

Chichester District Council Housing and Economic Land Availability Assessment

Methodology



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Important Notice – Disclaimer

In relation to the information contained within the Chichester Housing and Economic Land Availability Assessment (HELAA), and any other report relating to the findings of the HELAA, the Council makes the following disclaimer, without prejudice:

- The HELAA only identifies sites. It does not allocate sites for development. The allocation of sites for future housing or economic development will be determined through the Local Plan Review, Site Allocation Development Plan Documents or through neighbourhood plans.
- The identification of potential housing and economic development sites within the HELAA does not imply the Council will grant planning permission for residential or economic development. All planning applications for housing and economic development will continue to be considered against the appropriate policies in the development plan and have regard to any other material considerations.
- The inclusion of potential housing and economic development sites within the study does not preclude them from being considered for other purposes.
- The boundaries of sites are based on the information available at the time. The HELAA does not limit an extension or contraction of these boundaries for the purpose of a planning application or development plan allocation.
- The exclusion of sites from the study (i.e. because they were not identified) does not preclude either the possibility of a development plan allocation or the grant of planning permission for residential or economic development on such sites. It is acknowledged that sites will continue to come forward that may be suitable for residential or economic development that has not been identified in the HELAA.
- Where it is set out, any estimation of when development may come forward is based on an assessment at the time of the study. Circumstances or assumptions may change which may mean sites could come forward sooner or later than originally envisaged.
- The Council has assumed that the sites that contain an element of previously developed land are identified as previously developed land for the purposes of the HELAA only. However, this assumption does not constitute the Council's formal determination of the status of the established lawful use of the site and does not mean that the Council formally considers the site as previously developed.
- The information that accompanies the HELAA is based on information that was available at the time of the study. Users of the study's findings will need to

appreciate there may be additional constraints on some sites that were not identified at the time of the survey and that planning applications will continue to be treated on their merits at the time of the planning application rather than the information contained within the assessment. Likewise, some of the identified constraints may have been removed since the information was compiled. Issues may arise during the course of a detailed planning application that could not/were not foreseen at the time of the assessment. Applicants are therefore advised to carry out their own analysis of sites to identify any constraints or other information for the purpose of a planning application and not rely solely on the findings of the HELAA.

- The housing or economic development capacity of a site in the study either relates to the number of dwellings or floorspace indicated by the site promoter or is an estimate based on an assessment of what could be an appropriate density for the site in question. However, the site capacities in the study do not preclude densities or floorspace being increased on sites, subject to details. Nor does it mean that the densities or floorspace envisaged within the assessment would be appropriate and these would need to be considered through the relevant planning process, for example either a development plan allocation or when a planning application is submitted.
- The study has a base date of 3 August 2017 and the findings are a 'snap-shot' of information held at that time. Therefore, some of the information held within the HELAA may have changed since that date. For example, sites that are identified as not having planning permission may have secured permission since the information was compiled and published. Similarly planning permission may have lapsed on other sites.
- The Council intends to use the HELAA as a 'living document' that will be updated on a regular basis.

1. Introduction

- 1.1 The Housing and Economic Land Availability Assessment (HELAA), which replaces what was formerly known as the Strategic Housing Land Availability Assessment (SHLAA), is a technical study that undertakes an assessment of land availability. The purpose of the assessment is to identify a future supply of land which is suitable, available and achievable for housing and economic development uses over the plan period of the local authority. It also seeks to establish realistic assumptions about the development potential of the land identified and when the development is likely to occur.
- 1.2 The HELAA is a key component of the evidence base that will inform the preparation and development of options for the spatial strategy of the Chichester Local Plan Review document. Its purpose is to test whether there is sufficient land to meet objectively assessed need (OAN) and to identify where this land may be located. The HELAA is one aspect of the evidence base and should be considered collectively with other technical studies to inform the identification and delivery of future residential and economic development in the Plan area (Chichester District excluding the area within the South Downs National Park (SDNP)). The HELAA will also inform the preparation of other Development Plan Documents (DPD) and Neighbourhood Plans (NP).
- 1.3 The purpose of this document is to establish how land availability will be assessed throughout the Local Plan Review process in the context of the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). This document details the processes the Council has undertaken and the methodology followed during the preparation of the HELAA.
- 1.4 For the purposes of this methodology, housing development is defined as sites for all types of housing, including housing for older people and student accommodation. Economic development refers to all employment uses, not just those within B use classes. This also includes main town centre uses as defined within Annex 2 of the NPPF.
- 1.5 The HELAA will cover the period up to 2035 to accord with the plan period for the Chichester Local Plan Review. Its main purpose is to perform the following functions:
 - Identify sites and broad locations with potential for housing and/or economic development from a variety of different sources;
 - Assess and provide an indication of the housing and/or economic development potential of sites and broad locations; and

- Assess the suitability of sites and broad locations for housing and/or economic development and the likelihood and timing of development coming forward.
- 1.6 This approach ensures that all land identified with development potential is assessed together to enable sites and broad locations that are most suitable and deliverable for a particular use to be identified. This will assist in the local authority maintaining an adequate supply of land to meet identified local needs, particularly for housing.
- 1.7 The HELAA does not allocate land for housing or economic development. It also does not determine whether land should be allocated or given planning permission for development. The HELAA will provide information on the range of sites which are available to meet need. Sites will be allocated in the Local Plan Review, Site Allocations development plan documents and/or neighbourhood plans.
- 1.8 The inclusion of a site as 'suitable' with identified development potential does not mean or guarantee that planning permission will be granted if any specific development proposals come forward subsequently. Any proposed development must be considered against the policies in the Development Plan through the planning application process.

