

## Draft HELAA Methodology Consultation: Schedule of comments, responses and proposed amendments

Paragraph/section/overall comment(s)	Comment(s) type (support/object/neutral)	Comment(s) summary	Consultee ID/comment reference	Our response	Amendments to methodology
Overall comment	Neutral	Is there sufficient up to date historic environment evidence to support the assessment work? E.g., are more detailed assessments to inform capacity required? For suitable sites will the assessment work include recommendations for measures to avoid, minimise and mitigate harm?	Historic England: 1310656 (met77)	The HELAA assessment will utilise existing evidence and input from expert consultees (e.g. Devon County Council Archaeology and Council Conservation Officers). The HELAA will identify the need for potential measures to avoid, minimise and mitigate harm to the historic environment, e.g. reductions in developable site area. It is expected that, where appropriate, the HELAA will be supplemented by further assessment work to provide further detail on necessary measures, as part of the wider plan-making or application process.	n/a
Overall comment, Section 6	Neutral	Clarify iterative approach to make clear that historic environment aspects of suitability assessment (Stage 2B)	Historic England: 1310656 (met78)	As set out in the methodology, the suitability assessment will inform the assessment of	Amend paras 6.3, 6.13 and 6.14 to make clear that development

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		can inform Stage 2A, 2D and 5. E.G., where applicable, impacts on historic environment identified at Stage 2B should feed back into the assessment of development potential (Stage 2A).		development potential, achievability and the final output from the assessment process (i.e. HELAA report). Assessments of development potential may be subject to change as a result of development impacts identified through the suitability assessment (stage 2b). The methodology will be amended to clarify this approach.	potential of sites can be reviewed as a result of the suitability assessment.
Section 5, para 5.12 – 5.15	Neutral	Consider the presence of designated and non-designated heritage assets within or near potential development sites at Stage 1; this should feed into the suitability assessment at Stage 2.	Historic England: 1310656 (met79)	This information will be collected as part of the survey at Stage 1D and feed into the assessments at Stage 2. Further detailed guidance notes will be provided in Appendix F which will clarify the requirement to consider the potential impact of development on all designated and non-designated heritage assets.	Updated Appendix F to provide further detail on assessment process, including issues and potential impacts to be considered in relation to historic environment.

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Section 7, Appendix F	Neutral	<p>Not clear that assessment work will consider:</p> <ul style="list-style-type: none"> <li>- Impacts on significance of all types of designated and non-designated heritage assets (including settings)</li> <li>- Archaeological potential of sites/areas of known archaeological interest</li> <li>- Historic townscape, landscape and seascape</li> <li>- Opportunities for enhancement of historic environment</li> <li>- How the historic environment can be used to contribute positively to local character and distinctiveness</li> <li>- Cumulative impacts of multiple developments (permissions and allocations) in one location?</li> </ul>	Historic England: 1310656 (met80)	<p>The HELAA will involve a proportionate assessment of potential impacts on the historic environment, which takes account of each of the points raised in the comment. An updated Appendix F will set out the considerations which will inform the assessment of historic environment impacts. It is expected that, where appropriate, the HELAA will be supplemented by further assessment work to provide further detail on necessary measures, as part of the wider plan-making or application process.</p>	<p>Updated Appendix F to provide further detail on assessment process, including issues and potential impacts to be considered in relation to historic environment.</p>
Appendix B	Neutral	<p>Local authority conservation and archaeology advisers would be well-placed to provide specialist input</p>	Historic England: 1310656 (met81)	<p>Noted. The methodology (para 4.2) indicates that the HELAA project team will secure expert</p>	<p>Updated Appendix F to provide further detail on assessment</p>

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		to support site assessments and work of the HELAA panel.		advice from Local Authority conservation officers and Devon County Council in relation to historic environment matters. Discussions with conservation officers have taken place regarding their role in the HELAA process. Further detail on the role of expert advisors will be included in an updated Appendix F.	process, including the role of local authority conservation and archaeology advisers.
Overall comment	Neutral	Address biodiversity interests (e.g. restoration of natural processes and habitats) when considering climate change mitigation and adaptation. Allocation process needs to be consistent with shoreline management plan, marine plan and coastal change management areas.	Natural England: 1311534 (met82)	Noted and welcome links to further information. Consideration of biodiversity gains/habitat restoration will form part of the assessment process. Assessments will consider and ensure consistency with shoreline management plan, marine plan and coastal change management areas.	Updated Appendix F to provide further detail on assessment process, including existing plans and policies to be considered.
Para 7.4	Support	Supports exclusion of sites that are within or	Natural England: 1311534 (met83)	Noted	n/a

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		would result in significant impact on the identified designations (SSSI, SAC etc.) and intention to assess sites against Step B criteria where significance of impacts is uncertain			
Para 7.6, 7.7, Appendix F	Neutral	<p>Assessment should consider:</p> <ul style="list-style-type: none"> <li>- Best and Most Versatile agricultural land.</li> <li>- Opportunities to enhance public rights of way and accessible natural green space</li> <li>- Positive or negative, direct or indirect and short or long-term impacts on designated sites (including impact risk zones)</li> <li>- Priority habitats, ecological networks and protected populations (conduct phase 1 habitat survey if required)</li> <li>- Nationally and locally designated sites of importance for geological conservation</li> <li>- Nationally protected landscapes</li> </ul>	Natural England: 1311534 (met84 – met89)	Agreed – these elements of the assessment will be set out in detailed guidance notes. Note additional advice/guidance provided by Natural England in relation to these aspects of the assessment. We will ensure that the methodology guidance notes reflect the advice/guidance provided by Natural England.	Updated Appendix F to provide further detail on assessment process, including consideration of existing land uses, designated sites and opportunities for enhancement.

