# Chichester District Council Housing and Economic Land Availability Assessment 2020

## Methodology

## Logo

## September 2020

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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 developments that have 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 could mean sites could come forward sooner or later than originally envisaged.
* The Council has assumed that the sites which 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 assessment 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 had a cut-off date of 31 December 2019 for new sites, 31 March for substantive updates and 31 July 2020 for confirmation of availability information. The findings are a ‘snap-shot’ of information held from that time. Therefore, some of the information held within the HELAA may have since changed. 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.
* This document supersedes the HELAA Methodology dated March 2018.

### Introduction

* 1. The Housing and Economic Land Availability Assessment 2020 (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 over the plan period of the local authority. It also seeks to establish assumptions about the development potential of land and realistic timescales.
	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. Its purpose is to test whether there is sufficient land to meet local housing need (LHN) 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 Local 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).
	3. The purpose of this Methodology Statement is to establish how land availability is assessed in the HELAA; in the context of the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (PPG). This statement details the processes the Council has undertaken and the methodology followed during the preparation of the HELAA.
	4. For the purposes of the HELAA, 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[[1]](#footnote-1). This also includes main town centre uses as defined within Annex 2 of the NPPF.
	5. The HELAA covers the period up to 2037 to accord with the timeframe for the Chichester Local Plan Review. The main purpose of the HELAA 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. This approach ensures that all land with development potential is assessed so that the most suitable and deliverable sites and locations are identified. This will assist the local authority in maintaining an adequate supply of land to meet identified local needs, particularly for housing.
	2. The HELAA does not allocate land for housing or economic development. The HELAA provides information on the range of sites which are available to meet need. These sites will then be assessed further and where appropriate, allocated in the Local Plan Review, Site Allocations Development Plan Documents and/or Neighbourhood Plans.
	3. The inclusion of a site as ‘developable’ does not guarantee that planning permission will be granted if any specific development proposals come forward. Any proposed development must be considered against the policies in the Development Plan through the planning application process.

**Stakeholder and Community Engagement**

* 1. 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 PPG identifies a range of stakeholders who should be engaged in the production of the HELAA.
	2. 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. Information used to inform the HELAA is drawn from a wide range of sources including active engagement with stakeholders. Additional sources of information include the 2018 HELAA, Local Plan Review Preferred Approach consultation (December 2018 to February 2019) and an open invitation on the Council’s website for the submission and updating of site details.
	3. This Methodology Statement acknowledges the approach adopted by the Council in previous versions of the HELAA, but has now been updated in accordance with national policy and guidance. Where relevant, comments received from consultees and interested parties since 2018 have been incorporated.

#### Policy Context

##### **National Planning Policy Framework (NPPF)**

* 1. The NPPF confirms that “the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals”[[2]](#footnote-2)
	2. LPAs are required to develop strategic policies to provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address local housing need over the plan period, in line with the presumption in favour of sustainable development. [[3]](#footnote-3) NPPF paragraph 67 confirms that,

*“Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability”.*

* 1. The HELAA forms part of the evidence base to develop these strategic policies, and to meet the Government’s commitment to make sufficient provision within a Local Plan for housing (including affordable housing), employment, retail, leisure and other commercial development[[4]](#footnote-4). For housing, NPPF paragraph 59 states that’

*“It is important that a sufficient amount and variety of land can come forward where it is needed…, and that land with permission is developed without unnecessary delay”. For economic uses, the NPPF states that “significant weight should be placed on the need to support economic growth and productivity taking into account both local business needs and wider opportunities for development”.[[5]](#footnote-5) Planning policies should therefore “set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth”[[6]](#footnote-6).*

##### **National Planning Practice Guidance (PPG)**

* 1. In March 2014 the Government published its PPG, which expands upon and provides practical guidance to support the NPPF. This document is regularly updated. The latest guidance relevant to the HELAA was published in July 2019.
	2. The HELAA guidance states that 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. The assessment of land availability includes strategic and local housing needs and land requirements as set out in the NPPF[[7]](#footnote-7).
	3. The PPG provides inputs and processes which should lead to a robust assessment of land availability and states that plan makers should have regard to the guidance in preparing their assessments. Where they depart 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.
	4. The Council previously published a set of HELAA documents in March 2018. The latest guidance, published in July 2019, has introduced the following changes:

*General changes*

* The HELAA can inform and make use of sites in brownfield registers.
* The guidance should be read in conjunction with the guidance on making the most effective use of land. This includes considering the realistic prospect of employment and other non-residential sites being delivered when retaining or protecting land for these purposes, and planning for higher density development
* A stand-alone Housing Supply and Delivery section has been introduced, which takes some guidance on 5 Year Housing Land Supply and Housing Delivery Test matters out of the HELAA section
* The housing needs of different groups are to be considered more clearly in the policy making process

*Specific changes to methodology*

Stage 1: Identification of sites and broad locations

* The area selected for assessment. This is now the plan-making area, not the Housing Market Area or Functional Economic Market Area
* The size of sites. No prescriptive changes have been made but the new text encourages authorities to consider alternative site size thresholds. This responds to the NPPF update in July 2018 which expects a minimum proportion of suitable housing sites to be no larger than one hectare
* Additional information. Two additional criteria have been added, to assess consistency with development plan policy and proximity to services and other infrastructure such as public transport

Stage 2: Site/broad location assessment

* The guidance encourages authorities to make the most efficient use of land instead of using relevant existing development schemes to assess appropriate development potential
* The suitability assessment guidance has been updated. Rather than specific examples of constraints, the guidance at this stage now more broadly refers to policy compliance, market attractiveness and impacts on landscape, nature and heritage conservation. Specific constraints are to be first identified for consideration during the initial stage 1 site survey process

Stage 4: Assessment review

* Greater emphasis is placed on making efficient use of land, with text introduced referring to increasing densities in town centres and near public transport hubs
* In the event that an authority cannot demonstrate sufficient sites, the guidance confirms that Statements of Common Ground (SoCG) under the Duty to Cooperate should be used to rectify supply shortfall. In circumstances where needs still cannot be met, authorities will need to demonstrate the reasons why as part of the plan examination

Stage 5: Final evidence base

* A new section has been introduced to outline the standard outputs required from an assessment. In addition to a list of all sites or broad locations considered (cross-referenced to maps), the PPG requires HELAAs to include specific details, such as a list of discounted sites with reasons, and more information to provide confidence that sites are suitable, available and achievable.

##### **Local and Neighbourhood Planning Policy**

* 1. The Development Plan for the plan area comprises the Chichester Local Plan: Key Policies 2014-2029 (Chichester Local Plan), which was adopted in July 2015, together with the ‘made’ Neighbourhood Plans, and the Site Allocation Development Plan Document (DPD) adopted on 22 January 2019. Made Neighbourhood Plans are in place for the parishes of Birdham, Bosham, Chidham and Hambrook, Fishbourne, Kirdford, Lavant, Loxwood, Southbourne, Tangmere and Wisborough Green.
	2. The Chichester Local Plan was found sound by the Inspector on the basis that the Council committed to undertaking a Plan review within five years. The LPA is therefore currently preparing the Chichester Local Plan Review which will replace the Chichester Local Plan. The HELAA will inform this review.

