

**HASTINGS BOROUGH COUNCIL**

**STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT  
(SHLAA) – January 2010**

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# Introduction

## Background

1. This Strategic Housing Land Availability Assessment (SHLAA) provides an assessment of the land likely to be available for housing development in the Borough in the period to 2026. It identifies sites, which have the potential to accommodate housing and estimates the likely future yields from sites across the Borough. The SHLAA is a key component of the evidence base to support the delivery of sufficient housing to meet the needs of the community. The SHLAA will be used to inform both the Core Strategy and the subsequent Site Allocations Development Plan Document, which are part of the Local Development Framework (LDF): the new spatial plan for Hastings, and is a requirement set by national planning policy (Planning Policy Statement 3: Housing).
2. **The SHLAA is a research exercise and its purpose is not to allocate land, but to identify potential within the town.** It does not make judgements about whether these sites should be included in the LDF, or whether they should be included the requirement to have a rolling 5 year housing supply at all times (a requirement under the new planning system). Neither does the SHLAA make any judgments as to the relative sustainability of different sites. This is a function of the Sustainability Appraisal process, whereby housing allocations are determined through a separate document called the Site Allocations Development Plan Document (DPD).
3. The SHLAA contributes to the preparation of the housing section of the Site Allocations DPD in two key ways. Firstly, it identifies sites within the town that have potential for allocation in the DPD. Secondly, the SHLAA allows for the calculation of how much additional land may needed for housing development, once the estimated yield from other sources has been subtracted from the total South East Plan requirement. (The South East Plan is a regional plan that sets out how many new dwellings must be provided in each Borough/District in the South East up to 2026).
4. It is unlikely that all of the sites identified in the SHLAA will go forward for formal allocation in the Site Allocations DPD, therefore it is important that a robust and

objective assessment is developed in order to select those sites, which are most appropriate for housing development. In accordance with the policy framework established by national guidance, the Regional Spatial Strategy (RSS) and the LDF, sites which are ultimately selected will be those which can most effectively:

- contribute to the sustainable development of Hastings
  - support the creation of sustainable communities, and
  - ensure that housing targets and requirements for additional housing are achieved.
5. This version of the SHLAA sets out the findings of the assessment of housing potential carried out in Autumn 2009, and reflects the position at that time based on the available information. The SHLAA has been developed in accordance with the Communities and Local Government - Strategic Housing Land Availability Assessment Practice Guidance, published in July 2007.

## **Purpose**

6. The purpose of the SHLAA is to inform the preparation of the Hastings Local Development Framework by:
- providing an objective survey of potential housing sites through an assessment of site suitability, availability and achievability in accordance with national guidance;
  - identifying the issues which need to be resolved in selecting appropriate sites for development;
  - calculating the requirement for numbers of additional dwellings to meet projected housing demand, and;
  - reviewing the progress of sites with extant planning permission.
7. The SHLAA provides the background evidence for a Housing Trajectory, which will appear in the 'Shaping Hastings' Core Strategy Submission document. Local Planning Authorities are required to prepare a housing trajectory. This provides a position statement comparing past performance on housing supply with anticipated

future rates of housing development. The trajectory is updated each year as part of the Annual Monitoring Report.

8. **It should be noted that the inclusion of sites and nature of the comments made about them in this report does not in any way infer that those sites will be granted planning consent or allocated for development in the LDF.**

## **Scope**

9. The SHLAA has considered sites across the whole of the town, including land outside the built up area boundary.
10. The SHLAA includes sites which are expected to yield at least 6 additional dwellings, which is consistent with East Sussex County Council housing monitoring. Sites which are expected to yield fewer than 6 dwellings (considered small sites) were excluded from investigation as it is unlikely that sites of this size would be allocated in the Site Allocations DPD, regardless of their suitability for residential development. Where planning permission is or has been granted for residential development, these sites will be included in the 5 year supply of housing land.

## Context

11. The SHLAA has been carried out in accordance with the policy context provided by the following:

- Planning Policy Statement 1 – Delivering Sustainable Development (PPS1)
- Planning Policy Statement 3 – Housing (PPS3)
- The Regional Spatial Strategy (RSS) – the South East Plan
- Department of for Communities and Local Government (CLG) Strategic Housing Land Availability Assessment (SHLAA) Practice Guidance

### **Planning Policy Statement 1 (2004): Delivering Sustainable Development**

12. Planning Policy Statement 1 (PPS1) sets out overarching strategic planning policies, including the contribution that the planning system can make to the delivery of sustainable development.

13. Sustainable development is the core principle underpinning planning. A key objective of PPS1 is to ensure that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities. Paragraph 27 sets out the general approach to delivering sustainable development – a key approach of which is that planning authorities should seek to:

- bring forward sufficient land of a suitable quality in appropriate locations to meet the expected needs for housing;
- reduce the need to travel and encourage accessible public transport provision to secure more sustainable patterns of transport development; and
- promote the use of suitably located vacant and underused previously developed land and buildings

### **Planning Policy Statement 3 (2006): Housing**

14. PPS3 establishes the requirement for Local Planning Authorities (LPA's) to undertake Strategic Housing Land Availability Assessments to assess, demonstrate, identify and maintain a rolling 5 year supply of deliverable land for housing, particularly in connection with making planning decisions. It specifies in Annex C that a SHLAA should:

- Assess the likely level of housing that could be provided if unimplemented planning permissions were brought into development.
- Assess land availability by identifying buildings or areas of land (including previously developed land and greenfield) that have development potential for housing, including within mixed use developments.
- Assess the potential level of housing that can be provided on identified land.
- Where appropriate, evaluate past trends in windfall land coming forward for development and estimate the likely future implementation rate.
- Identify constraints that might make a particular site unavailable and/or unviable for development.
- Identify sustainability issues and physical constraints that might make a site unsuitable for development.
- Identify what action could be taken to overcome constraints on particular sites.

