



North Devon Council and Torrige District Council

Report Date: 15th July 2022

Topic: North Devon and Torrige Housing and Economic Land Availability Assessment (HELAA) Methodology

Report by: Planning Policy Officer (TDC)

1. INTRODUCTION

1.1. This report provides feedback on recent consultation undertaken on the draft North Devon and Torrige Housing and Economic Land Availability Assessment (HELAA) Methodology. It proposes revisions in response to received comments and seeks the Committee's endorsement of the amended document.

2. RECOMMENDATIONS

2.1. This Committee agrees the proposed revisions to the draft North Devon and Torrige HELAA Methodology as presented in the appendices to this report.

2.2. This Committee endorses the North Devon and Torrige HELAA Methodology as the basis of the approach to undertaking a Housing and Economic Land Availability Assessment for the Local Plan area.

3. REASONS FOR RECOMMENDATIONS

3.1. To ensure the Councils' approach to the assessment of housing and economic land availability is robust and can effectively support the People and Place Project as a key part of the Local Plan evidence base.

4. REPORT

4.1. The Housing and Economic Land Availability Assessment (HELAA) Methodology sets out the Councils' approach to the identification of land potentially available for housing and economic uses across the Local Plan area. The HELAA is an important source of evidence to support the Local Plan process and the identification of a five-year supply of housing land, as required by the National Planning Policy Framework (NPPF). It provides information on the range of sites which are available to meet the Councils' requirements for housing and economic development. The wider Local Plan review process will determine a strategy for the spatial distribution of future



development and identify the Councils' preferred sites to be allocated for development.

- 4.2. A draft HELAA Methodology (March 2022) has been prepared and was subject to a six-week period of consultation, which concluded on 29th April 2022. The consultation formed part of the widely publicised launch of the "People and Place Project". Direct notification of the consultation was sent to individuals and organisations, including statutory consultees and other key stakeholders. The consultation was publicised through press releases, adverts and via social media platforms.
- 4.3. Consultation on the draft HELAA Methodology took place alongside a "call for sites", which invited interested parties to submit details of land available for development, and an invitation to submit expressions of interest to participate in the HELAA stakeholder panel, which will support the HELAA assessment of potential development sites. The call for sites and HELAA stakeholder panel are key elements of the HELAA Methodology.
- 4.4. Comments received in response to the consultation have been considered and, where appropriate, necessary changes are incorporated into a revised HELAA Methodology.
- 4.5. A summary of the comments received, together with responses and, as considered necessary, proposed revisions to the draft HELAA methodology, are set out in appendix 1. Twenty-eight respondents provided 114 comments, 49 being an observation or general comment, 3 in support and 62 objections.
- 4.6. A number of comments were made in relation to the HELAA stakeholder panel which highlight concerns about potential bias towards the development industry, a perceived lack of transparency and a need for wider community representation. As explained in the responses in appendix 1, the stakeholder panel will provide guidance on specific technical aspects of the HELAA assessment process (for example, in relation to delivery and viability). Representatives of the property and development industry can provide valuable insights to support these elements of the assessment process and therefore have a significant role on the panel. To ensure transparency, all panel members will need to abide by the Panel Constitution and Terms of Reference (as set out in Appendix B of the HELAA methodology). The panel's role is advisory, supporting the work of officers with specialist technical advice as part of the wider HELAA assessment process, and is not a decision-making body. Given the panel's role and to ensure it can conduct

its work in an efficient and timely manner, it is not intended to be representative of the full range of individual and community stakeholder interests across North Devon and Torrige. Notwithstanding this, community representatives will be appointed to the panel with the remit of supporting and, where necessary, moderating panel discussions to ensure that wider interests and concerns of local communities across the two districts are given due consideration. Through the public engagement and consultation processes which form part of the wider Local Plan review, individuals and local community groups will have the opportunity to put forward views on potential development sites and help shape the strategies for the future development of local areas.

4.7. Comments on the role of the stakeholder panel have been carefully considered and full responses are provided in appendix 1. However, it is not considered necessary to make significant alterations to the HELAA methodology as a result of these specific comments. Minor amendments have been made which should help clarify the role of the panel and the relationship between the HELAA and the wider Local Plan process, including opportunities for community engagement and public consultation.

4.8. As detailed in appendix 1 this Committee is recommended to make a number of changes to the draft HELAA methodology. These changes are intended to provide clarity, and where necessary add further detail, on the proposed approach to the HELAA. The key changes are summarised below:

- Additional detail on the assessment process, including the potential constraints, development impacts, opportunities and other issues to be considered, as set out in an updated Appendix F (Site Assessment Template).
- Additional detail in respect of the Councils working with Exmoor National Park Authority (NPA) to develop a methodological framework that can guide future HELAA assessment work within the National Park (amendments to paragraphs 1.1, 1.3, 3.2 and 7.8).
- Clarify the role of the HELAA and the opportunities for engagement and consultation with local communities as part of the wider Local Plan Review process (amendments to paragraph 1.3, now 1.4).
- Additional detail to further explain the range of approaches available to assess site development potential and make clear that this assessment may be informed by the assessment of site suitability, which will

identify the specific characteristics and constraints of the site and surrounding area (amendments to paragraphs 6.3, 6.12, 6.13 and 6.14)

- Clarify that further analysis and assessment will follow the HELAA to strengthen the Local Plan evidence base in relation to viability (amendment to paragraph 9.6)
- Clarify the role of Community Representatives on the HELAA panel (amendment to Appendix B)

4.9. In addition to the changes proposed in response to the consultation comments received, a small number of further minor changes are proposed to ensure clarity and correct any spelling or grammatical errors. These additional minor changes are shown in appendix 2.

4.10. All proposed changes to the draft HELAA methodology as outlined above are shown as additions (in green) or deletions (in red) in the attached appendix 3.

5. RESOURCE IMPLICATIONS

5.1. The HELAA and its associated methodology forms part of the planning policy teams' existing work programme. Any associated cost in respect of document production, notification and publication will be shared across the Councils.

6. EQUALITIES ASSESSMENT

6.1. No impact identified.

7. ENVIRONMENTAL ASSESSMENT

7.1. The HELAA will assess impacts arising from the potential development of identified sites, including impacts on the built and natural environment.

8. CONSTITUTIONAL CONTEXT

8.1. Schedule 2, paragraph 1.1.1-1.1.3 of the North Devon Council and Torrige District Council Joint Planning Policy Agreement.

9. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.



10. BACKGROUND PAPERS

The following background papers were used in the preparation of this report:

- Planning and Compulsory Purchase Act 2004
- National Planning Policy Framework 2021
- Town and Country Planning Regulations (Local Planning) (England) Regulations 2012
- Draft North Devon and Torrige Housing and Economic Land Availability Assessment Methodology 2022

(The background papers are available for inspection and kept by the author of the report).

11. CORPORATE PRIORITIES

The North Devon Council and Torrige District Council Corporate Priorities have been considered in the drafting of the report.

12. STATEMENT OF INTERNAL ADVICE

The author confirms that advice has been taken from all appropriate Councillors and Officers:

Cllr P. Watson (TDC) Lead member for Planning and Development.

Cllr M Prowse (NDC) Lead Member for Economic Development and Strategic Planning Policy

Helen Smith (TDC) Planning Manager

Sarah-Jane Mackenzie Shapland (NDC) Head of Place, Property and Regeneration