### Methodology

* 1. The methodology used in the preparation of the 2020 HELAA is based upon the approach set out in Planning Practice Guidance. The PPG 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[[8]](#footnote-8). There are five main stages, as shown in Figure 1, as well as optional stages which cover broad locations and windfall sites. Each stage is considered in further detail at Section 4 of this Methodology Statement.

**Figure 1: PPG Land Availability Assessment Flowchart**

### Stage 1 - Site/Broad Location Identification

#### Site Assessment Area

* 1. The PPG confirms that the HELAA should be prepared for the plan-making area. This is Chichester District, excluding land that forms part of the South Downs National Park (SDNP) but including designated Neighbourhood Plan Areas.
	2. The PPG advises that the assessment needs to be undertaken and regularly reviewed, working with other local planning authorities in the relevant housing market area (HMA) and functional economic market area (FEMA) in line with the Duty to Cooperate[[9]](#footnote-9). The Local Plan Review area falls within the Chichester and Bognor HMA and FEMA. In developing this methodology, the Council has referred to the SHLAA/HELAA methodologies used by LPAs elsewhere in the HMA/FEMA.

#### Site Size

* 1. In line with standard guidance, thresholds of 5 or more dwellings or 0.25 hectares/500sqm of floorspace have been applied. Sites of less than 5 dwellings will be considered as windfall.

#### Desktop Review of Existing Information

* 1. The role of the HELAA is to ensure that local planning authorities have a robust understanding of the amount of land in their area, which has potential for housing and economic development. The NPPF and PPG[[10]](#footnote-10) recommend assessing the suitability of identified sites or broad locations for different forms of development within one study, in order to take into account the range of needs for housing, economic and other uses in a comprehensive manner.
	2. The Council has used a wide range of data sources to identify potential development sites, as referenced in Table 1 below. At this early stage in the process, it is important to, “cast the net wide” and include all options. Considerations of suitability are introduced later.

**Table 1 Sources of Data**

| **Type of Site**  | **Data Sources** |
| --- | --- |
| Existing housing and economicdevelopment allocations and site development briefs not yet with planning permission. | Chichester Local Plan: Key Policies 2014-2029Site Allocation: Preferred Approach DPDMade and draft NDPsPlanning application recordsDevelopment briefs |
| Planning applications that have been refused or withdrawn and lapsed planning permissions | Planning application records |
| Land in the local authority’s ownership.  | CDC Estates records |
| Surplus and likely to become surplus public sector land. | 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. |
| Sites with permission in principle, and identified brownfield land | Brownfield Land Register (parts 1 and 2)National Land Use DatabaseValuation Office DatabaseActive engagement with sector |
| Vacant and derelict land and buildings including empty homes, redundant anddisused agricultural buildings, potential permitted development changes e.g. offices to residential. | Local authority empty property registerEnglish House Condition SurveyNational Land Use DatabaseCommercial property databasesValuation Office databaseActive engagement with sector |
| Additional opportunities for un-established uses (e.g. under used facilities such as garage blocks) | Ordnance Survey mapsAerial photographyPlanning applicationsSite surveysRegistered Providers  |
| Business requirements andaspirations. | Enquiries received by CDC Economic DevelopmentEngagement with housing and business sectors |
| Potential sites in urban and rural locations, including sites in and adjoining villages, urban extensions and free-standing settlements | Local and Neighbourhood PlansPlanning applicationsOrdnance Survey mapsAerial photographySite surveys |
| Large scale redevelopment andredesign 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 HELAA or SHLAA processes for which continued availability has been confirmed. | Previous HELAA and SHLAA studies |
| Sites submitted directly to the Council through consultations, Call for Sites and direct enquiries | Council records |

Call for Sites

* 1. PPG confirms that a “Call for Sites” should be carried out at Stage 1 of the process. The Council held a 6-week Call for Sites, which closed on 28 September 2018. Although there has not been a formal Call for Sites since 2018, the Council has actively encouraged the submission of new sites, as well as updates to existing sites, with an open invitation on the Council’s website. Direct submissions have been considered, even where they fall outside a formal consultation period. Sites promoted or updated during the Regulation 18 consultation on the Local Plan Review, which closed on 7 February 2019, have been included.
	2. The previous HELAA had a base date of 3 August 2017. This HELAA update considers relevant sites actively promoted or known to the Council up to 31 December 2019, those previously promoted for which substantive updates were received prior to 31 March 2020 and existing sites for which continued availability has been confirmed prior to 31 July 2020 .
	3. Any site included in the 2018 HELAA has been retained in the dataset for completeness, with the assessment updated, unless notification has been received that they are no longer available.
	4. Any new site received since 31 December 2019 or substantive updates to existing sites received after 31 July 2020 will be added to the database of sites and considered in the next version of the HELAA.

Site Review

* 1. Having collated a list of sites from the sources identified above, all sites are reviewed against the criteria set out in Tables 2A, 2B and 2C, to:
		+ Remove those sites which fall outside the scope of the HELAA (Table 2A: Not Considered)
		+ Identify sites already in the planning process (Table 2B: Not Assessed)
		+ Sift out sites which, when taking into account significant designations, would not be suitable for development[[11]](#footnote-11) (Table 2C: Not Suitable)

Sites Not Considered

* 1. Sites are not considered for assessment if they fall below the size threshold or outside the Local Plan area.

**Table 2A Sites Not Considered**

| **Category**  | **Reason(s)** | **How it will be identified** |
| --- | --- | --- |
| Sites less than **5 dwellings** or **under 0.25ha (or 500m2** of floor space) foreconomic development  | Lower threshold for HELAA eligibility in accordance with the PPG. This aligns with the SHLAA/HELAA methodology used by the other authorities within the HMA and FEMA and the annual Housing Land Supply assessment undertaken by West Sussex County Council (WSCC). Sites of less than 5 dwellings will be included as part of the windfall assessment for housing. | Developer / landownerinformation.Where the capacity of the site has not been identified, a standard density of 30 dph on 80% of the site has been used in the first instance to determine eligibility for assessment for residential development. This is a ready reckoner at this stage and is adjusted where applicable as the site goes through the assessment process (i.e. to take constraints into account).For employment uses where no plot size or ratios are provided then an assumption of floorspace based on 40% of developable area has been used to determine eligibility |
| Sites within Chichester District but outside the Local Plan Area | The HELAA only assesses sites within the Chichester Local Plan Area | GIS maps |

Sites Not Assessed

* 1. The PPG allows for existing sites with planning permission and those with policy allocations to form part of the HELAA and encourages local authorities to consider if such sites could deliver additional or alternative development[[12]](#footnote-12). As such, while the HELAA records allocated sites and those with planning permission (Appendix 1B of the HELAA), it does not provide a detailed assessment as it is considered that:
* Sites with planning permission have recently been thoroughly and publicly assessed and found to be suitable, available, achievable and deliverable for the specified uses and yields
* The Chichester Local Plan area has a good record of delivery from sites with planning permission, with very few sites not commencing or not completing as expected
* The 5YHLS process records delivery on housing sites within the planning process. If the HELAA also includes such sites there would be a risk of double counting. Windfall sites are only included from year 6 onwards to avoid double counting
* Many of the existing site allocations in the Local Plan and made Neighbourhood Plans are already in the planning process, either with an endorsed masterplan, planning permission, under construction or complete
	1. Sites already in the planning process are however reviewed through Stage 2 if new information has been made available to the Council; for example, material changes to a site boundary, proposed use or yield, or information about developability.

