area is currently acceptable however development of the site would potentially have some air quality implications for residents of Chiltonwick and some parts of Anytown. The views of Environmental Health will be sought regarding the implications of developing this site.

##### **Sustainability:**

##### **Access to Public Transport:**

The site is very close (within 400m) of a bus stop which provides a service to Anytown and towards Otherplace-on-Sea.

##### **Access to Services/Facilities (if applicable):**

The site is approximately 1km from the recently completed Elmsford Industrial Estate. The nearest primary school is St Nick's Primary School which is approximately 1.1km from the site. The site is remote from any existing local centres, the town centre itself provides most services and facilities although this is over 1600m from the site. Similarly the site is also over 2000m from the closest health centre or doctors surgery. The site is less than 1500m from the nearest secondary school (Westerberg High). Supermarket facilities can be found at a superstore which is approximately 2.4km from the site.

##### **Land Status:**

The site is wholly greenfield.

##### **Constraints to Delivery:**

There are unlikely to be any major development constraints affecting this site. The sloping nature of the site will need to be taken into account in detailed designs and site plans.

##### **Source Protection Zone:**

The site does not lie within a Source Protection Zone.

##### **Open Space and Recreation:**

Development of this site would not result in the loss of land currently used for public open space provision.

##### **Infrastructure Capacity:**

There is likely to be sufficient service infrastructure to serve the development of the site, there is likely to be a requirement for provision of doctors facilities although it is unclear whether this would need to be accommodated onsite or whether an off site contribution could be made. Similarly there will be implications in terms of school places with insufficient places to accommodate likely numbers of pupils at either primary or secondary schools within the catchment. Devon County Council have indicated in response to consultations on the current application that they would prefer to focus on improving existing facilities and as such a commuted payment will be required.

General comments made by Devon County Council in respect of highways matters relate to the impacts of the development on strategic junctions and there will also need to be contributions made towards sustainable travel.

It is unlikely that any of the identified infrastructure constraints cannot be overcome as the likely infrastructure requirements would generally be associated with a site of this size and scale. There is no need for strategic infrastructure investment in order for the site to come forward for development.

##### **Highway Access:**

Whilst currently the site cannot be directly accessed from the main highway, only minimal investment will be required in order to service any development.

##### **Pedestrian and Cycle Links:**

The site benefits from being in close proximity to the existing Badger Way foot and cycle paths, any development could provide access and links across the site.

##### **Compatibility:**

The site adjoins a residential area and as such development for housing would not raise any land use compatibility issues.

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**Site Availability:****Is the Site Immediately Available for Development:**

Yes, a planning application has recently been submitted on part of the site.

**Timeframe for Site Delivery**

The site is considered deliverable between 0-5 years by virtue of the fact that there is currently a 'live' planning application in for the development of the site. Within submitted representations made by the applicant reference is made to the site coming forward to ensure the Council maintains a deliverable five year supply of housing in compliance with PPS3.

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**Site Achievability:**

The Panel has reached a consensus that development of this site would be achievable were planning permission to be granted.

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**Conclusion:**

This site performs very strongly in planning terms despite the site being outside the existing settlement boundary and greenfield in nature it is relatively free from development constraints and most other issues for example, landscaping can be overcome through sensitive design.

The north eastern parcel of land which has previously been assessed for potential development is not considered appropriate for accommodating residential uses. Despite being closer to Chiltonwick it will help to screen future development on the remainder of the site and also contains mature woodland which is subject to TPO.

The site would be unlikely to be suitable solely for employment uses in view of its relatively poor accessibility and setting within a low-medium density residential area. There would potentially be scope for including an element of office-based development on site but this is unlikely, the current planning application proposes a predominantly residential scheme albeit possibly including some community uses.

In conclusion, this site should be considered suitable for accommodating development in the future, it is considered relatively free from development constraints and would appear to be developable and deliverable in view of evidence submitted alongside the recent planning application. This site could be considered as an 'amber site' under a traffic light classification system as it is not without some 'red' scores following assessment.

