

# **DDC Housing and Economic Land Availability Assessment**

**December 2020**

## **Introduction**

The Housing and Economic Land Availability Assessment (HELAA) aims to identify a future supply of land in the District which is suitable, available and achievable for housing and economic development uses over the Plan period to 2040. The purpose of the Housing and Economic Land Availability Assessment is to:

- identify sites and broad locations with potential for development;
- assess their development potential;
- assess their suitability for development and the likelihood of development coming forward (the availability and achievability).

The Housing and Economic Land Availability Assessment is a technical piece of evidence to support the Local Plan making process and is a requirement of the National Planning Policy Framework (2019). It should however be noted that the HELAA does not in itself determine whether a site should be allocated for development. The allocation of land for development will depend upon the extent of policy and practical constraints identified in the assessment and the choices ultimately made by the Council taking account of the outcomes of the Sustainability Appraisal, further evidence gathering and following public consultation on the strategy. Ultimately, it is the role of the Local Plan itself to determine which of those sites identified in the HELAA are the most suitable to be taken forward and allocated for housing and employment uses.

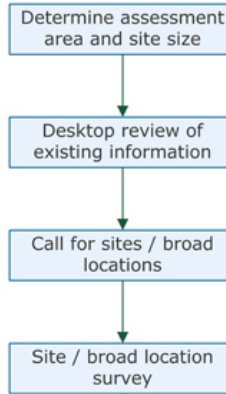
This paper provides a summary of the latest findings of the Housing and Economic Land Availability Assessment. It is divided into two parts: part one covers housing and part two covers employment. This work is however on-going and will evolve as part of the Local Plan making process.

## **Methodology**

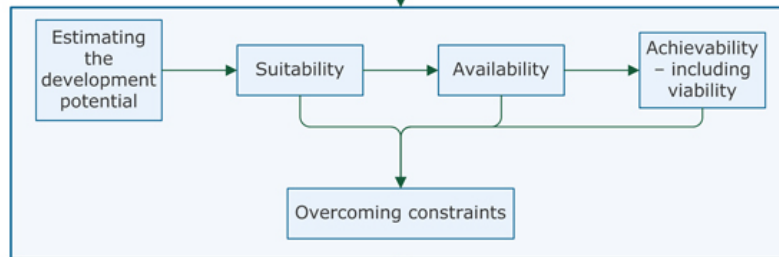
The Government's Planning Practice Guidance sets out the process for undertaking a Housing and Economic Land Availability Assessment <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>. This process is set out in the Flow Chart below.

The HELAA has been undertaken in accordance with this guidance.

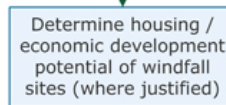
**Stage 1- Site / broad location identification**



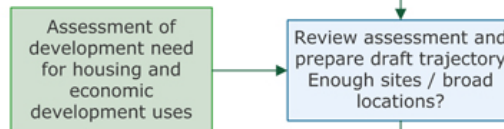
**Stage 2 - Site / broad location assessment**



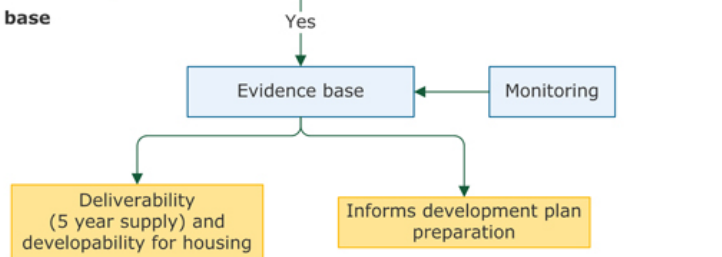
**Stage 3 - Windfall assessment**



**Stage 4 - Assessment review**



**Stage 5 - Final evidence base**



## Part One: Housing

### Site Identification

As part of stage 1 of the Housing and Economic Land Availability Assessment process officers compiled a comprehensive list of 514 housing sites for assessment. In compiling the list, officers undertook both a call for sites (completed in June 2017) and a desk based review of existing information, which looked at:

- existing allocated sites in the Core Strategy and Land Allocations Local Plan;
- unimplemented planning permissions, refused planning applications and withdrawn planning applications;
- sites previously considered as part of the Strategic Land Availability Assessment (2009) and Urban Capacity Study;
- sites on the brownfield register and those submitted as part of the call for sites carried out for the brownfield register in 2016;
- land in the Council's ownership;
- public sector land; and
- vacant and derelict buildings.