**Table 2B Sites Not Assessed**

| **Category**  | **Reason(s)** | **How it will be identified** |
| --- | --- | --- |
| Sites with existingplanning permissionor under construction | Sites with extant planning permission or those under construction are generally considered to be suitable for development and are counted separately, including as part of the 5YHLS[[13]](#footnote-13) | Planning permission records and monitoring |
| Sites allocated in the Local Plan, Site Allocations DPD and Neighbourhood Plans, unless new information is available | Sites allocated for development within the Development Plan are generally considered to be suitable, available, achievable and either deliverable or developable for the uses and yields specified. These will therefore only be re-assessed in whole or part when new information is available that may alter the conclusions[[14]](#footnote-14). | Development plandocuments |

Sites Considered Not Suitable

* 1. As part of the desktop review, all remaining sites are assessed against the constraints identified in Table 3C. Sites significantly affected by these constraints are not taken forward. It is worth noting at this point that location and use are included as constraints. Both of these are based on adopted policies relating to the protection of existing uses: primarily employment, and proximity to the settlement boundary.
	2. As part of the initial assessment, the PPG advises recording whether or not a site complies with Development Plan policies. However, it goes on to state that,

*“When assessing sites against the adopted development plan, plan-makers will need to take account of how up to date the plan policies are and consider the relevance of identified constraints on sites / broad locations and whether such constraints may be overcome”*

* 1. The purpose of a HELAA is to provide a robust assessment of land available for development. Following the first round of desktop assessments, the Council noted that a significant number of sites were discounted due to their existing employment use or because they were not directly adjacent to an existing settlement boundary. Both constraints are based on policies from the adopted Local Plan, dated 2015.
	2. As well as questioning the relevance of existing policies as a constraint, the PPG provides clear advice in the event that the assessment indicates insufficient sites/ broad locations have been identified to meet objectively assessed needs, including the identified local housing need:

*“In the first instance, strategic policy-making authorities will need to revisit their assessment, for example to carry out a further call for sites, or changing assumptions about the development potential of particular sites to ensure these make the most efficient use of land. This may include applying a range of densities that reflect the accessibility and potential of different areas, especially for sites in town and city centres, and other locations that are well served by public transport”.*

* 1. Noting the PPG advice, the Council reviewed its methodology to determine whether or not a site should be discounted due to its existing use or location away from the settlement boundary. Considerations included:
* The age of the adopted Local Plan
* Ongoing technical work in support of the Local Plan Review
* High housing need
	1. Although the Council’s Housing and Economic Development Needs Assessment 2020 (HEDNA) has not yet been published, it indicates a significantly higher housing need than the adopted Local Plan. After the first round of HELAA site assessments, it was evident that there would be “insufficient sites/broad locations to meet (emerging figures for) objectively assessed needs”.
	2. In summary, PPG advice is clear that the HELAA methodology should:
* Consider the relevance of existing (and future) policy constraints and the ability to mitigate them
* Adopt an iterative approach to the methodology where insufficient sites have been identified during early assessments.
	1. Having regard to this advice, after the first round of assessments, it was concluded that insufficient land had been identified to meet the emerging housing need figures. As such, to the need for a site to be directly adjacent to the settlement boundary should be removed as a suitability constraint and sites for residential use at distances of up to 1km from the settlement boundaries were tested at Round 2, along with sites in existing use promoted for residential, mixed or employment uses. As predicted, this resulted in more sites being identified as “suitable”. However, it was considered that in applying an arbitrary distance, sites could be discounted even if they are only several meters beyond the specified distance. This would not necessarily be a true reflection of whether or not a site is or could be potentially sustainable and suitable for development.
	2. A third round of assessments was subsequently carried out which removed location and use as a constraint. This resulted in approximately 70 additional sites being included in the HELAA for further consideration. While this does not confirm that a site is suitable if it is in existing employment use or away from the settlement boundary, it does mean that its suitability will be assessed further to determine, in accordance with the PPG, “whether such constraints may be overcome”. The third round has resulted in a larger pool of sites which will be considered in further detail against sustainability criteria and the ability to mitigate against any negative effects.

**Table 2C Sites Not Considered Suitable**

| **Category**  | **Reason(s)** | **How it will be identified** |
| --- | --- | --- |
| **Location/Use Constraints (Round One Assessments Only)** |
| Sites not within or adjacent to a settlement with a defined settlement boundary | For reasons of sustainability[[15]](#footnote-15), only sites within or adjoining a settlement boundary[[16]](#footnote-16) will be considered further initially[[17]](#footnote-17) | GIS map |
| Existingemployment sites proposed for non-employment uses in whole or in the majority | Employment sites, particularly those in current use, will not initially be considered for other uses. The NPPF states that significant weight should be placed on the need to support economic growth[[18]](#footnote-18). | GIS mapPlanning permission recordsSite visit |
| **Environmental Constraints** |
| Sites within thefunctional flood plain(Flood Zone 3b) | The PPG advises[[19]](#footnote-19) that only water compatible development should be permitted within the functional flood plain. All residential and most economic development do not meet this requirement. | Environment Agency Flood Maps, GIS maps, Strategic Flood Risk Assessment |
| Sites including or within the immediate setting of heritage assets of the highest significance | Historical assets protected by legislation[[20]](#footnote-20). NPPF states that substantial harm to or loss of designated heritage assets, including grade I and II\* registered parks and gardens, scheduled monuments, and grade I and II\* buildings, including their settings, should be wholly exceptional[[21]](#footnote-21). | GIS maps, Historic Environment Record |
| Sites within Areas of Outstanding Natural Beauty (AONB) | NPPF states that AONBs have the highest status of protection in relation to landscape and scenic beauty[[22]](#footnote-22) and major development within the AONB should be restricted[[23]](#footnote-23). The NPPF further identifies that protection of areas or assets of particular importance can provide a strong reason to influence the overall distribution of development in the plan area[[24]](#footnote-24)As part of this HELAA assessment any site within the AONB has been discounted[[25]](#footnote-25). | GIS maps |
| Sites entirely or in the majority comprising irreplaceable habitats, including Ancient Woodland  | Irreplaceable habitat protected by legislation and the NPPF[[26]](#footnote-26). Development resulting in the loss of deterioration of irreplaceable habitats should only take place in wholly exceptional circumstances | GIS maps, Magic Mapping |
| Sites entirely or in the majority comprising Local Green Space [[27]](#footnote-27) | NPPF states that this designation will entitle local communities to rule out new development other than in very special circumstances.[[28]](#footnote-28) Policies for managing development within a Local Green Space should be consistent with those for Green Belts[[29]](#footnote-29) | GIS maps, Neighbourhood Plans |
| Sites within or immediately adjacent to sites of significant Natureconservationimportance | Sites may be excluded due to the likelihood of development having an adverse effect on national or European sites. This includes designated and potential Special Protection Areas, Special Areas of Conservation and Ramsar sites[[30]](#footnote-30), Sites of Special Scientific Interest[[31]](#footnote-31) and sites identified or required as compensatory measures for adverse effects on habitats sites[[32]](#footnote-32) | GIS maps |
| Sites identified as Core or Primary sites for Solent Waders and Brent Geese | These are sites known to have a strong functional relationship with the Chichester Harbour Special Protection Area and the species it supports. Development of such sites would fail Appropriate Assessment under the Habitat and Conservation of Species Regulations | GIS maps |

* 1. Unless specifically identified otherwise by criteria in Table 2C, where constraints only exist on part of a site, or if a site adjoins but is not located within an area subject to environmental constraint(s), such sites have not been excluded from the assessment at Stage 1. The impact of these constraints on the suitability and deliverability of the site has been considered in more detail at Stage 2.
	2. All of the sites which have been discounted at Stage 1 are shown in Appendix 2 of the HELAA (2020).