Stakeholder and community engagement

- 1.9 It is recognised that developers, public bodies, local communities and other partners can provide valuable information and input into the evidence base regarding land availability. The NPPG identifies a range of stakeholders who should be engaged in the production of the HELAA.
- 1.10 The Council has identified various stakeholders, including landowners, developers, property agents, business organisations, neighbouring authorities, town and parish councils, statutory bodies, service providers and other interested parties.
- 1.11 Consultation on the HELAA Draft Methodology was undertaken from 20 July 2016 until 17 August 2016. In total, 8 responses were made from a total of 6 consultees. Where relevant, the methodology has been updated to reflect representations received. A Schedule of Comments received has also been prepared to accompany this methodology.
- 1.12 In addition, the Council has undertaken two Call for Sites exercises; running from 20 July to 17 August 2016 and 22 June to 3 August 2017. In November 2017, availability information was sought from those site promoters who had

not responded to the two 'call for sites' exercises. Call for sites consultations provide opportunities for landowners, developers, agents, community groups and public sector bodies, as well as those not normally involved in property development, to contribute.

2. Policy Context

National Planning Policy Framework (NPPF)

- 2.1 The NPPF identifies the Government's commitment to boosting housing supply and securing economic growth¹. Paragraph 158 states that Local Planning Authorities (LPA) should ensure that the local plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. In addition, LPAs should ensure their assessment of and strategies for housing, employment and other uses are integrated and take full account of relevant market and economic signals.
- 2.2 The requirement for LPAs to undertake an assessment of housing land availability is required by paragraph 159 of the NPPF in order to "...establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period". An assessment of land for economic suitability and development is set out in paragraph 161 of the NPPF. This paragraph also identifies the advantages of carrying out an assessment of land availability for housing and economic development concurrently to ensure sites can be considered for the most appropriate use.

National Planning Practice Guidance (NPPG)

- 2.3 In March 2014 the Government published its NPPG, which expands upon and provides practical guidance to support the NPPF.
- 2.4 The HELAA guidance sets out that the purpose of such an assessment is to identify a future supply of land which is suitable, available and achievable for housing and economic development uses over the plan period. The assessment of land availability includes the SHLAA requirement as set out in the NPPF.
- 2.5 The NPPG indicates what inputs and processes should lead to a robust assessment of land availability and sets out that plan makers should have regard to the guidance in preparing their assessments. Where they depart

¹ National Planning Policy Framework – Paragraph 18

from the guidance, plan makers will have to set out reasons for doing so. The assessment should be thorough but proportionate, building where possible on existing information sources outlined within the guidance.

Local and Neighbourhood Planning Policy

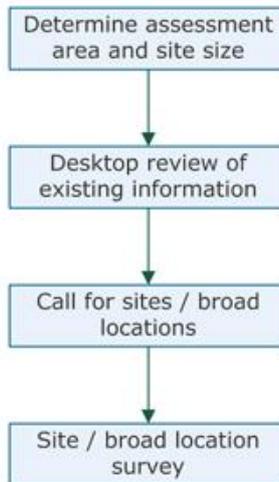
- 2.6 The Chichester Local Plan: Key Policies 2014-2029 (Chichester Local Plan), which was adopted in July 2015, together with the 'made' neighbourhood plans, forms the current Development Plan for Chichester District, excluding the area within the SDNP. The Site Allocation Development Plan Document (DPD) will also form part of the Development Plan once adopted.
- 2.7 The Chichester Local Plan was found sound by the Inspector on the basis that the Council committed to undertaking a review of the Plan within five years. The LPA is therefore currently preparing the Chichester Local Plan Review which will replace the Chichester Local Plan.

3 Methodology

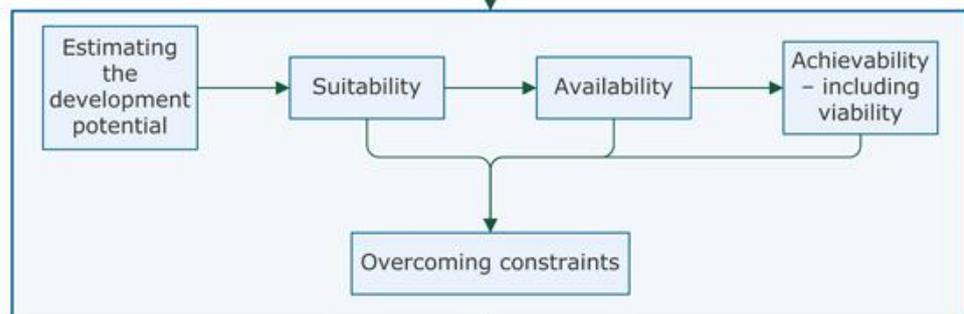
- 3.1 The HELAA methodology for the Chichester Local Plan area is based upon the guidance set out in the NPPG. The assessment has five main stages, with optional stages covering broad locations and windfalls. The NPPG states that plan makers should have regard to this guidance in preparing their assessments, and that where they depart from the guidance, the reasons for doing so should be set out. The Council has closely followed the methodology as set out in the NPPG and shown overleaf.
- 3.2 As set out in the diagram, Stages 2-4 are iterative i.e. that if enough sites are not found as part of the initial site / broad location identification that a second trawl of the sites will be needed. If, after a further assessment, there are still not sufficient sites to satisfy the housing need, then the NPPF and NPPG make it clear that other less constrained areas of the plan area may need to be considered to accommodate this shortfall.