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Para 7.8	Support	Welcome commitment to consider opportunities for enhancement of biodiversity and habitat restoration, and provision of green infrastructure.	Natural England: 1311534 (met90)	Note additional advice/guidance provided by Natural England in relation to these aspects of the assessment	n/a
Para 4.2	Neutral	Minerals and waste could be added to the bullet point list.	Devon County Council: 1311529 (met73)	Agreed – minerals and waste can be added to this list.	Add ‘minerals and waste’ to list under para 4.2
Para 7.6	Neutral	The bullet point list could specifically mention minerals and waste. It could also include surface water flooding;	Devon County Council: 1311529 (met74)	This list is intended as a summary of the main themes that the Step B assessment will cover. The assessment criteria are detailed in Appendix F. Minerals and waste and surface water flooding will form part of the assessment criteria included in an updated Appendix F.	Updated Appendix F to include minerals and waste as an assessment category. Surface water flooding to be considered under the ‘flood risk’ assessment category.
Appendix B	Neutral	Refer to DCC as ‘Lead Local Flood Authority’	Devon County Council: 1311529 (met75)	Agreed – reference to lead local flood authority to be added.	Amend Appendix B accordingly to reference lead local flood authority.

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Appendix F	Neutral	Waste management facilities and their consultation zones should be added to list of constraints considered as part of the assessment	Devon County Council: 1311529 (met76)	Waste management facilities and consultation zones will be added to the list of constraints to be considered as part of the assessment.	Updated Appendix F to include minerals and waste as an assessment category. Guidance notes will refer to 'waste management facilities and their consultation zones' as constraints to be considered under this category.
Appendix F	Neutral	Coal mining legacy features should be added to list of constraints considered as part of the assessment	The Coal Authority: 1311327 (met72)	Coal mining legacy features will be added the list of constraints to be considered as part of the assessment.	Updated Appendix F to include coal mining legacy features as a constraint to be considered (see hazards and health risks assessment category)
Overall comment	Neutral	Planning policies should be based on robust and	Sport England: 1311539 (met91)	Noted. The Playing Pitch Strategy,	n/a

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		up-to-date assessments of the need for open space, sport and recreation facilities and opportunities for new provision.		alongside a range of other technical evidence will provide an updated assessment of need and will inform our review of Local Plan policies/strategies.	
Appendix F	Neutral	Sport England would be concerned if any of the 'identified sites for development' are, or have been, or are proposed for sport and recreation buildings or land including playing fields. See NPPF para 99.	Sport England: 1311539 (met92)	Noted. The HELAA assessment will consider potential impact on existing, previous or proposed sites for sport and recreation. Further detailed assessments will be carried out as required at the appropriate stage in the planning process.	Updated Appendix F to provide further detail on assessment process, including need to consider potential impacts on sport and recreation facilities (see social and community uses assessment category).
Para 1.1	Neutral	Would be helpful to explain that Exmoor NPA is the local planning authority for the area of North Devon district that lies within the National Park	Exmoor National Park: 1311728 (met150)	Agree, text to be amended accordingly	Amend para 1.1 to explain role of Exmoor National Park Authority as the local planning

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					authority for the National Park.
Para 1.2	Neutral	Refer to inclusion of the whole of Exmoor National Park in the previous SHLAA, as part of the Northern Peninsula Housing Market Area (HMA).	Exmoor National Park: 1311728 (met151)	Agree, text to be amended accordingly	Additional para 1.3 to refer to the inclusion of the whole of Exmoor National Park in the previous SHLAA and the role of the HMA. Minor amendment to para 1.4 (now 1.5) to reference working with neighbouring local planning authorities.
Para 3.2	Neutral	Support reference to Exmoor National Park in this paragraph and suggest, in addition to other minor amendments, making reference to: - Applying contextual approach to density assumptions. - Consideration of adjustments to take	Exmoor National Park: 1311728 (met152)	Agree, text to be amended accordingly	Amend para 3.2 to further explain potential adjustments to the methodology that would be applied for Exmoor National Park.

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		account of landscape, biodiversity and historic environment. - statutory purpose of Exmoor National Park			
Para 7.4	Support	We support the reference to isolated rural locations	Exmoor National Park: 1311728 (met153)	Noted	n/a
Para 7.8	Neutral	Update text to refer to potential opportunities for enhancement in relation to the National Park, including public rights of way and access land.	Exmoor National Park: 1311728 (met154)	Agree, text to be amended accordingly	Amend para 7.8 to refer to potential opportunities for enhancement in relation to the National Park, including public rights of way and access land.
Overall comment	Neutral	Rural communities need local need housing for local residents that live and work in the local area. Not open market development.	Pancrasweek Parish Council: 1311541 (met93)	Noted. The HELAA will identify the potential availability of land for future development and does not determine which sites are to be allocated or the policies to be applied to those allocations (e.g. the level of affordable housing). Sites identified may be	n/a