### Stage 2 - Site/Broad Location Assessment

#### Estimating the development potential of each site / broad location

* 1. Sites or part of a site which are not sieved out at Stage 1 continue through to an assessment of suitability, availability and achievability. This has been carried out through a combination of desktop assessment, site visits and contacting landowners and developers for further information.
	2. PPG identifies that,

 *“a site or broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated”[[33]](#footnote-33) More detailed considerations such as economic viability, market attractiveness and how constraints such as nature, heritage or landscape impact could be overcome are introduced at this stage[[34]](#footnote-34).”*

* 1. Indicative conclusions about development potential have been drawn for the purposes of the HELAA. However, it will be for the Local Plan Review process to identify how relevant constraints could be addressed through appropriate mitigation; including the assessment of sites through the Sustainability Appraisal and allocation of sites in the Local Plan Review and associated Development Plan Documents.

#### Suitability

* 1. PPG[[35]](#footnote-35) indicates that the suitability of sites or broad locations should be
	guided by the initial information collected at Stage 1 as well as:
* The development plan, national policy and emerging local policy;
* The appropriateness and likely market attractiveness for the type of development proposed, taking a range of needs into account;
* The contribution to regeneration priority areas; and
* Potential impacts including the effect on landscapes including landscape features, nature and heritage conservation
	1. 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 this assessment, which focusses on new sites for future delivery. However, the PPG advises that there may be a few instances where it is necessary to assess whether circumstances have changed for sites already in the planning process which would alter their suitability[[36]](#footnote-36). Where such circumstances apply, these will be considered on a site by site basis in the HELAA and through related assessments including the 5YHLS and site allocation review processes, alongside the development management process.
	2. As a minimum the following factors will be considered when determining the
	suitability of a new site.

*Location Considerations*

* 1. PPG identifies that considerations of proximity to services and facilities including public transport are important to assessments of site suitability[[37]](#footnote-37) and such considerations are reinforced through the emphasis on development being sustainable in the NPPF. PPG also identifies that compliance with policy can be taken into account; although as explained in Section 4 of this Methodology Statement, the iterative process followed in this HELAA has meant that separation from the settlement boundary, as defined by adopted policy, has not been identified as a suitability constraint at this stage.
	2. All submitted sites that have passed Stage 1 have been assessed, regardless of their location or proximity to services or facilities. This includes previously developed land (as defined in the NPPF) and other sites that fall outside this definition but have potential for redevelopment. This is to ensure the HELAA includes the widest potential range of sites and provides the most options for testing. A separate Sustainability Appraisal will be undertaken as part of the further evidence work prior to formation of a development strategy.
	3. In previous HELAA, it is noted that sites which have the potential to result in coalescence between two separate settlements, are discounted at Stage 2. However, as with other locational constraints, it may be possible to mitigate the impacts for example, with robust buffers to help maintain settlement identity. A Landscape Assessment Study will form part of the additional work that will inform the Local Plan Review, which will identify in more detail the particular constraints, and will advise on suitable mitigation and land requirements if a site is to be progressed for consideration as a draft policy allocation.

*Built, Historic and Natural Environment Considerations*

* 1. 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 and the potential for suitable mitigation. It is therefore an important part of determining suitability.
	2. Significant environmental constraints have been identified at Stage 1 and sites discounted where constraints cannot be overcome. At stage 2, the following environmental constraints have been carefully considered to provisionally and theoretically test the extent and nature of any impact on the principle of development, potential uses and/or estimated yields.
* Setting of the Chichester Harbour Area of Outstanding Natural Beauty
* Setting of the South Downs National Park
* Designated heritage assets, non-designated heritage assets and their settings, including above and below ground assets
* Impact on landscape and townscape character
* Physical limitations such as topography, ground conditions, flood risk, hazards, noise or pollution constraints, potentially contaminated land
* Local Nature Reserves
* Sites of Nature Conservation Importance
* Local Wildlife Sites
* Land used by Solent Waders and Brent Geese
* Protected species records
* Local landscape designations, landscape features and key views
* Environmental/amenity and related health impacts
* Local Green Space
* Designated open space
* Tree Preservation Orders
* Ancient Woodland
* Loss of historic hedgerows
	1. Environmental constraints have been 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.
	2. Sites significantly affected by these constraints have been considered as not suitable, while sites partly affected have been considered to be potentially suitable subject to detailed consideration of the key constraint(s). Net developable areas and estimated yields may have been reduced to take into account potential mitigation options.

*Flood Risk*

* 1. The NPPF confirms that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas of highest risk (whether existing or future)[[38]](#footnote-38). The NPPF, supported by the PPG on Flooding and Climate Change, further identifies that flooding from all sources should be considered, and cumulative impacts taken into account. A sequential, risk based approach should be taken to the location of development, taking into account the current and future impacts of climate change[[39]](#footnote-39). This includes thinking strategically about managing risk in the short and longer term, including the risks to existing development, and risks over the lifetime of proposed development[[40]](#footnote-40).
	2. The sequential approach advocated by the NPPF and supported by the PPG steers new development to areas with lowest risk of flooding. In practice, this means that development should take place within Flood Zone 1 locations, or, where parts of a site are affected by flood risk, development should be prioritised in those parts at lesser risk. Residential development is generally categorised as “more vulnerable” and has a lifespan of 100 years. It is not permitted in Flood Zone 3 and permitted only subject to particular tests and exceptions within Flood Zone 2. Economic uses are predominantly within the category of “less vulnerable” therefore can be accommodated within areas of medium risk (such as in Flood Zone 2) subject to various requirements[[41]](#footnote-41).
	3. The 2018 HELAA addressed existing flood risk. The 2020 HELAA uses updated flood risk information, policy and guidance and considers how future flood risk may affect sites within the lifetime of the development.
	4. The climate change flood risk data from the 2018 Strategic Flood Risk Assessment (SFRA) has been used to identify areas at risk of fluvial and tidal flooding up to the years 2070 and 2115. These mapped areas identify land which is predicted to be at risk from flooding as a result of climate change (equivalent to existing Flood Zone 3) by the dates specified. Cumulative impacts of flood risk are also material; this will be considered in more detail in the SFRA process.
	5. The HELAA takes the following approach for sites affected by flood risk:
* All sites in Flood Zone 3b are discounted at Stage 1
* Residential or residential-led sites wholly or largely within existing flood zone 3(a) or the climate change flood risk area (for 2070 or 2115) are discounted as unsuitable at Stage 2
* All sites partly affected by existing flood zones 2 or 3, or climate change flood risk, or sites for which access could be restricted due to current or future flood risk are considered potentially suitable in flood risk terms. Estimated developable areas, uses and yields have been reviewed in response to this information, to limit vulnerable development taking place in principle within the parts of the site identified to be at risk of flooding. A process of sequential testing, SFRA and detailed consideration of minimising risk would be necessary before any site is taken further.
* Sites known to be affected by or at particular risk from other sources of flooding, such as groundwater or surface water are considered as potentially suitable on flood risk grounds unless specifically known otherwise. Such sites would be subject to SFRA, detailed consideration of risk and an appropriate management strategy
	1. Existing and future flood risk will be considered in more detail through updates and further work on the Strategic Flood Risk Assessment (SFRA) and sequential and exception testing to advise the draft development strategy, as well as detailed risk assessments for provisionally allocated sites.

