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# Housing and Economic Land Availability Assessment (HELAA) Methodology

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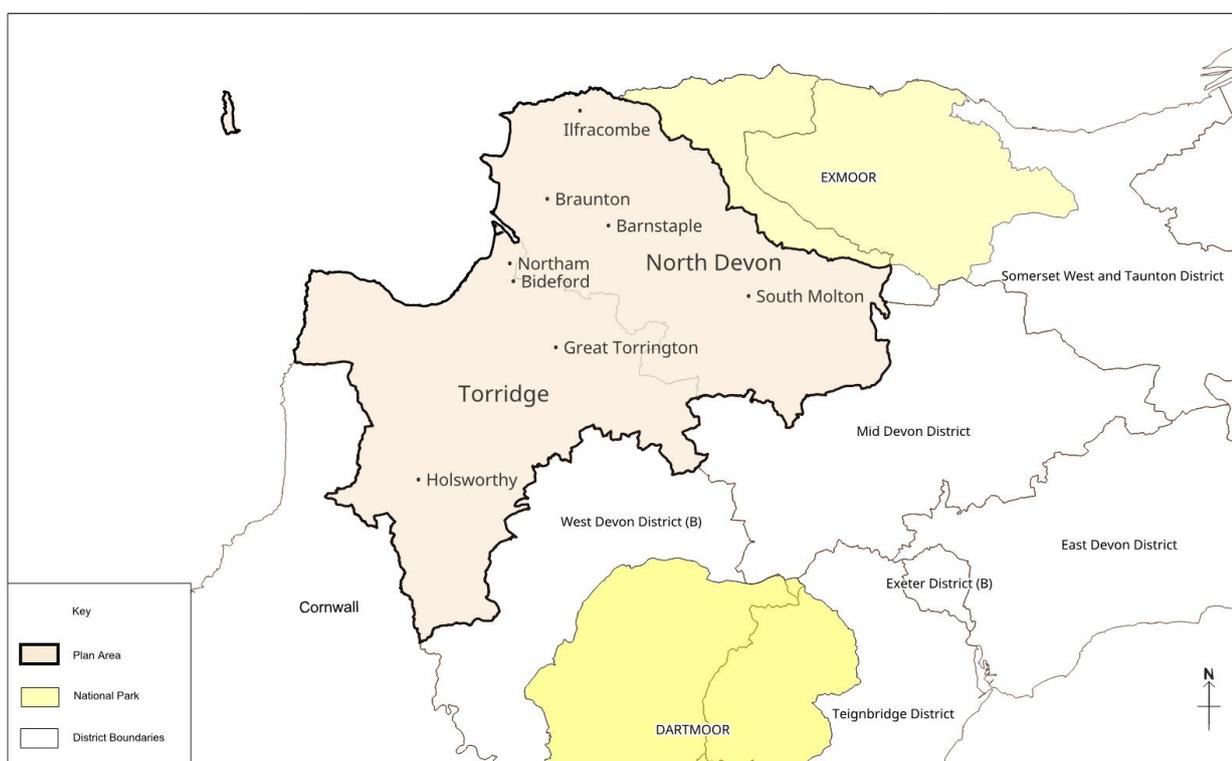
<b>1 Introduction</b>	<b>1</b>
<b>2 Policy Context and Requirements</b>	<b>3</b>
<b>3 Who the Partner Authorities Will Work With</b>	<b>5</b>
<b>HELAA stakeholder panel</b>	<b>5</b>
<b>4 Project Management, Resourcing and Scrutiny</b>	<b>7</b>
<b>5 Methodology Stage 1: Identification and Survey of Sites and Broad Locations</b>	<b>8</b>
<b>Stage 1(A): Assessment area and site size thresholds</b>	<b>8</b>
<b>Stage 1(B): Desktop review of existing information</b>	<b>8</b>
<b>Stage 1(C): Call for sites</b>	<b>9</b>
<b>Stage 1(D): Survey of sites and broad locations</b>	<b>10</b>
<b>6 Methodology Stage 2(A): Estimating Site Development Potential</b>	<b>11</b>
<b>7 Methodology Stage 2(B): Suitability Assessment</b>	<b>14</b>
<b>8 Methodology Stage 2(C): Availability Assessment</b>	<b>18</b>
<b>9 Methodology Stage 2(D): Achievability Assessment and Overcoming Constraints</b>	<b>19</b>
<b>10 Methodology Stage 2(E): Deliverability and Developability</b>	<b>21</b>
<b>11 Methodology Stage 3: Windfall Assessment</b>	<b>26</b>
<b>12 Methodology Stage 4: Assessment Review</b>	<b>28</b>
<b>13 Methodology Stage 5: Final Evidence Base (Key Outputs)</b>	<b>29</b>
<b>Appendices</b>	
<b>Appendix A NPPG HELAA methodology flow chart</b>	<b>31</b>
<b>Appendix B HELAA stakeholder panel constitution and terms of reference</b>	<b>32</b>
<b>Appendix C NPPG list of site types and potential data sources</b>	<b>39</b>
<b>Appendix D Information collected from call for sites and site availability update</b>	<b>40</b>
<b>Appendix E Call for sites/site availability update memorandum of agreement</b>	<b>43</b>
<b>Appendix F <del>Site assessment categories and criteria</del> HELAA site assessment template</b>	<b>44</b>



## Introduction

**1.1** This report sets out the approach of North Devon Council and Torrridge District Council ('the partner authorities') to undertaking a Housing and Economic Land Availability Assessment (HELAA) which will identify land potentially available for housing and economic uses across each councils' local planning authority area. As set out in Figure 1 below, the two areas combined correspond to the plan area of the North Devon and Torrridge Local Plan, referred to in this document as the 'northern Devon sub-region'. It should be noted that part of North Devon District lies outside the plan area, within Exmoor National Park. For this part of North Devon, Exmoor National Park Authority is the local planning authority.

**FIGURE 1: Northern Devon Sub-Region (North Devon and Torrridge joint plan area)**



**1.2** This HELAA methodology updates and brings together previous separate approaches to assessing the availability of land for housing and economic uses. Housing land availability was previously assessed through the Strategic Housing Land Availability Assessment (SHLAA), for which the methodology was last updated in 2014<sup>(1)</sup>. The Employment Land Review (ELR) (2014)<sup>(2)</sup> assessed the supply and demand of land for economic uses across the joint local plan area. The SHLAA and ELR provided a key part of the evidence base for the North Devon and Torrridge Local Plan (adopted 2018)<sup>(3)</sup>. A new HELAA, based on the updated methodology set out in this report, will inform the subsequent review of the Local Plan.

**1.3** The previous SHLAA methodology was developed for an area known as the Northern Peninsula Housing Market Area (HMA) which encompassed the whole of Exmoor National Park, in addition to other neighbouring authorities in Cornwall and Somerset. The previous SHLAA was therefore a key part of the evidence base for local plans and other development plan documents in neighbouring areas, including the Exmoor National Park Local Plan (adopted

1 <https://www.torrige.gov.uk/article/11267/Strategic-Housing-Land-Availability-Assessment-SHLAA>

2 <http://consult.torrige.gov.uk/file/3365799>

3 <https://www.torrige.gov.uk/localplan>

2017). Since the adoption of the North Devon and Torridge Local Plan and the reorganisation of local government in neighbouring areas, the geographic basis on which housing and economic land availability is assessed has changed, with the result that the appropriate area for the North Devon and Torridge HELAA is the Local Plan area shown in Figure 1. Where appropriate, the partner authorities will continue to work with neighbouring authorities in developing the approach to the HELAA.

~~4.31.4~~ The HELAA ~~provides information on the range of sites which are available to meet the partner authorities' requirements for housing and economic development. It does not in itself determine whether a site should be allocated for development but~~ is an important source of evidence to inform plan-making and the identification of a five-year supply of housing land, as required by the National Planning Policy Framework (NPPF). ~~The review of the Local Plan will determine which of the identified sites are most suitable to meet requirements. Sites allocated through~~ It provides an assessment of the potential for identified sites to contribute to the future delivery of housing and economic development. The wider Local Plan review process will determine which sites should be allocated for development and address the broader strategic issue of how different areas of northern Devon should develop in the future. As part of the Local Plan review process, public consultation and engagement will provide the opportunity for local communities to help shape the social, economic and environmental objectives for their areas and determine which locations for development are best suited to help meet these objectives. The HELAA will help inform and guide the Local Plan review process ~~will be subject to further detailed assessment, public consultation and an independent examination~~, alongside the outcomes of public consultation, further detailed site assessments and a range of other evidence.

~~4.41.5~~ This methodology sets out the policy context to undertaking a HELAA, including the requirements and recommended approach as laid out in the NPPF and government guidance (section 2). The report also identifies the key stakeholders, ~~including neighbouring local planning authorities~~, who the partner authorities will work with in ~~developing the methodology and carrying out the assessment and~~ (section 3). It also explains how the work will be managed, resourced and subject to scrutiny over the course of the assessment process (~~sections 3 and~~ section 4). Subsequent sections set out the methodology in a series of stages to align with the approach outlined in government guidance. This includes the initial identification of potential sites, the survey process and the individual assessment of sites in terms of their development potential, suitability, availability and whether development is realistically achievable. This assessment will identify the potential contribution from the assessed sites to the overall future delivery of housing and economic development. Section 11 sets out the approach to assessing the potential contribution from small 'windfall' sites, which are not specifically identified by the HELAA, to the future supply of housing land. The process of reviewing the HELAA, to ensure the assessment data is kept up to date and provides a robust assessment of the potential availability of development land is explained in section 12. The proposed key outputs from the HELAA are set out in section 13.

## Policy Context and Requirements

**2.1** The National Planning Policy Framework (NPPF)<sup>(4)</sup> requires strategic policies within local plans to make sufficient provision for housing, employment, retail, leisure and other commercial development (paragraph 20). These policies should be underpinned by relevant and up-to-date evidence (paragraph 31). As such, the identification and assessment of sites for housing and economic uses through the HELAA process should provide robust and credible evidence to support plan-making.