15. PPS3 states that LPAs should set out in Local Development Documents (which include the Core Strategy and Site Allocations DPD) their policies and strategies for delivering the level of housing provision, including identifying broad locations and specific sites that will enable continuous delivery of housing for at least 15 years from the date of adoption, taking account of the level of housing provision set out in the Regional Spatial Strategy.

16. One of the key changes between PPG3 and PPS3 is that windfall allowances should no longer be included in the first 10 years of land supply in Local Development Frameworks (LDF's), unless there are genuine local circumstances that prevent specific sites being identified. This places greater emphasis on the need to identify sites, which can be confidently allocated for housing in LDFs.
17. Paragraphs 54-55 advises that local planning authorities should, by drawing on information from the SHLAA or other evidence, identify sufficient specific deliverable sites to deliver housing in the first five years of the development plan. In order to be considered deliverable, sites should be available (at the point that the development document is adopted), suitable and achievable (there is a reasonable prospect that housing could be developed within five years).
18. PPS3 reiterates the priority for the development of previously developed land, in particular vacant and derelict sites and buildings and requires LPAs to ensure that sufficient, suitable land is available to achieve their previously developed land delivery objectives. However SHLAAs are required to consider the potential of greenfield sites to deliver housing as well as previously developed land.

**Communities and Local Government – Strategic Housing Land Availability Assessments – Practice Guidance (July 2007)**

19. This guidance states that the SHLAA is 'a key component of the evidence base to support the delivery of sufficient land for housing to meet the community's need for homes'.
20. The guidance states that the primary role of the SHLAA is to:
  - identify sites with potential for housing;
  - assess their housing potential; and
  - assess when they are likely to be developed.



21. As a minimum, the SHLAA should aim to identify sufficient specific sites for at least the first 10 years of a plan, from the anticipated date of its adoption, and ideally for longer than the whole 15 year plan period. Where it is not possible to identify sufficient sites, it should provide the evidence base to support judgments around whether broad locations should be identified, or if there are genuine local circumstances, a windfall allowance for the first 10 years of the plan may be justified.
22. Paragraph 8 makes it clear that the SHLAA is an important evidence source to inform plan making. It does not allocate land nor does it judge the relative sustainability of different sites, which is a function of the separate sustainability appraisal process. It is a research document that will help inform the preparation of other development plan documents (DPDs). It will be particularly important in informing the Core Strategy DPD and the Site Allocations DPD.
23. The guidance advocates the importance of the partnership approach when undertaking the SHLAA in order to ensure a joined-up and robust approach. The guidance also states that the SHLAA should be regularly kept up to date as part of the Annual Monitoring Report (AMR), so as to support the updating of the housing trajectory and the five-year supply of specific deliverable sites.
24. The regular AMR Assessment update should record whether:
  - sites under construction have now been developed, or individual stages have been developed;
  - sites with planning permission are now under construction and what progress has been made;
  - planning applications have been submitted or approved on sites and broad locations identified by the Assessment;
  - progress has been made in removing constraints on development and whether a site is now considered to be deliverable and developable;
  - unforeseen constraints have emerged which now mean a site is no longer deliverable or developable, and how these could be addressed; and
  - the windfall allowance (where justified) is coming forward as expected, or may need to be adjusted.

## **Regional Spatial Strategy (RSS) – South East Plan**

25. The South East Plan proposes a housing provision in Hastings of 4,200 dwellings over the period 2006 to 2026 (set in Policy H1: Housing Provision). The Panel Report on the Draft South East Plan recommended that the overall total should remain at 4,200 dwellings, and the subsequent South East Plan Proposed Modifications issued for consultation by Government in 2008, continue to show a requirement for 4,200 dwellings. As part of the SHLAA process it would be prudent to test the capacity of the SHLAA sites against the recommended housing requirements in the South East Plan Proposed Modifications.
26. The RSS includes a number of policies in relation to sites and development locations, which include:

### **Policy H2: Managing the Delivery of the Regional Housing Provision**

27. Local authorities will work in partnership to allocate and manage land supply to deliver district housing provision while ensuring appropriate regard to environmental and infrastructure issues. Policy H2 requires local authorities outside of growth areas to seek to identify additional sources of supply by encouraging opportunities on suitable previously developed land and through change of use.

### **Policy H4: Type and Size of New Housing**

28. Local authorities should identify a full range of existing and future housing needs in their areas, in the form of housing need and market assessments, working with adjoining local authorities as appropriate. Such needs should include those of elderly and disabled people, students, black and minority ethnic households, families with children, Gypsies and Travellers and others with specialist requirements, as relevant. Local Development Documents should require an appropriate range of housing opportunities in terms of a mix of housing types, sizes and tenures.

### **Policy H5: Housing Design and Density**

29. Local authorities will prepare guidelines for the design of new housing in their areas that encourage the use of sustainable construction methods and address the

implications of changing lifestyles for new housing design. In conjunction with the delivery of high quality design and in order to make good use of available land and encourage more sustainable patterns of development and services, higher housing densities will be encouraged, with an overall regional target of 40 dwellings per hectare over the Plan period. Local authorities will reflect this target with appropriate local variations in their Local Development Documents.

### **Policy H6: Making Better Use of Existing Stock**

30. To help meet housing needs and to promote urban renaissance and sustainable use of resources, local authorities should assess the existing housing stock in their areas and implement measures to reduce the number of vacant, unfit and unsatisfactory dwellings.

### **Policy SCT5: Housing Distribution**

31. Local Development Documents will make provision for a net increase in the housing stock for the period 2006 - 2026 in each district in the sub-region.

## **Summary findings: Remaining Commitments and Potential Housing Requirements**

### **The need for additional housing allocations**

32. The amount of land which will need to be allocated for additional housing in the LDF Site Allocations DPD will be determined by the extent to which projected RSS requirements have been met in the preceding years of the plan period (which started in 2006), and by the extent to which existing Local Plan allocations and existing commitments (sites with planning permission for housing awaiting development) are implemented.