Figure 1: NPPG Land Availability Flowchart

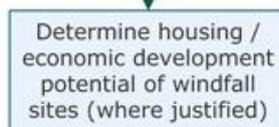
Stage 1- Site / broad location identification



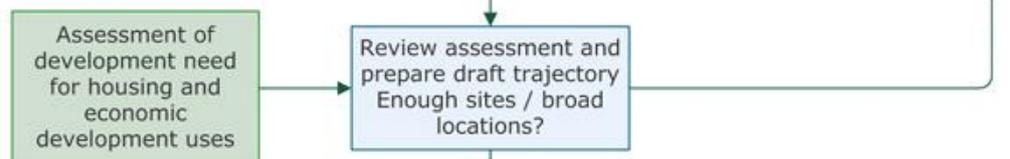
Stage 2 - Site / broad location assessment



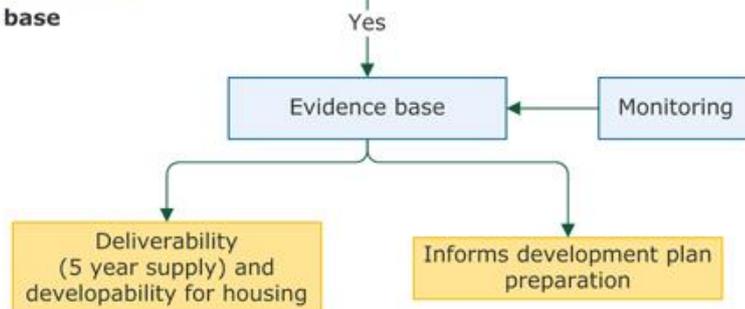
Stage 3 - Windfall assessment



Stage 4 - Assessment review



Stage 5 - Final evidence base



4 Stage 1 - Site/Broad Location Identification

Determine the assessment area

- 4.1 The NPPG indicates the HELAA should be prepared for the housing market area (HMA) and functional economic market area (FEMA). The Local Plan Review area falls within the Chichester and Bognor HMA and FEMA.
- 4.2 The local authorities defined within the HMA and FEMA are at different stages of their local plan preparation. It is therefore not practical at this stage to undertake a joint HELAA. However, in developing this methodology, the Council has considered the SHLAA/HELAA methodologies in use by LPAs elsewhere in the HMA/FEMA and has tried to align our approach. The HELAA will therefore consider land availability within the Chichester Local Plan area, covering the District outside the SDNP, including designated Neighbourhood Areas.

Determining which sources of sites will be included in the Assessment

- 4.3 The role of the HELAA is to ensure that local planning authorities have a robust understanding of the amount of land with potential for housing and economic development within their area. Only sites which were promoted in 2016/2017 have been considered as part of the HELAA assessment.
- 4.4. In order to draw up an initial long list of sites the Council has considered, as a minimum, housing and economic development sites identified in Table 3 below. This focuses on new housing and economic development sites (and includes sites including previously developed land (PDL)), rather than sites in existing residential or economic development use.

Table 2: Sources of potential sites

| Type of Site | Data Sources |
|---|---|
| Existing housing and economic development allocations and site development briefs not yet with planning permission. | <ul style="list-style-type: none"> • Chichester Local Plan: Key Policies 2014-2029 • Site Allocation: Preferred Approach DPD • 'Made' and draft NDPs • Planning application records • Development briefs |
| Planning permissions for housing and economic development that are unimplemented or under construction. | <ul style="list-style-type: none"> • Planning application records • Chichester District Council (CDC) development monitoring data, including WSCC annual Housing and Residential Land Survey and |

| | |
|--|--|
| | Commercial, Industrial and Leisure Land Availability Survey |
| Planning applications that have been refused or withdrawn. Lapsed planning permissions | <ul style="list-style-type: none"> • Planning application records |
| Land in the local authority's ownership. | <ul style="list-style-type: none"> • CDC Estates records |
| Surplus and likely to become surplus public sector land. | <ul style="list-style-type: none"> • National register of public sector land. • Engagement with strategic plans of other public sector bodies such as County Councils, Central Government, National Health Service, Policy, Fire Services, utilities providers, statutory undertakers. |
| Vacant and derelict land and buildings including empty homes, redundant and disused agricultural buildings, potential permitted development changes e.g. offices to residential. | <ul style="list-style-type: none"> • Local authority empty property register • English House Condition Survey • National Land Use Database • Commercial property databases • Valuation Office database • Active engagement with sector |
| Under used facilities such as garage blocks | <ul style="list-style-type: none"> • Ordnance Survey maps • Aerial photography • Planning applications • Site surveys |
| Business requirements and aspirations. | <ul style="list-style-type: none"> • Enquiries received by CDC Economic Development • Engagement with housing and business sectors |
| Potential sites in urban and rural locations, including sites in and adjoining villages | <ul style="list-style-type: none"> • Local and neighbourhood plans • Planning applications • Ordnance Survey maps • Aerial photography • Site surveys |
| Large scale redevelopment and redesign of existing residential or economic areas. | |
| Sites in and adjoining villages or rural settlements – where ownership is known or promoted. | |
| Sites previously included or rejected in the SHLAA process | |
| | Previous SHLAA studies |

Call for sites / broad locations

- 4.5 In addition to the sites identified in the process above, a 'Call for Sites' is used to identify housing and economic development sites that are not currently

within the planning process and to provide updated information on sites that have previously been identified.