In addition to this, officers also identified some sites for assessment following site visits to areas in the District.

As part of the HELAA process two sites have since been removed from the long list, one at the request of the land owner and the other because it was a duplicate site. The HELAA long list has been updated to reflect this and now comprises 512 sites (see Appendix 1). Subsequently the deleted sites spreadsheet (Appendix 2) and the suitability assessment of the sites spreadsheets (Appendices 3 and 4) have also been updated to reflect these changes and omit these two sites.

### Initial Review of Sites

Following this, officers undertook an initial sift of these sites to eliminate sites that were:

- too small to be allocated – those under 5 dwellings;
- entirely covered by specific national designations e.g Special Protection Areas, Special Areas of Conservation, Sites of Special Scientific Interest, Ramsar sites, Heritage Coast, ancient woodland and notified safety zones (sites which are partly covered by specific designations have been taken forward for further assessment);
- Subject to planning permission (to avoid double counting housing supply);
- under construction or since built;
- contrary to the policies in the NPPF; and
- considered to be isolated development in the open countryside and had no relationship to any settlement i.e not sustainable in terms of the NPPF.

As a result of this exercise 148 sites<sup>1</sup> were eliminated from the HELAA.

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<sup>1</sup> Originally 149 sites. Figure updated to take account of the deletion of the duplicate site.

## Suitability Assessment

The remaining 364<sup>2</sup> sites were then taken forward for more detailed assessment. The first stage of this process involved a desktop review using GIS mapping layers to identify any relevant on-site constraints. Following this, sites were then physically surveyed and assessed to determine their suitability and development potential (i.e number of houses that could be delivered on the site) using the following criteria:

- site size, physical characteristics of the site and location;
- land uses and character of surrounding area;
- landscape impact, impacts on landscape views and screening of site;
- potential impact on heritage assets relevant to the site;
- access and highways; and
- environmental constraints.

In addition to this, on some sites, where further clarification was required concerning on or off-site constraints and a more detailed assessment was needed, officers sought advice concerning site suitability from:

- KCC Highways;
- The Kent AONB Unit;
- External Landscape Consultant; and
- The Councils Principal Heritage Officer

Councillors were consulted on the draft findings of the suitability assessment in 2019, following which a series of meetings were held with Town and Parish Councils in February/March 2020. The draft HELAA (suitability assessment and availability assessment) was then published on the council's website at the start of April 2020 <https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/New-District-Local-Plan/HELAA.aspx>

Where highways concerns were identified by KCC Highways, site promoters were then contacted in the Summer of 2020 to ask for further information to demonstrate that the constraints identified could be addressed. This information was then re-assessed by KCC Highways and their comments were updated accordingly.

The results of the desk-top review, site surveys, and stakeholder comments are set out in Appendix 3:

- Appendix 3A: Landscape Assessment
- Appendix 3B: Highways Assessment
- Appendix 3C: Heritage Assessment
- Appendix 3D: Environment Constraints Assessment

The findings of the suitability assessment of the HELAA housing sites in relation to landscape, highways and access, heritage and environmental constraints then informed the overall suitability assessment and suitability rating for each site, with sites classified as being either suitable (green), potentially suitable (amber) or unsuitable (red) in accordance with criteria below.

Suitable	The site offers a suitable location for development for the use proposed and is compatible with neighbouring uses. There are no known constraints that will
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<sup>2</sup> Originally 365 sites. Figure updated to take account of the deletion of a site at the request of the land owner.

	significantly limit the development of the site.
Potentially Suitable	The site offers a potentially suitable location for development for the use proposed, but is subject to a policy designation which inhibits development for the defined use and/or constraints that require mitigation. The development plan process will determine the future suitability for the defined use and whether the constraints can be overcome.
Unsuitable	The site does not offer a suitable location for development for the proposed use and/or there are known constraints which cannot be mitigated. The site is unlikely to be found suitable for the defined use within the next 15-20 years.