*Ecology*

* 1. Sites designated as Core or Primary Sites for Solent Waders and Brent Geese are discounted at Stage 1. Sites which are designated as Candidate, Secondary or Low Use are potentially suitable, subject to appropriate mitigation.

*Access*

* 1. Constraints relating to access, with no clear and viable means of mitigation, would result in a site being discounted at Stage 2. Access constraints could include physical barriers such as roads or railways if there is unlikely to be an opportunity in principle to form a safe crossing point and associated footways. In addition, if it has not been demonstrated that there is a safe and available access onto the site, it will be discounted at Stage 2.
	2. Access will be assessed through the use of GIS, site visits and information available to the Council on related matters. Sites have been discounted if there is no clear opportunity for the relevant constraint to be overcome, for example, for safe access to be gained for vehicles and pedestrians.

*Utilities and other constraints*

* 1. The following matters are considered and noted at the desktop assessment stage, some of which may preclude development depending on the extent to which it affects the site. Others may limit the net developable area or the uses which may be suitable:
* High pressure gas pipes
* Goodwood Flight Paths
* Oil pipelines, national grid transmission lines
* High voltage power lines
* Major hazard sites
* Close proximity to uses that would likely cause nuisance

*Previously developed land*

* 1. The NPPF emphasises effective use of land, including making “as much use as possible of previously-developed or ‘brownfield’ land”[[42]](#footnote-42) in a development strategy. Paragraph 118 of the NPPF invites policy and decision makers to give “substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs”.
	2. Brownfield/previously developed land is defined in the NPPF glossary as “land which is or was occupied by a permanent structure, including the curtilage of developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure”. The NPPF glossary confirms that PDL excludes:
* Land that is or was last occupied by agricultural or forestry buildings
* Land that has been developed for minerals extraction or waste disposal by landfill, where provision has been made for restoration
* Land in built-up areas such as residential gardens, parks, recreation grounds, allotments
* Land previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape
	1. Horticultural development sites including plant nurseries fall under the definition of agriculture and are therefore not PDL under this definition; however residential premises including their curtilages in rural areas are considered to be previously developed[[43]](#footnote-43).
	2. NPPF paragraph 188 refers particularly to support for brownfield land within settlements. The status of each site considered at Stage 2 is identified in the detailed assessments (Appendix 4). Each site is classified for HELAA purposes as either PDL, part PDL or not PDL. These conclusions are not a definitive assessment of the status of a site, but a guide to enable consideration of the proportion and location of such sites within the Plan Area and the contribution they can make to meeting development needs.
	3. It is recognised that sites that have been previously developed or currently in an alternative use, can make a contribution to meeting development needs. As set out in Section 4 of this Methodology Statement, sites have not been discounted simply because they are in existing employment use. This is to ensure that a thorough assessment of the site’s suitability for existing, alternative or intensified uses is carried out.
	4. The windfall allowance takes into account development on previously developed land.

*Sites Promoted for Economic Development*

* 1. In addition to the suitability criteria identified above, 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. This becomes more critical for larger sites and further supports the prioritisation of sites within or adjacent to established settlements.
* 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.

*Policy Considerations*

* 1. When completing assessments, account can 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. Consideration can be given to emerging policy in accordance with the NPPF[[44]](#footnote-44). However, it is also important that in an area with significant development needs and environmental constraints, the HELAA is a forward thinking long term assessment of potential that is not overly curtailed by current policy or strategy considerations, especially in the context of a Local Plan Review process.
	2. The purpose of the HELAA is to identify potential sites for future housing and employment purposes. In the first round of HELAA assessment, all sites in existing use or with existing employment allocations were discounted at stage 2. This included specialist employment provision such as horticultural development[[45]](#footnote-45). This approach aligned with adopted policies which seek to protect and encourage the continued economic use of employment land and support employment development.
	3. However, as set out in Section 4 of this Methodology Statement, on reviewing this approach, it became apparent that sites were being prematurely discounted without full consideration of the relevance of the policy and the potential for existing employment sites to be redeveloped or intensified for a range of uses. Therefore in Round 2, sites which are in active use and with existing employment policy designations have been subject to full assessment at stage 2.
	4. The protection of open space is vital for ensuring healthy communities.
	The NPPF identifies that existing open space, sport and recreational buildings and land, including 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 loss[[46]](#footnote-46). Local Green Space (LGS) designations are areas of special protection which rule out new development other in very special circumstances[[47]](#footnote-47). This high level of protection means that sites with a LGS designation have been discounted at Stage 1. Other sites which are identified as open space, sports or recreational land, including playing fields, and associated buildings, make an important contribution to the health and well-being of communities[[48]](#footnote-48). Where the development of sites would or would likely result in the loss of or significantly compromise the use of such facilities, without clear alternative provision, these sites are considered as unsuitable. Larger sites which include such areas but where there is scope to accommodate the designated space along with development on the remaining land may be considered potentially suitable.

#### Availability

* 1. The assessment of suitability is one element of the assessment for HELAA. In addition, sites need to be assessed to determine whether they are ‘available’ for development, then whether they are ‘achievable’. The latter two stages are essentially about viability and whether a site provides a realistic option for delivery.
	2. The advice provided by PPG has been followed[[49]](#footnote-49) to determine availability. Key considerations are:
* Ownership constraints
* Land use constrains
* Access constraints
* Legal constraints such as covenants on land
* Planning applications
	1. A site is considered available for development, when, on the best information available, there is confidence that there are no legal or ownership problems, such as 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 can be instances where this is not the case.
	2. Where potential difficulties are identified, an assessment is made as to how and when such issues can realistically be overcome. The likelihood of resolving availability issues, 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, are taken into account.
	3. Each site has been classified as ‘available’, ‘potentially available’ or ‘availability unknown’.

#### Achievability

* 1. The Council has only undertaken achievability and deliverability assessments on sites which are deemed to be ‘suitable’ and ‘available’.
	2. A site is considered achievable for development where there is a reasonable prospect that the particular type of development for which it has been promoted, will come forward at a particular point in time[[50]](#footnote-50).
	3. It is considered impractical to undertake detailed viability assessments of all sites and broad locations. A more general assessment approach has therefore been undertaken, considering the general marketability of the site, potential abnormal development costs, and any land ownership issues which may constrain deliverability. The following factors have been considered to determine achievability:

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

* Effect adjacent land uses may have on the site and potential uses;
* Potential marketability of the site.

