Strategic Housing Land Availability Assessment

Waverley Borough Council’s response to comments made on the draft methodology

April 1st 2010
Introduction

The Council sent a copy of the draft methodology to 40 agents/developers/landowners and the Home Builders Federation in July 2010 and the CPRE Surrey in September 2010 giving them 3 weeks to comment on it.

The Council received 11 written replies.

Summary of comments and Council Response

Summary of comment
Sites adjacent to and outside settlements were included in the last SHLAA. The update to the SHLAA needs to take a flexible approach to the SHLAA and include sites both within and outside settlement boundaries as well as considering potential supply from the smaller settlements. The SHLAA Practice Guidance (para. 21) advises that the SHLAA should not be constrained overly by existing policies set out in an outdated local plan and therefore should consider many different sites. The starting point of the SHLAA should be how is Waverley going to reach their housing target and sites from further afield should be considered if the performance against the trajectory is floundering. Furthermore to meet housing need or to respond to localism and community expectations sites at the edge or beyond settlement boundaries will be required. That may involve the review of settlement boundaries. The implementation, deliverability and sale of greenfield sites is often easier and therefore offer the Council to benefit from the financial incentives that will be available.

(Bovis Homes)
(Bruton Knowles)
(Crest Nicholson)
(Crownhall Estates Ltd)
(Home Builders Federation)
(Bellway Housing Trust)
(Sentinel Housing Association)
(First Wessex Housing Group)

Council’s Response
The Council’s SHLAA is part of its evidence base for its Local Development Framework. It seeks to identify available sites that have potential for housing development.

The first SHLAA undertaken by Baker Associates was based on the CLG Practice Guidance. The first stage of assessment included sites within the main settlements of Cranleigh, Farnham, Godalming and Haslemere and the rural settlements defined under Policy RD1 of the adopted Local Plan 2002. The second stage assessed sites adjacent to the main settlements and the five largest rural settlements. This stage also looked at four specific rural brownfield sites.
The Council consider that the update of the SHLAA should only assess sites within the main settlements, the RD1 settlements and selected rural brownfield sites. This is because:

- The SHLAA provides evidence about available sites that have the potential to deliver housing to support the preparation of the Council’s Local Development Framework.
- Planning Policy Statement 3 Housing advises that the initial focus for delivering housing to meet its housing requirement should be on sustainably located sites. PPS3 has a target of 60% of housing development on previously developed land.
- The Council’s proposed strategy is to focus on development within settlements and other suitable previously developed land minimising the need to consider greenfield releases. The main settlements and the RD1 settlements are considered the most sustainably located.
- The first Waverley SHLAA identified a potential for 921 dwellings within settlements. Of these, some 405 dwellings have got planning permission as of 1st April 2010 leaving a potential for 516 dwellings from potential sites within settlements identified in the SHLAA. Therefore, the update to the SHLAA will establish if there are any other potential sites within settlements.
- Phase 2 of the first SHLAA provides evidence on broad locations where land outside settlements is available and has potential for housing. This is still evidence.

Recommendation
No change to the SHLAA methodology.

Summary of Comment
The Government’s “one size fits all” approach is unlikely to work in all Council areas. Are they going to review the South East Plan’s figures?

Council’s Response
The Government’s intention to abolish the South East Plan and its housing targets has given the Council the opportunity to review the figure set out in that Plan. An appropriate target will be agreed through the preparation of the Council’s Core Strategy, as the primary Development Plan Document of its Local Development Framework. The SHLAA is not the vehicle for deciding the Borough’s housing target nor will it decide where the housing should be located to meet the target.

Recommendation
No change to the SHLAA methodology.
Summary of Comment
Para 2.14 of the draft SHLAA methodology makes reference to curtilages to houses being previously developed land (PDL). However, the revised version of PPS3 precludes gardens from the definition of previously developed land. What definition of previously developed land is the SHLAA therefore going to use and should the SHLAA look at the development of garden land? Many developments in Waverley have been for the conversion of houses into flats. With the changes to government guidance how will this affect the potential yield from this source in the SHLAA.
(Crownhall Estates Ltd)
(Accent Peerless)
(Sentinel Housing Association)

Council's Response
PPS3: Housing removed garden land from the definition of previously developed land. In addition the minimum density of 30 dwellings per hectare was removed. The main effect of these changes are that there is no pressure for the Council to permit the use garden land for housing to meet the target of 60% of housing development being on previously developed land. Furthermore there is less pressure for Council to refuse densities of development below 30 dwellings per ha. However, the changes will not affect the approach of the SHLAA. The changes to PPS3 do not mean that the Council cannot approve developments that take up garden land or are at higher densities than its surroundings. However, it is important that it should consider the impact and density of this type of development on the character and amenity of the area. These issues were taken into account as part of the first SHLAA and when the Council assesses the potential of available sites in the update of the SHLAA these issues continue to be fully considered. However, the SHLAA methodology will need to be revised to make this point clearer.