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				appropriate for a range of housing tenures. As part of the process of reviewing Local Plan policies, the requirements for local needs housing will be examined. This Local Plan review process will be guided by public consultation and community engagement.	
Para 2.6	Object	The provision of a 5-year housing supply is dependent not only on a suitable number of housing sites being identified but also on the ability of the housing industry to develop sites in a timely manner.	Battle of Northam Association: 1310305 (met53)	Agree that there are factors beyond the control of the HELAA and the Local Planning Authority that will affect housing supply. The HELAA will make an evidence-based assessment of housing supply, using the most up to date and relevant information available. Para 2.6 explains how the HELAA will meet NPPF requirements.	n/a
Overall comments, section 3, paras 3.4 -3.9, Appendix B.	Object	The HELAA panel must follow government guidance and include local representatives from community groups,	Individuals: 1311546 (met94), 1311543 (met95), 1311544 (met96), 1311545 (met97),	The HELAA panel will provide specialist advice and guidance on specific aspects of the HELAA assessment	n/a

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		<p>parish councils etc. Nominations are only being invited from interests within the property and development industry; local people should be able to volunteer to be considered as panel members.</p>	<p>1310779 (met98), 1311549 (met99), 1311550 (met100), 1311551 (met101), 1311557 (met102), 1309709 (met103), 1311558 (met104), 1311559 (met105), 1311560 (met106), 1311561 (met107), 1311562 (met108), 1311564 (met109), 1311565 (met110). Appledore Residents Association: 1309702 (met8). Braunton Parish Council: 1310362 (met43, met52). Battle of Northam Association:</p>	<p>process (e.g. delivery and viability). Given its role and remit, the panel is not expected to reflect all views across all communities in North Devon and Torridge, however, we recognise the benefit of ensuring that the wider interests of our communities are taken into consideration during the panel discussions. For this reason, we are proposing to include community representation on the panel (as indicated in para 3.6 and the stakeholder panel constitution and terms of reference (Appendix B)). Community representatives will be directly invited to the panel and do not need to declare an expression of interest. The HELAA methodology has been developed in</p>	

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			1310305 (met54, met55, met60, met70)	accordance with the government’s national planning guidance. In relation to working with others as part of the HELAA assessment process, the guidance states that it is ‘important to involve...local communities, parish and town councils and neighbourhood forums...’ <sup>1</sup> . This is in reference to the overall assessment process (including the identification of sites and consulting on assessment methodology) rather than specifically in relation to a stakeholder/HELAA panel. Government guidance does not make specific reference to a stakeholder/HELAA panel, however the use of a panel of experts is	

<sup>1</sup> [Housing and economic land availability assessment guidance](#) (paragraph: 007 Reference ID: 3-007-20190722)

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				recognised as good practice and is widely used to support similar types of assessment.	
Overall comments, section 3.	Object	Local community should have a say on the assessment of sites at this stage; limited opportunity to change assessment outcomes later in Local Plan process	Individuals: 1311546 (met94), 1310779 (met98). Appledore Residents Association: 1309702 (met8). Love Braunton/Braunton Neighbourhood Plan: 1311570 (met145). Battle of Northam Association: 1310305 (met65)	Local communities will have the opportunity to have their say on the suitability of potential sites as part of the subsequent public engagement and consultation process which forms part of the Local Plan review. The HELAA is a very specific type of assessment, primarily focused on development potential. It therefore assesses what is technically feasible given the constraints, not necessarily what is most desirable or what would produce the best outcomes. To properly inform future decision-making, the HELAA therefore needs to be supplemented by additional evidence and information, including	Amend para 1.3 (now 1.4) in the introduction to 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.

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				<p>the views of the local community. In this regard it will be used alongside the outcomes of the public engagement process, rather than being superseded or updated by it. Clearly, if technical inaccuracies in the HELAA findings are identified, these would be corrected and potential implications for policy options etc. re-considered where necessary, as part of the public engagement process.</p>	
<p>Overall comments, section 3, paras 3.4 -3.9, 4.2, Appendix B.</p>	<p>Object</p>	<p>Local community representatives, local groups and town/parish councils have a unique depth of knowledge and understanding of local sites/areas and would make an important contribution to the HELAA assessments. These groups should be invited to panel meetings.</p>	<p>Individuals: 1311546 (met94), 1310779 (met98). Appledore Residents Association: 1309702 (met8). Battle of Northam Association: 1310305 (met58)</p>	<p>We recognise the depth of knowledge and insight that local groups and town or parish councils can bring to the wider Local Plan review process, and we encourage participation through the public consultation and engagement which is key to this process. Given the remit and role of the panel to</p>	<p>Minor Amendment to Appendix B: Panel Constitution and Terms of Reference (under membership eligibility, composition and selection process) to clarify role of</p>

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				<p>support specific technical aspects of the site assessments, it is not intended (or feasible) for it to be fully reflective of views from all parts of our communities across northern Devon. However, the appointment of community representatives to the panel will help to ensure that the typical key issues for local communities and the wider interests of communities across the two districts are taken into consideration during the panel discussions. The panel will also be supported by a range of specialists (including those with knowledge of the local areas) to advise on issues such as biodiversity, flood risk, heritage, and landscape.</p>	<p>Community Representatives on the panel.</p>

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Overall comment, Appendix B.	Object	Lack of reference to the environment. HELAA should inform future delivery of housing, economic and environmental development.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met111, met148)	Environmental issues are considered as part of the Suitability Assessment (Stage 2B). This includes assessment of impacts on environmental designations relating to biodiversity, landscape historic environment and flood risk. Further details on the assessment process are set out in Appendix F. The specific role of the HELAA is to assess potential land for housing and economic uses (in line with government guidance). As part of the assessment process, the potential to incorporate environmental enhancements (e.g., biodiversity net gain, improved green infrastructure) will be considered (see Methodology Stage 2(B) - in particular paragraph 7.8). It will	n/a