## **South East Plan requirements**

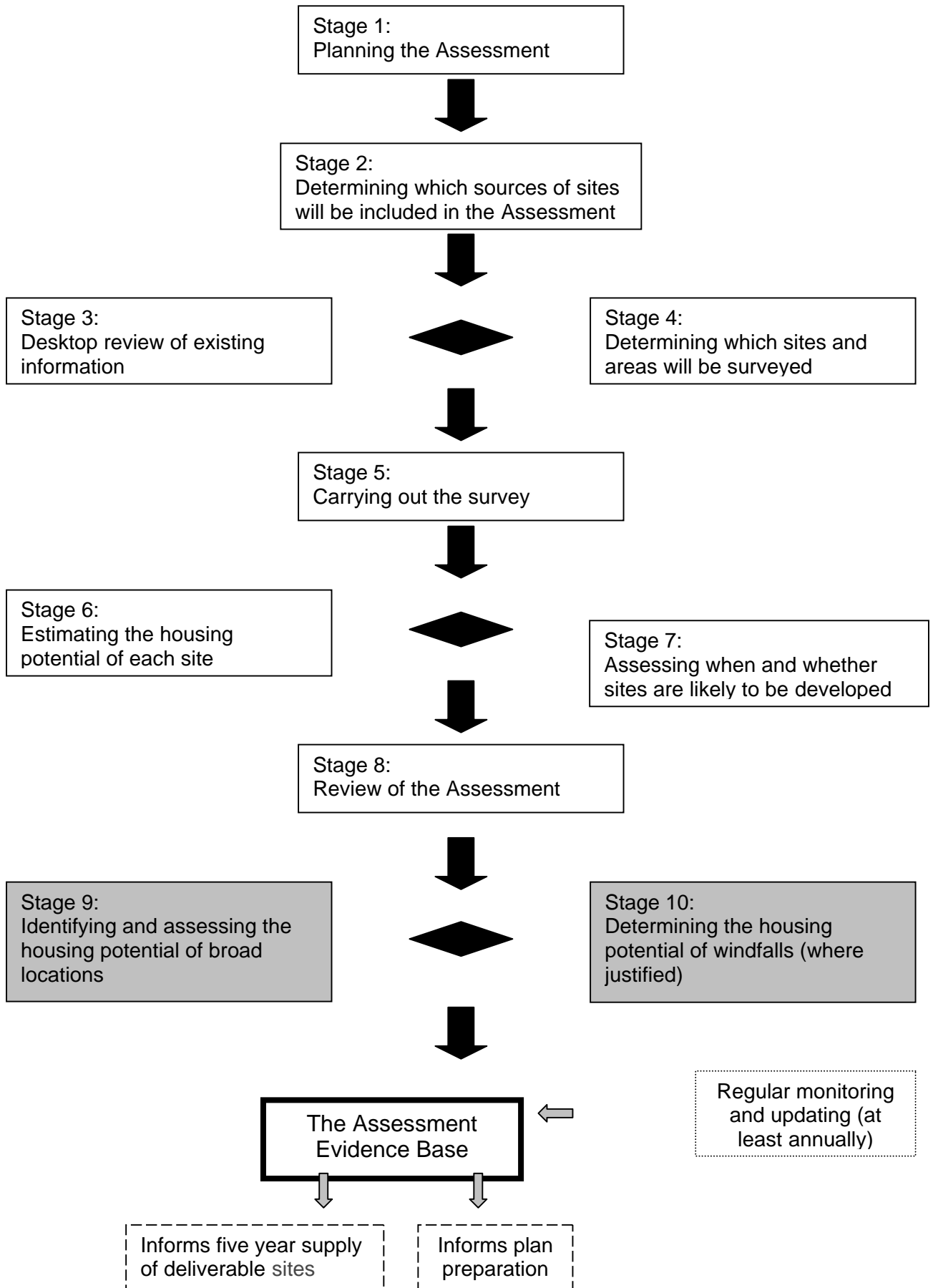
33. The RSS requirement is for 4200 net new dwellings between 2006 - 2026

### **Existing housing land supply (as at 1<sup>st</sup> Jan 2010)**

34. Between 1st April 2006 and 31st March 2010 908 net new dwellings will have been completed across the Borough. (Completions for the final quarter of 2009/10 are an estimate). This leaving a requirement for a further 3,292 new dwelling up to 2026 (equivalent to 206 dwellings per year).
35. A further 718 units could be delivered on sites with an existing planning permission (or with a resolution to grant subject to the completion of a legal agreement), between 2010 and 2015. These are sites that have not been previously identified for development.
36. The estimated yield from the remaining undeveloped sites that have been allocated for housing development through the Local Plan is 1604.
37. Taking the above sources of supply in to account, there is a need to identify sufficient new sites to yield a further 970 new dwellings up to 2026 in order to meet South East Plan requirements.
38. In reality we have to acknowledge that there is the potential for lower than expected dwelling numbers on individual sites and / or delays to the implementation of sites that are already in the planning system (ie already allocated or with planning permission). Given this uncertainty, it is proposed to build in an additional 10% margin on the South East Plan housing requirements in order to allow for this possibility. The impact of this is that the outstanding requirement increases from 970 to 1,402 dwellings

# Methodology

Figure 1: Diagram showing the Strategic Housing Land Availability Assessment process and outputs



39. The SHLAA has been carried out in accordance with the SHLAA Practice Guidance (the Guidance) and PPS3. The SHLAA guidance lists eight main stages when undertaking an Assessment (see Figure 1). These stages should generally be carried out in order. Two stages are optional and cover the issues of identifying broad locations and windfalls.

### **Stage 1: Planning the Assessment**

40. The guidance encourages Local Authorities to establish links with landowners, housing developers, social landlords and local communities when carrying a housing land assessment.