**2.2** In terms of identifying land for housing, paragraph 68 of the NPPF states that ‘strategic policy-making authorities should have a clear understanding of the land available in their area’, based on a strategic assessment of land availability which takes account of ‘availability, suitability and likely economic viability’. This should enable planning policies to identify a sufficient supply and mix of sites for housing, including: ‘specific, deliverable sites for years one to five of the plan period’ and ‘specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan’.

**2.3** Paragraph 74 of the NPPF states that ‘strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period’. It also sets out a requirement for local planning authorities to ‘identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement’.

**2.4** In relation to economic development, paragraph 82 of the NPPF states that planning policies should (amongst other requirements) ‘set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth...’. To support the strategy and meet anticipated needs over the plan period, policies should ‘set criteria or identify strategic sites for local and inward investment’. To ensure the vitality of town centres, paragraph 86 of the NPPF requires that policies allocate sites in town centres to meet anticipated needs for retail, office, leisure and other main town centre uses.

**2.5** Paragraph 119 of the NPPF states that planning policies ‘should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’. In this respect, as much use as possible should be made of previously developed ‘brownfield’ land. Opportunities for a mix of uses, utilising under-used land and increasing residential densities should also be explored (NPPF paragraphs 120, 124 and 125). In addition, current plan allocations should be reviewed and where there is no longer a reasonable prospect of the site coming forward for the proposed use, it should be reallocated for a more deliverable use (NPPF paragraph 122).

**2.6** The HELAA will help to identify whether the assessed sites are best suited for housing or economic uses (or both), taking into account the need to make effective use of available land. As part of the HELAA, the deliverability and developability of sites will be assessed to determine how they can contribute to delivery of housing and economic development over the plan period. In relation to housing delivery specifically, the HELAA will provide the evidence to demonstrate a five-year supply of deliverable housing sites for the initial five years of the plan period. It will also provide the baseline evidence to help inform ongoing assessments of the five-year supply.

**2.7** National planning practice guidance (NPPG) encourages plan makers to assess housing and economic land availability as part for the same exercise so that sites can be identified for the uses which are most appropriate. The NPPG also outlines the recommended approach to assessing housing and economic land availability; it states that the HELAA should:

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4 <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

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

**2.8** In line with the NPPG, the assessment should ‘provide a complete audit of available land’, identifying all sites and broad locations, regardless of the amount of development need identified through separate assessments<sup>(5)</sup>.

**2.9** The NPPG provides guidance on the methodology for undertaking a HELAA. This is summarised in a flow chart which has been reproduced in **Appendix A**. The process outlined in the NPPG forms the basis of the approach set out in sections 5-13 of this report.

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5 Updated housing and economic needs assessments will be prepared to inform the Local Plan review

## Who the Partner Authorities Will Work With

**3.1** In developing the HELAA methodology, the partner authorities will work with a range of key stakeholders. A comprehensive list of consultees will be drawn up by officers from the partner authorities, which will include representatives from the following:

- Land owners, site promoters, land and property agents, developers, registered housing providers and rural housing enablers.
- Other professionals engaged in the property and development sector in the local area.
- House building industry representatives such as the Home Builders Federation (HBF).
- Local businesses, the Local Enterprise Partnership and other business representative organisations.
- Parish and town councils, local community groups and other community representatives.
- Agencies and statutory consultees, including Homes England, Natural England, Historic England and Environment Agency.
- Neighbouring local authorities, Devon County Council (as Highway Authority and in other capacities as applicable) and any other 'duty to cooperate' partners.

**3.2** The methodology will be consulted on with neighbouring local planning authorities to achieve, as far as possible, a consistent approach across the wider sub-region. In particular, the partner authorities will work closely with Exmoor National Park Authority to develop a methodological framework that can guide future site assessment work within the National Park. Appropriate adjustment to the HELAA methodology, including the application of site size thresholds (Stage 1a) and ~~development density assumptions~~ the assessment of development potential (Stage 2a), ~~will~~ are likely to be required to reflect the special status, statutory purpose and character of the National Park. Assessments of site development potential within the National Park should follow a contextual approach which considers landscape, biodiversity and historic environment issues and makes adjustments to density assumptions and site areas as required.

**3.3** All stakeholders identified by the partner authorities will be consulted on the draft HELAA methodology. In addition, a selection of these stakeholders will provide expert advice to support the HELAA assessment process. This expert advice will be provided either through written consultation responses or by participation on the HELAA stakeholder panel.

### HELAA stakeholder panel

**3.4** A HELAA stakeholder panel will be set up to advise the partner authorities on the assessment of potential development sites. The specialist skills and knowledge provided by the panel will play a key role in supporting the assessment process.

**3.5** Representatives from the property and development industry will be invited to nominate themselves for inclusion on the panel. Officers from the partner authorities will appoint a selection of individuals to sit on the panel based on the nominations received. The panel should be representative of the different businesses and other interest groups involved in the property and development industry in the local area. It should include representatives from both the housing and economic land development sectors.

**3.6** Representatives from the local community, public sector bodies and other key stakeholder groups will also be appointed to the panel to provide additional local insight and expert advice to support the assessment process.

**3.7** 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 **Appendix B**. The constitution sets out further details on panel membership eligibility and the panel selection process.

**3.8** The HELAA panel will be provided with the following opportunities for involvement:

- To consider and give advice on ~~the final wording of the methodology for preparing the HELAA~~ any necessary amendments to the HELAA methodology.
- To consider and give advice and opinions on the findings of the initial assessment undertaken by the partner authorities of the suitability and availability of potential sites for housing and economic development.
- To provide information and advice to support the assessment of achievability, including the consideration of the viability of potential sites for housing and economic development.
- To consider and give advice and opinions on the HELAA report prior to its consideration and approval by the partner authorities.

**3.9** It should be noted that the role of the panel is advisory only; ultimate responsibility for determining the HELAA assessment outcomes lies with the officers of the partner authorities. Further detail on how suitability, availability and achievability are assessed is set out in sections 7, 8 and 9.

## Project Management, Resourcing and Scrutiny

### *Management and resourcing*

**4.1** It is anticipated that relevant officers from the partner authorities, working together as a project team, will undertake the majority of the preparation of the HELAA report. Local authority planning officers from outside of the project team and external consultants may be engaged for some elements of the work. The procedures put in place through the implementation of this methodology will ensure a consistent approach.

**4.2** Expertise from the partner authorities will be utilised for such elements as site identification, collation of information and critical assessment of sites prior to their consideration by the HELAA Panel. The project team will secure additional advice from experts as required. It is likely that these areas of expertise will include:

- Housing (Local authority officers and others as applicable)
- Economic Development (Local authority officers and others as applicable)
- Landscape (Natural England and others as applicable)
- Arboriculture (Local authority officers and others as applicable)
- Contaminated Land (Local authority officers and others as applicable)
- Minerals and Waste (Devon County Council)
- Highways (Devon County Council)
- Flooding (Environment Agency and Devon County Council)
- Biodiversity (Natural England and others as applicable)
- Historic Environment (Historic England, Devon County Council, Local authority Conservation Officers).

### *Scrutiny*

**4.3** The approach to the preparation of the HELAA will be open to scrutiny through public consultation on the draft methodology. All key stakeholders, other interested organisations and members of the public will have the opportunity to comment on the proposed approach.

**4.4** The partner authorities will discuss and agree on the assumptions made and judgements applied throughout the process in an open and transparent way. Appropriate explanations for any deviation from the assumptions applied by the methodology will be set out in the HELAA report.

**4.5** The HELAA panel will provide advice and input throughout the site assessment process and will provide additional scrutiny by reviewing the findings of the draft HELAA report. The panel will report to the partner authorities at various stages in the assessment process. Officers from the partner authorities will have responsibility for ensuring that the HELAA panel works in a transparent manner and in accordance with the methodology, constitution and terms of reference, as set out in section 3 above.

**4.6** For each partner authority, the final HELAA report will be scrutinised through the standard Council democratic processes. The HELAA report will form part of the evidence base to inform the preparation of Local Plan documents. As such, the report findings will be open to further scrutiny through the Local Plan process. This will include more detailed assessment of potential sites, public consultation and the independent examination of the Local Plan.

## Stage 1: Identification and Survey of Sites and Broad Locations

### Stage 1(A): Assessment area and site size thresholds

**5.1** The geographical area covered by the HELAA corresponds to the 'northern Devon' sub-region, as shown in [Figure 1](#) (see section 1 - Introduction).

**5.2** The HELAA should assess a range of sites from small-scale to those providing opportunity for larger scale development such as urban extensions or, where appropriate, new settlements. In light of the resource intensive nature of the HELAA process and the expected continued delivery of small windfall sites through the development management process, it is sensible to apply a lower limit on the size of site to be considered by the HELAA. Therefore the assessment will be limited to sites above the following minimum thresholds:

- **Housing:** sites for 5 dwellings or more.
- **Economic development:** sites of 0.25 hectares or more.

**5.3** Housing sites that fall below the relevant threshold will not be assessed by the HELAA; however, consideration will be given as to how these smaller sites potentially contribute to the overall housing supply as part of the windfall assessment. Information on the windfall assessment is set out in Stage 3 of the HELAA methodology (section 11 of this report).