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# **Stakeholder Panel for Strategic Housing Land Availability Assessments in the Exeter Housing Market Area Sub-Region**

## **Panel Constitution and Terms of Reference**

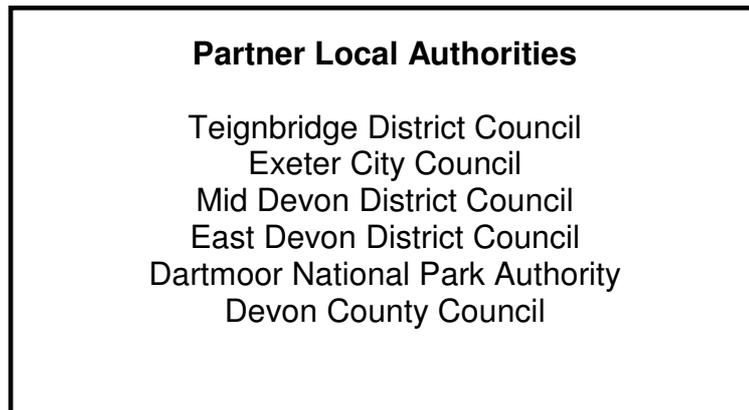
**A report prepared by partner Local  
Authorities in the Exeter Housing  
Market Area Sub-Region**

**Revised September 2010**

## 1.0 Introduction

### Why is there a need for a Stakeholder Panel?

- 1.1 The Government's Practice Guidance<sup>12</sup> makes clear the importance of a partnership approach to the preparation of Strategic Housing Land Availability Assessments (SHLAAs). While this is not overly prescriptive it advocates that local planning authorities should work with key stakeholders to undertake assessments, to ensure a joined-up and robust approach.
- 1.2 From the outset of putting in place the necessary arrangements to ensure the consistent preparation of SHLAAs in the Exeter housing market area sub-region (hereafter referred to as the "sub-region"), a Steering Group for partner Local Authorities (hereafter referred to as the "Steering Group") has supported the concept of a "Panel" to assist in the Assessment process.



- 1.3 The Panel concept is a key component of the process included in the "Methodology for Strategic Housing Land Availability Assessments in the Exeter Housing Market Area Sub-Region" (hereafter referred to as the "Methodology") published by partner Local Authorities in December 2007 for public comment and revised in August 2010. The Methodology makes clear the Panel should be representative of the broad cross section of the house building industry in the sub-region, which will be well placed to provide an informed view on the "achievability" of potential sites for new housing that are deemed to be "suitable" and "available" through assessment by each partner Local Authority. The Panel's other roles and responsibilities are set out in paragraph 3.4 below.

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<sup>12</sup> Strategic Housing Land Availability Assessments: Practice Guidance (July 2007)  
Department for Communities and Local Government.

- 1.4 The process for preparing SHLAAs is relatively new. Therefore it is likely that the arrangements for the preparation of SHLAAs in the sub-region may be subject to further refinement through agreement between the Panel and Steering Group. This will take into consideration experience, and best practice by other Local Authorities as this emerges.
- 1.5 A diagram illustrating the way in which the Panel will operate in the process for the preparation of each SHLAA report is included in **Annex 1**.

#### Constitution and Terms of Reference

- 1.6 It is likely that the preparation of SHLAA reports will generate significant public interest and expectation to inform the decision making processes leading to the delivery of housing in the sub-region. Therefore, for the sake of clarity and transparency in the management of the process and to assist in the effective operation of the Panel, the partner Local Authorities consider it necessary that the Panel is bound by a Constitution and Terms of Reference.
- 1.7 The Constitution and Terms of Reference included in this report have been considered and endorsed by the Panel in agreement with the Steering Group.
- 1.8 Each partner Local Authority in the sub-region will be responsible for making the approved Constitution and Terms of Reference publicly available.
- 1.9 The Constitution and Terms of Reference will be kept under review through the Panel and Steering Group.

## 2.0 Constitution

### Purpose

- 2.1 This sets out how the Panel will be formed, how it will operate, how decisions are made and the procedures that will be followed in the process leading to the approval of a Strategic Housing Land Availability Assessment (“SHLAA”).