### **Stakeholder Involvement**

41. In April 2007 the Council invited feedback on our proposed methodology for undertaking the SHLAA from a number of local and statutory organisations (see Appendix 1), culminating in a workshop, which was held in May 2007. The intention was to seek agreement on our approach to carrying out the SHLAA, including confirming the geographical area of the study and the thresholds for identifying sites. At the same time we also sought information on potential surplus land within their ownership from public sector landowners such as the County Council and utility companies.
42. In April 2008 we invited landowners, developers and the general public to submit sites for potential inclusion within the SHLAA in preparation for work on the Site Allocations DPD.
43. In carrying the assessment we have contacted owners and developers wherever possible to seek their views on potential development and timescales.
44. In January 2009 a version draft of the SHLAA was published for wider consultation. It was made available on the Council's website and landowners, developers and agents were notified as to its availability. Comments were sought on the estimated yields, and the suitability, availability and deliverability of the identified sites.

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

45. The Guidance states that the Assessment should identify all potential sources of housing supply within the Borough. The Guidance lists a range of potential sources of housing land, which is shown in Table 1 below.

**Table 1: Sources of sites with potential for housing**

Sites in the planning process
<ul style="list-style-type: none"><li>• land allocated (or with permission) for employment or other land uses which are no longer required for those uses</li><li>• existing housing allocation and site development briefs</li><li>• unimplemented/outstanding planning permissions for housing</li><li>• planning permissions for housing that are under construction</li></ul>
Sites not currently in the planning process
Examples: <ul style="list-style-type: none"><li>• vacant and derelict land and buildings</li><li>• surplus public sector land</li><li>• land in non-residential use which may be suitable for re-development for housing, such as commercial buildings or car parks, including as part of mixed-use development</li><li>• additional housing opportunities in established residential areas, such as under-used garage blocks</li><li>• large scale redevelopment and redesign of existing residential areas</li><li>• sites in rural settlements and rural exception sites</li><li>• urban extensions</li><li>• new free standing settlements</li></ul>

46. We have considered these sources in our Assessment but given the nature of the Borough - that of a tightly constrained urban area, it should be noted that not all of the sources are relevant to Hastings. Survey work to identify new sites and reassess existing ones has involved a comprehensive mapping and recording exercise. Starting with the study of maps and aerial photographs using the Council's Geographical Information System (GIS), followed by site visits.

### Stage 3: Desktop review of existing information

47. The following data sources (Table 2) have been used to assist with identifying sites that have potential capacity for housing and other uses, as well as providing other relevant information, including information relating to potential constraints on development:

**Table 2 Sources of information to help identify sites**

Sources	Purpose
Hastings Local Plan 2004 Housing Allocations	To identify sites
Hastings Local Plan 2004 Employment Allocations	To identify sites
Hastings Local Plan 2004 Designations	To identify sites and constraints
Planning commitments for housing as 1 <sup>st</sup> April 2008	To identify sites
Planning refusals and appeals	To identify potential sites where in 'principle' the site was suitable for housing development and where the reasons for refusal may be overcome by a subsequent application
Hastings Local Plan 2004 Representations/Inquiry submissions	To identify sites
Site suggested by Landowners/Developers/Agents	To identify sites
Hastings Borough Council land holdings	To identify sites
Potential surplus land held by other public and other key landowners such as ESCC, RSLs, Network Rail, Utility companies	To identify sites & buildings
Hastings Urban Capacity Study, Autumn 2001	To identify sites & buildings
Open Space Audit, May 2006	To identify sites and constraints, particularly areas of valuable open space
Aerial photography	To identify sites
National Land Use Database returns	To identify buildings and land, and any constraints to delivery
Strategic Flood Risk Assessment (SFRA) 2008	To identify constraints
Environmental Health Team, HBC	To identify constraints
Ancient woodland inventory	To identify constraints
Historic Environment Record for East Sussex	To identify constraints



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

48. Stage 4 seeks to determine which of the sites identified in Stage 3 will be surveyed in order to make an assessment of their capacity.
49. The study covers the whole of the Borough, including looking at potential beyond the existing built-up area boundary, and includes sites capable of accommodating six or more dwellings. This threshold is based on the established system used in East Sussex to monitor housing permissions and completions; large sites are defined as those where six or more dwellings could be accommodated. Small sites are those where fewer than six dwellings could be accommodated. This approach is based on potential yield rather than site area and offers more flexibility than using site area as a rule for inclusion or exclusion. It should be noted, however, that estimated yields are provisional and the capacity of any site can only be finally determined through the development control process.
50. In determining the geographical extent of the study area, the study team has had regard to the relationship of potential new housing and access to jobs, shopping, leisure facilities and services, since locating new housing close to existing services can promote sustainable development and assist in the creation of sustainable communities. Work on accessibility undertaken by East Sussex County Council has been helpful in this regard.
51. The County Council has undertaken work to help identify the accessibility needs and problems of different sections of the community, and barriers associated with different journey purposes at the local level. (This will help identify critical 'gaps' in accessibility to key facilities and help detail how these can be addressed). The Hastings and Rother Accessibility Strategy Local Assessment (ASLA) identified access to employment and access to further education as key priorities, in addition, access to hospitals and supermarkets were also added. Of significance to our SHLAA research, access to primary education, secondary education and GP's were not selected to be assessed as detailed surveys revealed that these facilities were deemed least difficult to get to as they are not consolidated to the extent that hospitals and supermarkets are. Bus, rail and walking were included as the assessed modes of transport, in the case of employment, cycling was also included.

52. The results of the Hastings and Rother Accessibility Strategy Local Assessment (ASLA) – April 2007 show:

- Most of Hastings is accessible to the hospital within 40 minutes (all except a small area of Hastings Country Park).
- All of Hastings is accessible to further education in under 30 minutes
- All of Hastings is accessible to Employment areas (Industrial estates and the Town Centre) in under 30 minutes, all of Hastings can reach the Town Centre in under 20 minutes by cycling.
- All of Hastings is accessible to supermarkets in under 30 minutes.