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				<p>be the specific role of other studies prepared as part of the Local Plan evidence base (e.g. Local Nature Recovery Strategy, Green Infrastructure Strategy) to explore the potential for new green infrastructure and/or environmental designations to support the conservation and enhancement of the natural, built and historic environment, and support climate change mitigation/adaption. The wider Local Plan review process, including public consultation and engagement, will help balance the priorities between environmental, social and economic objectives.</p>	
Para 2.1	Neutral	Local Plan policies should be informed by robust and evidenced sustainability appraisals	Love Braunton/Braunton Neighbourhood	Noted. Outside scope of HELAA, however all proposed Local Plan policies and options will	n/a

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		as described in NPPF para 32.	Plan: 1311570 (met112)	be subject to the Sustainability Appraisal process.	
Para 2.2	Neutral	Policy makers should have a clear understanding of NPPF Section 8 Promoting healthy and safe communities. Too much recent development in northern Devon ignores NPPF paras 92 –103	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met113)	Noted. HELAA will consider issues such as accessibility, proximity to existing services, existing facilities/services and open space at risk from development. Devon County Council and other service/infrastructure providers will be consulted as part of the assessment process. The wider Local Plan review process, including public consultation and engagement, will help balance the priorities between environmental, social and economic objectives.	n/a
Para 2.5 (final sentence)	Object	Raises the question of why sites not coming forward for the proposed use? How will these sites be identified/publicised for public consultation?	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met114, met133)	Sites will not always come forward for their planned/allocated use, for reasons outside the control of the local planning authority (for	n/a

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				<p>example changes in economic circumstances). The final sentence in paragraph 2.5 is in line the NPPF requirement for planning policies and decisions to reflect changes in the demand for land. The HELAA will need to consider why sites have not come forward for the allocated use and whether alternative uses would be appropriate. Such sites will be identified as part of the HELAA process (see Stage 1: Identification and Survey of Sites and Broad Locations). Existing allocations can be viewed in the Local Plan <a href="#">Policies Map</a>.</p>	
Para 2.6	Neutral	Does not take into account that deliverability of sites is in the hands of developers who will do it at a time to maximise investment return. Establishing a	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met115)	It is recognised that there are numerous factors outside of the control of Councils that affect the delivery of sites. This paragraph states that the HELAA	n/a

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		five-year land supply is not in the interests of developers and land owners/speculators		will seek to assist the Local Planning Authority in meeting the NPPF requirements to identify a 5-year supply and inform plan-making for northern Devon. The HELAA will need to provide the evidence to demonstrate that sites are deliverable.	
Para 2.7	Objection	Disregards the value of land for environmental purposes. Consideration should also be given as to potential for environment land use.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met116)	The primary role of the HELAA is to assess potential sites for housing and economic uses. Other studies which form part of the Local Plan evidence base will explore the potential for new green infrastructure/open space etc. to deliver environmental benefits. As part of the HELAA assessment, opportunities for environmental improvements on promoted sites (for example biodiversity net gain) will be identified. The wider Local Plan review	n/a

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				process, including public consultation and engagement, will help balance the priorities between environmental, social and economic objectives.	
Paras 3.1 – 3.3, para 4.2	Objection	No representation from North Devon Biosphere, AONB, RSPB, DWT etc. to provide local knowledge of environmental issues. Not a comprehensive list of consultees.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met117, met120, met148). Braunton Parish Council: 1310362 (met40, met 41, met42)	The list of who the partner authorities will work with is indicative and not intended to be a comprehensive list of all groups to be consulted. It is recognised that those groups identified (North Devon Biosphere, AONB, RSPB, DWT etc) can bring vital local knowledge in respect of the environment. Where necessary, relevant local groups/organisations can be consulted as part of the assessment process.	n/a
Para 3.4-3.9, Appendix B (footnote 13)	Objection	Development industry/vested interests have disproportionate say in decision-making process. The proposed	Individuals: 1311546 (met94), 1310779 (met98), 1311558 (met104),	The HELAA panel will provide guidance on specific aspects of the HELAA assessment process such as	Amend para 1.3 (now 1.4) in the introduction to clarify the role

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		<p>use of community representatives on the HELAA panel is tokenism/limited and selection process is secretive/potentially politicised; will not be able to sufficiently represent the views of all communities; against the spirit of openness and public involvement in planning. Proposed panel will not produce objective/credible/inclusive assessment of sites.</p>	<p>1311561 (met107) 1311564 (met109) Appledore Residents Association: 1309702 (met8). Love Braunton/Braunton Neighbourhood Plan: 1311570 (met118, met119, met146, met148). Braunton Parish Council: 1310362 (met52). Battle of Northam Association: 1310305 (met56, met60, met70)</p>	<p>delivery and viability. Representatives of the property and development industry can provide valuable insights to support this element of the assessment process which is why they have a significant role on the panel. To ensure there is accountability and transparency in the assessment process, HELAA panel members will be subject to a constitution and work under strict terms of reference, full details of which are included in the methodology. The HELAA panel has a very specific and limited role in the site assessment process. By design it is not intended to reflect all views across all sectors of the community but rather to provide specialist technical advice and guidance to the councils in support</p>	<p>of the HELAA and the opportunities for engagement and consultation with local communities as part of the wider Local Plan Review process.</p>

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				<p>of the assessment process. The panel's role is advisory, supporting the work of officers, and is not a decision-making body. The HELAA itself is only part of a wider process: alongside other evidence gathered by the Councils, it helps inform subsequent debates and decisions about where and how our local areas should develop in the future. Public participation is at the heart of this process, as reflected in the proposed engagement and consultation events which will provide the opportunity for any members of the public to have their say on the suitability of potential development sites. All sites considered to be potential Local Plan allocations will be</p>	