### Membership

- 2.2 The Panel will be made up of Members from:
- Between 10 and 12 organisations / companies / individuals which are representative of the broad spectrum of the house building industry in the sub-region. To be representative each will need to be actively engaged in the development of land for housing, for example as a land agent (i.e. national or local) or developer (i.e. volume or small scale house builder), Registered Social Landlord, architect, planner or urban designer or other related profession that may usefully inform the assessment of potential sites for housing,
  - The following “agencies”: Government Office for the South West: Environment Agency; Highways Agency; English Heritage; Natural England; Homes and Communities Agency; and Devon County Council (Highways Authority)<sup>13</sup>.
  - The partner Local Authority<sup>14</sup> for the planning administrative area for which the Panel is engaged in the preparation of a SHLAA report
  - The community<sup>15</sup> for the planning administrative area for which the Panel is engaged in the preparation of a SHLAA report.
- 2.3 Membership by representatives of the house building industry will be through acceptance of an offer of appointment made by the Steering Group, in accordance with the criteria for short listing set out in Appendix 2 to this report.

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<sup>13</sup> An invitation has been made to each of these “agencies” to be represented on the Panel. However, it is recognised they may not be able to accept this invitation or attend Panel meetings due to limited resources.

<sup>14</sup> Partner Local Authority representation could include more than one person (officer or elected Member for the Local Authority)

<sup>15</sup> Community representation will be determined by each partner Local Authority and could include more than one community group. Community representatives will be required to provide Local Planning Authority area wide input to the process.

- 2.4 Where a Panel Member representing the house building industry elects to leave the Panel, the Steering Group will be responsible for making an offer of appointment to another organisation / company / individual in accordance with the criteria for short listing set out in **Annex 2** to this report.
- 2.5 Panel Members will be expected to attend Panel meetings regularly. The Steering Group will periodically review Panel membership. If it a Panel Member is identified as having a low attendance record, their membership will be reconsidered by the Steering Group. The Steering Group will be responsible for appointing a replacement Panel Member, as described in paragraph 2.4 above.
- 2.6 Membership of the Panel will be on a voluntary / unpaid basis. There will be no budget provision for the Panel.

#### Leading Panel Meetings

- 2.7 Panel meetings will be led by a representative from the relevant partner Local Authority for the preparation of each SHLAA.

#### Accountability

- 2.8 The Panel will be shared by each partner Local Authority. It will report to each partner Local Authority during the course of the preparation of each SHLAA for the Local Authority's planning administrative area. This may be through the Local Authority representative(s) on the Panel.
- 2.9 Each partner Local Authority will ensure the Panel works in a transparent manner and in accord with the Methodology, and the Constitution and Terms of Reference.
- 2.10 Panel members will be provided with unpublished information about identified sites and other draft documentation relating to the preparation of SHLAA reports. They will be required to keep this information confidential. Where there is deemed to be inappropriate conduct<sup>16</sup> by a Panel Member this will be referred to the Steering Group which will act as arbitrator to resolve the matter.

#### Timetables and Meetings

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<sup>16</sup> Inappropriate conduct may be deemed to have occurred: where a Panel Member has failed to declare an interest in one or more sites at the time of the Assessment; where a Panel Member may have misused its privileged position or knowledge of identified sites prior to the publication of the SHLAA report; or where Panel Members have been found to have colluded towards the successful inclusion of one or more sites in a published SHLAA report.

- 2.11 Following its inception meeting the Panel may be required to meet at successive meetings in agreement with each partner Local Authority as necessary to facilitate the completion of a SHLAA. Each partner Local Authority will be expected to prepare a timetable indicating likely dates for meetings, make provision for a suitable venue and make clear the timescales for the process leading to the completion of the SHLAA. This will need to be agreed between the partner Local Authority and the Panel.

Declaration of site interest

- 2.12 Interest in the development of one or more potential sites in the sub-region for housing will not preclude Membership on the Panel. However, where such an interest exists either as the controller of land, or with an option to purchase, or as agent for a landowner then this interest must be declared to the Panel. Where a Panel Member declares an interest in one or more potential sites it may continue to provide advice on the developability and deliverability of these sites for the purpose of the preparation of the SHLAA.