- 4.6 The Council has undertaken two 'Call for Sites' exercises. The process involved the Council notifying all those on the Local Plan database and promoting the consultation exercise via the Council's website to inform parties not currently known to the Council. Respondents were requested to complete a pro-forma to provide some initial details about each site, including the following information:
- Site address and an OS plan showing site boundaries;
 - Contact details;
 - Type and scale of development suggested;
 - Site ownership;
 - Current use of the site;
 - Potential development timeframe/phasing;
 - Known site constraints; and
 - Other information.
- 4.7 A subsequent confirmation of availability of previously promoted sites was requested in November 2017.
- 4.8 The cut-off date for new sites to be submitted to the Council was 3 August 2017. Any new sites which have been subsequently received will be kept on file and reviewed in the update of the HELAA.
- 4.9 All the sites identified in both the desktop review and 'Call for Sites' will be included in a comprehensive list of sites, and information about them will be recorded in the HELAA database.
- 4.10 A database is maintained of all sites considered in the HELAA.

Desktop review

- 4.11 An initial desktop review has been carried out to sift out those sites which should be excluded from the assessment. Each site has been considered for housing and economic development. Where constraints only exist on part of a site, the site has not been excluded from the assessment. Where a site adjoins an environmental constraint as set out in Table 2, such sites have not been excluded from the assessment, but will be considered in more detail at the next stage of assessment for the 'suitability' stage.
- 4.12 As outlined in para 3.2 the HELAA assessment process is iterative. In the first instance all sites within an Area of Outstanding Natural Beauty (AONB) will be

considered as unsuitable for development. However, they may be reviewed at a later date.

Table 3: Sites to be excluded from Assessment

| Category | Reason for exclusion | How it will be identified |
|---|---|---|
| Sites with existing planning permission or under construction | Sites with extant planning permission or those under construction are generally considered to be suitable for development | Planning permission records and monitoring |
| Sites allocated in the Local Plan, Site Allocations DPD and Neighbourhood Plans | Sites allocated for development within the Development Plan are generally considered to be suitable for development | Development plan documents |
| Sites less than 6 dwellings or under 0.25ha (or 500m² of floor space) of economic development floor space. | This aligns with the SHLAA/HELAA methodology currently being used by the other authorities within the West Sussex & Greater Brighton Strategic Planning Board. In addition, the threshold is in alignment with the annual Housing Land Supply assessment undertaken by West Sussex County Council (WSSCC), which defines sites of 6 or more dwellings as large sites. Sites of less than 6 dwellings will be included as part of the windfall assessment for housing. | Developer / landowner information. Where the capacity of the site has not been identified, a standard density of 30 dph on 80% of the site will be used in the first instance for residential development but may need to be adjusted as the site goes through the assessment process. For employment uses where no plot size or ratios are provided then the assumptions used in the Employment Land Review (2013) (ELR) will be used. |
| Not within or adjoining a settlement, or rural PDL sites | Only sites within or adjoining an existing settlement will be considered as part of the assessment. | GIS map |
| Existing employment sites | Employment sites in current use will not be considered for other uses. | GIS map Planning permission records Site visit |
| Disused glasshouses in the countryside | Disused glasshouses in the countryside will not be considered for other uses | GIS maps Site visit |
| Environmental Constraints | | |
| Sites within the functional flood plain | The NPPG advises that only water compatible development should be | Environment Agency's Flood Maps |

| | | |
|---|--|----------|
| (Flood Zone 3b) | permitted within the functional flood plain. ² Most forms of residential and economic development do not meet this requirement. | |
| Sites within, or adjacent to, a Special Protection Area | Legislation and the NPPF advises that planning permission should not normally be granted for development that is likely to have an adverse effect on the integrity of a European site. | GIS maps |
| Sites within, or adjacent to, a Special Area of Conservation | Legislation and the NPPF advises that planning permission should not normally be granted for development that is likely to have an adverse effect on the integrity of a European site. | GIS maps |
| Sites within, or adjacent to, a Ramsar site | The NPPF advises that planning permission should not normally be granted for development that is likely to have an adverse effect on a Ramsar site. | GIS maps |
| Sites within, or adjacent to, a Site of Special Scientific Interest | Legislation and the NPPF advises that planning permission should not normally be granted for development that is likely to have an adverse effect on a SSSI. | GIS maps |
| Sites within Historic Parks and Gardens | Historical assets protected by legislation. | GIS maps |
| Scheduled Ancient Monuments | NPPF states that substantial harm to or loss of designated heritage assets, including scheduled monuments should be wholly exceptional. | GIS maps |
| Area of Outstanding Natural Beauty (AONB) | NPPF states that development within the AONB should be restricted. As part of the HELAA assessment any site within the AONB has been discounted. | GIS maps |
| Ancient Woodland | Irreplaceable habitat protected by legislation and the NPPF. | GIS maps |
| Local Green Space | NPPF states that this designation will entitle local communities to rule out new development other than in very special circumstances. | GIS maps |
| Sites of Nature Conservation Importance | Sites may be excluded due to possible impact of development on the designation | GIS maps |

5 Stage 2 - Site/Broad Location Assessment

Assessing the development potential of each site / broad location

5.1 Sites or part of a site which are not sieved out in the process identified in Table 3 above will continue through to the following assessment on suitability,

² PPG, Flood risk and coastal change,

availability and achievability. This will be carried out through a combination of desktop assessment, site visits and contacting landowners and developers.

- 5.2 The desktop assessment phase of the HELAA establishes whether a site is suitable and/or available for development. In addition to the recording of basic details such as size, current use, boundary and the area's characteristics; conclusions are based on a wide range of information from various sources and stakeholders.
- 5.3 Sites will also be surveyed to confirm information gathered through the call for sites (and other sources), and gain an understanding of the characteristics of the site and surroundings, physical constraints and any potential barriers to deliverability.
- 5.4 The Council has a considerable amount of information in the form of existing databases and studies. This information will help to assess the deliverability and developability of sites, including site constraints.

