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1. Introduction

1.1 The Housing and Economic Land Availability Assessment (HELAA), is a technical study that determines the suitability, availability and achievability of land for development. It is an important evidence source to inform planning, but does not in itself represent policy nor does it determine whether a site should be allocated for future development. Land can only be allocated through a Local Plan.

1.2 This process was previously known as a Strategic Housing Land Availability Assessment (SHLAA) but has now been revised to include the consideration of sites for economic uses rather than just housing, which is in line with the Planning Practice Guidance. All sites that were considered as part of the previous SHLAA process will be retained\(^1\) and carried forward into the HELAA.

1.3 This methodology replaces the earlier SHLAA Methodology, adopted in 2009.

2 Policy Context

2.1 The Government remains committed to boosting housing supply and promoting economic growth\(^2\). Assessing the housing and economic development needs of the District and identifying specific and deliverable sites in order to facilitate this is a critical aspect of the Local Plan process.

2.2 The National Planning Policy Framework (NPPF) sets out the requirement for Local Authorities to produce a land assessment which enables realistic assumptions about the availability, suitability and achievability of land to meet the identified development needs of the District, for the duration of the plan period (Paragraphs 159 and 161). The framework identifies the advantages of carrying out land assessments for housing and economic development in tandem, to ensure that sites can be considered for the most appropriate use.

2.3 In order to assist Local Authorities in interpreting and applying the NPPF, the Government, in March 2014, produced the Planning Practice Guidance (PPG). Included within the PPG is a broad steer and methodology which should be used in carrying out Housing and Economic Land Availability Assessments (HELAA). This Tandridge HELAA Methodology sets out the Council’s application of the guidance which will be used going forward.

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\(^1\) Unless they have already been developed.

\(^2\) National Planning Policy Framework – Paragraph 18
2.4 Paragraph 47 of the NPPF sets out a requirement for Local Authorities to “use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period”.

2.5 The Government requires Local Authorities to identify and update annually a specific supply of deliverable sites. These must provide 5 years worth of housing against the requirements for the district with an additional buffer of 5% to ensure choice and competition. Identifying developable sites or broad locations that can accommodate development to meet the needs of the district for years 6 to 10, and 11 to 15 of the plan period should also be included.

2.6 Local Authorities are also required to demonstrate how the economic needs of their areas can be met and ensure there is a sufficient supply of sites to support jobs, businesses and to secure economic prosperity³.

2.7 It is important to note that whilst the HELAA identifies potential sites, it does not allocate them for development. The allocation of future sites for development will only take place through the Local Plan process which will undergo full consultation and an examination in public before any decision is made.

3. Methodology

3.1 This section sets out the approach for preparing a HELAA in line with Government guidance detailed within the Planning Practice Guidance (PPG) (ID 3). The PPG states that an assessment should meet the following aims:

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

3.2 The flow chart below sets out the Council’s approach and is consistent with the PPG.

³ National Planning Policy Framework – Paragraph 161
Stage 1: Site identification

- Determine assessment area and size
- Desktop Review of existing information
- Call for sites
- Site Locations

Stage 2: Site assessment

- Estimating the development potential
- Suitability
- Availability
- Achievability – including viability
- Overcoming constraints

Stage 3: Windfall assessment

- Determine housing / economic development potential of windfall sites (where justified)

Stage 4: Assessment review

- Assessment of development need for housing and economic uses
- Review assessment and prepare draft trajectory: Enough sites?

Stage 5: Final evidence base

- Deliverability (5 year supply) and developability for housing
- Informs development plan preparation
- Evidence Base
- Monitoring
Call for Sites

3.3 The Council will carry out ‘Call for Sites’ exercises, as necessary, to ask for sites to be submitted for an assessment of their development potential. This process helps to ensure that a variety of options can be considered when preparing the Local Plan. The assessment process will be reviewed annually to account for changes or new opportunities, for example:

- New sites submitted for consideration
- New planning permissions and/or sites which have been completed;
- Change of circumstances on existing sites such as changes in ownership or constraints which may alter the outcome of assessments.