Recommendation
Change the relevant parts of the SHLAA methodology to make it clear that any assessment will consider the implications of the development on the character and amenity of the area.

Summary of Comment
Should the “thresholds” for smaller sites (which tend to predominate in Waverley) be different from larger sites? A threshold for five dwellings is unnecessarily high and will exclude sites that can be suitable for affordable housing and underestimates the potential that exists.
(Crownhall Estates Ltd)
(First Wessex Housing Group)
Council’s Response
The threshold for potential housing sites from the SHLAA undertaken by Baker Associates has been reduced from 6 dwellings to 5 dwellings to enable the Council to identify more potential sites. Although there is likely to be a large number of sites of less than 5 dwellings that the Council could assess, it is considered that a threshold of 5 and above is an appropriate threshold because:

- Given the time and resources to complete the update of the SHLAA, combined with the uncertainty of these sites being deliverable, it would not be effective to try to assess them all.
- Although sites that are below 5 dwellings are not identified in the SHLAA, it does not mean that they are unacceptable. In principle, development for housing within settlement areas is appropriate subject to other policies in the local plan.
- If the threshold of five and above results in an unrealistic assessment because there are not enough sites to assess then the Council will need to consider if it is appropriate to extend the work to smaller sites.

No specific threshold has been chosen for rural brownfield sites. These have been specifically selected on the grounds that if they were to be allocated for housing they would make a significant contribution to the delivery of housing.

Recommendation
No change to the SHLAA methodology.

Summary of Comment
Para 1.4 of the draft SHLAA methodology explains that this SHLAA will have regard to national and regional policy. The regional tier of policy has been abolished and therefore reference to regional policy should be deleted?  
(Sentinel Housing Association)

Council’s Response
When the Council consulted on the methodology for SHLAA the Government had revoked Regional Spatial Strategies and their intention to abolish them. However, following a High Court judgement RSS have since been reinstated.

Recommendation
No change to the SHLAA methodology.

Summary of Comment
Para 2.34 of the draft SHLAA methodology - sites that are allocated in the 2002 Local Plan and which have been developed or which have planning permission should not be considered. Likewise this point is also relevant to para. 2.36.  
(Sentinel Housing Association)
Council's Response
Any sites that have dwellings that have been completed at the time of the base date for the SHLAA (1st April 2010), on both allocated and windfall sites, will not be included within the SHLAA as potential dwellings. Likewise any dwellings that have planning permission on 1st April 2010 will not be included in the SHLAA as potential dwellings. However, outstanding permissions will contribute to housing supply.

Recommendation
No change to the SHLAA methodology.

Summary of Comment
Para 2.55 of the draft SHLAA methodology should define the characteristics that the Council will be assessing.
(Sentinel Housing Association)

Council's Response
The methodology and therefore the wording of paragraph 2.55 are identical to that set out in the first SHLAA undertaken by Baker Associates. The characteristics will vary from site to site and it is considered that it is not appropriate to list all of them in the SHLAA methodology. Where a site is assessed in the SHLAA then it will be made clear what individual characteristics will affect its deliverability.

Recommendation
No change to the SHLAA methodology.

Summary of Comment
Para 2.65 of the draft SHLAA methodology - planning policy and planning histories may not identify and should not be used as the sole test to identify development restrictions or physical problems/constraints.
(Sentinel Housing Association)

Council’s Response
The Council agrees that planning policy and planning history should not be the sole test to identify development restrictions or physical constraints. The methodology sets out clearly the approach the Council will take in assessing the deliverability of sites in accordance with the advice in PPS3: Housing and the Practice Guidance on preparing a SHLAA. Development restrictions or physical constraints may affect the suitability, availability, and achievability of sites.
Recommendation
No change to the SHLAA methodology.

Summary of Comment
Developers, planning consultants, homebuilders and their agents have largely driven the SHLAA. There has been very little community involvement and the Council should have consulted parish councils, town councils or residents groups on the SHLAA methodology.
(CPRE Surrey)

Council's Response
The SHLAA is a technical document that forms part of the evidence base for the Local Development Framework. The SHLAA does not allocate sites but identifies potential sites will help the Council decide an appropriate housing target for the Borough and where housing should go in its Local Development Framework. Its role is to assess potential sites for their suitability for housing, whether they are achievable in terms of their viability and their availability for delivering housing within the period of the LDF. Therefore in the Council’s views there is no need to consult with parish council or residents on the SHLAA methodology as it relates to the technical process of undertaking a SHLAA that is mainly in line with the SHLAA Practice Guidance. Developers, home builders, planners and their agents were consulted because they are best placed to inform the Council on the technical process of assessing sites given their experience in the housing market.