Suitability

- 5.5 The NPPG indicates that the suitability of sites or broad locations should be guided by:
- the development plan, emerging plan policy and national policy; and
 - market and industry requirements in the housing market or functional economic market area.
- 5.6 Sites already allocated in the development plan or with planning permission will generally be considered suitable for development, and have therefore not been considered further in the assessment. However, there may be a few instances where it is necessary to assess whether circumstances have changed which would alter their suitability.
- 5.7 As a minimum the following factors will be considered when determining the suitability of a site.

Location Considerations

- 5.8 It is not the purpose of the HELAA to identify what locations are sustainable; this will be considered through the Local Plan process. However, sites have been assessed which are within or adjacent to settlements with Settlement Boundaries as these are considered to be sustainable. As outlined in para 3.2 the HELAA assessment process is iterative. If additional sites are required to

deliver the housing numbers required, then the sites may be revisited and reviewed.

- 5.9 A site that has the potential to result in coalescence between two separate settlements will be excluded. However, as part of the Local Plan Review additional work will be commissioned to inform the assessment of sites through a Landscape Assessment Study.

Built and Natural Environmental Considerations

- 5.10 Knowledge of the local environment contributes to the understanding of a site and enables officers to build up a picture of what impact, if any, development may have on the natural and built environment. It is therefore an important part of determining suitability.

- 5.11 The following environmental constraints will be carefully considered. Development may be suitable in these locations depending on the size of the site and the extent to which the constraint covers a site and its potential impact. These constraints are likely to have an impact on the capacity of a site (e.g. affect design and layout) and also the timing of when development may take place. It is for the Local Plan Review process to identify how these constraints are addressed when identifying and allocating sites in the Local Plan Review and associated Development Plan Documents.

- Area of Outstanding Natural Beauty and its setting
- Designated heritage assets and non-designated heritage assets
- Physical limitations such as topography or problems such as access, infrastructure, ground conditions, flood risk, hazardous risks, noise or pollution constraints or potentially contaminated land and Goodwood Flight Paths;
- Local Nature Reserve
- Local Wildlife Sites
- Local Landscape Designations
- Long distance views
- Potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation;
- Potential impacts on the significance or special interest of heritage assets and their settings;
- Environmental/amenity impacts;
- Local Green Space
- Designated open space;
- Tree Preservation Orders
- Ancient Woodland

- Loss of historic hedgerows.

5.12 Environmental constraints will be assessed through a desktop survey using GIS, and information provided by key stakeholders such as the Environment Agency, Natural England etc., and during site visits.

General Physical Constraints

5.13 Constraints relate to general physical issues that could present either a temporary or permanent constraint to development and may prevent a site from being found 'suitable' for development or constrained to the type and/or level of development which could take place.

5.14 Sites where a physical problem and/or significant constraints create a barrier between the edge of a settlement and the site will normally be found unsuitable unless clear and viable mitigation can be demonstrated.

5.15 General physical constraints such as access will be assessed through the use of GIS, site visits and information available to the Council on related matters.

Utilities and other constraints

5.16 The following matters are considered and noted at the desktop assessment stage, some of which may preclude development depending on the extent to which the utility covers a site and its potential impact.

- High pressure gas pipes;
- Goodwood Flight Path
- Oil pipelines, national grid transmission lines; and
- Major hazard sites.

Economic development

5.17 In addition to the suitability criteria identified in the above paragraphs the following criteria will be considered specifically in relation to the suitability of a site for economic development.

- Whether the site has /can gain good access to the strategic transport network. The time needed to access the strategic network will be considered, taking into account distance but also known congestion levels;
- Whether the site adjoins /could adjoin part of an existing employment site. If an adjoining site is well utilised then it is likely to be a commercially attractive location;

- The site's proximity to residential areas and other adjoining uses to ensure economic development would not result in an adverse impact on local amenity; and
- Whether the site is constrained by gradient. Sites of significant gradient are less suitable for some economic development.

5.18 Sites that have potential for economic development will normally be considered suitable where there is good access to the strategic transport infrastructure, services and facilities or where the site adjoins part of an existing employment site.

5.19 As set out in Table 3, only sites which are within or adjoining an existing settlement have been considered. This excludes isolated sites, including brownfield / previously developed land, in the countryside, or remote from a settlement boundary.

5.20 Sites which have been put forward for retail use will not be identified until the requirements for new retail development have been identified in the Retail Study.

Policy Considerations

5.21 When completing assessments account will be taken of existing policy designations and national guidance. If these matters are not taken into account during the HELAA process it may result in a list of potential sites which are not realistic or representative of developable land.

Economic Land

5.22 The rationale of the HELAA is to identify potential sites for future housing and employment land for development. However, in order to provide local employment opportunities for the area's residents it is important that employment uses in the Plan area are encouraged and protected to the best of the Council's ability. On this basis, in assessing sites, any HELAA sites which currently serve an employment function will be retained for economic use³ unless there is evidence indicating that the site is unlikely to be viable for economic development.

Open space and Local Green Space Designations

5.23 The protection of open space is vital for ensuring healthy communities. Existing open space, sport and recreational buildings and land, including

³ In accordance with paragraph 22 and 28 of the NPPF

playing fields, should not normally be built on unless it can be demonstrated to be surplus to requirements, be replaced elsewhere or needs for the development outweigh the loss⁴. Local Green Space Designations are areas of special protection which rule out new development other in very special circumstances⁵.

Flood Risk

- 5.24 Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas of highest risk. Development should take place within Flood Zone 1 unless there are insufficient sites available. Where development is necessary in Flood Zones 2 & 3 mitigation measures should be used to ensure flood risk is not increased elsewhere and development will be safe⁶. Sites with flooding, either tidal, fluvial or surface water, will be considered suitable where it can be clearly demonstrated that development would not result in an increased flood risk.
- 5.25 Following assessment each site will be assessed as being 'suitable', 'potentially suitable' or 'not suitable'.