3.4 The Call for Sites will be publicised via appropriate media channels such as The Tandridge Magazine and the Council’s website.

3.5 The PPG states that if it is “.. concluded that insufficient sites/broad locations have been identified against objectively assessed needs. Plan makers will need to revisit the assessment, for example changing the assumptions on the development potential on particular sites (including physical and policy constraints)...” (Paragraph: 026 Reference ID: 3-026-20140306). Should this occur, the Council will carry out further Call for Sites exercises.

3.6 The submission of sites can be made at any point. However, the Council will publish a ‘closing date’ on its website each year on new submissions to allow for a review of the HELAA to take place.

Stakeholders

3.7 The PPG advises that effective planning for a HELAA must involve cooperation with relevant bodies and other third parties in line with Duty to Cooperate and to ensure specialist input on the technical aspects of the assessment process. Targeted stakeholder consultation may take place at the following stages:

- Consultation on draft Methodology
- To check information with site submitters in order to ensure the suitability, availability and achievability assessment is thoroughly and accurately carried out; and
- During the viability testing process to ensure achievability can be determined. This may require the input of professionals, developers, registered providers, house builders, land agents and other informed parties.

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4 The Council will establish a Stakeholder Panel of locally operating developers, registered providers of social housing, Council Officers and land agents to help inform the HELAA process and their knowledge will be called upon at appropriate times. However, involvement will not be limited to the Stakeholder Panel and other parties may be contacted as appropriate.
3.8 All interested parties and Stakeholders will have the opportunity to comment on the way the HELAA is used to inform the Local Plan preparation process during consultation on the Local Plan.

**Opportunity for Joint Working**

3.9 The PPG recommends that the assessment area should preferably cover the housing market area and functional economic market area, but may cover a local planning authority area where appropriate.

3.10 It also recommends that where possible, the HELAA should be undertaken jointly with other authorities within the housing market area. Due to different timescales it has not been possible to undertake a joint study with other Local Authorities in the Surrey area, nor those adjoining the boundaries in Kent and Sussex. However, the Council will continue to work with neighbouring authorities as part of the preparation of the new Local Plan in line with the duty to cooperate and should this opportunity arise in the future, the Council will consider it on its merits, at that time.

4. **Stage 1: Site Identification**

**Determining the Assessment Area**

4.1 The Planning Practice Guidance states that the HELAA “...should identify all sites and broad locations regardless of the amount of development needed to provide an audit of available land.” The Tandridge Local Plan covers the entirety of the district and therefore, all sites submitted to the Council for consideration will be assessed.

4.2 The Tandridge District area is comprised of 94% Green Belt and 16% Area of Outstanding Natural Beauty; both of these designations are recognised through national policy and will be appropriately considered by the relevant evidence based studies used to inform the Local Plan.

4.3 The HELAA represents just one part of wider evidence and should not be considered in isolation of other evidence. This approach is supported by the PPG which states that “...It is the role of the assessment to provide information on the range of sites which are available to meet need, but it is for the development plan itself to determine which of those sites are the most suitable to meet those needs.”

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5 Planning Practice Guidance - Paragraph: 009 Reference ID: 3-009
6 Unless they fall within the exclusion category set out in paragraph 4.12.
7 Both the High Weald and Surrey Hills AONB.
8 Planning Practice Guidance - Paragraph: 003 Reference ID: 3-003
4.4 Throughout the HELAA process the Council will be proactive in its approach of working with landowners and stakeholder to increase the land options available by encouraging the submission of sites to be made at any point. The Council will also seek to work with neighbouring authorities under the Duty to Cooperate.

**Desktop Review of existing information**

**Site Sources**

4.5 The PPG advises that plan makers should be proactive during the Desktop Review stage in identifying a wide range of possible sites and broad locations for development including existing sites that could be improved, intensified or changed.