Costs

* 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

* 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?
	1. Each site has been classified as ‘achievable’, ‘unachievable’, or ‘achievability unknown’.

#### Deliverability and Developability

* 1. The conclusions on the suitability, availability and achievability of sites and broad locations have been used to inform a judgement as to whether a site can be considered deliverable and developable over the plan period.
	2. Using the NPPF definition, to be considered deliverable, sites need to be available now and offer a suitable location for development. To be considered achievable, there needs to be a realistic and viable prospect of development within the first five years.[[51]](#footnote-51) This includes all non-major sites, sites with detailed planning permission unless there are longer term phasing plans, and allocated sites if there is clear evidence that housing completions will begin on site within five years.
	3. To be considered developable under the NPPF, sites should be in a location suitable for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged[[52]](#footnote-52). This applies to sites that are estimated to deliver development in years 6+. This assessment takes into account the factors below in terms of overcoming constraints, and calculating the development yield, which are both material to the deliverability and developability of land.
	4. In this HELAA, suitability matters have been assessed in a “policy off” approach in order to consider all potential options for future development. This is fair in light of the current policy position, local housing and economic needs, and stage of preparation of the Local Plan Review. Consequently, the categorisations of “deliverable” and “developable” in this study do not take into account current local policy constraints. This therefore does not pre-judge how the development strategy may change to respond to current and future needs and related evidence studies. Instead, conclusions on deliverability and developability for the purposes of the HELAA relate only to considerations of land availability, viability and site size on a site by site basis.

*Overcoming constraints*

* 1. The PPG identifies that an important consideration of deliverability and developability of a site, and related yields, is how and when constraints can be overcome. Where constraints have been identified, the assessment considers what action is needed to address them, the likelihood of this being achievable and when. 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. Following on from the “policy-off” position on suitability, deliverability and developability identified above, this HELAA does not take into account strategic matters including infrastructure capacity or current development plan policy. The section on constraints to be overcome therefore covers only environmental constraints, and availability and achievability considerations relevant on an individual site by site basis. Subsequent studies will investigate strategic and cumulative impacts and policy considerations.

#### Calculating the development yield

* 1. As an overarching principle, sites should aim to make the best use of land. The latest HELAA guidance again stresses this, in line with the NPPF[[53]](#footnote-53). It is however important to note that the HELAA provides a broad brush estimate of development yields based on a series of assumptions using current information. The final yield of a site will be considered in more detail if the site progresses towards being a potential site allocation or through the planning application process.
	2. The estimated yields have been informed by the provisional net developable area on each site. Using net developable areas rather than gross enables the HELAA to make a more realistic assumption of potential yields. The net area would exclude any parts of the site that are known to be undevelopable, for example due to constraints that cannot or would unlikely be mitigated (i.e. an area of protected woodland, a main watercourse, flood risk area, high pressure gas pipe easement, known infrastructure) or to take into account a buffer to mitigate or avoid impacts such as the setting of a heritage asset or impacts of development on a sensitive landscape or landscape feature. Net areas also allow estimates to be calculated differently for employment and residential uses on mixed use sites, in a manner appropriate to the potential uses.
	3. In the first instance, the study uses the information on yields provided by site promoters. For some sites, amendments have been made to take into account constraints if the LPA has access to additional information (i.e. updated flood risk mapping), or if the promoter’s estimates have appeared to be unrealistic given the site characteristics.
	4. Where the promoter has not provided information, where constraints materially affect the yield of a site, or as a means to test the reasonableness of a promoter’s estimated, then a ready reckoner calculation has been used. This is 30 dwellings per hectare (dph) on 80% of the net developable area for residential development, and 40% net developable area for employment floorspace. These percentages broadly take account of requirements for access, landscaping, drainage etc. alongside the built form expected for typical sites with limited constraints. Larger sites are expected to have greater land requirements for supporting infrastructure than smaller sites (i.e. on-site sport or community facilities); however this could be offset by increasing densities or taking a strategic approach to the provision of supporting facilities if these sites are progressed for further detailed consideration as part of the Local Plan Review process. For the purposes of the HELAA, which is intended to give a broad overview of available land with potential for development in principle only, a consistent and straightforward approach to density is appropriate.
	5. The source of the yield estimate and any reasons why a different estimate is used has been set out in the appendices to the study on a site by site basis.
	6. The potential yield of sites with existing development allocations will be separately reviewed as part of the Local Plan Review process in line with government advice to make efficient use of land.[[54]](#footnote-54)

#### Assessing timescales and rate of development

* 1. Where sites are considered to be suitable, available and achievable, the likely timescale and rate of development for each site is considered. This identifies the deliverability and developability of the sites.[[55]](#footnote-55) Promoter information on timescales and rates of development is used in the first instance. This is then tested for reasonableness using the categories below. The Council’s estimate is also used if there is no estimate submitted by the site promoter.
	2. For residential development, the following basic assumptions are used as a starting point, with some flexibility then applied taking into account local or site circumstances if these suggest an alternative programme would be more realistic. Build out rates in the Plan area over a full year of completions typically range from around 20-50dpa for small to medium-sized sites, with rates increasing up to around 80-100dpa on significant strategic sites with multiple developers. This information is taken into account in the estimated trajectories:
* Sites of up to 50 dwellings are expected to be delivered in full within the first 5 years (phase 1)[[56]](#footnote-56) This takes into account an allowance for securing planning permission and preparatory site works before uses can commence.
* Sites of 50-150 dwellings are expected to start delivering completions within the first 5 years, completing in years 6-10[[57]](#footnote-57)
* Sites of 151 – 300 dwellings are expected to primarily deliver development within years 6-10[[58]](#footnote-58)
* Smaller strategic sites with fewer constraints are expected to commence and deliver the majority of development within years 6-10[[59]](#footnote-59)
* Larger strategic or more complex sites are expected to commence in the mid phase (6-10) and deliver the majority of development within years 11+[[60]](#footnote-60)
	1. Predicted delivery rates for residential sites with planning permission are kept under review through the Five Year Housing Land Supply assessment. This data has informed the HELAA estimates but it remains a separate piece of work.
	2. For employment development and unless otherwise identified, smaller sites (under 5,000 sqm) are considered likely to be delivered in the first five years, with larger sites and those with additional infrastructure requirements are estimated to be developable during years 6-10, 11-15 or in case of significant sites, some development is expected in years 16+.
	3. The employment element of residential-led mixed use sites has been estimated to accord with the delivery programme of the residential elements. Sites within key employment areas are estimated to deliver within the first five years.
	4. The conclusions on delivery are provisional at this stage in the HELAA process, with a further assessment taking place at Stage 4 as part of the analysis to identify indicative trajectories and the accompanying risk assessment. This aspect of the HELAA will then be continuously updated throughout the Local Plan Review process, with further advice being sought from developers of any sites taken forward on likely timetables, progress made, and strategies for dealing with any further constraints which may arise.

### Stage 3 - Windfall Assessment (where justified)

6.1 Para 70 of the NPPF advises that a windfall allowance may be justified as part of anticipated housing 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. Paragraph 68 (c) supports the development of windfall sites through policies and decision-making.