### Stage 1(B): Desktop review of existing information

**5.4** In line with national planning practice guidance (NPPG), officers from the partner authorities will seek to actively identify potential sites and broad locations for development through a desktop review process which will examine various sources of data. At this stage, the task is to identify a wide range of different sites and their constraints rather than rule out sites based on their constraints. Therefore a wide variety of potential data sources will be considered. The NPPG sets out a list of potential data sources that can be used to identify various types of sites (see [Appendix C](#)). Across North Devon and Torridge, some of these potential data sources may be less relevant than others and opportunities for development may be more limited for certain types of site. However, officers will ensure that all potential sources are examined. It is expected that the following will be the primary sources of data on sites and broad locations identified through the desktop review:

- Existing housing and economic development allocations in the Local Plan.
- Housing and Economic land monitoring databases: sites with planning permission (unimplemented or under construction).
- Planning application records: [current pending applications](#) and any applications refused, withdrawn or expired in the past 5 years.
- Site data held from previous Strategic Housing Land Availability Assessments (SHLAAs)
- Records of land in local authority ownership.
- Brownfield Land Registers: vacant/derelict or other available previously developed land.
- Local authority officers (including development management, housing and economic development specialists): knowledge of sites/broad locations, available land and redevelopment opportunities.
- Mapping survey of urban areas: under-used and vacant land or other redevelopment opportunities.

## Stage 1(C): Call for sites

**5.5** In addition to a desktop-based search for potential sites and broad locations, officers will actively engage with individuals or groups who hold an interest in potential development land through a 'call for sites'. This should be aimed at as wide an audience as practicable, including those not normally involved in property and development.

**5.6** The partner authorities will contact a range of groups and individuals to request the formal submission of potential sites. Those contacted will include (but not be limited to):

- Land owners, site promoters, agents, developers and registered housing providers.
- Local businesses.
- Parish and town councils and other local community groups.
- Public sector bodies (including NHS, Fire Service and Police), Devon County Council and utility companies.

**5.7** In addition, information about the call for sites will be publicised through the Councils' websites and social media platforms as well as via press releases issued to local newspapers. The aim of this will be to inform parties not currently known to the partner authorities and offer the opportunity to present sites for consideration in the HELAA process.

**5.8** The call for sites will set out the information sought from respondents, which will include:

- Site location and area.
- Site availability, ownership details and any legal issues.
- Site planning history/current status.
- Suggested potential types/mix of development<sup>(6)</sup>.
- The scale of proposed development (number of residential units or development area).
- Physical, natural or other constraints to development (and potential to overcome these if applicable).
- Potential delivery timescales.

**5.9** Full details of the information requested through the call for sites process are set out in **Appendix D**. Anyone who holds an interest in sites identified through the desktop review process will also be contacted as part of a 'site availability update' which will request similar information to that obtained through the call for sites. The level of detail required from the site availability update will vary depending on the status of the site. For example, for sites that are under construction, details of projected delivery timescales and previous development progress should be obtained. This will include information on progress with ground works and, where applicable, the number of units or amount of floorspace started and completed.

**5.10** It should be noted that site delivery information received from developers and site promoters will be treated as an understanding of 'common ground' between the developer or promoter and the partner authorities, where it is agreed that the timeframes are realistic and achievable. The partner authorities will require anyone submitting a site through the call for sites or site availability update to sign a 'memorandum or agreement' which confirms the accuracy of the site development timescales and all other information submitted. Full details on the memorandum of agreement are set out in **Appendix E**.

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6 For economic development uses this includes: retail, leisure, cultural, office, warehousing, manufacturing etc.; for housing/residential use: specific tenure(s), specific needs (e.g. older people's housing, gypsy and traveller accommodation), custom/self-build.

**5.11** The partner authorities will carry out a subsequent additional call for sites as part of any update to the HELAA as deemed necessary to ensure a robust and adequate supply of potential sites. The partner authorities may additionally, at their discretion, allow for continuous submission of details of potential sites, recognising that these will be held on file and appraised during the next HELAA review.

### Stage 1(D): Survey of sites and broad locations

**5.12** Sites identified through the desktop review (Stage 1b) and call for sites (Stage 1c) are subject to a survey to gather information that will inform the site assessments. The information required to complete the surveys will come from a variety of sources:

- Information obtained from the call for sites and initial desktop review (which will be subject to further checks **by officers from the project team and updated if required**).
- Officer site visits.
- Additional desktop analysis/investigation.
- Expert advice provided by statutory consultees, local authority officers and others.

**5.13** A detailed site assessment form will be prepared for each identified site which brings together the survey information from the above sources. This data will be transferred to an electronic HELAA site assessment database and linked to GIS mapping. The information gathered via the survey will include the following:

- Basic site details, including location and a supporting site plan.
- Information to inform the assessment of development potential (site capacity).
- Site constraints (including physical characteristics of the site, accessibility, current uses and designations, environmental constraints and existing infrastructure provision) to inform the assessment of suitability.
- Information about current ownership, legal and planning status to inform the assessment of availability.
- Details of current development progress and future delivery expectations for the site to inform the assessment of deliverability.

**5.14** The proposed data fields for the site assessment database are ~~listed~~ set out in **Appendix F**; this provides further details of the information to be recorded through the site surveys and assessment process. Due to the nature of the assessment process, there is likely to be overlap between the data gathering at the survey stage (1d) and the site assessment (Stage 2). For example, the initial stage of the suitability assessment, which filters out clearly unsuitable sites, can take place ~~site~~-based on a limited amount of survey data gathered through the initial desktop review or call for sites. Additional data, gathered through through site visits, input from expert consultees and further investigations, will inform the remainder of the suitability assessment. The site assessments are an iterative process so it is expected that survey data captured in the first instance will be supplemented by new information revealed over the course of the assessment process. As new information or evidence comes to light, the HELAA site assessment database will be updated and the site assessments reviewed accordingly. Further information on the stages involved in the assessment process is set out in sections 7 - 10.

**5.15** Officers will be provided with detailed guidance notes, to be read alongside the HELAA methodology, which will explain more about the practical steps required to complete the site surveys and update the site assessment database. This guidance will explain more about the type of information needed under each data field and the key data sources.

## Stage 2(A): Estimating Site Development Potential

**6.1** The assessment of development potential should consider the need to make efficient use of land, in line with policies set out in the National Planning Policy Framework (see section 2).

**6.2** A combination of methods will be used to estimate the development potential of each site:

- Existing information
- Net developable area/density assumptions
- Contextual approach
- Urban design approach

**6.3** The method selected will be dependent upon the availability of existing information, the nature and location of individual sites and their surrounding area. The partner authorities will apply the most appropriate approach or combination of approaches dependent upon the circumstances of the site. ~~Assessments may be subject to review as the impact of site constraints~~

Initial assessments of development potential may be subsequently updated (applying an alternative assessment method where necessary), as a result of the site constraints and development impacts identified through the suitability assessment (stage 2b) ~~become clearer~~. For example, specific parts of a site may be deemed to be unsuitable for development due to potential impacts on neighbouring uses, resulting in a reduction in the total developable area.

**6.4** The methods applied to estimate development potential will be supported by advice from the HELAA panel. If the panel advise that a particular method produces an unrealistic assessment of the development potential, an alternative approach can be used to provide a more appropriate outcome based on the context of the site.

### **Existing information**

**6.5** Existing and up-to-date information relating to the potential development capacity of a site will be used where this is publicly available. This could include detail provided by applicants as part of a planning application or other sources of information such as development briefs, masterplans or other Development Plan Documents containing concept plans.

### **Net developable area/density assumptions**

**6.6** For straightforward sites with no obvious constraints, a basic assumption is applied to convert the gross site area to a net developable area. The gross developable area is taken as the whole site area that has been deemed suitable for development (i.e. progressed to Step B of the suitability assessment). The net developable area is the area that is available to deliver housing or floorspace after taking account of the land required for significant infrastructure including, roads, schools and various forms of green infrastructure<sup>(7)</sup>. Gardens, driveways, minor access roads and small-scale amenity areas are counted within the net developable area for housing development. For economic development land, the net developable area is assumed to be the footprint area of the buildings required for the intended use.

**6.7** For smaller housing sites, the net developable area is likely to be all or nearly all of the site as any new development will make use of existing roads and infrastructure. However, for larger sites it is likely that there will be a need to provide access roads along with supporting infrastructure and facilities. In this case the net area available for housing development is likely to be reduced.

<sup>7</sup> Includes biodiversity networks, sustainable urban drainage systems (SUDS), allotments, parks, sports pitches and other larger-scale amenity or natural greenspace.

**6.8** Where a housing site is located within a Critical Drainage Area (CDA) (as defined by the Environment Agency), the gross to net site development ratio will be adjusted to take account of the likely increased land required for on-site flood management infrastructure.

**6.9** Unless specific circumstances dictate otherwise, the calculation of net developable area for housing will be guided by the gross to net site ratios set out in Table 1.

**Table 1 Gross to net site area ratios for housing development**

Gross site area	Gross to net site area ratio	
	Within CDA	Outside CDA
0.4 ha and under	100%	100%
Between 0.4 and 2 ha	60%	70%
2 ha and above	50%	60%

**6.10** Net developable areas for economic development land should take account of the intended type of employment uses and the requirements for additional infrastructure associated with these developments such as car parking and delivery areas. Indicative gross to net ratios are provided for selected types of uses in Table 2. These indicative ratios provide a guide only and in many instances the appropriate ratio will be decided on a case-by-case basis, taking account of the specific development proposed and the individual characteristics of the site, including the presence of any Critical Drainage Areas (CDA).

**Table 2 Gross to net site area ratios for economic development**

Development Type	Gross to net site area ratio
Retail – smaller convenience store	50%
Retail – large supermarket	40%
Retail – warehousing/comparison goods	25%
Offices – town centres	60%
Offices – business park or rural business	40%
Industrial/warehousing units	40%
Hotel	60%

**6.11** For housing development, a density multiplier will be applied to the net developable area to estimate the potential yield of the site in terms of total dwellings. The assumptions set out below provide realistic assumptions of appropriate densities within different types of areas.