4.6 The HELAA will consider all sites and broad locations capable of delivering five or more dwellings or economic development on sites of 0.25ha (or 500m² of floor space) and above.

4.7 Sites included in the assessment will be drawn from a number of sources, including:

**Sites in the planning process:**

- Land allocated (or with permission) for employment or other land uses which are no longer required for those uses
- Existing housing allocations and site development briefs
- Unimplemented/outstanding planning permissions for residential and economic use;
- Sites with planning permission for housing that are under construction

**Sites outside the Planning system:**

- Sites submitted to the Council for consideration i.e. through the ‘Call for Sites’ process, or during consultation exercises etc
- Sites which have already been considered through the HELAA (formerly SHLAA) process and which have not been developed - these will be regularly reconsidered through the review process and in line with development needs
- Vacant and derelict land and buildings
- Surplus public sector land
- 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 a mixed-use development
- Large scale redevelopment and re-design of existing residential areas
- Sites in rural settlements and rural exception sites
• Urban extensions
• Pre-application enquiries where the site is subsequently submitted to the Council for consideration through the HELAA process.

4.8 The Desktop Review is the first part of the process that facilitates an initial judgment as to whether a site is suitable. The Council has access to a considerable amount of information in the form of existing maps, databases and studies. This information will help to assess the deliverability and developability of sites, including any site constraints.

4.9 In addition to recording the basic site details such as size, current use, boundary and surrounding area/character; conclusions will be based on a wide range of information from various sources and stakeholders including:

- Surrey County Council Highways;
- Water and sewerage infrastructure;
- Location of educational facilities;
- Public Rights of Way;
- Public Transport;
- Local Wildlife sites;
- Sites of Special Scientific Interest;
- Areas of Outstanding Natural Beauty;
- Areas of Greater Landscape Value;
- Nature Improvement Areas;
- Scheduled Monuments (English Heritage);
- Conservation Areas and Listed Buildings (English Heritage);
- GIS Mapping and constraints;
- Authority's Monitoring Report;
- Information on the location of oil pipelines (provided by relevant supplier and/or National Pipeline Agency);
- Information on gas and electricity infrastructure (provided by relevant supplier or National Grid);
- The Flood Map (Environment Agency);
- Property history information in relation to planning applications;
- Tree Preservation Orders;
- Mineral Safeguarded Areas (Surrey County Council);
- SHLAA/HELAA submission forms and/or earlier Call for Sites data;
- The Councils most up to date evidence base and corporate strategies.

4.10 The Assessments will be principally undertaken by the Council's Planning Policy Team, using a joint desk top and site visit survey approach. The assessment made will ensure that each site is looked at comprehensively on its own merits and recorded in a consistent way.

4.11 Some constraints can mean a site is unsuitable for development, but depending on the extent and nature mitigation may enable these to be overcome. Therefore only in rare occasions will sites be excluded from the process entirely.
4.12 A site's exclusion from the HELAA process during the desktop review will only occur where no feasible development potential can be demonstrated due to the presence of overwhelming constraints for the foreseeable future. Examples of this include:

- Scheduled Monuments - These are historical assets that are protected by law.
- Areas at risk from flooding - Land that is in a functional flood plain (Flood Zone 3b) will not be included in the HELAA. Land within Flood Zone 3a will only be included where the Exceptions Test has been applied.
- Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR) - These are important, statutorily protected biodiversity resources used for recreational, amenity and educational purposes in the District.

4.13 There are other constraints which can restrict the potential suitability for development. These can include physical problems or limitations of the site or surroundings, for example:

- There is no suitable access to the site
- The land is unsuitable for building due to topography or ground conditions
- Suitable drainage, water supply, power or other infrastructure is not available and there is no prospect that it can be made available.

4.14 If a site is identified during the desktop review stage as being unsuitable for development with little prospect of constraints being overcome then it will not be taken forward for further assessment. This will require a judgment by the assessing officers. It should be noted however that the exclusion of a site from the HELAA does not rule out a site from ever being developed and sites which have been excluded will be reconsidered during the annual review process to ensure none of the circumstances affecting the assessment, have changed.