Assessing availability

- 5.26 The assessment of suitability is one element of the assessment for HELAA. In addition to assessing whether sites are potentially suitable for development, sites also need to be assessed in terms of whether they are 'available' for development and whether they are 'achievable'. The latter two stages are essentially about 'viability' and whether a site provides a realistic option for delivery.
- 5.27 For establishing 'availability' guidance in the NPPG will be followed. The key elements the HELAA needs to consider are:
- Ownership constraints
 - Land use constraints
 - Access constraints
 - Legal constraints such as covenants on land
 - Planning applications.
- 5.28 A site is considered available for development, when, on the best information available (confirmed by the 'Call for Sites' and information from land owners), there is confidence that there are no legal or ownership problems, such as

⁴ In accordance with paragraph 74 of the NPPF

⁵ In accordance with paragraph 77 of the NPPF

⁶ In accordance with paragraph 100 of the NPPF

unresolved multiple ownerships, ransom strips, tenancies or operational requirements of landowners. This will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell. Where planning permission exists it is normally anticipated that the site is available; however, there may be instances where this is not the case.

- 5.29 Where potential difficulties are identified, an assessment will be made as to how and when such issues can realistically be overcome. Consideration may also be given to the previous delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.
- 5.30 The assessment of each site will be classified into categories as set out in Table 4.

Table 4: Availability classification

| Availability classification | |
|------------------------------------|---|
| Available | <ul style="list-style-type: none"> Confirmation of availability within the next 15 years has been received from the landowner and there are no known legal issues or ownership problems. |
| Not available | <ul style="list-style-type: none"> The landowner has confirmed that the land is not available for development in the next 15 years. The land is subject to known legal issues which are unlikely to be overcome within the next 15 years. |

Achievability

- 5.31 The Council will only undertake achievability and deliverability assessments on sites which are deemed to be 'suitable' and 'available'.
- 5.32 A site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. An 'achievability' assessment will be carried out at the point when a site is first found 'suitable' and 'available'.
- 5.33 It is considered impractical to do detailed viability assessments of all sites and broad locations. A more general assessment approach will therefore be undertaken, considering the general marketability of the site, potential abnormal development costs, and any land ownership issues which may constrain deliverability. As such the following range of factors will be considered to determine achievability.

5.34 Landownership / access

- Is the site landlocked? / Is there a viable/existing access to the site?
- Would properties need to be demolished to allow for access? / Have these properties been secured etc.?
- Are there factors which would make access difficult i.e. trees under TPO blocking the potential access etc.

Market factors such as:

- Effect adjacent land uses may have on site;
- Potential marketability of the site.

Cost factors including:

- Site preparation costs and/or exception costs;
- Highways improvement works;
- Access issues;
- Third party land requirements;
- Availability and capacity of local utilities/ connection costs.

Delivery factors including:

- Phasing / build out rates;
- Single or multiple developers;
- Legal agreements between landowners and/or developers;
- Size and capacity of the developer;
- Is third party land required?

5.35 The assessment of each site will be classified into achievable or unachievable.

Deliverability and developability

5.36 The assessment of suitability, availability and achievability of sites and broad areas will provide information on which a judgement can be made in the plan making context as to whether a site can be considered deliverable over the plan period. To be considered deliverable, sites should be immediately available, offer a suitable location for development now and be found to be achievable with a realistic and viable prospect for development that can be delivered within five years.

5.37 If deliverability cannot be established, sites should not be included within the five year housing land supply but set out in the later timeframe of the housing trajectory.

Overcoming constraints

- 5.38 Where constraints have been identified, the assessment should consider what action would be needed to remove them. This would include when and how this could be undertaken and the likelihood of sites/broad locations being delivered. Actions might include the need for investment in new infrastructure, dealing with fragmented ownership, environmental mitigation, or a need to review development plan policy, which is currently constraining development.

Calculating the development yield

- 5.39 As an overarching principle sites should aim to make the best use of land. Where information is known or provided by the landowner / developer those figures will be used. However, where this is not known the calculation of 30 dwellings per hectare (dph) on 80% of the land will be used. This is in order to take account of any future landscaping/access requirements etc.
- 5.40 As more information is available the yield will be refined taking into account areas of land which have significant environmental constraints which may reduce the developable area.

Assessing timescales and rate of development

- 5.41 Once the suitability, availability and achievability of sites have been assessed, and any constraints identified, the likely timescale and rate of development for each site will be assessed. This will be continuously updated throughout the Local Plan Review process, with advice being sought from developers on likely timetables, progress made, and any further constraints which may arise.

6 Stage 3 - Windfall Assessment (where justified)

- 6.1 Para 48 of the NPPF advises that a windfall allowance may be justified in the five year supply if a local planning authority has compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. It adds that such an allowance should be realistic, having regard to the SHLAA, historic delivery rates and expected future trends, and should not include residential gardens.
- 6.2 In the Chichester Local Plan area a significant level of housing development has historically come forward on small sites of under 6 dwellings, which fall below the defined HELAA site size threshold. Such developments have mainly been small infill sites, changes of use and conversions. A windfall

allowance has therefore been included for smaller developments falling below the defined HELAA threshold of 6 dwellings.