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				subject to a separate sustainability appraisal.	
Paras 4.3 – 4.6	Objection	Commenting on the draft HELAA does not constitutes scrutiny of the end-to-end process. Public have no say until the sites have been taken into draft Local Plan. There is no public scrutiny.	Love Braunton/Braunto n Neighbourhood Plan: 1311570 (met121)	As set out in paragraph 4.6, the findings from the HELAA report will be open to public scrutiny as part of the Local Plan process. This includes the public consultation and engagement, which provide the opportunity for any member of the public to comment on the suitability of sites. Public consultation and engagement will happen before the publication of a draft Local Plan (e.g. to consider the areas/locations we wish to see developed and how). Draft Local Plan polies can be (and have previously been) altered in response to public consultation.	n/a
Paras 5.1 – 5.15	Objection	Not clear how this ‘scatter gun’ approach reflects true local need.	Love Braunton/Braunto n Neighbourhood Plan: 1311570 (met122)	Government guidance is clear that the HELAA assessment should provide a ‘complete audit’ of available land,	n/a

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				<p>regardless of the amount of development needed.<sup>2</sup> Development need at local level and area-wide will be assessed via separate studies (e.g. the Housing and Economic Development Needs Assessment). The Local Plan process will then determine how those sites identified by the HELAA can help to meet the assessed needs. By considering a wide range of existing data sources alongside the call for sites, we can ensure that the HELAA provides a comprehensive assessment of potential land availability, in line with national guidance. There is no expectation that all sites assessed as developable through the HELAA would be required to meet locally assessed need.</p>	

<sup>2</sup> [Housing and economic land availability assessment guidance](#) (paragraph: 008 Reference ID: 3-008-20190722)

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Para 5.8	Neutral	Not all this information will be correct, which is why it is essential to check it for accuracy before a site can be determined as developable.	Battle of Northam Association: 1310305 (met59)	Noted. As part of the site surveys and assessments, officers will carry out a thorough check of the information submitted and make amendments as required. This is set out at various stages of the methodology, including at the initial survey stage (para 5.12) and in assessing development timescales (para 10.14)	Minor amendment to para 5.12 to clarify that information will be checked and updated if required.
Para 6.2, 6.14	Objection	Urban design approach not appropriate given that most of Local Plan area is rural. Recent examples of poor urban design out of keeping within local landscape	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met126, met132). Braunton Parish Council: 1310362 (met44)	The 'urban design' approach refers specifically to the method for estimating development potential and not to any particular design outcomes. This is only one potential approach to estimating development potential and it is recognised that, while there are urban areas within northern Devon, this approach may not be appropriate in many parts of the Local Plan	Amendments to paras 6.13 and 6.14 to further explain and clarify contextual and urban design approaches. Add sentence to paras 6.13 and 6.14 to clarify that these approaches would be informed by local design

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				<p>area. For this reason, alternative approaches are set out in Section 6, including the ‘contextual approach’ which may be more suited to rural and edge of town locations. Both the ‘contextual’ and ‘urban design’ approaches would take account of any local design codes, such as those implemented through a neighbourhood plan. Amendments to paras 6.12 - 6.14 should provide further detail and help clarify the range of approaches.</p>	<p>codes, where applicable.</p>
<p>Paras 6.4, 6.12</p>	<p>Objection</p>	<p>HELAA panel will look to maximise the number of units on site.</p>	<p>Love Braunton/Braunton Neighbourhood Plan: 1311570 (met127, met130)</p>	<p>The role of the HELAA panel in this context, alongside other expert consultees, is to advise on the most appropriate method and assumptions to apply in each case to ensure an accurate assessment of development potential. From previous work with stakeholder</p>	<p>Minor amendment to para 6.12 to clarify role of panel and partner authorities in any future revision of the density assumptions.</p>

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				panels, it is not our experience that unrealistic or excessively high densities have been proposed. It is for the Councils to ultimately draw conclusions on the sites, guided by the panel where necessary. It is not in the interest of the panel to suggest (or for the Council to carry out) an assessment of development potential which later turns out to be inaccurate and unachievable.	
Para 6.9 - 6.11, table 3.	Objection	Density assumptions should be rethought. Contrary to Local Plan policy DM04.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met 128, met129). Braunton Parish Council: 1310362 (met45).	These density assumptions are considered to be appropriate and are based on typical examples of development within different character areas. Similar densities are included in the National Model Design Code <sup>3</sup> and are	n/a

<sup>3</sup> [National Model Design Code](#)

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				not considered to be generally excessive within the local context. However, it is recognised that these assumptions provide a guide only and will not be appropriate in all cases. As referred to in paragraph 6.12, specific circumstances may indicate that an alternative approach is more appropriate. This may mean, for example that lower density assumptions are applied to reflect the character of a particular settlement and/or its surrounding area.	
Para 6.12	Objection	Lack of clarity as to what constitutes an 'appropriate approach'; woolly statement	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met131)	The potential alternative approaches are the 'contextual' and 'urban design' approaches set out in the paragraphs below. This allows for a more flexible approach to the assessment of site capacity that reflects local circumstances. The contextual	Minor amendments to para 6.12 to clarify and that the contextual and urban design approaches provide alternatives to standard density