5. **Stage 2: Site assessment process**

5.1 Once a site has passed the Desktop Review stage, a site visit will be conducted along with a further assessment involving four main steps.

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*Sites which are only partially affected may still be considered depending on the extent and impact of the associated constraint. In these cases the Council may reduce the size of the land to be considered for its developability*
Site Visits

5.2 All sites received will be visited to ensure a thorough assessment of their potential for development. The purpose of a site visit is to:

- Ratify information gathered through the call for sites / planning application, etc and desktop review
- Get an up to date view on development progress (where sites have planning permission)
- A better understanding of what type and scale of development may be appropriate
- Gain a more detailed understanding of deliverability, identify any barriers that may exist and how they could be overcome
- Identify further sites with potential for development that were not identified through data sources/desk top review or call for sites.

5.3 A site visit will record information regarding site characteristics and known constraints including:

- Size
- Boundaries
- Current use
- Character of the area
- Any physical constraints such as access
- Any risk of flooding
- Development progress
- Surrounding land use
- Initial assessment as to whether the site may be suitable for housing or a mixed use development.
- Policy constraints

5.4 The PPG states that site surveys should be proportionate to the detail needed for a robust appraisal and sites that are considered to be more realistic for potential development should be surveyed in greater detail. Sites that are identified in the Desktop review as being unsuitable are unlikely to be visited.

5.5 The next stage is to assess the site to consider what type of development may be appropriate and determine if it is available and achievable.

Step 1 – Is the site suitable?

5.6 The PPG advises that an identified use should consider the needs of the community and the wider housing market area, for example:
- market housing
- private rented
- affordable housing
- Self build schemes
- Housing for older people
- Economic development uses
- Mixed use – Housing / Economic development

5.7 The PPG advises that calculating housing potential should be guided by existing or emerging plans and locally determined policies on densities. Potential development capacities such as the number of dwellings or total commercial floor-space for sites will be estimated based on the nature of the area or comparable schemes within the locality and informed by stakeholder discussions where applicable.

5.8 It should be noted that if any Neighbourhood Plans are adopted and in place at the point in which the HELAA is undertaken, then any relevant policies will be taken into consideration in the calculation of densities.

5.9 The potential of a site can be limited if development would have a detrimental impact on the character of a conservation area, setting of a listed building, protected trees or other features worthy of protection, including adjacent Green Belt areas.

**Step 2 – Is the site available?**

5.10 The PPG advises that a site can be considered available for development, when, on the best information available there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips, tenancies or operational requirements of landowners. This will often mean that the land is owned by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell. The following questions will be used to help determine if a site is available:

- Is there a willing land owner?
- Are there multiple owners / ransom strips?
- Is the site available now?
- Is the site likely to be available in 10 years time?
- Are there any legal or ownership problems?
- What is preventing the site from being available and what measures could be taken to address this?
5.11 The PPG also advises that consideration should be given to the delivery records of developers or landowners and whether the planning background of a site shows a history of unimplemented permissions. It is important to remember that the existence of a planning permission does not guarantee the site is available; anyone can make a planning application on a site regardless of ownership.

**Step 3 - Is the site achievable?**

5.12 This is essentially an assessment of the economic viability of a site and whether it can be feasibly and reasonably achieved at a particular point in time. As such, the Council will only carry out achievability/viability testing on sites which can been found to be both suitable and available. Factors which are key to being able to determine achievability, include:

**Market factors:** For example the impact of adjacent uses, the economic viability of existing / proposed / alternative uses in terms of land values, attractiveness of the locality, level of potential market demand and projected rate of sales (particularly important for larger sites)

**Cost factors:** This could include site preparation costs relating to any physical constraints and exceptional works necessary, relevant planning standards or obligations, prospect of funding or investment to address identified constraints or assist development and;

**Delivery factors:** For example the developers own phasing, the realistic build-out rates on larger sites (including the likely earliest and latest start and completion dates), whether there is a single or multiple developers offering different housing products, and the size and capacity of the development.