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

53. In order to ensure that surveys were carried out on a consistent basis, a standard site information sheet was devised and used. Aerial photographs and a site plan were obtained for each site. Site visits involved recording relevant characteristics (where not already known) and an assessment made as to whether the site is suitable for housing or mixed use development including housing.

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

54. The guidance recommends that Local Plan or emerging plan policies should be used to help determine the densities of each site. Where these policies are out of date, the Guidance suggests alternative methods including sketching schemes from scratch or applying design principles of existing schemes or sample scheme to estimate potential yields.

55. Due to resource and time constraints it has not been possible to apply a design based approach to each of the sites identified. However a number of factors have been taken into account in arriving at a potential yield for each site, including:

- taking account of the likely developable area
- identifying potential constraints, such as protected trees within the site
- the height and character of the surrounding development
- the type of development likely to be suitable (e.g. single or mixed use) and;

- the density requirements of PPS3 where 30 dwellings per hectare is set as the national indicative minimum for plan making.

56. The estimated housing potential of each site can be found in Appendix 2.

### **Stage 7: assessing when and whether sites are likely to be developed**

57. The Guidance separates this stage into four sections which are:

- assessing suitability for housing;
- assessing availability for housing;
- assessing achievability of housing; and
- overcoming constraints.

58. The assessment of the sites in terms of their suitability, availability and achievability will provide information on which judgement can be made in the plan making context as to whether a site can be considered deliverable, developable or not currently developable for housing development.

59. A site is considered:

- deliverable when the site is available now, offers a suitable location for housing development now and there is a reasonable prospect that housing will be delivered on the site within five years from the date of adoption of the plan;
- developable when the site is in a suitable location for housing development, and there is a reasonable prospect that it will be available for and could be developed at a specific point in time; and
- not currently developable when it is unknown when the site will be developed.

60. The SHLAA practice guidance states 'a site is suitable for housing development if it offers a suitable location for development and would contribute to the creation of sustainable, mixed communities' (para. 37). Paragraph 38 advises the following factors should be considered in assessing suitability for housing, either now or in the future:

- **policy restrictions** – such as designations, protected areas, existing planning policy and corporate, or community strategy policy;
- **physical problems or limitations** – such as access, infrastructure, ground conditions, flood risk, hazardous risks, pollution or contamination;
- **potential impacts** – including effect upon landscape features and conservation; and
- **the environmental conditions** – which would be experienced by prospective residents.

61. The above factors were taken into account in devising the following set of suitability assessment criteria to enable a consistent survey of all sites and identify potential benefits or constraints:

**Policy Restrictions:**

- The site is outside of the built-up area boundary
- The site is within a designated or protected area
- The site is used for employment purposes

**Physical Problems or limitations:**

- Access issues such as ransom strips
- Ground conditions such as instability or sloping land
- The site is within a medium or high flood risk zone
- The site is within a Health & Safety Executive Land Use Planning Zone for major hazards sites and pipelines (HSE consultation zone)
- Pollution & contamination issues
- Overhead power lines / Railway tunnels / Public sewer lines
- Potential impact on local school capacities
- Potential impact on water and sewerage networks
- Potential impact on highway network
- Potential impact on energy networks

**Potential impacts:**

- The site is in or adjacent to an area of ecological significance
- The site contains trees and/or hedgerows
- The site is in or adjacent to an area of archaeological significance
- The site is in or adjacent to conservation area/listed structure
- Part or all of the site is included in the landscape assessment study

**Environmental factors:**

- The site is within or adjacent to a potentially incompatible neighbouring use
- The site currently provides a beneficial community facility or use

62. Sites were assessed against each criterion using a simple assessment matrix applying positive (+), negative (-) or neutral (0) ratings. This approach was agreed by the in-house SHLAA Working Group.
63. Appendix 3 explains the assessment methodology in more detail together with the results.

### **Availability Assessment**

64. The SHLAA guidance advises that 'a site is considered available for development when, on the best information available, there is confidence that there are no legal ownership problems such as multiple ownerships, ransom strips, tenancies or operational requirements of landowners. This means that it is controlled by a housing developer who has expressed an intention to develop, or the landowner has expressed an intention to sell' (para. 39).
65. It is not adequate to accept a site is available simply because it has planning permission as planning applications can be made by those who are not landowners. In view of this, efforts have been made to contact either the applicant, developer or landowner of all large sites (6+) and their plans for development or disposal recorded. In the context of the above definition, many of the sites assessed have therefore been recorded as 'available'.
66. Enquiries were undertaken with the Land Registry to clarify ownership where required and to identify potential constraints such as multiple-ownership. Where land is in multiple ownership this has been recorded. It may be necessary at a later date to carry out an assessment of those sites where availability is likely to be problematic to see how they can be overcome. Where availability is unknown this has been recorded in the assessment tables.

### **Achievability Assessment**

67. The SHLAA Practice Guidance states 'a site is considered 'achievable' for development where there is a reasonable prospect that housing will be developed on the site at a particular point in time. This is essentially a judgment about the

economic viability of the site, and the capacity of the developer to complete and sell the housing over a certain period' (Para. 40).

68. The guidance goes on to describe various factors that could affect achievability.

These include:

- **market factors** – such as adjacent uses, economic viability of existing, proposed and alternative uses in terms of values, attractiveness to the locality, level of potential market demand and projected rate of sales (particularly important for larger sites);
- **cost factors** – including site preparation costs relating to any physical constraints, any exceptional works necessary, relevant planning standards or obligations, prospect of funding or investment to address identified constraints or assist development; and
- **delivery factors** – including the developer's own phasing, the realistic build-out rates on larger sites (including likely earliest and latest start and completion dates), whether there is a single developer or several developers offering different housing products, and the size and capacity of the developer.