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				<p>approach in particular would apply to locations where specific local characteristics (e.g. landscape or built environment) suggest that the density assumptions set out in table 3 would not be appropriate. Amendments to paras 6.12 - 6.14 should provide further details and help clarify the range of approaches.</p>	<p>assumptions. Amendments to paras 6.13 and 6.14 to clarify and provide further detail on the contextual and urban design approaches. Add sentence to paras 6.13 and 6.14 to clarify that these approaches would be informed by local design codes, where applicable.</p>
Para 7.1	Objection	Unrealistic to assume that a site is developable just because a bus service runs near it.	Battle of Northam Association: 1310305 (met61)	The assessment will consider the overall accessibility of the site in terms of sustainable transport options. This will include assessing the routes that link to local facilities and services, including bus stops	n/a

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Para 7.1	Objection	Need to consider unregistered heritage assets	Battle of Northam Association: 1310305 (met61)	Noted; the assessment will consider the setting and significance of designated and undesignated heritage assets.	n/a
Para 7.1	Objection	Need to consider local valued and designated landscapes	Battle of Northam Association: 1310305 (met61)	Noted; the methodology sets out the assessment of potential landscape impacts. Further detailed guidance will be added to methodology.	Updated Appendix F to provide further detail on assessment process, including assessment of landscape impacts.
Para 7.4	Neutral	Constraints have not stopped officers historically excluding unsuitable sites, and in some cases reassessing as suitable.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met134)	Noted. The HELAA assessment is based on the evidence available at the time. In some instances, new evidence may come to light or circumstances change that requires a review and updated of the assessment outcomes.	n/a
Paras 7.5-7.6	Objection	Given the acknowledged Climate and Ecological Emergencies no site identified with criteria as listed para 7.4 should proceed.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met135)	Sites will be considered unsuitable on the basis of the criteria indicated in para 7.4. The intention is to 'triage' sites that are clearly	n/a

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				unsuitable and do not need further detailed assessment. In some cases there may be uncertainty over the extent of the impacts, in which case it is appropriate to take these sites forward for more detailed assessment, including seeking advice from expert consultees.	
Para 7.6	Objection	No recognition that undesignated sites may be of significance (e.g., heritage assets, protected species)	Battle of Northam Association: 1310305 (met62)	The list under para 7.6 provides an indication of the themes that the step B assessment will address and is not a comprehensive list of constraints/issues that will inform the assessment. The HELAA will refer to a wide range of potential constraints, including non-designated heritage assets and locations of protected species. Further detailed guidance will be added to methodology.	Updated Appendix F to provide further detail on assessment process, including issues and potential impacts to be considered in relation to historic environment. Amend para 7.7 to refer to the updated Appendix F and explain more clearly

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					how the themes set out under para 7.6 will be addressed through the suitability assessment process.
Para 7.8	Object	No reference to enhancement of heritage assets both designated and undesignated	Battle of Northam Association: 1310305 (met63)	This is not an exhaustive list - it is proposed that enhancement of heritage assets (designated and undesignated) will be considered as part of the assessment.	For clarity, add 'Enhancement of heritage assets (designated and undesignated)' to list under para 7.8
Para 7.8	Neutral	Why aren't these opportunities for improvement detailed in the Appendix F template?	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met136)	Appendix F outlines the assessment categories and criteria. Detailed guidance notes will set out the types of information to include in the assessment, including identifying opportunities for enhancement.	Updated Appendix F to provide further detail on assessment process, including the identification of opportunities for enhancement and new provision
Para 7.10	Objection	Suggests development boundaries and spatial	Love Braunton/Braunton	The purpose of the HELAA is to support	Amend para 7.10 to make

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		vision will be ignored/redrawn without community consultations. No reference to Neighbourhood Plans	n Neighbourhood Plan: 1311570 (met137)	the review of the Local Plan by providing the evidence on available land for development. The HELAA and other evidence with inform the review of the Local Plan, which may include consideration of new areas for future development. Consideration of a new Local Plan vision and spatial strategy will be a key issue to address via future public consultation and community engagement. Town and Parish Councils, Neighbourhood Plans and other local community groups will have the opportunity play a key role in this consultation and engagement process.	clear the role of public consultation in the Local Plan process.
Para 7.10	Objection	Assumes that all settlements have a supply of land outside their boundaries that would enable sustainable	Battle of Northam Association: 1310305 (met64)	It is not the role of the HELAA to make decisions on locations for future growth; this forms part of local plan process. There is no	n/a

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		development. This is not true in all cases; supply of land is limited.		assumption here that all settlements have the same capacity to be sustainably developed. Further studies (e.g., settlement assessments) and public consultation/engagem ent that follow the HELAA will consider settlements in their individual contexts and identify the most appropriate locations for new development. The HELAA will take account of the need to avoid development wherever possible on land of high amenity value or subject to existing protection/designation.	
Para 7.11	Object	When do local stakeholders get the opportunity to give their input and evidence in line with Government Guidance?	Battle of Northam Association: 1310305 (met65)	A range of local stakeholders will be involved in the HELAA process. The wider local community will have the opportunity to have their say on the outcomes of the HELAA assessment as	n/a

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				part of the subsequent public engagement and consultation process.	
Para 7.12	Neutral	Not clear how RAG status will be arrived at.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met138)	The HELAA report will provide a full assessment of each site considered through the HELAA process. The RAG assessment will include a summary for each site which refers back to key findings from the detailed assessment.	Updated Appendix F to provide further detail on the assessment process.
Paras 8.1 -8.3	Neutral	Not clear how a site could have gone through the assessment process only to have it confirmed that the landowner has no intention of bringing forward for development!	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met139)	Potential sites can be identified through a range of sources. These sites may need further investigation as part of the HELAA process to determine their availability. Sites that are clearly unavailable at the outset of the assessment process will not be put through the full assessment. However, we would need to bear in mind the potential for the availability of sites to change over time. We	Amend para 8.2 to clarify that certain sites clearly unavailable at the outset of the process would not normally be subject to full assessment.