**Table 3 Density assumptions for housing development**

Character area	Density assumption (dwellings per hectare)
Town Centre	60

Character area	Density assumption (dwellings per hectare)
Sub-urban	40
Strategic Extension	35
Rural Settlement	30

**6.12** The assumptions applied to net developable area and housing density will be set in collaboration with members of the HELAA panel and other expert consultees. These assumptions will be applied unless specific circumstances suggest that an alternative approach should be followed (see contextual and urban design approaches below). The assumptions will be kept under review and will be revised as appropriate to take account of any changes in guidance, policy, local market conditions or other ~~specific local circumstances. Both the partner authorities and the HELAA panel will be required to endorse any revisions~~ circumstances specific to the northern Devon sub-region. The partner authorities will determine the need for any revisions to the density assumptions in conjunction with the HELAA panel.

### **Contextual approach**

**6.13** If the site ~~assessments indicate that~~ suitability assessments (stage 2B) identify specific local circumstances that indicate the net developable area and density assumptions are not appropriate, then a brief analysis of the site and surrounding area will be undertaken to identify more suitable assumptions. The analysis will relate to the character of the site, surrounding built form ~~and landscape~~, landscape and other natural features with the aim of producing an estimate of the density that would be achievable and appropriate for the site. ~~For example, lower densities may be more~~ This approach would also take account of the need for measures to avoid, reduce or mitigate potential impacts of development (e.g. green infrastructure to provide a landscape buffer). Where measures are required that are likely to have a significant impact on the net developable area, the contextual approach can be used in conjunction with the urban design approach (see below) in order to assess the overall appropriate developable area. The contextual approach may be most appropriate ~~in rural or fringe urban areas to mitigate landscape impacts:~~ settlements or on the edge of urban areas where reduced densities and/or site areas would be required to mitigate potential impacts on the built and natural environment. Where applicable, any requirements set out in local design codes will be taken into account as part of this approach.

### **Urban design approach**

**6.14** For mixed-use and larger or complex sites, a ~~simple~~ design-based approach will be applied. This approach will consider suitable ~~densities and areas~~ and densities for the proposed mix of uses ~~derived from~~, based on an individual assessment ~~based on site characteristics and the~~ of the site. This will consider the characteristics of the site and surrounding area, including ~~potential constraints. This would~~ the site constraints identified through the suitability assessments (stage 2B), and the potential requirements of the proposed development. Where measures to avoid, reduce or mitigate potential impacts of development are required, the implications for the net developable site area would need to be considered; for example an area of a site set aside as green infrastructure to mitigate the impact on a heritage asset. The assessment of development potential would also need to take account of the ~~impact on any listed buildings or biodiversity, and the need for access roads, landscaping or~~ need for significant infrastructure, including roads and community facilities, areas for biodiversity net gain, landscaping and other forms of green infrastructure. Where applicable, any requirements set out in local design codes will be taken into account as part of this approach.

## Stage 2(B): Suitability Assessment

**7.1** The assessments of suitability will encompass a broad range of environmental, social and economic factors (in particular the site constraints identified at the survey stage) that determine the potential of a site to deliver sustainable development as required by national and local planning policy. In relation to mitigating climate change and meeting carbon reduction targets, the assessments should take account of locational factors that affect the sustainability of a site, including the potential to access services and facilities by walking, cycling and other sustainable modes of transport. Identified constraints may include environmental, heritage or other designations which afford certain sites protection from loss, degradation or other unacceptable harm. Impacts of development on the site itself, on surrounding areas and existing infrastructure should all be considered. A site or broad location can be considered suitable if it would provide an appropriate location for sustainable development when considered against relevant constraints and their potential to be mitigated. The suitability of sites and broad locations will be assessed for both housing and economic development uses.

**7.2** Sites allocated in the adopted Local Plan or with existing planning permission will be assumed to be suitable for development in the first instance (for the allocated or permitted use) and do not initially need to be subject to a full suitability assessment. However, if advice is received indicating any change in circumstances which could affect the suitability of a site (for example from the HELAA panel or other expert consultees), this can prompt the need for an updated assessment of site suitability. Consideration will need to be given to those factors that can change over time to affect suitability; for example, market signals may indicate that an alternative use for a particular site may be more appropriate. Where a site is promoted via the HELAA for an alternative use from that which is proposed by an existing allocation or planning permission, the suitability of the site for that new use would need to be assessed.

**7.3** In accordance with national planning practice guidance, suitability is assessed based on a two-step process:

- Step A will assess sites against fundamental suitability criteria and will discount sites that are clearly unsuitable for development.
- Step B will involve a more detailed assessment of site constraints for any sites not discounted at Step A.

**7.4** At Step A, officers will identify key constraints relating to biodiversity, geodiversity, flood risk and site location. In the following cases, sites will be considered as clearly unsuitable for development and excluded from any further assessment:

- Land within areas identified as Flood Zone 3b (functional flood plain).
- Land within, or where development would have significant impact on, any of the following biodiversity and geodiversity designations: Special Area of Conservation (SAC), Special Protection Area (SPA), RAMSAR Site, Site of Special Scientific Interest (SSSI), National Nature Reserve, Local Nature Reserve or ancient woodland.
- Sites in isolated rural locations that would clearly be unsustainable locations for development or could not realistically be made sustainable as part of a large-scale development in conjunction with other potential sites.

**7.5** If there is any uncertainty about sites falling within the above areas or the extent to which potential impacts on biodiversity or geodiversity designations are 'significant', the sites can be progressed to Step B where they would be subject to further assessment, which may include input from relevant expert consultees. In some instances, it may be necessary to retrospectively exclude sites at Step A based on further investigation or expert advice. Where only part of a site

is excluded on the basis of the Step A criteria listed above, the remaining part of the site should be progressed to Step B as a separate site, provided that this residual site area meets the appropriate thresholds (Stage 1a).

**7.6** For sites that are not eliminated at Step A, the more detailed Step B assessment will cover the following themes:

- Physical characteristics of the site and surrounding area, including land status, ground conditions, topography, existing natural and man-made features.
- Accessibility of the site for all modes of transport, including cyclists and pedestrians.
- Current social, community and economic uses of the site.
- Environmental designations and constraints, including those relating to biodiversity, landscape or historic environment.
- Existing infrastructure capacity.
- Consistency with current Development Plan policies (spatial strategy and other protected areas).

**7.7** Further detail on how the suitability assessment ~~categories-related to~~ will address the themes above is ~~provided in~~ set out in section 3 of the Site Assessment Template (**Appendix F** ~~In relation to each assessment category, guidance notes provided to officers will prompt consideration of a range of potential constraints and associated~~). The Site Assessment Template includes guidance notes which identify the potential constraints, impacts, opportunities and other relevant issues ~~that may affect the assessment of suitability~~ to consider in relation to a range of assessment criteria. For each ~~assessment category~~ site, the assessment will need to provide a succinct descriptive summary ~~should be provided~~ that responds to the prompts in the guidance notes and any other identified issues relevant to the ~~site in relation to the topic area~~ assessment criteria. The guidance notes will also identify the various sources of data which will be used to inform the suitability assessment and highlight where advice needs to be sought from expert consultees to guide the assessment process.

**7.8** Alongside potential impacts, the suitability assessment should consider opportunities for improvements to the site and surrounding areas (including linkages with Exmoor National Park where appropriate), for example:

- Enhancement of biodiversity and habitat restoration (e.g. Nature Improvement Areas).
- ☐ Enhancement of heritage assets (designated and undesignated).
- Provision of green infrastructure and open space.
- Provision and enhancement of walk/cycle routes ~~and~~, the access network (public rights of way and access land), and other infrastructure.
- Regeneration of previously developed land, including derelict or under-utilised sites.
- Improve sustainability of existing neighbourhoods and settlements (e.g., through provision of new neighbourhood facilities or employment opportunities).

**7.9** Of those constraints which could affect potential delivery of the site, the assessment will also need to consider the potential to overcome these, for example through the provision of new infrastructure. These issues will be examined further through the assessment of achievability (Stage 2d).

**7.10** In light of the need to support sustainable patterns of growth, the suitability of sites will be assessed against the spatial strategy of the adopted North Devon and Torridge Local Plan. It is recognised that a review of the Local Plan would likely include a re-examination of the existing

spatial strategy. Subject to the outcome of public consultation and community engagement processes, this may enable opportunities for sustainable development outside of the existing settlement limits or built-up areas of the main towns, local centres and villages.

~~7.407.11~~ In light of the need to support sustainable patterns of growth, the suitability of sites will be assessed against the spatial strategy of the adopted North Devon and Torridge Local Plan. It is recognised that a plan review may need to re-examine the spatial strategy to consider opportunities for sustainable development outside of the existing settlement limits or built-up areas of the main towns, local centres and villages. The HELAA should take account of the potential for new polices to emerge and therefore non-compliance with the existing policies of the Local Plan should not necessarily render a site as unsuitable for the purposes of the site assessment. However, consideration of existing policies will help guide the suitability assessments and those sites where development would not be in accordance with the Local Plan policies will be identified as part of the assessment process. This will assist with flagging up issues that may need further consideration and also identify those sites that may contribute to an updated five-year land supply prior to any update to the current policy position.

~~7.417.12~~ Assessments of suitability will be audited by the project team to ensure a **consistent** approach. The HELAA panel will also be presented with the assessments of site suitability which provides an opportunity for these to be reviewed and the panel to provide further input where appropriate. Where new evidence or information about site constraints comes to light that was not previously considered, site suitability may be re-assessed.

### **Suitability assessment outcomes**

~~7.427.13~~ As a result of the suitability assessments, all assessed sites will be categorised on a 'red/amber/green' basis, as set out in the table below. This should be done for both residential and economic development uses, unless the site already has planning approval or is allocated for a specific use. For each potential use, the red/amber/green assessment will help identify those sites that are: suitable with no significant constraints identified; potentially suitable pending further investigation of the constraints; or not suitable based on the constraints identified.