Of the 364 sites considered as part of the suitability assessment:

- 93 sites were assessed as suitable (green);
- 41 sites were assessed as potentially suitable (amber); and
- 197<sup>3</sup> sites were assessed as being unsuitable (red).
- 33 sites were also identified as having gained planning consent during the assessment process.

The overall findings of the suitability assessment work are presented in Appendix 4.

### Availability Assessment

To confirm the availability of sites identified as Green and Amber within the HELAA, an engagement exercise was undertaken with site promoters between November 2019 and January 2020. The exercise consisted of a two-stage process where site promoters were asked to complete a questionnaire on their sites availability including detailing any progress towards applying for planning permission and any known constraints which may affect the timing of the sites delivery. The first stage involved sending out an availability enquiry email or letter dependant on known contact details for each site. Respondents were given two weeks in which to reply, after the two week period those who had not responded were sent a reminder email or letter and given a further week in which to respond. The second stage of the engagement exercise involved attempts to telephone site promoters of the green and amber sites whom had not responded to the email or letter enquiries. The telephone exercise involved a minimum of three attempts to contact the site promoter.

Sites have then been classified as being either available (green), potentially available (amber) or unavailable (red) in accordance with criteria below.

Available	The landowner/ site promoter has confirmed availability within the next 15-20 years and there are no known legal issues or ownership problems.
Potentially Available	Confirmation has not yet been received from the landowner/ site promoter that the land will be available within the next 15-20 years. Further information is required to provide the Council with certainty that the site is available.
Unavailable/No Contact	The landowner/ site promoter has confirmed that the land is not available for development in the next 15-20 years. The land is subject to known legal issues which are unlikely to be overcome within the next 15-20 years. It has not been possible to make contact with the landowner/ site promoter.

<sup>3</sup> Originally 198. Figure updated to take account of the deletion of a site at the request of the land owner.

Of the green and amber sites taken forward for availability assessment

- 114 sites are available (green)
- 12 sites are potentially available (amber)
- 8 sites are confirmed as unavailable or unable to contact (red)

Since April 2020 additional engagement has been undertaken to confirm the status of the 12 sites with potential availability. As a result, 4 sites changed their status to available and 8 to unavailable. Furthermore, two of the sites that were classified as unavailable, had their status changed to available, and 1 site that was classified as available, changed to unavailable, following responses from their respective site promoters. This has resulted in the 134 sites that were taken forward for availability assessment having a final status of:

- 120 sites are available (green)
- 14 sites are unavailable (red)

The findings of the availability assessment work are also presented in Appendix 4.

### **Achievability Assessment**

As part of the overall assessment of sites within the HELAA, sites must be assessed for their achievability, in the sense that the development being considered on the site could actually be built out. In determining the achievability of the sites, the Planning Practice Guidance states that this is essentially a judgement about the economic viability of the site and the capacity of the developer to complete and let or sell the development over a certain period. In effect, this means a sites achievability is determined by: the likely costs of development by site size; existing land use and location; comparing it against local market factors including the likelihood the development could be successfully leased or sold at a rate that would return a profit to the developer; and, offer a price incentive for release of the land.

As part of the preparation of the Local Plan a Whole Plan viability study (the Study) was undertaken. The main purpose of this study was to identify the achievability of development across the District so that it can be determined whether, on financial grounds, the sites selected within the Local Plan can be delivered. It is important to note, that once the Local Plan for the District is adopted, the Study will become the reference point for any future viability assessments submitted through the Development Management process due its being the most up to date viability evidence that has been subject to independent examination.

The study primarily focused upon: the current selling price of land throughout the district; the price of dwellings being sold; estimated build costs, by type of dwelling; and, the costs from policy requirements set out within the Regulation 18 consultation document of the Local Plan. The study having set out these factors, then prescribed a set of typical development typologies by number dwellings being developed and whether the development is on greenfield or brownfield. To determine the achievability of these typologies, the study then tested them against the determined costs of development, selling price of dwellings and the level of land release incentive required across the district.

Based on these considerations the Study identified that the District broadly fell into four value areas. The value areas were determined by: the areas with the higher financial return, medium return, lower return and areas of negative return from development. The Study specifically prescribes the four areas as:

- Higher: Being the north of the District.