Consideration of which sites are to be included in the SHLAA report

- 2.13 Each Panel Member will provide advice and opinions to the partner Local Authority on which identified potential sites for new housing should be included in the published SHLAA report. This will be based on the initial assessment of the “suitability” and “availability” of identified potential sites that has been undertaken by the partner Local Authority and the Panel Member’s assessment of the “achievability” of each site.
- 2.14 Each partner Local Authority will consider the advice and opinions of all Panel members when making its final assessment of identified sites. Each partner Local Authority will attach the appropriate weight to such advice and opinions, relative to other evidence and considerations. Final assessment of sites and their inclusion in a published SHLAA report will be the responsibility of each respective partner Local Authority.
- 2.15 To ensure that publication of a SHLAA report is practicable in accordance with a timetable agreed between the partner Local Authority and the Panel, the Local Authority may still make a final assessment of sites where one or more Panel Members have been unable to undertake and / or complete their assessments in a timely manner, or where one or more Panel Members are unable to attend a Panel meeting.

- 2.16 Where elements of the assessment for a site may be incomplete, the partner Local Authority may consider the merits for the inclusion of such sites in the published SHLAA report. In such instances the partner Local Authority will have regard to whether “missing” information would fundamentally preclude the deliverability and developability of a site, and whether this could reasonably be expected to be resolved at a later stage in the plan making or development control decision making processes.
- 2.17 Panel Members will provide advice and opinions to the partner Local Authority on the understanding that:

**The assessment of the deliverability and developability of sites for new housing through the SHLAA process and the identification of potential housing sites in a local authority’s published SHLAA report does not indicate that the site(s) will be allocated for new housing development in Development Plan Documents or that planning permission will be granted for new housing. Potential sites for new housing which have been identified through the SHLAA may be further tested through the plan making process for Development Plan Documents where judgements will be made about whether sites should be allocated through plan policy. This will include testing through Sustainability Appraisal / Strategic Environmental Assessment, Appropriate Assessment, stages of public participation and independent examination. Planning proposals on sites identified in a published SHLAA report will be judged on their merits against the relevant Development Plan policies unless material considerations indicate otherwise. The SHLAA report may be a material consideration in the determination of such planning proposals.**

Administrative support and publication of the SHLAA report

- 2.18 Each partner Local Authority will be responsible for providing administrative support to the Panel for the purpose of recording notes of meetings and preparing draft documents in relation to the SHLAA where these are necessary.
- 2.19 Each partner Local Authority will be responsible for publishing the SHLAA report for its planning administrative area on its website and making this publicly available.

### 3.0 Terms of Reference

#### Purpose

- 3.1 The purpose of these Terms of Reference is to set out the vision, objectives, scope (roles and responsibilities) and deliverables for the Panel. These may be defined in or draw from the Methodology<sup>17</sup> for the preparation of SHLAAs in the sub-region.

#### Vision

- 3.2 The Panel will need to embrace the challenge of taking a key responsibility in advising on the preparation of SHLAA reports in the sub-region. These may inform future housing delivery in the context of a spatial planning policy framework and sustainable development objectives. The Panel will be representative of key stakeholders in the process. To achieve a successful outcome, the Panel will work towards this vision:

**“To serve as a body for key stakeholder representation in partnership with Local Authorities in the Exeter housing market area sub-region, in the process leading to the publication of SHLAA reports.”**

#### Objectives

- 3.3 The Panel will have the following objectives:
- i. To provide advice and opinions on the deliverability and developability of identified sites in an efficient and timely manner to enable the completion of SHLAA reports in accordance with the timescales agreed with each partner Local Authority.
  - ii. To add value to the SHLAA process through the skills, expertise and knowledge of each of the Panel Members.

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<sup>17</sup> Methodology for Strategic Housing Land Availability Assessments in the Exeter Housing Market Area Sub-Region - final published version.