**Table 4 Suitability RAG assessment**

Suitable (green)	Site offers a suitable location for development and there are no significant constraints identified for the proposed use. Includes sites allocated in the adopted Local Plan or with existing planning permission, unless evidence indicates otherwise.
Potentially suitable (amber)	The site offers a potentially suitable location for development but further investigation is required to understand how/if the identified constraints can be overcome. This could include the need to provide better connections to local facilities, ensure the protection of designated sites or heritage assets, or assess potential site access options. Sites can be reclassified as 'suitable' if further investigation provides sufficient evidence that there is a realistic prospect the constraints can be overcome. Similarly, potential suitable sites may be confirmed as not suitable following further investigation.

Not suitable (red)

The site does not offer a suitable location for the proposed development. There are significant constraints that are likely to act as 'showstoppers' to development and no realistic prospect of that the constraints can be overcome. Includes all sites excluded at Step A of the suitability assessment.

## Stage 2(C): Availability Assessment

**8.1** A site can be considered available for development when, based on the best information available, there is confidence that there are no legal or ownership impediments to development. Land controlled by a developer or landowner who has expressed an intention for this to be developed may be considered available. There would need to be confidence that the site will be available within the next 15 years for development to take place within the likely plan period of the next local plan.

**8.2** The call for sites and site survey processes will identify information about site ownership, any legal issues relating to the site and the intentions of the land owner, developer or other interested parties in terms of site delivery. Up to date availability information will be obtained for all newly identified sites, existing plan allocations without planning permission, major sites with outline planning permission and, where deemed necessary, any other sites with outline or full planning permission. In certain cases, such as where a site is under construction, it can be assumed that the site is available, unless evidence comes to light to indicate otherwise. **Sites which are identified as clearly unavailable at the initial data gathering stage would not normally be subject to a full HELAA assessment.**

**8.3** Availability will be assessed on the basis of the proposed uses for which it is being promoted (e.g. through the call for sites). Following the availability assessment, all assessed sites will be classified on a 'red/amber/green' basis, as set out below, for each applicable use. Where appropriate, the assessment will identify the actions or further investigations required to address any unresolved issues relating to the availability of the site.

**Table 5 Availability RAG assessment**

Available (green)	Confirmation of site availability has been received from the landowner(s)/developer(s) and there are no legal or ownership impediments to development.
Potentially available (amber)	<p>Site understood to be potentially available but awaiting formal confirmation from all land owners and/or requires further investigation/action to resolve outstanding issues. Uncertainty over ownership or other potential complexities in relation to the site's availability may include:</p> <ul style="list-style-type: none"> <li>- The land is in multiple ownerships and may have site assembly issues.</li> <li>- The land accommodates an existing use (e.g. under tenancy agreement) that would require relocation but arrangements are not in place or known.</li> <li>- The land is subject to legal issues that could prevent the site from being available in the short-term.</li> </ul> <p>Further investigation may lead to sites being reclassified as 'available' or 'not available'.</p>
Not available (red)	Land owner(s) has/have expressed an intention not to develop the site or further investigation is unable to confirm availability.

## Stage 2(D): Achievability Assessment and Overcoming Constraints

**9.1** The assessment of achievability will be guided by the HELAA stakeholder panel. A site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period.

**9.2** In terms of the capacity of a developer to complete the development over a certain timeframe, the HELAA panel may give consideration to the following:

- Developer's phasing plans/expected delivery timeframes.
- The previous delivery record of the developer.
- The type of development and expected construction methods.
- The involvement of multiple developers on a site.
- For housing sites, evidence-based assumptions of typical lead-in times and build-out rates (see *deliverability and developability* for further details).

**9.3** An assessment of viability considers the value generated by a development against the cost of development. This will be affected by a range of factors including: the expected financial returns for land owners and developers; site constraints; potential policy and infrastructure requirements; local market conditions at that time; the amount and type of development proposed; and how long it takes to deliver the scheme. Assessments of achievability may take account of differing levels of viability across the partner authorities' plan area (northern Devon).

**9.4** The assessment of achievability will consider any actions required to overcome the constraints identified through the site surveys and determine if there are any implications for viability as a result. For each site, the assessment will set out whether there are likely to be abnormal costs relating to infrastructure, and the requirements that may exist for the provision of affordable housing, open space, community facilities, biodiversity net gain or other mitigation measures required to make development acceptable in sustainability terms. This process will be informed by the assessment of site suitability and advice on requirements and costs from the HELAA panel or other expert consultees.

**9.5** In accordance with national planning practice guidance, sites which do not involve major development with any form of permission and all sites with detailed permission should be considered achievable within the next five years, unless evidence indicates otherwise. The HELAA panel can advise if there is a need to reconsider the viability of these sites. Sites where there have been repeated planning applications over several years without development coming forward will be treated with particular caution in relation to achievability.

**9.6** Based on the advice of the HELAA panel in relation to viability and any other key factors specific to the site and proposed development, the partner authorities will come to a judgement on the achievability of each site. Achievability will be assessed on a red/amber/green basis as per the table below. In instances where sites have been deemed not suitable or not available, the achievability will not be assessed. Achievability will be assessed for either residential and economic development uses (or both) where the site has been assessed as suitable and available for those uses. **Following the HELAA, further detailed analysis and assessment will supplement the initial HELAA achievability assessment to ensure the Local Plan is supported by a robust evidence base in relation to viability.**

Table 6 Achievability RAG assessment

Achievable (green)	The site appears to have a realistic prospect of achievability. Values are highly likely to exceed costs of development.
Potentially achievable (amber)	The site appears to be marginally achievable or uncertain whether values will exceed costs. Further investigation may be needed to understand the impact on viability due to the cost of overcoming certain site constraints.
Unlikely to be achievable (red)	The site appears not to have a realistic prospect of achievability. Development costs exceed value.

## Stage 2(E): Deliverability and Developability

**10.1** As set out in section 2, a key output from the HELAA is an assessment of the deliverability and developability of each site to understand the potential contribution to the delivery of housing and economic development over a future plan period. As explained below, sites will be assessed in line with the National Planning Policy Framework (NPPF) definitions of ‘deliverable’ and ‘developable’<sup>(8)</sup>, based on the outcomes of the suitability, availability and achievability assessments. Existing evidence will be used or, where appropriate, assumptions applied to determine the anticipated timescales for development on the site. The assessments of deliverability, developability and anticipated timescales will be informed by advice from the HELAA panel and other expert consultees.

### **Developable sites**

**10.2** To be considered developable, a site (or broad location) should be in a suitable location for development with a reasonable prospect that it will be available and could be viably developed at the point envisaged (NPPF ~~Annexe~~ Annex 2). This NPPF definition of developable applies specifically to housing but for the purposes of the HELAA assessment it can apply equally to both housing and economic development uses. Therefore, all sites that are assessed as suitable, available and achievable through the HELAA process can be considered developable at some point over the proposed plan period and can potentially contribute to the supply of sites for a future local plan. If following further actions or investigations there remains some uncertainty over the assessment outcomes (sites in the ‘amber’ category for any of the three criteria), the potential developability of these sites will be considered on a case-by-case basis. Where the assessment identifies that a site is either not suitable, not available or not achievable, it would not be considered as developable.

### **Deliverable sites for housing**

**10.3** Developable housing sites may additionally be classed as ‘deliverable’ where they meet the NPPF definition:

*To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

*a) sites which do not involve major development<sup>(89)</sup> and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*

*b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years (NPPF ~~Annexe 2: Glossary~~ Annex 2).*

<sup>8</sup> As set out in [Annex 2: Glossary of the NPPF](#)

<sup>89</sup> As defined in NPPF ~~Annexe~~ Annex 2: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000 square metres or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**10.4** National planning practice guidance (NPPG)<sup>(10)</sup> provides examples of what might be considered as 'clear evidence' to demonstrate that housing completions will occur within five years:

- Current planning status (for example, progress towards approval of reserved matters).
- Firm progress being made towards the submission of an application; for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates.
- Firm progress with site assessment work.
- Clear relevant information on site viability, ownership constraints or infrastructure provision (for example successful participation in bids for large-scale infrastructure funding).

**10.5** The evidence required to assess whether housing sites will be deliverable within five years should be obtained through the HELAA process. For example, as part of the site promotion submissions developers will be asked to provide confirmation of their proposed delivery timescales, including anticipated start dates and the expected annual completion rate of new homes. The site promotion submissions should also provide additional evidence to back up the proposed delivery timescales and support the assessment of deliverability. This will include information about any issues affecting site viability or availability, applicants' intentions in relation to the submission of planning applications and progress with site assessment work. Information about the current status of a planning application may also provide evidence to indicate that a site is potentially deliverable; for example, a reserved matters application may be pending approval or have a resolution to grant permission subject to a S106 agreement. Further information from the applicant or case officer may be sought to clarify the likely timeframe for approval and identify any outstanding issues.

**10.6** The HELAA project team will undertake a robust assessment of deliverability and will only consider a site to be potentially deliverable where there is confidence that the site is suitable, available now and achievable within the next five years. Sites which have any uncertainty over the assessment of suitability, availability and achievability (i.e. assessed as 'red' or 'amber' for any of these categories) will not be considered as deliverable. Sites which are clearly assessed as being suitable, available and achievable ('green' in all categories), will be assumed to be deliverable in the following cases (in accordance with the NPPF and NPPG), unless evidence comes to light through the assessment process to indicate otherwise:

- Sites which do not involve major development with any form of planning permission.
- Major development sites with detailed permission.

**10.7** All other sites that are potentially deliverable, including those with outline permission or allocated in the Local Plan, will only be considered as deliverable where the information obtained through the HELAA process provides 'clear evidence' (in accordance with the NPPF and NPPG) to indicate that housing completions will occur within the next five years. In all cases, the assessment of deliverability should be based on clear, reliable and up-to-date information. For major development sites to be considered deliverable, development timescales should be based on the developer's most recent delivery or phasing plan which shows housing completions taking place within the subsequent five-year period.