- 6.3 It is not considered justifiable to include a windfall allowance for larger housing sites since developable sites of 6 or more dwellings will be identified in the HELAA (or in future annual updates) leading to a risk of double counting. In addition, it would be difficult to predict the amount of housing likely to be delivered on any larger unidentified sites that may come forward.
- 6.4 The annual windfall allowance will be determined by applying a trend-based approach based on an analysis of completions over a period of 10 years. Completions will comprise developments of 1-5 net additional homes but will exclude development on residential gardens, allocated sites and rural exception sites. A windfall allowance will be made from year 4 onwards in the housing trajectory. This is to avoid double counting against existing unimplemented planning permissions, which are normally valid for 3 years and therefore likely to be completed within this time.
- 6.5 This methodology for calculating housing windfalls is consistent with the approach used for the current adopted Chichester Local Plan. The Council considers that the resulting allowance for windfalls is robust and realistic. It has been endorsed at the Chichester Local Plan examination and at planning appeal inquiries.

7 Stage 4 - Assessment Review

- 7.1 The HELAA provides a key part of the evidence base for the Local Plan Review. Stage 4 requires the development of a draft housing trajectory based upon the detailed assessments undertaken at stages 1-3.
- 7.2 Following the assessment of all sites, an indicative housing trajectory has been produced setting out how much housing and the amount of economic floorspace that can be provided across the Plan area and at what point in the future it could be delivered. An overall risk assessment has been made as to whether sites will come forward as anticipated.
- 7.3 The trajectory is used to determine whether sufficient sites have been identified to meet the objectively assessed need identified in the Housing and Economic Development Needs Assessment (HEDNA). This includes a five year supply of 'deliverable' sites, and whether this can be maintained on a rolling basis, and sufficient 'developable' sites for years 6 to 15.

- 7.4 The identification of sufficient sites for economic uses will be linked to evidence on economic development needs in order to determine whether there is a need to identify additional sites over the plan period.
- 7.5 If insufficient sites have been identified to meet the development needs of the Plan area, the site assessments within Stages 1 to 3 will be revisited to review the development potential assumptions on particular sites. This may include, for example, discussions with landowners/agents, reviewing density assumptions, and further research on identifying sites and overcoming constraints.
- 7.6 Following the review process, if there are still insufficient sites, then it will be necessary to investigate how this shortfall should be addressed.
- 7.7 The NPPG allows for the investigation of potential broad locations where identifiable sites will not provide sufficient land for housing and economic land to meet the land supply requirement for 15 years (or more). Identification of broad locations for housing and other strategic development is supported by the NPPF (paragraphs 47 and 157).

8 Stage 5 - Final Evidence Base

Data Outputs

- 8.1 The HELAA contains the following information:
- Parish maps showing the location of sites deemed potentially suitable, available and achievable, sites rejected, sites allocated in development plans, and sites with extant planning permission or under construction.
 - A list of all sites considered but rejected, with reasons given for why sites have been discounted;
 - A list, in parish order, of all sites considered to be realistic candidates for development, with details of their potential yield and when they could be developed;
 - A detailed assessment of those sites considered to be realistic candidates for development in terms of suitability, availability and achievability, including the types and quantities of development that may be delivered on each site, an estimate of build out rates; and
 - An indicative trajectory of anticipated development and consideration of associated risks (including any identified windfall sites).

- 8.2 The NPPF identifies the advantages of carrying out land availability assessments for housing and economic development as part of the same exercise, in order that sites may be allocated for the use which is most appropriate. Where sites within the HELAA are identified in the first instance as suitable for housing, their suitability for alternative forms of economic development will also be referenced on the site pro forma.

Monitoring

- 8.3 The NPPG indicates that the assessment of sites should be kept up-to-date as part of the annual monitoring process.

HELAA Review

- 8.4 The HELAA will be regularly reviewed and published. It will be necessary to undertake a full review of sites when future development plans are reviewed.
- 8.5 The Council will continue to accept new sites for the HELAA throughout the assessment process. However, any new sites received after 3 August 2017 will be taken into account in the next annual review.

Glossary

| Term | Acronym | Definition |
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| Ancient Woodland | | An area that has been wooded continuously since at least 1600AD. |
| Areas of Outstanding Natural Beauty | AONB | Areas of high scenic quality that have statutory protection in order to conserve and enhance the natural beauty of their landscapes. Natural England has a statutory power to designate land as AONB under the Countryside and Rights of Way Act 2000. Chichester Harbour AONB is located within the Local Plan Area. |
| Best and most versatile agricultural land | | Land in grades 1, 2, 3a of the Agricultural Land Classification. |
| Brownfield | | See previously developed land. |
| Community Infrastructure Levy | CIL | A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area. |
| Conservation Area | | An area of special architectural or historic interest, designated under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character, appearance, or setting of these areas. |
| Contaminated Land | | Land that has been polluted or harmed in some way making it unfit for safe development and usage unless cleaned. Defined in the Environmental Protection Act 1990 as any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that: (a) significant harm is being caused or there is a significant possibility of such harm being caused; or (b) significant pollution of controlled waters is being, or there is a significant possibility of such pollution being caused. |
| Constraints | | Factors which limit or restrict the ability to develop a site. In some instances constraints will prevent development, whilst in others they might limit or influence the type, form or capacity of a site. |
| Deliverable | | To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is |