### Scope (roles and responsibilities)

- 3.4 The roles and responsibilities of the Panel will be:
- i. To act as an independent body appointed by the Steering Group for partner Local Authorities that is representative of key stakeholders in the sub-region, for the sole purpose of the preparation of SHLAA reports in the sub-region.
  - ii. To consider and give advice on whether the Methodology and the Constitution and Terms of Reference will provide the basis for a partnership approach in respect of the Government's Practice Guidance<sup>18</sup>.
  - iii. To consider and give advice on the final wording of the Methodology for preparing SHLAAs in the sub-region for publication by the partner Local Authorities<sup>19</sup>.
  - iv. To consider and give advice and opinions on the findings of the initial assessment undertaken by each partner Local Authority of the "suitability" and "availability" of potential housing sites in its planning administrative area.
  - v. To assess the "achievability" of potential sites for housing which are being assessed for the purpose of each SHLAA. This will essentially be a judgement about the economic viability of each site, and the capacity of a developer to complete and sell the housing over a certain period – being affected by market, cost and delivery factors<sup>20</sup>. Each Panel Member will have regard to relevant published documents<sup>21</sup> and draw from their own experience in giving a view on the "achievability" of each potential housing site.
  - vi. To consider and give advice and opinions on, and 'sign-off', the SHLAA report prior to its consideration and approval by the partner Local Authority.

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<sup>18</sup> Strategic Housing Land Availability Assessments: Practice Guidance (July 2007) Department for Communities and Local Government, paragraphs 11 and 12.

<sup>19</sup> The Panel will need to consider whether the Methodology fully accords with Planning Policy Statement 3 "Housing" and the Government's Practice Guidance. It will need to consider amendments suggested by the Steering Group and may suggest revisions to wording.

<sup>20</sup> Reference: "Stage 7c - Assessing achievability for housing" (paragraphs 40 and 41) in Strategic Housing Land Availability Assessments: Practice Guidance (July 2007) Department for Communities and Local Government.

<sup>21</sup> Including the Exeter and Torbay Housing Market Assessment and its Local Area Reports.

- vii. To undertake any other task identified and agreed with the Steering Group and / partner Local Authorities for the purpose of preparing SHLAA reports in the sub-region.

#### Deliverables

- 3.5 The Panel will facilitate the delivery of SHLAA reports in the sub-region through giving advice and opinions on the deliverability and developability of identified potential sites for housing to the partner Local Authorities.

#### National policy, Practice Guidance and Methodology background

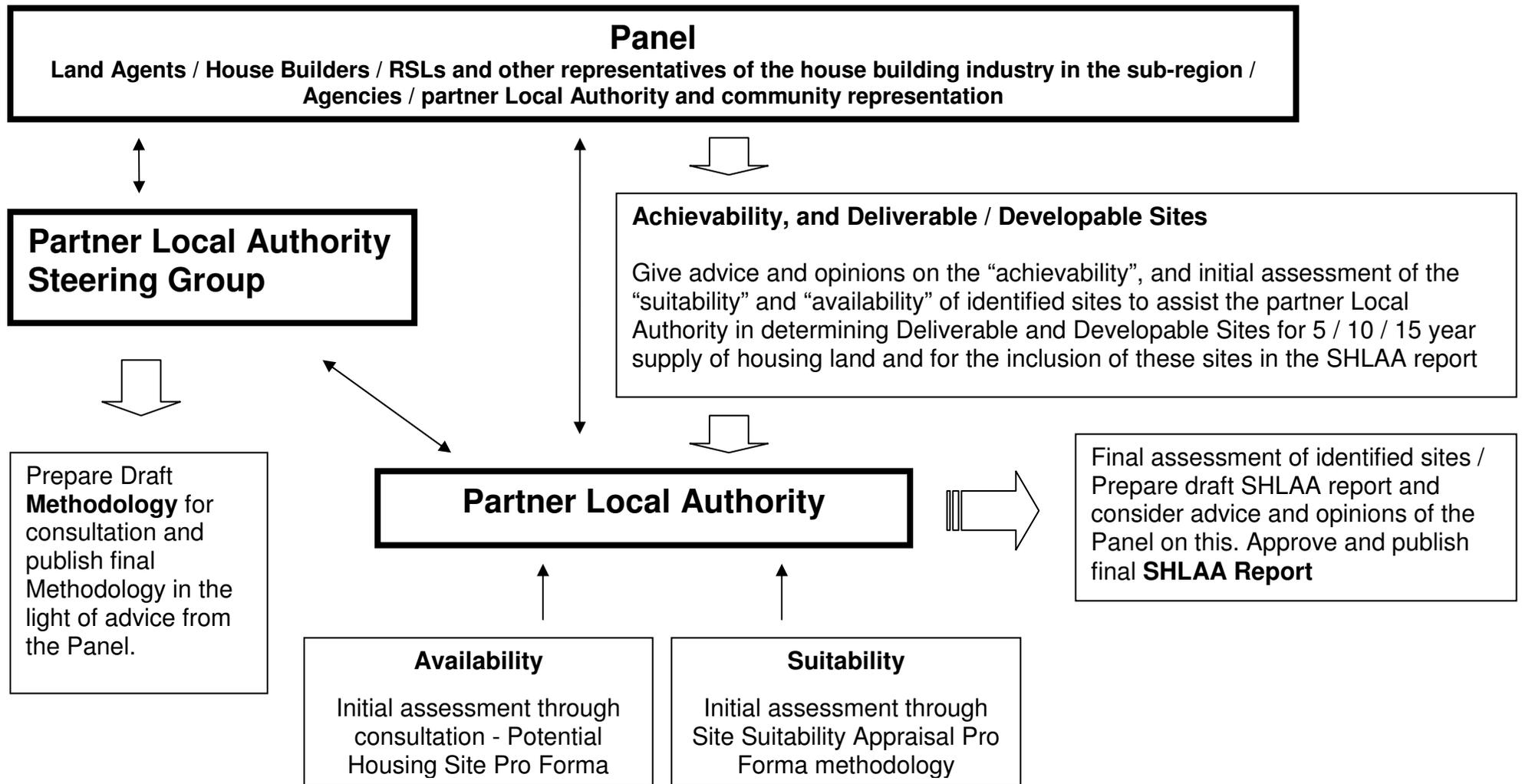
- 3.6 Each SHLAA report shall be prepared in accordance with the requirements placed through Planning Policy Statement 3 “Housing”, the Government’s Practice Guidance<sup>22</sup> and the Methodology<sup>23</sup> for the preparation of SHLAAs in the sub-region.