**10.8** For sites to be assessed as deliverable there should be a high degree of confidence that housing completions will occur on the site within five years. In addition to meeting the NPPF and NPPG requirement for 'clear evidence', sites will **not only** be considered to be deliverable within the next five-year period **unless if** they are in developer ownership or are subject to a developer

<sup>10</sup> <https://www.gov.uk/guidance/housing-supply-and-delivery>

'option'. The partner authorities will require a signed 'memorandum of agreement' which confirms that the development timescales set out in the call for sites or site availability update submission are realistic and achievable and are based on an accurate assessment of the factors that are expected to affect site delivery. In signing the memorandum, land owners, site promoters and developers agree to accept the basis on which the partner authorities will assess deliverability of a site. Full details of the memorandum of agreement are set out in **Appendix E**.

### **Development timescales for housing sites**

**10.9** The timescales within which each housing site is capable of being developed will be based on the assessment of developability and deliverability. As explained above, sites assessed as 'deliverable' would expect to see housing completions beginning within the next five-year period (although the final completion of the site may be beyond the five-year period). For sites that are 'developable' but not currently deliverable, completions will not occur until after the end of the next five-year period. Completions on these sites could take place from year six or later, depending on the constraints identified through the site assessment. Sites that are deliverable or developable have the potential to contribute to future housing supply and the anticipated delivery timescales for these sites will be set out in the housing trajectory (see Stage 4 of the methodology for further detail). Sites that are not currently developable are not shown in the housing trajectory.

**10.10** The partner authorities have conducted recent in-house research into typical timescales for initial completions to occur (the 'lead in time') on sites of various sizes and at different stages in the planning process in the local area. A summary of this analysis is provided below.

**Table 7 Average development lead in times for North Devon and Torridge**

Size of site (number of homes)	Average time from receipt of outline application to first completion (years)	Average time from outline permission to first completion (years)	Average time from full/RM permission to first completion (years)
<10	5	4	2
10-49	5	4	2
50-249	5	3	1
250+	4	3	1

**10.11** The data for larger sites (those over 250 units) was limited to a small number of sites, therefore these figures should be treated with some caution. However, overall the data suggests that there is not a significant difference in lead in times from the point of submitting an application, based on the size of sites. Although larger and potentially more complex sites would typically be expected to take a longer time to complete the planning process, this is potentially offset by a shorter period between planning approval and the initial delivery of housing. A shorter period between planning approval and first completions for larger sites is also reflected in evidence from research carried out at the national level<sup>(911)</sup> and may indicate that on large-scale schemes, which potentially involve multiple volume housebuilders, resources can be assembled more quickly than on smaller sites to enable earlier commencement. Although not shown in the figures above, once work required at the pre-planning stage is taken into account, it would be expected that the overall period from the initial promotion of the site through to first completions would be longer for larger and more complex sites.

<sup>911</sup> Lichfields' Start to Finish report (2016): <https://lichfields.uk/media/1728/start-to-finish.pdf>

**10.12** The period over which the development of the site takes place will depend on the number of dwellings that can be completed each year (the build out rate). This will be influenced by a number of factors including market conditions, the type of dwellings being constructed and the capacity of each developer. The partner authorities have conducted recent in-house research into typical annual build out rates on sites of various sizes in the local area. A summary of this analysis is provided below.

**Table 8 Average build-out rates for North Devon and Torridge**

Size of site (number of homes)	Average build-out rate (dwellings completed per year)
<10	Normally complete in one year
10-49	15
50-249	30
250+	60

**10.13** The analysis above is based on average completions once work on site is fully established, normally after an initial year of construction in which a small number of units are built, including show homes. For larger sites it is expected that there would be more than one developer operating on the site. It has been assumed that sites of 250 dwellings or more would operate with two developers; the typical maximum completion rate for these sites is 60 dwellings per year, which assumes each developer can build 30 dwellings annually. Based on current knowledge of sites in northern Devon, it has been assumed that there would be a maximum of two developers on any one site, so a maximum build-out rate of 60 dwellings per year. However, there may be potential for new large allocations to be considered as a collection of separate sites, each with one or two developers, providing scope for higher build-out rates across the whole allocation.

**10.14** The analysis of lead-in times and build out rates together with the definitions of 'deliverable' and 'developable' has helped inform the 'model' site delivery assumptions shown in **Appendix G**. Due to the limited availability of data, for larger sites the model applies a more cautious approach to lead in times than the analysis would indicate. It should be noted that the assumptions applied in the model provide a guide only and for the majority of deliverable sites the development timescales should be based on delivery plans and other evidence provided by a developer. The model assumptions will provide a 'sense check' against the development timescales proposed by developers and site promoters. If it is deemed by the HELAA panel or others that the proposed timescales are overly ambitious, the lead in times and built out rates used for the trajectory can revert to the model assumptions. Caution should also be applied to the model delivery assumptions where there are significant constraints identified through the assessment process that may affect future site delivery. For example, a developable site may deliver later than the model timescales would imply due to its complexity or unresolved issues relating to the site.

**10.15** The site delivery assumptions set out in the model will be agreed with the HELAA panel and other expert consultees. These assumptions will also be subject to review and may be updated where new evidence emerges on delivery rates and lead-in times for development sites in the sub-region.

### ***Deliverability and development timescales for economic development land***

**10.16** Unlike housing sites, there is no NPPF definition of ‘deliverable’ for economic development land, and similarly there are no equivalent delivery models to indicate the rate at which sites could be built out. Therefore, the potential delivery of these sites will be considered on a case-by-case basis informed by discussions with the site promoter and advice provided by the HELAA panel. Developer’s phasing plans and expected delivery timeframes will be taken into account where available. A number of factors which may affect the timescales for site delivery will also be considered, including:

- The capacity of the developer to develop the site given the scale and type of development proposed (as assessed under *achievability*).
- The current planning status of the site; for example, whether outline or full planning permission has been secured or an application is pending.
- The development status of the site; for example, whether key infrastructure to service the plot has been installed or the likely timescales for this to happen (serviced plots will be assumed to be deliverable within the next five years).

**10.17** Anticipated delivery rates for economic development land will be set out in terms of hectares developed within five-year periods (years 1-5, 6-10 and 11-15). This will be recorded within the HELAA report and used to develop an economic land delivery trajectory which will guide future planning policy monitoring.

#### **Summary of developability and deliverability assessment process**

**10.18** The table below provides an overview of the approach to the assessment of developability and deliverability based on the outcomes of the suitability, availability and achievability assessments.

**Table 9 Summary of developability and deliverability assessment process**

<b>Assessment outcomes for suitability, availability and achievability</b>	<b>Site developability</b>	<b>Site deliverability</b>
<b>All</b> assessment outcomes ‘green’ (suitable, available and achievable)	Site is developable.	Site may be deliverable depending on current status and further investigation of deliverability evidence.
<b>Any</b> assessment outcome ‘amber’	Site may be developable: consider on a case-by-case basis.	Site is not deliverable (unless further investigation changes the assessment outcome to ‘green’ for all criteria).
<b>Any</b> assessment outcome ‘red’	Site is not developable.	Site is not deliverable.

## Stage 3: Windfall Assessment

**11.1** In addition to those sites assessed as developable, national planning practice guidance (NPPG) indicates that, where justified, the HELAA can take account of the potential contribution to overall housing supply from ‘windfall’ sites which are not subject to the assessment process.

**11.2** There are two separate elements to the windfall supply:

- Sites with planning permission which fall below the five dwelling threshold and are therefore not assessed through the HELAA process.
- An allowance for the potential future contribution from currently unconsented sites of fewer than five dwellings which would not have been identified through the HELAA process.

**11.3** Sites of fewer than five dwellings are not considered by the NPPF to constitute ‘major development’. As such, those which are subject to a current planning permission or under construction should be considered capable of delivering housing completions within 5 years in accordance with the NPPF definition of ‘deliverable’, unless evidence indicates otherwise. Although not required by national planning policy, the HELAA will discount 15% of the total yield from sites of fewer than 5 dwellings with unimplemented planning permissions. This follows the precautionary approach applied by the partner authorities in previous assessments of housing land supply, which recognises that a proportion of small sites may not ultimately be delivered within the next five-year period. Delivery rates for these small sites will follow the HELAA model timescales, unless evidence relating to a specific site suggests an alternative approach is more appropriate.

**11.4** In addition to windfall sites with current planning permission, the NPPF makes provision for an anticipated windfall ‘allowance’ that can also contribute to the future housing supply. NPPF paragraph 71 states that: *where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall rates and expected future trends.*

**11.5** It is anticipated that historic trends in windfall site development across North Devon and Torridge will continue. The partner authorities’ monitoring data<sup>(12)</sup> demonstrates that windfall sites have consistently formed a small but significant element of housing completions within the district even through periods of economic recession and as a result there is every reason to expect that they will continue to provide a reliable source of supply. It is therefore considered appropriate to include a modest evidence-based allowance for development arising from small windfall sites of fewer than five dwellings. The contribution of this windfall allowance to the housing supply, based on the analysis of historic delivery rates, was accepted by the Local Plan Inspector through the examination of the North Devon and Torridge Local Plan. In calculating the windfall allowance, care should be taken to avoid double counting of windfall sites with existing planning permission.

**11.6** Based on the above and building on the methods applied to previous assessments of housing supply, the HELAA methodology therefore proposes the following approach to assessing the contribution of windfall sites to the overall housing supply:

- Distribute the projected yield from consented sites of fewer than 5 dwellings across the initial five-year housing supply period in accordance with the HELAA model delivery timescales (applying the appropriate non-implementation discount for unimplemented sites).
- Calculate the total annual contribution from these consented windfall sites (with planning permission or under construction).

<sup>12</sup> [Authority Monitoring Reports \(AMRs\)](#)

- Take the five-year average of historic completions on sites of fewer than five dwellings to determine the annual windfall allowance (include both greenfield and brownfield sites).
- Apply this windfall allowance to each year of the subsequent housing supply period (i.e. proposed plan period), excluding any years when the contribution from consented windfall sites matches or exceeds the annual allowance.
- For years when the consented windfalls make no contribution to the supply, apply the full annual windfall allowance.
- For years where the contribution from consented windfalls is less than the annual windfall allowance, apply a residual element of the allowance so that the total windfall contribution in that year matches the annual allowance figure.