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| | | clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans. |
| Density | | For residential development, the number of dwellings per net residential area, normally measured by dwellings per hectare (dph). For commercial development, density is often calculated as a 'plot ratio' expressing the amount of built floorspace as a percentage of the total site area. |
| Developable | | To be considered developable, sites should be in a suitable location for development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged. |
| Development Plan | | A document setting out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. This includes adopted Local Plans and other 'Development Plan Documents (DPDs), made neighbourhood plans, and is defined in Section 38 of the Planning and Compulsory Purchase Act 2004. |
| Economic development | | Development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development). |
| Employment Land Review | ELR | A background study understanding land and property markets and the type of interventions that might be required to bring employment land forward alongside new housing growth. These are a key tool in identifying and securing business land to meet market needs and to meet growth and regeneration policy objectives. |
| Flood zones | | Flood Zones refer to the probability of river and sea flooding, ignoring the presence of defences. |
| Flood Zone 1 | | Land having a less than 1 in 1,000 annual probability of river or sea flooding. |
| Flood Zone 2 (medium probability) | | Zone comprises land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% - 0.1%), or between a 1 in 200 and 1 in 1,000 annual probability of sea flooding (0.5% - 0.1%) in any year. |
| Flood Zone 3a (high probability) | | Zone comprises land as having a 1 in 100 or greater annual probability of river flooding (>1%), or a 1 in 200 or greater annual probability of sea flooding (>0.5%) in any year. |
| Zone 3b (the functional floodplain) | | This zone comprises land where water has to flow or be stored in times of flood. |
| Functional Economic Market Area | FEMA | A geographical area defined by commercial property markets including location of premises and the spatial factors used in analysing demand and supply. |

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| Goodwood Aerodrome Safeguarding | | Aerodrome safeguarding maps are published by the Civil Aviation Authority. The Local Authority has to consult the CAA on planning applications or planning allocations / plans in that area. |
| Greenfield | | Land (or a defined site) usually farmland that has not previously been developed. |
| Gypsy and travellers | | Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such. |
| Historic parks and gardens | | A park or garden of special historic value and have been included on the national Register of Parks and Gardens of special interest in England based on an assessment by Historic England. |
| Housing and Economic Land Availability Assessment | HELAA | An assessment of land availability which identifies a future supply of land which is suitable, available and achievable for housing and economic development uses over the plan period. |
| Housing Land Supply | HLS | For planning purposes, this is the five year housing land supply. This relates to the number of dwellings considered capable of being delivered within a five-year time framework (as set out in the housing trajectory), when compared to the housing requirement. |
| Housing Market Area | HMA | A geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work. |
| HSE Zones | | A consultation distance defined by the Health and Safety Executive (HSE) around a major hazard site or major accident hazard pipeline, within which a planning authority must consult HSE over relevant developments which are likely to lead to an increased population around the major hazard. |
| Listed building | | A building of special architectural or historic interest. Listed buildings are graded I, II* or II with grade I being the highest. Listing includes the interior as well as the exterior of the building, and any buildings or permanent structures within its curtilage. |
| Local Green Space | | Protected green areas which are of particular importance to local communities and designated in Local or Neighbourhood Plans and comply with the requirements of the NPPF. |
| Local Nature Reserve | LNR | Designated under the National Parks and Access to the Countryside Act 1949 by Local Authorities in consultation with Natural England for their locally important wildlife or geological features. |

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| Minerals Safeguarding Area | | An area designated by Minerals Planning Authorities which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development. |
| Neighbourhood Plan | NP | A plan prepared by a Parish Council or Neighbourhood Forum for a particular Neighbourhood Area (made under the Planning and Compulsory Purchase Act 2004). |
| National Planning Policy Framework | NPPF | A document setting out the Government's planning policies for England and how these are expected to be applied. |
| National Planning Practice Guidance | NPPG | NPPG is a web based resource which contains guidance to supplement the NPPF. It was first published March 2014, and is regularly updated. |
| Previously Developed Land (Brownfield) | PDL | Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated Previously Developed Land (PDL) fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time. |
| Priority habitats and species | | Species and Habitats of Principle Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006. |
| Public Right of Way | PROW | A highway over which the public have a right of access along the route. |
| Ramsar Site | | Wetlands of international importance, designated under the 1971 Ramsar Convention. |
| Scheduled Ancient Monument | SAM | A nationally important archaeological site included in the Schedule of Ancient Monuments maintained by the Secretary of State under the Ancient Monuments and Archaeological Areas Act 1979. |
| Settlement boundary | | These are defined around settlements and their purpose is to prevent settlements from sprawling. Generally development proposals will be considered more favourably within the Built –Up areas. |
| Site of Nature Conservation Importance | SNCI | A non-statutory designation made by West Sussex County Council. Their special characteristics mean they are high priority sites and their maintenance is important. |

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| Site of Special Scientific Interest | SSSI | Areas of special interest by reason of their flora, fauna, geological or physiological features. Sites designated by Natural England under the Wildlife and Countryside Act 1981. |
| South Downs National Park | SDNP | The SDNP was designated by Natural England with the two purposes of conserving and enhancing its natural beauty and promoting opportunities for enjoyment and public understanding of the Park. National Parks are nationally important precious landscapes whose distinctive character and natural beauty are so outstanding that it is in the nation's interest to safeguard them. Together with AONBs they enjoy the highest level of protection through the planning system. The SDNP Authority also has a duty to seek to foster the economic and social well-being of the local communities within the SDNP. |
| Special Area of Conservation | SAC | Areas given special protection and are designated under a European Habitat Directive, which is transposed into UK law by the Habitats and Conservation of Species Regulations 2010. |
| Special Protection Area | SPA | Areas which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds found within European Union countries. They are European designated sites, classified under the Birds Directive. |
| Strategic Housing Land Availability Assessment | SHLAA | An assessment of land availability which looks specifically at land for housing. This is now incorporated within the Housing and Economic Land Availability Assessment. |
| Travelling showpeople | | Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above. |
| Tree Preservation Order | TPO | A mechanism for securing the preservation of single or groups of trees of acknowledged amenity value. A tree subject to a tree preservation order may not normally be topped, lopped or felled without the consent of the local planning authority. |
| Windfall sites | | Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously developed sites that have unexpectedly become available. |