However, as part of the evidence supporting the draft Core Strategy and the preferred options, the SHLAA is available for comment.

The Council also asked town and parish council to suggest sites for the Council to assess in the SHLAA. Their local knowledge means they are best placed to identify housing opportunities in their own settlements.

Recommendation
No change to the SHLAA methodology.

Summary of Comment
The approach in the current Local Plan to concentrate housing development in the four market towns, limited development within specified larger villages, brownfield sites and rural exception sites is supported. This enables housing targets to be exceeded whilst protecting the AONB, AGLV, the Green Belt and the open countryside. It is therefore right that the update focuses only on sites within settlements and specific rural brownfield sites.
(CPRE Surrey)
Council’s Response
Welcomes the support for the SHLAA methodology

Recommendation
No change to the SHLAA methodology.

Council’s Response
Although the Government intends to abolish centrally imposed housing targets their SHLAA Practice Guidance remains. The methodology is in line with paragraph 21 of the SHLAA Practice Guidance that states “except for more clear-cut designations such as SSSI, the scope of the assessment should not be narrowed down by existing policies designed to constrain development, so that the local planning authority is in the best possible position when it comes to decide its strategy for delivering its housing objectives”.

This is because the SHLAA is a technical document that forms part of the evidence base for the Local Development Framework. The SHLAA does not allocate sites but identifies potential sites that will help the Council decide an appropriate housing target for the Borough and where housing should go in its Local Development Framework. Its role is to assess potential sites of their suitability for housing, whether they are achievable in terms of their viability and their availability for delivering housing within the period of the LDF.
In any case this update of the SHLAA focuses on identifying potential sites within settlements and specific rural brownfield sites. As such the process already excludes the assessment of sites within the countryside adjacent to settlements. The update of the SHLAA will not include the assessment of these greenfield sites. Their housing potential from greenfield sites is set out in the January 2010 SHLAA and users should refer to Section 7 of this document for this potential source of housing supply.

Recommendation
No change to the SHLAA methodology although a clearer explanation of the role and identification of greenfield sites in the updated SHLAA will be made.

Summary of Comment
The SHLAA underestimates potential for housing within settlements. In particular the SHLAA
- Does not include sites under 5 where in recent years development has taken place
- Does not include any sites within the settlement boundaries after 2015. It is inconceivable that larger sites will cease to become available after that date.
- does not provide for any housing development to take place in some areas such as South Farnham, Chiddingfold or Hindhead or the RD1 villages
- includes no provision for rural exception sites for affordable housing.
- Can not include sites that landowners do not want to put forward on grounds of confidentiality, lack of awareness or tactics
- Needs to project smaller houses to achieve higher densities.
This reinforces the need to make provision for windfalls in its housing numbers
(CPRE Surrey)

Council’s Response
This is as much a comment about the findings of the SHLAA and the Council’s approach to establishing a housing target as it is on the methodology for carrying out the SHLAA:
- The reasons for the SHLAA excluding sites below 5 dwellings are set out above.
- The methodology for the SHLAA not only seeks to identify sites in the first five years but throughout the LDF period. The SHLAA does identify some potential delivery of sites after 2015. However it is estimated that most of the sites are deliverable within the first five-year period.
- Likewise the methodology does allow for the identification of sites within the settlement boundaries of the main settlements and the RD1 villages. In using the criteria for identifying sites for assessment sites
were identified in Farnham, Chiddingfold and Hindhead. However, for the SHLAA to be robust, the assessment and consequent identification of sites needs to adhere to the approach set out in PPS3 and the SHLAA Practice Guidance. In following the approach the opportunities for identifying potential sites in certain locations has been limited.

- PPS3 states that Councils can allocate Rural Exception Sites and the SHLAA practice Guidance includes them as a source of potential housing. Rural Exception Sites are specifically for affordable housing in small rural communities that would not be normally used for housing because, for example, they are subject to restraint. In Waverley these are sites adjacent or closely related to but outside RD1 settlement boundaries. Although there may be some potential rural exception sites and the Council will seek to increase the delivery of affordable housing it is not the focus of the review of this SHLAA to identify them, particularly as it focuses on sites within settlements only. It would also be difficult at this stage to identify rural exception sites in advance of any local housing need assessments to justify making an exception to policy. In any case, by their nature rural exception sites are small and it is unlikely that their contribution to housing supply would be significant.

- The Practice Guidance states that sites assessed as deliverable and developable have to be available. If, for whatever reason, landowners or developers do not want to promote their sites then they cannot be included in the SHLAA.

However, it is recognised that the opportunities to identify sites in the SHLAA are limited and that it is likely to be an underestimate of what could be built within the settlements. Therefore, in determining how much housing Waverley will deliver, a windfall estimate has been included.

**Recommendation**

No change to the SHLAA methodology