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<sup>22</sup> Strategic Housing Land Availability Assessments: Practice Guidance (July 2007)  
Department for Communities and Local Government.

<sup>23</sup> Methodology for Strategic Housing Land Availability Assessments in the Exeter Housing Market Area Sub-Region - final published version.

**Annex 1: Membership and role of the Panel in the preparation of the Methodology and SHLAA reports in the Exeter housing market area sub-region**



## Annex 2

### Selection Criteria and Process for Panel Membership for representatives of the house building industry

#### Eligibility

- The candidate will need to be actively engaged in the development of land for housing in the Exeter housing market area sub-region, for example as a land agent (national or local) or developer (i.e. volume or small scale house builder), Registered Social Landlord, architect, planner or urban designer or other related profession that may usefully inform the assessment of potential sites for housing.
- The candidate must have completed a pro forma for expressing interest in their representation on the Panel, which must be signed and dated for the purpose of data protection and freedom of information.

#### Composition

- The Panel will include between 10 and 12 appointed Members which must be representative of the broad cross section of the house building industry in the sub-region. Therefore the selection process will seek to achieve a balance in the professions / nature of business undertaken by Panel Members (e.g. between volume and small scale house builders and national / local land agents, and across the sub-region). The Panel Membership will include at least one of each of the following:

Volume house builder, including one national and one regional company

Small scale house builder

Land Agent

Registered Social Landlord involved in new build projects

Architect, urban designer or other profession

#### Process

- The selection process for making an offer of appointment will be made by the Steering Group for partner Local Authorities to provide for the “optimal mix” of Members to achieve the representation sought across the sub-region.

- The Steering Group will prepare a shortlist of candidates from the expressions of interest received to Panel membership.
- The Steering Group will make an offer of appointment in writing to each short listed candidate. It will require a confirmation of acceptance of Panel membership in writing from the candidate.
- Where one or more of the short listed candidates declines to confirm their acceptance of Panel membership, or where a Panel Member elects to leave the Panel, the Steering Group will select one or more candidates from the expressions of interest received to Panel membership. The Steering Group will make an offer of appointment in writing to the selected candidate(s) and will require a confirmation of acceptance of Panel membership in writing from these candidate(s).