6.2 In the Chichester Local Plan area a significant level of housing development has historically come forward on small sites of under 5 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 5 dwellings.

* 1. It is not considered justifiable to include a windfall allowance for larger housing sites since developable sites of 5 or more dwellings should be identified in the HELAA (or in future updates) which could lead to 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.
	2. The annual windfall allowance has been determined by applying a trend-based approach based on an analysis of completions over a period of 10 years. Completions comprise developments of 1-4 net additional homes. The PPG advises that windfall allowances can be included from Y6 onwards. This is in part to avoid double counting against existing unimplemented planning permissions.
	3. The 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.

### Stage 4 - Assessment Review

* 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.
	2. Following the assessment of all sites, an indicative housing trajectory has been produced setting out how much housing and economic development can be provided across the plan area and at what point in the future it could be delivered. This is presented on a site by site basis then collated firstly per parish then for the plan area as a whole.
	3. An overall risk assessment has been carried out to assess whether sites will come forward as anticipated[[61]](#footnote-61). The risk assessment takes into account factors that may affect the suitability, availability, achievability, deliverability and developability of sites, and considers the robustness of the study and supply of land in this context. Relevant factors for the Local Plan area include:

**Table 3 Risk Assessment**

| **Risks** | **Potential impacts** | **Risk management** |
| --- | --- | --- |
| Infrastructure capacityi.e. wastewater, highways | TimetableViabilityReduced yields | Updating specialist studiesRegularly engaging with statutory consulteesInvestigating multiple options for revised development strategy and appropriate mitigation |
| Environmental impacts, i.e. nitrogen loading, flood risk, ecology, sustainability, unknown contamination | TimetableViabilityAdditional sites may be ruled out as more data is published by consultees | Updating specialist studiesRegularly engaging with statutory consulteesInvestigating multiple options for revised development strategy and appropriate mitigation |
| Piecemeal development, particularly of larger/ strategic sites in advance of Development Plan | Overall yieldsMix of usesDelivery of necessary infrastructure | Clear policy steerWorking directly with strategic site promotersConsider incentives for strategic level development |
| Changing government policy | Land requirementsTimetableChange of focus part way through plan preparation or post-adoptionIncreased PD rights potentially conflicting with DP policy | Early awareness of potential changeFlexibilityFull policy-off approach to HELAA to identify all potential optionsRegular review of application of policy |
| Economic shifts | Fluctuating markets Focus on higher value (monetary) development Reduced capacity for investment | Early awareness of potential changeFlexibility to adaptRange of optionsFull policy-off approach to HELAA to identify all potential options |
| Delays to adoption of Development Plan documents | Reduce effectiveness of plan-led systemMore centralised decision-making | Up to date evidence baseClear messages to promoters and stakeholdersWorking with Neighbourhood Plan groups |
| Promoted sites not coming forward for development, or not to the estimated timetable | Impact on yields and trajectories | Sufficient sites identified to accommodate a realistic level of risk management |
| Additional sites for housing or employment uses i.e. windfall or sites where constraints have been overcome | Impacts on yields and trajectories. Likely to be positive in many respectsFocus on housing delivery may compromise available land for employment usesChanges introduced through permitted development route  | Review HELAA regularly. Monitor additional sites, effects on supply and any impacts on delivery of existing known sitesClear policy position on loss of employment land/sitesWork with stakeholders to allow a buffer for infrastructure provision and additional /bespoke mitigation optionsBe mindful of cumulative effects of smaller sites if this may undermine the delivery of alternative strategic development with associated infrastructure |
| Sites deliver lower yields than anticipated in the HELAA due to site specific development management considerations | Impacts on yields, reducing options for growth | Encourage efficient use of land at all stages of the planning processInclude a wide range of sites in the HELAA including a large capacity buffer |

* 1. A number of measures are taken to address the risks identified above:
* Include more land than is required to meet the predicted needs of the plan area
* Include a wide variety of sites in different areas
* Include sites of varying sizes
* Provide estimates of delivery spread across the full plan period
* Consider alternative uses for sites in existing use.

7.5 This approach allows for flexibility and the opportunity to adapt to any identified risks and reduce the risk of failing to meet the plan targets. Regular monitoring will assist in managing risks proactively.

7.6 The overall numbers and associated indicative trajectory has been used to determine whether sufficient sites have been identified to meet the local housing and employment need identified in the Housing and Economic Development Needs Assessment (HEDNA). This includes a sufficient supply of ‘deliverable’ sites that could contribute to the Five Year Housing Land Supply provision, and whether this can be maintained on a rolling basis, and sufficient ‘developable’ sites for years 6 to 10 and 11 and beyond[[62]](#footnote-62).

* 1. The HEDNA has also been used to identify economic development needs, and has been used to test whether sufficient land is available, suitable and developable. A separate Retail Study addresses retail needs specifically.

### Stage 5 - Final Evidence Base

 **Data Outputs**

* 1. The HELAA contains the following information:
* Parish maps showing the location of sites deemed potentially suitable, available and achievable, sites rejected, and sites already in the planning process (Appendix 6)
* A list, in parish order, of all sites considered but discounted, with reasons (Appendices 1 and 2);
* A detailed assessment, in parish order, of those sites considered realistic for development in terms of suitability, availability and achievability, including the types and quantities of development that may be delivered on each site, and an estimate of build out rates (Appendix 3)
* An indicative trajectory of anticipated development on a parish by parish basis and for the plan area as a whole, including windfall sites, and consideration of associated risks (Appendix 4).
* A comparative document identifying and explaining changes from the 2018 HELAA (Appendix 5)
* A report detailing the findings of the assessment
* This Methodology Statement.

**Monitoring and Review**

* 1. The Council has continued to accept new sites for the HELAA throughout the assessment process and will continue to do so. Any new sites received after 31 December 2019 or updates to existing sites received after 31 July 2020 will be taken into account in the next review. The receipt of new sites and updated information will be regularly monitored in order to inform the next HELAA update.

**Use of the HELAA**

* 1. The HELAA is an important component of the evidence base for the Local Plan Review. It will be used alongside a suite of relevant technical reports and analysis, to inform the revised development strategy for the plan area and subsequently, to inform the site selection process and formation of policy criteria. The documents can also be used as a starting point to identify available land for inclusion in Neighbourhood Plans[[63]](#footnote-63).