## Stage 4: Assessment Review

### *Initial Review*

**12.1** Indicative trajectories should be produced which set out how much housing (including the assessment of delivery from windfall sites) and the amount of economic development that can be provided within years 1 to 5, 6 to 10, and 11 and beyond. This will consider all sites that have the potential to contribute to the overall provision of future housing and economic development, including sites with current planning permission, existing allocations and newly identified developable sites. The trajectories will be based on the assessment of the sites, including their developability, deliverability and projected development timescales. Alongside the site assessment outcomes, the trajectories will inform the selection of sites to be considered as potential allocations for the next local plan.

**12.2** The site selection process will need to take account of the risks to the overall delivery of the plan if sites do not come forward for development as anticipated. Therefore, before taking forward sites as potential allocations, further investigation to confirm their suitability, availability and achievability may be carried out. For housing sites in particular there will need to be a high degree of confidence, backed up by firm commitments from developers, that sites assessed as deliverable will contribute to the housing supply in the next five years.

**12.3** If when preparing the next Local Plan it is concluded that there are insufficient sites or broad locations to meet identified needs, the HELAA assessment will be revisited. This may involve a further call for sites or a review of the development potential of certain sites.

### *Ongoing Review*

**12.4** The partner authorities will maintain the HELAA database, including details of all site assessments. This will be periodically reviewed and updated as new information comes to light on the assessed sites. Assumptions applied as part of the HELAA process will be kept under review and revised as appropriate in light of any amended policy guidance, advice from the partner authorities or the HELAA panel, and any relevant changes to specific local circumstances.

**12.5** Development progress on HELAA sites will be assessed through the annual Authority Monitoring Report (AMR). This will include a review of each site to identify progress towards development, report on the status of recognised development constraints or other changes in circumstances.

**12.6** Where necessary, the partner authorities will seek to secure updated written agreements from developers to indicate that sites remain deliverable. Allocations can be reviewed if new evidence suggests that sites are unlikely to be developable within the plan period or deliverable within a five-year time frame. The partner authorities will work with landowners, site promoters and developers to address any on-going barriers to the delivery of sites.

## Stage 5: Final Evidence Base (Key Outputs)

**13.1** The HELAA report and assessment details will need to be made publicly available in an accessible form. The following outputs will be provided in the final HELAA report:

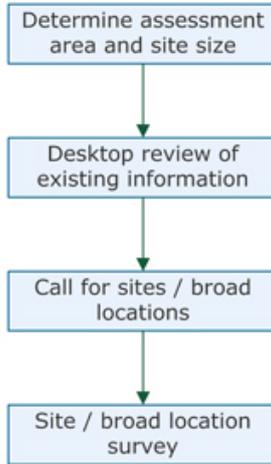
- A list of all sites or broad locations considered, cross-referenced to their locations on maps.
- An assessment of each site or broad location, including:
  - details of the suitability, availability and achievability assessment, **including an explanation and summary of the assessment outcomes**;
  - where sites have been discounted, clear justification which explains the basis on which this decision was made;
  - where sites are considered suitable, available and achievable, the potential type and quantity of development;
  - explanation for any barriers to delivery, how these could be overcome and when;
  - evidence-based assessments of development timescales, taking account of realistic and achievable lead-in times and build out rates;
  - assessment of overall developability and deliverability, including a summary of evidence on which the assessment is based.
- Indicative trajectories showing the anticipated development of housing and economic land across northern Devon.

**13.2** The final HELAA report will set out the methods and assumptions applied to the HELAA assessment process and clearly explain all judgements and findings. Justification will be provided for any deviation from the basic assumptions set out in the methodology.

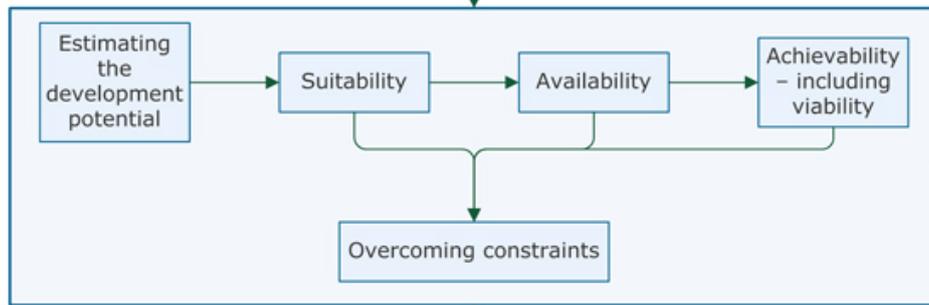
**13.3** Following the assessment, the partner authorities can use the evidence to help demonstrate whether there is a five-year housing land supply for plan-making and development management purposes. This will assess the contribution from deliverable sites and any justified windfall allowance to housing supply in the initial five-year period. For development management purposes, the five-year supply would need to take account of the current Local Plan allocation status of any sites assessed as deliverable through the HELAA.



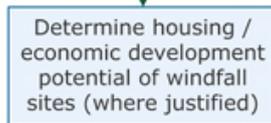
**Stage 1 - Site / broad location identification**



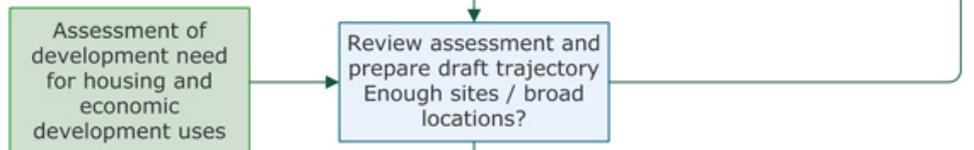
**Stage 2 - Site / broad location assessment**



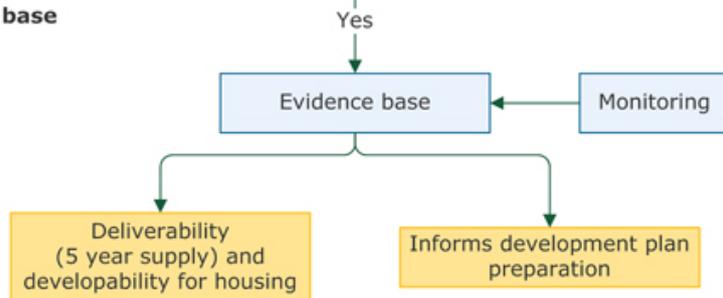
**Stage 3 - Windfall assessment**



**Stage 4 - Assessment review**



**Stage 5 - Final evidence base**



## **HELAA Stakeholder Panel Constitution and Terms of Reference**

### **Introduction**

National planning practice guidance<sup>(4013)</sup> makes clear the importance of working with others, including land owners, agents and site promoters, developers, businesses and local representative groups, and the local community in preparing a Housing and Economic Land Availability Assessment (HELAA). The partner local planning authorities (North Devon Council and Torridge District Council) have previous experience of undertaking similar assessment exercises and this has shown the benefit of having representatives from these groups on a stakeholder panel to provide advice at various stages of the HELAA process.

The stakeholder panel concept is a key component of the HELAA methodology<sup>(4114)</sup> published by the partner authorities alongside the constitution and terms of reference. The stakeholder panel should be representative of the broad cross section of the property and development industry in the northern Devon sub-region, which is considered to be well placed to provide an informed view on the 'achievability' of potential sites for new development that are deemed to be 'suitable' and 'available' through assessment by the partner authorities.

The process for preparing HELAAs has evolved and there is potential for further changes as new guidance and best practice emerges; therefore, it is likely the arrangements for the preparation of the HELAA may be subject to further refinement through agreement between the panel and partner authorities.

It is likely the preparation of the HELAA report will generate significant public interest. There will also be a high level of public expectation in the preparation of this technical document to inform the decision-making processes to support the delivery of housing and economic development in the sub-region. Therefore, for the sake of clarity and transparency in the management of the process and to assist the effective operation of the panel, the partner authorities consider it necessary for the panel to be bound by a constitution and terms of reference.

The constitution and terms of reference will be considered and endorsed by the panel in agreement with the partner authorities. Each partner authority in the sub-region will be responsible for making the approved constitution and terms of reference publicly available. The constitution and terms of reference will be kept under review by the panel and partner authorities.

<sup>40</sup> <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>

<sup>13</sup>

<sup>41</sup> North Devon & Torridge ~~Draft~~ HELAA Methodology (2022)

<sup>14</sup>

## Constitution

### *Purpose*

This sets out how the HELAA stakeholder panel will be formed, how it will operate, how decisions are made and the procedures that will be followed in the process leading to the publication of the HELAA report.

### *Membership eligibility, composition and selection process*

Eligibility for HELAA panel membership will be based on the following:

- Organisations/companies/individuals which are representative of the broad spectrum of the property and development industry in the sub-region. Panel members will need to be actively engaged in the development of land for housing and/or economic development. This can include: site promoters, land or property agents (national or local), developers (e.g. volume or small scale house builder), registered housing providers, rural housing enablers, architects, planners or urban designers or other related professions that may usefully inform the assessment of potential sites for housing and economic development.
- The following representative bodies, public sector organisations and agencies: Home Builders Federation (HBF), Local Enterprise Partnership (LEP), Environment Agency, Historic England, Natural England, and Devon County Council (as Highways Authority, Local Education Authority<sup>(42)</sup> and Minerals and Waste Authority and Lead Local Flood Authority)<sup>(42)(15)</sup>.
- Community representatives<sup>(43)(16)</sup>: the appointment of community representatives to the panel will complement the role of other panel members. They would be expected to support, and where necessary moderate, panel discussions to ensure that wider interests and concerns of local communities across the two districts are given due consideration.
- Officers from the partner authorities including the HELAA project team.