- Medium: Being the Coastal Towns to the east of the District and the Rural areas and settlements to the south of the District.
- Lower: Being the sites within and adjacent to Aylesham, and the sites adjacent to wider Dover, principally to the north and west of the built-up area, and Whitfield.
- Dover Town: Being the relatively tightly defined built-up area of Dover.

The evidence in the Whole Plan Viability Study has determined four value areas that set out the likely levels of financial return from development. It is appropriate then to use these value areas when determining the achievability of sites assessed through the HELAA process, due to the value areas being determined by the latest available viability evidence.

At each of the three stages of HELAA assessment (suitability/availability/achievability) a red/amber/green (RAG) colour rating has been used to classify sites. The table below demonstrates how the four values areas used in the viability Study have been interpreted into the Achievability RAG summary.

Value Area	Achievability RAG	Process summary
Higher	Achievable	Good or better financial return from land development
Medium		
Lower	Marginally	Marginal to moderate financial return from land develop
Dover Town	Unachievable	No or negative return from land development

By reviewing which value area that each of the 120 sites assessed as available are located within, it is possible to develop a RAG rating for each site using the conversion process described in the table above. The process has identified that of the 120 sites:

- 91 sites are achievable (green);
- 11 sites are marginal (amber); and
- 18 sites are unachievable (red)

The findings of the achievability assessment work are also presented in Appendix 4.

## Windfall Assessment

The NPPF defines windfalls as sites not specifically identified in the development plan. The Council therefore considers all sites not allocated for housing in the Adopted Development Plans (2010 Core Strategy, 2015 Land Allocations Local Plan and saved policies from the 2002 Dover District Local Plan) to be windfall.

Paragraph 70 of the NPPF states that local planning authorities can make an allowance for windfall development in their five year supply if there is compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends.



A continuing review is taken of the average number of windfall dwellings completed per annum since the adoption of the Core Strategy in 2010. Windfall sites have been identified using the revised NPPF definition that includes all sites not identified through a development plan. This approach identifies an overall historic average windfall delivery rate of **171 dwellings per annum**. A summary of windfall completions is set out below

Year	Windfalls on sites of more than 5 units	Windfalls on sites of less than 5 units	Total Windfalls
<b>Average</b>	<b>70</b>	<b>101</b>	<b>171</b>
2019/2020	135	82	217
2018/2019	50	62	112
2017/2018	58	99	157
2016/2017	89	60	149
2015/2016	116	87	203
2014/2015	94	83	177
2013/2014	112	27	139
2012/2013	99	66	165
2011/2012	179	61	240
2010/2011	74	74	148

Historic Windfall Completions

As required by paragraph 70 of the NPPF, in applying a windfall allowance to housing supply, there needs to be consideration of both future trends as well as historic windfall delivery rates. The most significant impact is likely to be the adoption of the new Local Plan, however the likely implications arising from this on the windfall allowance cannot be known until a draft of the Plan is published.

In view of this, and in taking an extremely cautious approach, the Council will only be applying a windfall allowance from sites of less than five dwellings. This takes into account the HELAA methodology of site selection for the new local plan in that only sites above this size are to be considered as potential new allocations. Historically sites of less than five dwellings have contributed significantly to new housing in the District and we anticipate that they will continue to do so.

It is recognised that windfall sites of five dwellings or more will continue to make a significant contribution to the Council's Housing Supply up to the adoption of a new Local Plan. Not taking this source of supply into account may be viewed as overly pessimistic. However, it is considered that by taking such an approach, a significant buffer is built into the supply calculation.

The windfall contribution from small sites of less than five new dwellings to the overall supply of housing is 70 dwellings per annum - based on the annual average of past trends from this source since adoption of the Core Strategy in 2010. The contribution from small windfall sites is considered appropriate for the last 17 years of the Local Plan housing supply (from 2023/24 to 2039/40) to avoid any double counting from windfall sites that have already received planning permission, and are counted within the extant permissions. Therefore, in applying Seventeen years' worth of 70 dwellings per annum, a total windfall allowance of 1,190 units is considered justified as deliverable within the Local Plan time period 2020 to 2040.

## Housing Trajectory

To identify if there are enough sites deemed suitable or potentially suitable and that are available to enable the Council to meet its anticipated housing need within the new Local Plan, a housing supply trajectory has been produced.