### Glossary

| **Term**  | **Acronym**  | **Description** |
| --- | --- | --- |
| Ancient Woodland  |  | An area that has been wooded continuously since at least 1600AD. |
| Areas of OutstandingNatural 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. |
| Brownfield  |  | See previously developed land. |
| CommunityInfrastructure 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: 1. sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).
2. where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.
 |
| 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 apercentage 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. |
| Economicdevelopment |  | Development, including those within the previous B/current E Use Classes, public and community uses and main towncentre uses (but excluding housing development). |
| 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 functionalfloodplain) |  | This zone comprises land where water has to flow orbe stored in times of flood. |
| GoodwoodAerodromeSafeguarding |  | 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) 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 andEconomic LandAvailabilityAssessment | 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. |
| MineralsSafeguarding 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 PlanningPolicy Framework | NPPF  | A document setting out the Government’s planning policies for England and how these are expected to be applied. |
| National PlanningPractice Guidance | PPG  | PPG is a web based resource which contains guidance to supplement the NPPF. It was first published March 2014, and is regularly updated. |
| Previously DevelopedLand (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 fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as 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. |
| Priority habitats andspecies |  | 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 accessalong the route. |
| Ramsar Site |  | Wetlands of international importance, designated under the 1971 Ramsar Convention. |
| Scheduled AncientMonument | 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 settlements. |
| Site of NatureConservationImportance | 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. |
| Site of SpecialScientific 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 DownsNational 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'sinterest to safeguard them. Together with AONBs they are afforded 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 ofConservation | SAC  | Areas defined by regulation 3 of the Conservation of Habitats and Species Regulations 2017 which have been given special protection as important conservation sites. |
| Special ProtectionArea | SPA  | Areas classified under regulation 15 of the Conservation of Habitats and Species Regulations 2017 which have been identified as being of international importance for the breeding, feeding, wintering or the migration of rare and vulnerable species of birds. |
| Strategic HousingLand AvailabilityAssessment | 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. |
| TravellingShowpeople |  | 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 oftrading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above. |
| Tree PreservationOrder | 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 cannot usually 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. |

1. B class uses or equivalent categorisation under The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 which came into effect on 1 September 2020 and includes a transitional period. [↑](#footnote-ref-1)
2. NPPF paragraph 31 [↑](#footnote-ref-2)
3. NPPF paragraph 23 [↑](#footnote-ref-3)
4. NPPF paragraph 20 [↑](#footnote-ref-4)
5. NPPF paragraph 80 [↑](#footnote-ref-5)
6. NPPF paragraph 81 [↑](#footnote-ref-6)
7. NPPF paras 23, 60 and 67 [↑](#footnote-ref-7)
8. PPG ID: 3-004-20190722 [↑](#footnote-ref-8)
9. PPG ID: 3-007-20190722 [↑](#footnote-ref-9)
10. PPG ID: 3-018-20190722 [↑](#footnote-ref-10)
11. PPG ID: 3-04-20190722 [↑](#footnote-ref-11)
12. PPG ID: 3-010-20190722, 3-014-20190722, 3-015-20190722, 3-018-20190722 [↑](#footnote-ref-12)
13. See Para 4.8 and 4.9 [↑](#footnote-ref-13)
14. See Para 4.8 and 4.9 [↑](#footnote-ref-14)
15. This takes into account a variety of elements of sustainability including reliance on private vehicles, access to facilities and services, community cohesion and recognising the value and varied functions of rural areas [↑](#footnote-ref-15)
16. This includes Settlement Boundaries as existing as identified in the Local Plan, Site Allocation DPD or made Neighbourhood Plans, and takes into account proposed settlement boundary alterations as shown in the background document “Settlement Boundary Review” and emerging Neighbourhood Plans [↑](#footnote-ref-16)
17. Unless there are specific mitigating circumstances to warrant stage 2 assessment, such as sites forming part of a promoted strategic site opportunity or specialist development option [↑](#footnote-ref-17)
18. NPPF paragraph 80 [↑](#footnote-ref-18)
19. <https://www.gov.uk/guidance/flood-risk-and-coastal-change#planning-and-flood-risk> [↑](#footnote-ref-19)
20. Stage 1 exclusion also in accordance with specific advice from Historic England [↑](#footnote-ref-20)
21. NPPF paragraph 194b [↑](#footnote-ref-21)
22. NPPF paragraph 172 [↑](#footnote-ref-22)
23. The NPPF identifies that Major development in this context is a matter of judgement on a site by site basis. The information for such an assessment is beyond the scope of this HELAA [↑](#footnote-ref-23)
24. NPPF paragraph 11 (b) (i) [↑](#footnote-ref-24)
25. Unless insufficient sites are found after the first round of testing. In those circumstances, para 4.12 would apply [↑](#footnote-ref-25)
26. NPPF paragraph 175c. Stage 1 exclusion is also in accordance with specific advice from Natural England [↑](#footnote-ref-26)
27. As specifically designated and identified clearly in a made Neighbourhood Plan. [↑](#footnote-ref-27)
28. NPPG paragraphs 99-101 [↑](#footnote-ref-28)
29. NPPF Para 101 [↑](#footnote-ref-29)
30. NPPG para 171, 174, 175, 176 [↑](#footnote-ref-30)
31. NPPF para 175 [↑](#footnote-ref-31)
32. NPPF para 176 [↑](#footnote-ref-32)
33. PPG ID: 3-018-20190722 [↑](#footnote-ref-33)
34. PPG ID: 3-017-20190722 [↑](#footnote-ref-34)
35. PPG ID: 3-018-20190722 [↑](#footnote-ref-35)
36. PPG ID: 3-018-20190722 [↑](#footnote-ref-36)
37. PPG ID: 3-015-20190722, NPPF paragraphs 78, 91, sections 9 and 11 [↑](#footnote-ref-37)
38. NPPG paragraph 155 [↑](#footnote-ref-38)
39. NPPF paragraph 157 [↑](#footnote-ref-39)
40. PPG ID: 7-026-20140306 [↑](#footnote-ref-40)
41. PPG ID: 7-067-20140306 [↑](#footnote-ref-41)
42. NPPF paragraph 117, caveated by footnote 44 which exempts developments that would conflict with other policies in the Framework [↑](#footnote-ref-42)
43. Dartford Borough Council v Secretary of State for Communities & Local Government & Ors [2017] EWCA Civ 141 <http://www.bailii.org/ew/cases/EWCA/Civ/2017/141.html> [↑](#footnote-ref-43)
44. NPPF paragraph 48 [↑](#footnote-ref-44)
45. The HEDNA provides more detailed analysis and recommendations on employment land and need requirements and will be used alongside the HELAA in the formulation of emerging Local Plan policy [↑](#footnote-ref-45)
46. In accordance with paragraph 97 of the NPPF [↑](#footnote-ref-46)
47. In accordance with paragraphs 100-101 of the NPPF [↑](#footnote-ref-47)
48. NPPF paras 96-7 [↑](#footnote-ref-48)
49. PPG ID: 3-019-20190722 [↑](#footnote-ref-49)
50. PPG ID: 3-020-20190722 [↑](#footnote-ref-50)
51. NPPF glossary “deliverable” [↑](#footnote-ref-51)
52. NPPF glossary “developable” [↑](#footnote-ref-52)
53. PPG ID: 3-016-20190722 and NPPF section 11 [↑](#footnote-ref-53)
54. NPPF section 11 [↑](#footnote-ref-54)
55. NPPF glossary [↑](#footnote-ref-55)
56. “Deliverable” sites (NPPF Glossary, 2019) [↑](#footnote-ref-56)
57. Ibid [↑](#footnote-ref-57)
58. “Developable” sites (NPPF Glossary, 2019) [↑](#footnote-ref-58)
59. “Ibid [↑](#footnote-ref-59)
60. Ibid [↑](#footnote-ref-60)
61. PPG paragraph: 3-024-20190722 [↑](#footnote-ref-61)
62. PPG ID: 3-024-20190722 [↑](#footnote-ref-62)
63. PPG ID: 3-003-20190722 [↑](#footnote-ref-63)