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				would assume that for most sites submitted via the call for site process, the site is at least potentially available.	
Para 8.2	Objection	What measures will there be for assessing and checking the claims of landowners and developers in relation to site delivery timescales?	Battle of Northam Association: 1310305 (met66)	The HELAA assessments will look to ensure that evidence about site delivery is as robust and reliable as possible. Clearly future delivery projections can only ever be a best estimate at the time and developers may encounter unforeseen circumstances that impact on delivery timetables. To improve the robustness of the evidence, developers are required to sign a 'memorandum of agreement' as part of their submissions to the HELAA to confirm the delivery timescales are realistic and based on an accurate assessment of the known site constraints. The HELAA panel will	n/a

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				help verify the delivery timescales submitted and where these appear to be overly ambitious the councils may choose to use 'model' delivery timescales, which are based on the past delivery of similar sites.	
Paras 9.1 – 9.6	Objection	Viability often changes late in the process (e.g., in respect of affordable housing numbers). Need more robust process/ mechanism to enforce.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met140). Braunton Parish Council: 1310362 (met46, met47, met48, met49, met50, met51)	The HELAA will provide an initial indication of the potential viability/achievability of the site, as required by government guidance. This is a judgement call at this stage and hard to assess with a high degree of certainty without knowing full detail on site constraints the exact economic conditions at the time the site is brought forward. It is accepted that factors outside of the control of the councils and/or developers may affect future viability; however, there is still value in making an	n/a

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Paragraph/section/over all comment(s)	Comment(s) type (support/object/neutra l)	Comment(s) summary	Consultee ID/ comment reference	Our response	Amendments to methodology
				initial judgement of potential viability. Further work in support of the Local Plan review will examine viability issues in more detail.	
Para 9.3	Objection	Would be unwise to accept the claims of developers in relation to viability at face value. Needs to be claw-back mechanism to allow for public to benefit from greater than projected profits.	Battle of Northam Association: 1310305 (met67)	Information on viability is not taken at face value and is subject to further scrutiny as part of the assessment process. The HELAA will provide an initial indication of the potential viability/achievability of the site. The HELAA panel will provide guidance to support this process. Further work in support of the Local Plan will examine viability issues in more detail. National planning policy provides a mechanism for the review of viability assessments and potential developer contributions.	n/a

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Para 9.5	Objection	Don't you mean all sites with current permission? A site with permission that lapsed 25 years ago may not be developable at all!	Battle of Northam Association: 1310305 (met68)	Yes, reference to sites with permission in para 9.5 relates to extant permissions at the base date of the HELAA assessment period (31/3/22). This does not include lapsed permissions.	n/a
Paras 10.1 – 10.18	Objection	Deliverability is in the hands of developers and without a mechanism to enforce these steps mean very little. The current lack of 5 Year Housing Land supply not to do with lack of sites or extant permissions. Developers will build at time and price that suits them.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met140,141)	The key role for the HELAA is to identify and bring together the evidence that demonstrates a supply of deliverable and developable sites. It is accepted that factors outside of the control of the councils and/or developers can affect deliverability. Therefore, development timescales for market-led housing delivery can only ever be a best estimate given the evidence available. The Councils do not have powers to enforce delivery, either through the HELAA or via another mechanism.	n/a

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				<p>However, that is not to say that there is no value in an evidence-based assessment of site delivery as set out in para 10.1 – 10.18. Without such an assessment, the Councils would have no prospect of establishing a 5-year housing land supply and would be unable to provide the evidence of potential housing supply - required under national planning policy - to support the Local Plan review.</p>	
10.7	Objection	<p>No site should be allocated unless the developer has submitted a full viability assessment together with a legally binding agreement as to the start date and completion of the development which, if not complied with, will result in the immediate de allocation of the site or financial penalties should the development</p>	<p>Individuals: 1311546 (met94), 1310779 (met98). Appledore Residents Association: 1309702 (met71)</p>	<p>Viability will be assessed as robustly as possible, based on the evidence available at the point in time. Further work in support of the Local Plan will supplement the initial HELAA assessment of achievability, with the aim of strengthening the evidence in relation to viability. However, it is recognised that</p>	<p>Add sentence to para 9.6 to clarify that further analysis and assessment of viability will support the Local Plan evidence.</p>

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		be started. No allocation should be made without the required proportion of affordable homes in accordance with Local Plan policy being legally guaranteed.		national planning policy allows be revised assessments of viability at later stages of the planning process. The Councils will seek contributions/affordable housing provision in line with Local Plan Policy wherever possible. However, it is not possible to legally enforce contributions based on a viability assessment at a given point in time. The Councils do not have powers to enforce a specific delivery timetable. However, if sites are not delivered or unlikely to be delivered as expected when initially allocated, the Council is able to de-allocate sites or re-allocate for alternative uses. This is set out in the methodology (para 2.5 and 12.6)	
Para 11.2	Neutral	How will this address the trend by	Love Braunton/Braunton Neighbourhood	The threshold of 5 dwellings is, in this case, solely in relation	n/a