69. Where applicants, developers and landowners have been contacted, or in cases where sites have been put forward by or on behalf of an owner or developer, relevant parties were asked to complete a site information sheet. This included requesting information that could indicate that the site might be unavailable or unviable for development. The information sought included constraints around ownership or existing uses for example, and physical and environmental constraints such as nature conservation issues or ground conditions. A further question asked if measures could be taken to overcome these constraints. Additional information included an estimate of dwelling numbers and likely disposal of the site (aimed at owners) and estimated completion dates including any phasing (aimed at developers). Space was provided to enable participants to provide explanatory comments and make any additional points. A copy of the site information sheet is contained at Appendix 4.

70. Issuing the SHLAA as a draft document provided a further opportunity to seek the views of the housing industry (including the HBF, volume house builders, smaller developers, registered social landlords and estate agents) and other stakeholders, on the development potential of each site. Views in particular were sought on:

- Developability and deliverability of sites
- Housing types - which types of development would be most attracted to the site, and
- Estimated dwelling yield - whether dwelling estimates for each site are too high, too low or about right.

### **Stages 8 & 9 Review of Assessment, the identification of broad locations for future housing growth**

71. Once the initial survey of sites and the assessment of their deliverability/developability has been made, the housing potential of all sites can be collected to produce an indicative housing supply for the Plan period. The guidance indicates that following the review, if there are still insufficient sites, then it will be necessary to investigate how this shortfall should best be planned for. The two options are: the identification of broad locations for future housing growth, within and outside settlements (Stage 9); and/or the use of a windfall allowance (Stage 10). Stage 9 has been undertaken, the Council identified land at Breadsell lane, in the north west edge of the Borough as a potential strategic housing site. This is the last remaining sizable land parcel outside of the AONB.

72. The eastern boundary of the site is directly adjacent to the Marline Valley Woods Site of Special Scientific Interest. Natural England has serious concerns over the principle of large scale development at Breadsell due to potential detrimental impacts on the SSSI, and has made it clear they still strongly object to the allocation following submission of assessments of the hydrological, ecological, environmental, physical and recreational impacts of the proposed development. Following this protracted period of site investigation carried out in collaboration with Natural England, the uncertainty remaining with regard to the potential ecological impact of development at Breadsell, means that this area must be ruled out of inclusion within the SHLAA.

## **Stage 10: Determining the housing potential of windfall**

73. As a result of working through the SHLAA methodology methodically, it is now evident that some reliance on a windfall projection will be required. As documented elsewhere in the SHLAA, the areas of housing site search have extended beyond the existing built-up area boundary of Hastings to sites on the urban fringe and beyond potentially encroaching into the High Weald Area of Outstanding Natural Beauty (ANOB). Only a few exceptions to the areas of search have been made. These include Hastings Cliff Special Area of Conservation (SAC), which is an internationally important area of conservation; Sites of Special Scientific Interest (SSSIs); designated Local Nature Reserves (LNRs) and areas of Ancient Woodland. The areas of search has also considered a major greenfield site outside of the existing urban area (Breadsell).
74. The SHLAA guidance recognises that in some cases local authorities will not be able to identify all sites in advance and so will therefore need to make a realistic allowance for windfall in their development plan documents. Past development rates have shown a healthy supply of so called windfall development. This is partly as a result of the tightly drawn development boundary, and strong national and local planning policies which seek to protect the countryside for its own sake, thereby focusing development on the re-use of urban brownfield land and buildings. In addition, Hastings has a significant stock of large Victorian housing which has and continues to lend itself to conversion into flats. The Government acknowledges that the conversion of existing housing can provide an important source of new housing for an area.
75. Windfall sites by definition cannot be identified and allocated in advance either because their availability has not been foreseen, or they do not have firm potential at the time of the SHLAA or subsequent allocations process. Windfall sites are previously developed (brownfield) sites and can include large sites such as those arising from the closure or relocation of an existing use, or smaller development arising from the subdivision of a large dwelling into flats.
76. For small sites (less than six dwellings) there are difficulties associated with trying to identify sites through a field survey. The scale of the exercise would be highly resource intensive and the probability of many such sites coming forward



questionable. This is particularly true of categories not involving the redevelopment of land, such as dwellings created through the conversion or subdivision of existing buildings.

77. PPS3 advises that where genuine local circumstances that prevent specific sites being identified prevail, then an allowance can be included but should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
78. Currently a potential yield of 825 dwellings is identified in the SHLAA on new sites, ie those currently outside of the planning process – neither allocated or with planning permission. This figure is nearly 600 (577) dwellings short of the target figure of 1,402 needed to meet the South East Plan requirement of 4200 plus a further 420 dwellings represent a 10% contingency in the event of lower than expected rates of delivery. This shortfall is equivalent to 40 dwellings per year.
79. An initial analysis of small site (5 units or less) windfalls has shown we've provided approximately 70 units per annum over the last seven years. Therefore there is a strong argument that this shortfall will be made up by including an allowance for small site windfalls. For this to be an acceptable strategy we need to provide rigorous evidence of why this is realistic in a town like Hastings. This will be based on the nature of the building stock and a detailed analysis of past trends. This detailed work will be published in Spring 2010 as a background evidence paper to the Local Development Framework Core Strategy.