The housing supply within the trajectory consists of four elements: the first is the extant supply of planning consents for new dwellings at 31<sup>st</sup> March 2020 as identified in the housing information audit (HIA) reported in the AMR (minus the Whitefield UE extant supply); the second is the element of Whitfield that is considered deliverable between 2020 and 2040 (on extant and allocated land); the third is sites that have been identified through the HELAA as suitable or potentially suitable and have been confirmed as available by the promoters of those sites (these include existing allocations without planning permission (minus Whitfield UE) and HELAA sites that have gained planning consent since the 31<sup>st</sup> March 2020; and, fourthly a windfall allowance which is based on the average delivery of completed dwellings on small sites (1 to 4 dwellings) over the 10 years 2010 to 2020, (see Appendix 5).

Table 1: Local Plan Housing Supply 2020 - 2040

	Dwellings (net)	Dwellings (net)
Local Plan housing target (20 x LHN 2020 + 10% supply resilience)		13,112
Extant supply at 31 <sup>st</sup> March 2020 (10% non-implementation discount applied)	3,151 (3,501 – 10%)	
Whitfield (extant and HELAA)	3,483	
HELAA sites	6,551	
Windfall	1,190	
Total housing supply	14,375	
Housing supply balance		1,263

Table 1 demonstrates that including all the suitable and potentially suitable HELAA sites that are available there would be a current housing supply balance of 1,228 dwellings measured against an anticipated Local Plan housing target of 13,112 (with a 10% buffer applied), compared against the potential supply of all dwellings for the Local Plan period 2020/21 to 2039/40 of 14,340.

If at any stage in the HELAA process the Local Plan housing land supply falls below the Council's identified housing target it will be necessary to review the suitability of sites previously assessed as unsuitable (red) to see if the constraints identified can be overcome.

Finally, it's important to remember that the HELAA is just a technical assessment to inform the Local Plan. It is for the Local Plan to determine which sites get taken forward as housing allocations to deliver the Council's preferred growth strategy, meaning not all the sites identified as suitable/ potentially suitable in the HELAA will be allocated.

## **Next Steps**

The HELAA has been used to inform the site allocations in the draft Local Plan and work on the HELAA continues as part of the plan making process.

The HELAA is published for consultation alongside the draft Local Plan and a further call for sites is also being undertaken at this stage.

Following this, any new sites/ information on existing sites will be assessed and the HELAA updated accordingly. The updated HELAA will then be used to inform what sites are taken forward into the Regulation 19 Proposed Submission version of the Local Plan.

The Regulation 19 Proposed Submission version of the Local Plan will then be subject to a further stage of consultation, before being submitted to the Planning Inspectorate for examination.

As part of the examination, those who have previously made comments on sites may be invited by the Inspector to make representations as part of the examination, these will then be considered by the Inspector, who will then propose modifications to the Local Plan, which may involve ruling some sites out, and conversely suggesting others should be put in. This will then be subject to further consultation, before the plan is finalised, and presented to Full Council for adoption.

It is important to note however that the inclusion of sites within the HELAA and ultimately the Local Plan does not necessarily mean that they will gain planning permission, and that planning permission for sites included within the HELAA and the Local Plan will need to be applied for in the normal way.

## **Part Two: Employment**

### **Site Identification**

As part of stage 1 of the Housing and Economic Land Availability Assessment process officers compiled a comprehensive list of 43 employment sites for assessment (see Appendix 6). These employment sites focused on the traditional employment uses of B1 (offices), B2 (general industrial) and B8 (storage and distribution) uses prior to the changes to the Use Classes Order which came into force on 1<sup>st</sup> September 2020 which revoked Class B1 and replaced it with Class E(g). In compiling the list, officers undertook both a call for sites (completed in June 2017) and a desk based review of existing information, which looked at:

- existing allocated sites in the Core Strategy and Land Allocations Local Plan;
- unimplemented planning permissions, refused planning applications and withdrawn planning applications;
- sites previously considered as part of the Strategic Land Availability Assessment (2009) and Urban Capacity Study;
- sites on the brownfield register and those submitted as part of the call for sites carried out for the brownfield register in 2016;
- land in the Council's ownership;
- public sector land; and
- vacant and derelict buildings.