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		<p>developers to seek permission for sites of 5 or less dwellings to avoid affordable housing element?</p>	<p>Plan: 1311570 (met142)</p>	<p>to the HELAA assessment process and in recognition of the potential contribution of smaller sites to housing supply. This issue of developers avoiding affordable housing contributions is a recognised problem; however the Councils are required to adhere to the thresholds for affordable housing provision set by national policy.</p>	
<p>Paras 11.5-11.6</p>	<p>Neutral</p>	<p>Reference is made to significant number /percentage in past years, but none is given. In the absence of these figures difficult to follow the proposed allocation methodology. Tenure would also be helpful</p>	<p>Love Braunton/Braunton Neighbourhood Plan: 1311570 (met143)</p>	<p>This evidence is set out in the Partner Authorities' <a href="#">Annual Monitoring Reports (AMR)</a>. The purpose of considering past trends is to consider the potential contribution of smaller sites to the housing supply. There is certainly value in including tenure as part of the monitoring data, however this would not typically feature as part</p>	<p>Provide footnote with link to Councils' AMR in para 11.5</p>

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				of a windfall assessment.	
Paras 12.1 – 12.6	Neutral	Question the effectiveness of review process particularly the AMR (para 12.5) in light of current lack of 5 Year Housing Land supply which happened within two years of current Local Plan being adopted.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met144)	The Councils recognise the challenges involved in maintaining a five-year land supply in accordance with national policy. Part of the role of the AMR is to monitor housing delivery and supply and identify particular issues which may need to be addressed. That is not to say that all delivery/supply issues can be resolved. Factors outside of the control of the Council (and developers) can affect 5-year supply and delivery.	n/a
Para 12.4	Neutral	Important to recognise that sites identified as developable through the HELAA may become undevelopable over time.	Battle of Northam Association: 1310305 (met69)	Noted. The ongoing review of the HELAA will identify changes in circumstances which may result in the site no longer being developable.	n/a
Paras 13.1 – 13.3	Objection	By this stage from a residents/ community perspective it's a done deal. Process	Love Braunton/Braunton Neighbourhood	The HELAA specifically assesses the development potential of sites so is only one	n/a

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		as currently described has no input from communities or residents.	Plan: 1311570 (met145)	element of the evidence that informs discussion and decision-making as to how our local areas develop in the future. Local communities will have the opportunity to influence decision making on future locations and sites for development through the wider local plan process, as part of the subsequent public engagement and consultation process.	
Appendix B	Objection	No one with personal or professional interest in sites in the sub-region should be a member of the panel. Potential conflicts of interest as developers push sites they regard as profitable; risk that process is not objective.	Love Braunton/Braunto n Neighbourhood Plan: 1311570 (met147). Battle of Northam Association: 1310305 (met56, met70).	The role of HELAA panel is to provide expert advice and insight to support the Councils in the assessment of potential sites, in particular in relation to delivery and viability. Representatives of the property and development industry have a key role to play in this, having knowledge of a range of different sites across	n/a

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				<p>the sub-region. It is recognised that panel members may have a professional interest one or more of the assessed sites. This should not preclude the panel member from providing advice on the potential delivery and/or viability of these sites, however in accordance with the stakeholder panel and terms of reference, they would be required to declare this interest. Advice provided in this instance would be moderated by the wider panel membership (including the project team and community representatives). Any advice provided by panel members does not directly determine the site assessment outcomes; the Councils will make the final decisions in relation to HELAA site assessments.</p>	

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				Assessments are subject to member and public scrutiny as part of the Local Plan review process.	
Appendix D	Neutral	Does not make provision for clearly evidenced assessment of each site. Assessment is a 'tick box' approach.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met123, met124)	Appendix D provides a summary of the data we expect site promoters, land owners and developers to provide as part of the call for sites process. This information will be reviewed and used alongside data gathered from other sources (e.g. officer site visits, expert consultees and the HELAA panel) to ensure a comprehensive and clearly evidenced assessment of each site.	n/a
Appendix D & F	Objection	Assessment should be publicly available.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met123, met124)	Site assessments will be published as part of the HELAA report. Opportunities to comment on the HELAA report will be provided as part of subsequent public	n/a

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				consultations in support of the Local Plan review process.	
Appendix E	Neutral	What will this achieve given the partner authorities experience to date of deliverability and reluctance to enforce when agreements breached by developers?	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met125)	The memorandum of agreement is to ensure that the evidence to support the deliverability of sites assessed through the HELAA is as robust as it can be. We recognise that there may be unforeseen circumstances that can affect the delivery of a site which are out of the control of developers. We want the assessment of delivery to be a best estimate at the current point in time based on a realistic assessment of the known site constraints and any other potential obstacles to delivery.	n/a
Appendix F	Neutral	Template indicates a checklist rather than an auditable evidence-based record of a site assessment.	Love Braunton/Braunton Neighbourhood Plan: 1311570 (met149)	Appendix F outlines the proposed assessment categories and criteria, providing an indication of the information that is required to support the assessments. It is	Updated Appendix F to provide further detail on assessment process, including

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				<p>not intended as a checklist or to fully detail the process of determining the assessment outcomes. The methodology sets out a process to ensure a robust, evidence-based and objective assessment. Assessment guidance notes will set out further detail on the issues, impacts, constraints and opportunities that will need to be considered and explained as part of the assessment process. Full details and explanations of the assessment outcomes for each site will be set out in the final HELAA report.</p>	<p>issues, impacts, constraints and opportunities to be considered in relation to each assessment criteria. Minor amendment to bullets under para 13.1 to clarify that HELAA report will provide explanation of the assessment outcomes.</p>