## **Process**

80. Paragraph 11 of the SHLAA Practice Guidance advises that in undertaking assessments, local authorities should adopt a partnership approach, including representatives from the different sectors of the housing industry.
81. The assessment has proceeded as follows:
  - April/May 2007
    - Draft methodology and invite to workshop circulated to statutory and other public bodies, HBF, stakeholders, utilities
    - Draft methodology workshop held

## Communities & Local government: Strategic Housing Land Availability Assessment Practice Guidance issued July 2007

### Winter 2007/08

- Initial identification and recording of sites through reference to existing sites database, survey work and liaison with Council's Estates and Amenities Services Teams
- Land Registry enquires made

### March 2008

- Questionnaires for "request for sites" prepared
- "Request for sites" letters sent to relevant contacts on LDF database
- "Request for sites" letter sent to HBF for circulation to HBF members

### April 2008

- "Request for sites" advert placed in the Hastings Observer and published on the website
- Formation of a SHLAA working group (comprising Council officers) to oversee the assessment process

### July/August 2008

- Devising and agreeing with SHLAA working group methodology for assessing the suitability of sites
- Assessment notification letters/emails issued to site owners & developers of existing Local Plan allocations
- Review of extant planning permissions as at 1<sup>st</sup> April 2008
- Quarterly housing monitoring site visits (sites under construction and with full planning permission) completed
- Discussions with ESCC education held

September/October 2008

- Final responses to developers surveys received, recorded and analysed
- Quarterly housing monitoring site visits (sites under construction and with full planning permission) completed
- Meeting with PCT held
- Southern Water comments received
- Discussions with Council's environmental health officers completed
- Discussions with highways engineer complete
- Remaining housing commitments and potential housing requirements reviewed and compared with potential RSS requirement
- Suitability and availability assessments completed

November/December 2008

- Draft Assessment prepared

January 2009

- Assessment notification letters sent to site promoters
- Draft Assessment issued for consultation

December 2009

- Further investigations for land at Breadsell concluded

## **SHLAA Findings**

82. The following paragraphs summarise the main findings of the assessment.

### **Suitability**

83. The suitability criteria has enabled a large number of sites to be considered and examined in a consistent manner highlighting the potential positive and negative impacts of development.

84. The overall results from the assessment criteria are summarised in the following section.

#### **The site is within a designated or protected area**

85. As part of the SHLAA process, landscape assessment work has been undertaken on those SHLAA sites located on the outskirts of Hastings. Landscape impact is a particularly significant issue for a number of sites which are in or adjacent to the High Weald Area of Outstanding Natural Beauty. The impact of development on a small number of sites is likely to be unacceptable and these sites have been recorded as "not currently developable" and excluded from potential housing numbers. The sites are outside of the built-up area boundary and are mainly located

on the eastern side of the Borough. A small number of other sites are covered by nationally important nature conservation designations, also making development highly unlikely.

#### **The site is used for employment purposes**

86. Three sites are currently allocated for employment purposes whilst a further site is in employment use. One of the allocated sites is currently the focus of plans by Sea Space to bring the site forward for employment purposes. The Council's joint employment land study – the “Hastings and Rother Employment Strategy & Land Review”, suggests that the remaining sites – both allocated and those which are already in employment use need to remain so in order to support the Council's economic and regeneration objectives.

#### **Physical Problems or limitations**

##### **Ground conditions such as instability or sloping land**

87. In the past, the soil conditions in Hastings have, on occasion, led to structural problems in buildings, and landslips have been known to undermine sections of the highway. In respect of new development the Council already has a planning policy in place to dealing with the potential for unstable land. Based on advice from the Council's Building Control Team, no sites have been ruled out on the basis that ground conditions are likely to make them physically unsuitable for development.

##### **The site is within a medium or high flood risk zone**

88. Very few of the sites identified are with zones 3a and 3b as shown in the Council's Strategic Flood Risk Assessment (SFRA). In the main, land within flood zones 2 and 3 is situated along the coast, and within the vicinity of the Combe Haven River and Hollington Stream, although other pockets do exist elsewhere in the Borough. It will need to be demonstrated through a Sequential Test that no alternative sites are available in areas of lower flood risk. Where the Sequential Test has been met, any outstanding sites that lie within Flood Zones 2 or 3 will require a detailed Flood Risk Assessment (FRA) at the planning application stage.

##### **The site is within the HSE consultation zone**

89. No sites are within the HSE consultation zone, public sewer lines affect a small number of sites and one site (land at Breadsell) is affected by an overhead power line and gas main.

### **Pollution and contamination issues**

90. A desk based study of potential contamination issues has been undertaken. There are no sites where it is anticipated that contamination of land would significantly deter development. In a number of cases it will be necessary to consider the protection of Controlled Waters, the impact on local residents or other receptors prior to development, desk studies, risk assessments and intrusive investigation may also be required.

### **Impact on Schools Capacity**

91. East Sussex County Council Children's Services Department has carried out a strategic appraisal of the potential cumulative impact of SHLAA sites on pupil numbers and school place planning. The information supplied is based on strategic forecasts to 2026 produced by the department's pupil forecasting model. The forecasts use assumptions on future new housing numbers, phasing and dwelling mix agreed with SHLAA study team.
92. Rather than assess the impact of SHLAA sites on an individual development basis, the overall impact of developments has been considered in the context of school place planning community sub-areas. It should be noted that the correlation between school community sub-areas and individual housing sites is only intended to be an approximate one. It assumes pupils from new housing in a sub-area will attend the nearest school in that sub-area. The study team considers this to be a sufficiently accurate for the purposes of the SHLAA.
93. The County's input in to the SHLAA is intended as part of an ongoing dialogue with HBC. Forecasts of the impact on future development on pupil numbers will be refined over time as details of LDF site allocations, dwelling mix and phasing become more certain.

### **Impact on water and sewerage networks**

94. Comments from Southern Water identified a number of sites where, subject to further investigation, investment in major water supply or sewerage infrastructure is likely to be required. Where existing capacity is insufficient, the local network will need to be improved before the development can connect into it. Such sites will be

subject to further investigation in developing the Site Allocations Development Plan Document (DPD).

95. In a few cases, developability may be affected by existing pipelines cutting across sites. If existing below ground water infrastructure crosses the development site, the development design must ensure that this infrastructure is not built over. Appropriate easement, depending on pipe size and depth, will be required.