### **Initial Review of Sites**

Following this, officers undertook an initial sift of these sites to eliminate sites that were:

- too small to be allocated – those under 0.25ha;
- entirely covered by specific national designations e.g Special Protection Areas, Special Areas of Conservation, Sites of Special Scientific Interest, Ramsar sites, Heritage Coast, ancient woodland and notified safety zones (sites which are partly covered by specific designations have been taken forward for further assessment);
- Subject to planning permission (to avoid double counting);
- under construction or since built;
- contrary to the policies in the NPPF; and
- considered to be isolated development in the open countryside and had no relationship to any settlement i.e not sustainable in terms of the NPPF.

As a result of this exercise 20 employment sites were eliminated from the HELAA (see Appendix 7).

### Suitability Assessment

The remaining 23 sites were then taken forward for more detailed assessment. The first stage of this process involved a desktop review using GIS mapping layers to identify any relevant on-site constraints. Following this, sites were then assessed to determine their suitability, any remaining developable floorspace and future development potential/opportunities for intensification or redevelopment, using the following criteria:

- site size, physical characteristics, location and age and quality of existing buildings;
- character of surrounding area and compatibility with neighbouring uses;
- landscape impact, impacts on landscape views and screening of site;
- potential impact on heritage assets relevant to the site;
- public transport accessibility, proximity to local services and parking; and
- environmental constraints.

The findings of the suitability assessment of the HELAA sites in relation to landscape, highways and access, heritage and environmental constraints then informed the overall suitability assessment and suitability rating for each site, with sites classified as being either suitable (green), potentially suitable (amber) or unsuitable (red) in accordance with criteria below.

Suitable	The site offers a suitable location for development for the use proposed and is compatible with neighbouring uses. There are no known constraints that will significantly limit the development of the site.
Potentially Suitable	The site offers a potentially suitable location for development for the use proposed, but is subject to a policy designation which inhibits development for the defined use and/or constraints that require mitigation. The development plan process will determine the future suitability for the defined use and whether the constraints can be overcome.
Unsuitable	The site does not offer a suitable location for development for the proposed use and/or there are known constraints which cannot be mitigated. The site is unlikely to be found suitable for the defined use within the next 15-20 years.

Of the 23 sites considered as part of the suitability assessment:

- 15 sites are confirmed as suitable (green);
- 8 sites are confirmed as potentially suitable (amber); and

- 0 sites are confirmed as being unsuitable (red).

The overall findings of the suitability assessment work are presented in Appendix 8.

## **Next Steps**

The Local Plan Economic Growth Strategy supports the delivery of a higher level of economic growth in the District. However until the Economic Development Needs Assessment has been updated, post Regulation 18, there is uncertainty around the level of jobs growth anticipated over the Plan period and the amount of new employment land that will be required to deliver this.

Furthermore, there is uncertainty around the future availability of White Cliffs Business Park for general employment purposes. It is unclear at this stage exactly what will remain available for employment purposes, but it is likely that at least in medium term and potentially long term, only a small part of the site will remain available for employment use.

The Council is also aware that growth of employment related to Discovery park may not be able to be accommodated within the existing site and further land may be required to support this growth.

Given this, whilst there is still some remaining development potential on existing allocations, which can be rolled forward into the new draft Local Plan, options for allocating further land for employment development are currently limited and further land is therefore likely to be required to deliver the Council's Economic Strategy. The Council is therefore carrying out a call for employment sites as part of the Regulation 18 consultation on the Local Plan.

Following this, any new sites/ information on existing sites will be assessed and the HELAA updated accordingly. The updated HELAA will then be used to inform what sites are taken forward into the Regulation 19 Proposed Submission version of the Local Plan.

## **Appendices**

- Appendix 1: Housing Long List of Sites
- Appendix 2: Deleted Housing Sites
- Appendix 3A: Landscape Assessment
- Appendix 3B: Highways Assessment
- Appendix 3C: Heritage Assessment
- Appendix 3D: Environment Constraints Assessment
- Appendix 4: Summary of Suitability, Availability and Achievability Assessment of Housing Sites
- Appendix 5: Housing Trajectory
- Appendix 6: Employment Long List of Sites
- Appendix 7: Deleted Employment Sites
- Appendix 8: Suitability Assessment of Employment Sites