5.13 A detailed assessment of viability will be carried out before the potential of a site can be concluded in the HELAA report. Due the specialist nature of the 'achievability' assessment phase of the HELAA, the Council will draw upon the knowledge of the stakeholder panel who can contribute to establishing the assumptions utilised for the viability testing process and may employ other external professional resources to undertake this work.

5.14 The panel will be compiled of stakeholders, landowners, interested parties and council officers who operate locally and can contribute to establishing the assumptions utilised for the viability testing process. Membership of the panel will remain flexible to ensure that new members can join and change to reflect any personnel changes across organisations involved and to retain unbiased and informed professional input. The list of panel members involved will be listed in the HELAA Report for each reviewing period.

**Step 4 – Is the site deliverable?**
5.15 A site can only be considered deliverable if it is suitable, available and achievable. The deliverability of a site is crucial to establishing a robust land supply for housing and economic development and is particularly important in identifying whether there is a sufficient land supply for the first five years of a plan period. This is a key requirement of the NPPF (paragraph 47).

5.16 To be considered deliverable, sites should be; immediately available, be in a suitable location and be achievable with a realistic and viable prospect for development that can be delivered within five years.

5.17 If deliverability cannot be established, sites will not be included within the five year housing supply but could be set out in the later timeframes of the housing trajectory.

6. Stage 3: Windfall Allowance

6.1 The Council have historically been able to demonstrate a strong supply of windfall development from unidentified small sites.

6.2 Paragraph 48 of the NPPF states that Local Planning Authorities may make an allowance for windfall sites in the five-year supply based on the following criteria:

1) They have compelling evidence that such sites have consistently become available in the local area; and
2) These sites will continue to provide a reliable source of supply.

6.3 However, by their nature, windfall development is an ‘unknown’ variable and therefore, the Council are unable to say with certainty that the trend will continue. As such, the Council will not factor a windfall allowance in the first instance, but will continue to monitor the delivery of housing from windfall sites through the annual Authority’s Monitoring Report (AMR). A windfall allowance will be calculated at a later stage in the HELAA report.

7. Stage 4: Assessment Review

7.1 Once all the sites have been surveyed and their assessed development potential assessed, an indicative trajectory can be produced to show how far the housing and economic development needs of the District can be provided and over a minimum period of 15 years.

7.2 If there remains an insufficient supply of land suitable for the development needs of the District following the assessment, the Council will need to take the following measures:
• work with neighbouring Local Authorities through Duty to Cooperate to attempt to try and identify alternative options;
• carry out further Call for Sites exercises to generate further sites for consideration;
• proactively engage with landowners/developers to ‘free up’ sites and bring them forward; and
• Consider identifying broad locations for development.

7.3 Broad locations are essentially areas where housing and economic development is considered feasible but where specific sites cannot yet be identified and may include town centres, urban extensions and/or intensification/redevelopment/expansion of settlements.

7.4 Where the Council is forced to consider broad locations, the methodology used to identify and assess locations will be comprehensively set out in the HELAA Report.

8. Stage 5: – HELAA Report

8.1 The HELAA will produce a detailed and comprehensive report on the outcomes of the assessment process which will be utilised to inform the Local Plan and give the Council an understanding of the potentially developable sites in the District. It will be through this report that the application of the methodology and how the stages of assessment have been carried out. The report will include:

• A list of all sites considered, cross referenced to their locations on maps;
• An assessment of each site or broad location, in terms of suitability for development, availability, and achievability;
• A high level conclusion on the sites viability and time-frame for development;
• A list of those sites which have been excluded from assessment and why;
• Identification of constraints and how and when they might be overcome;
• A conclusion as to the most appropriate use for the site;
• An indicative trajectory of anticipated development; and
• Any other information which the Council feel is relevant to the HELAA process and its conclusions.

8.2 The final report will be published on the Tandridge District Council website.