#### **Impact on highway network**

96. The Council's highways engineer carried out a preliminary assessment of each site in terms of site access and the wider implications of development for the highway network. In most cases improved access arrangements and highway improvements will be necessary, many sites will require a Transport Assessment in support of development proposals. All sites involving 5 or more dwellings are required to make a "local sustainable accessibility improvement contribution". The nature of the contribution is dependent on the number and type of dwellings, location and proximity to local services and public transport.
97. Although a significant amount of transport modeling work has already been carried to-date out in support of the Core Strategy, it will however be necessary to carry out further transport modeling work to provide a strategic assessment of the potential cumulative impact of all of the potential housing sites which are proposed for inclusion in the Site Allocation DPD.

#### **Impact on energy network**

98. Information received from the energy supplier EDF suggests that there are no major off site implications or strategic capacity implications associated with the level of housing growth required over the Plan period. Individual development proposals are assessed for their impact on the existing network and connections are costed accordingly. The developer is required to meet appropriate costs in accordance with the current industry regulations. EDF conclude that for the present the network capacity for Hastings is adequate for meeting existing customer demand and that their asset replacement programmes provide the opportunity to rethink the way in which infrastructure is developed to meet future customer needs, particularly for connection to green and renewable energy sources.

## Potential impacts

### **The site is in or adjacent to an area of ecological significance and tree or hedgerow cover**

99. Many sites have, or potentially have biodiversity interest. In consultation with the Council's ecologist, it will be necessary to ensure those sites concerned take full account of any nature conservation impacts and where necessary the Council will apply planning conditions and/or seek to enter into a legal agreement to achieve necessary measures. Where biodiversity interests have already been identified these sites have been given a "-" rating.

### **The site is in or adjacent to an area of archaeological significance**

100. The County Archaeologist has carried out an initial appraisal of the archaeological potential of the SHLAA sites. A number of sites have been identified as having archaeological potential. Should development go ahead on these sites it is recommended that an archaeological planning condition for a programme of archaeological work to allow assessment, evaluation and mitigation strategies to be agreed as part of the development process.
101. A further 6 sites have been identified as having sufficient information already to be reasonably certain that the site has high historic environment potential and where it is recommended that pre-determination assessment and evaluation is carried out (for example through an 'Environmental Impact Assessment' where applicable) to ensure the potential for preserving important archaeological remains *in situ* within the site. These are sites where some development may be possible but flexibility and the potential to ensure preservation *in situ* needs to be considered from the outset.
102. In most cases it is understood that the historic environment resource should not act as a barrier to development. But it may be necessary to ensure that archaeological remains are either preserved *in situ* or where this is not possible by record. In line with existing Plan Policy (C6), the Council will require that the archaeological aspects of the development proposals are examined and evaluated before planning applications are determined.

### **The site is in or adjacent to conservation area/listed structure**

103. A number of sites are within or adjacent to Conservation Areas and include buildings that are considered to positively contribute to the character and appearance of the Conservation Area. Any new development will need to have regard to existing Local Plan policies and will need to be sympathetic to the overall character found in the particular conservation area. (Taking in to account existing patterns of development, architectural form and so). Development outside of a conservation area may affect its character by virtue of its visual or functional impact. Two sites have been identified which include buildings that are considered to positively contribute to the conservation area. In these cases the retention and conversion of the building will be the preferred approach, in line with national guidance - paragraph 4.27 of PPG15. Paragraphs 3.16-3.19 of PPG15 set out very clear criteria, all of which must be satisfied before demolition of a positive building can be permitted.

### **Environmental factors**

#### **The site is within or adjacent to a potentially incompatible neighbouring use**

104. Only one site was deemed to be poorly located in terms of impact on residential amenity. In site capacity terms this site was also deemed too small for inclusion within the SHLAA.

#### **The site currently provides a beneficial community facility or use**

105. A small number of sites are provide valuable community facilities – for example outdoor play space, which is likely to rule out development.

### **Achievability**

106. The response received from the survey work has provided a useful initial assessment from developers and landowners on the development potential of each site.
107. In terms of developability, very few owners or developers indicated that there were any known negative physical or other constraints affecting the potential for the site to come forward.
108. Information on the likely timescale for development was positive but developers and landowners are increasingly telling us that their development plans or disposal dates are dependent on “market conditions”, but that they are keen to proceed. This is



evidenced by continuing pre-application discussions, actual submission of applications and the completion of legal (planning) agreements. This will help ensure that when the market does pick up, developers and landowners are in a position to proceed quickly with development. .

109. Most of the information was supplied by small developers and social housing providers (RSLs) rather than volume housebuilders.

110. Individual site information is contained in appendices 2 and 5, these provide detailed information on those sites we currently believe are developable and should be included in the SHLAA and those site which are currently not considered developable. A separate Site Index document contains individual site location plans.

## **Next Steps**

111. This Assessment has identified issues which will help determine whether sites are deliverable and developable. Many sites have significant physical, policy or availability constraints and the likelihood of them coming forward over the Plan period cannot be ascertained with any certainty. On this basis they have been classed as not currently developable and have not been counted in the provisional housing land supply figures contained in this report. (A list of sites currently considered undevelopable is set out in Appendix 5)
112. Paragraph 43 of the SHLAA guidance advises that once developability and deliverability have been assessed, an indicative housing trajectory should be prepared to show how much housing can be provided and at what point in the future. Appendix 2, as well as setting out which sites are currently considered suitable for inclusion within the SHLAA, also indicates the potential phasing in 5 yearly tranches, beginning with the all important 5-year housing land supply.

## **List of Appendices**

Appendix One – List of organisations contacted regarding the draft SHLAA methodology, including list of workshop attendees

Appendix 2 – Developable sites currently included in the SHLAA

Appendix 3 – Site assessment methodology and results

Appendix 4 – Site information sheet

Appendix 5 – Sites not meeting the SHLAA criteria