The partner authorities will invite expressions of interest from representatives of the property and development industry to become potential candidates for membership of the panel. Potential candidates must complete, sign and date an expression of interest form for the purpose of data protection and freedom of information. In consultation with members of the partner authorities' Joint Planning Policy Committee (JPPC), officers from the HELAA project team will prepare a shortlist of candidates from the expressions of interest received. Officers will make an offer of appointment in writing to each short-listed candidate. Written confirmation agreeing to become a member of the panel will be required from each short-listed candidate.

The shortlist prepared by officers will include approximately ten individuals representing development and property interests in the northern Devon sub-region<sup>(44)(17)</sup>. The shortlist should be prepared with the aim of achieving a final panel membership which is as representative as possible of the different professions and types of businesses involved in property and development in the sub-region. The panel should include representatives from both the housing and economic

<sup>42</sup> An invitation will be made to each of these organisations to be represented on the panel. However, it is recognised that they may not be able to accept this invitation and/or attend panel meetings due to restricted resources. They will be given the opportunity to contribute to the panel discussions and updated on the outcome of panel meetings. Additional statutory consultees may provide expert input to inform the work of the panel.

<sup>43</sup> At least one community representative from each partner authority will be invited to sit on the panel. This could include either elected members or representatives of community groups. Community representatives will be required to provide Local Planning Authority area wide input to the process.

<sup>44</sup> Some flexibility in the final numbers of representatives from the property and development industry is permitted to ensure that the panel membership achieves the optimal mix of representation described.

land development sectors and include both national volume housebuilders and smaller-scale local developers. Panel membership should reflect development interests in different areas of the sub-region.

Representation on the panel from other eligible groups listed above (key representative bodies, public sector organisations/agencies and community representatives) will be achieved by direct invitation. It is expected that there will be at least two community representatives (one from each partner authority) and one representative from each of the other organisations listed that accept the panel invitation. Officers from the HELAA project team will prepare a list of invitees in consultation with members of the JPPC.

Where one or more of the short-listed candidates declines to confirm their acceptance of panel membership, or where a panel member elects to leave the panel, officers from the HELAA project team will, in consultation with members of the JPPC, select one or more further candidates from the expressions of interest received to panel membership or from the wider body of development interests where no further suitable candidates are available. Officers will make an offer of appointment in writing to the selected candidate(s) and will require a confirmation of acceptance of panel membership in writing from these candidate(s). Wherever possible, officers will ensure that the make-up of the panel membership maintains the optimal mix of representation set out above.

Membership on the panel will be on a voluntary/unpaid basis. There will be no budget provision for the panel.

### ***Leading panel meetings***

Panel meetings will be led by representatives from the partner authorities (normally officers from the HELAA project team).

### ***Accountability***

The panel will report to the partner authorities at various stages in the preparation of the HELAA.

Each partner authority will ensure the panel works in a transparent manner and in accord with the methodology, and the constitution and terms of reference.

Panel members will be provided with unpublished information about identified sites and will have access to other draft documentation relating to the preparation of the HELAA report. They will be required to keep this information confidential. Where there is deemed to be inappropriate conduct<sup>(4518)</sup> by a panel member this will be referred to officers from the partner authorities who will act as arbitrators to resolve the matter.

### ***Timetables and meetings***

Following an inception meeting, subsequent panel meetings will be arranged to facilitate the completion of the HELAA. The HELAA project team will be expected to prepare a timetable indicating likely dates for meetings, make provision for a suitable venue and make clear the timescales for the process leading to the completion of the HELAA. This will need to be agreed between the partner authorities and the panel.

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<sup>45</sup> Inappropriate conduct may be deemed to have occurred where a panel member has failed to declare an interest  
<sup>18</sup> in one or more sites at the time of the assessment; where a panel member may have misused its privileged position or knowledge of identified sites prior to the publication of the HELAA report; or where panel members have been found to have colluded towards the successful inclusion of one or more sites in a published HELAA report.

***Declaration of interest***

A personal or professional interest in the development of one or more potential sites in the sub-region will not preclude membership on the panel. However, where such an interest exists either as the controller of land, as agent for a landowner or in any other personal or professional capacity, then this interest must be declared to the panel. Where a panel member declares an interest in one or more potential sites, they may continue to provide advice on the developability and deliverability of these sites for the purpose of the preparation of the HELAA. This advice will be moderated by the wider panel membership and such advice will not guarantee that these sites may be included in the published HELAA report.

***Assessment of sites included in the HELAA report***

Each panel member will provide advice and opinions to the partner authorities to inform the overall assessment of potential development sites included in the published HELAA report. This will be based on the initial assessment of the 'suitability' and 'availability' of identified potential sites that has been undertaken by the partner authorities and the panel member's assessment of the 'achievability' of each site.

The partner authorities will consider the advice and opinions of all panel members when making the final assessment of identified sites. The partner authorities will attach the appropriate weight to such advice and opinions, relative to other evidence and considerations. The final assessment of sites included in the published HELAA report will be the responsibility of the partner authorities.

To ensure that publication of the HELAA report can be achieved in accordance with the timetable agreed between the partner authorities and the panel, officers may still make a final assessment of sites where one or more panel members have been unable to undertake and/or complete their assessments in a timely manner, or where one or more panel member(s) are unable to attend a panel meeting.

Where elements of the assessment for a site may be incomplete, the partner authorities may consider the merits for the inclusion of such sites in the published HELAA report. In such instances the partner authorities will have regard to whether missing information would fundamentally prevent the assessment of the deliverability and developability of a site, and whether this could reasonably be expected to be resolved at a later stage in the plan-making or development management decision making processes.

Panel members will provide advice and opinions to the partner authorities on the understanding that:

**The assessment of the deliverability and developability of sites for new housing and economic development through the HELAA process and the identification of potential development sites in the partner authorities' published HELAA report does not indicate that the site(s) will be allocated for development in Development Plan Documents or that planning permission will be granted. Potential sites for new housing and economic development which have been identified through the HELAA may be further tested through the plan making process for Development Plan Documents where judgements will be made about whether sites should be allocated through plan policy. This will include testing through Sustainability Appraisal/Strategic Environmental Assessment, Habitat Regulations Assessment, stages of public consultation and independent examination. Planning proposals on sites identified in the published HELAA report will be judged on their merits against the relevant Development Plan policies unless material considerations indicate otherwise. The HELAA report may be a material consideration in the determination of such planning proposals.**

***Anonymity***

To facilitate free and open discussion the advice, opinions and comments provided by the stakeholder panel will not be attributed to individual panel members. All opinions and discussions will be recorded and reported in a wholly anonymous manner protecting the anonymity of the individual panel members.

***Administrative support and publication of the HELAA report***

The partner authorities and officers from the HELAA project team will be responsible for providing administrative support to the panel for the purpose of recording notes of meetings and preparing draft documents in relation to the HELAA where these are necessary.

Each partner authority will be responsible for publishing the HELAA report on its website and making this publicly available.

## Terms of reference

### **Purpose**

The purpose of these terms of reference is to set out the vision, objectives, scope (roles and responsibilities) and deliverables for the HELAA stakeholder panel. These may be defined in or draw from the HELAA methodology<sup>(4619)</sup>.

### **Vision**

The panel will need to embrace the challenge of taking a key responsibility in advising on the preparation of the HELAA. This will inform future delivery of housing and economic development in the context of a spatial planning policy framework and sustainable development objectives. The panel will be representative of key stakeholders. To achieve a successful outcome the panel will work towards this vision:

*'To serve as a body for key stakeholder representation, in partnership with the Local Authorities in the northern Devon sub-region (North Devon Council and Torridge District Council), in the HELAA process.'*

### **Objectives**

The panel will have the following objectives:

1. To provide advice and opinions on the deliverability and developability of identified sites in an efficient and timely manner to enable the completion of the HELAA process in accord with the timescales agreed with the partner authorities.
2. To add value to the HELAA process through the skills, expertise and knowledge of each of the panel members.

### **Scope (roles and responsibilities)**

The roles and responsibilities of the panel will be:

1. To act as an independent body appointed by the partner authorities that is representative of key stakeholders in the sub-region, for the sole purpose of the preparation of the HELAA.
2. To consider and give advice on whether the methodology, and the constitution and terms of reference will provide the basis for a partnership approach which accords with national planning practice guidance<sup>(4720)</sup>.
3. To consider and give advice on ~~the final wording of any necessary amendments to the HELAA methodology for publication by the partner authorities~~<sup>(4821)</sup>.
4. To consider and give advice and opinions on the findings of the initial assessment undertaken by the partner authorities of the 'suitability' and 'availability' of potential housing and economic development sites in the northern Devon sub-region.

<sup>46</sup> North Devon & Torridge ~~Draft~~ HELAA Methodology (2022)

<sup>19</sup>

<sup>47</sup> <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>

<sup>20</sup>

<sup>48</sup> The panel will need to consider whether the methodology accords with ~~current~~ national planning policy and practice guidance. Where appropriate, it will ~~need to consider the consultation responses received and the amendments suggested by the HELAA project team. The panel may suggest revisions to the wording of the draft methodology prior to the approval and publication of the final methodology by the partner authorities~~ consider the need for any amendments to the methodology in response to updated local planning policy, national planning policy, national planning practice guidance or advice from statutory consultees and other key stakeholders.

<sup>21</sup>

5. To provide information and give advice to inform the assessment of the 'achievability' of potential sites for housing and economic development which are being assessed for the purpose of the HELAA. The assessment of achievability is a judgement about the economic viability of each site, and the capacity of a developer to complete and let or sell the development over a certain period – being affected by market, cost and delivery factors. Each panel member will have regard to relevant published documents and draw from their own experience in giving a view on the 'achievability' of each potential site.
6. To consider and give advice and opinions on the HELAA report prior to its consideration and approval by the partner authorities.
7. To undertake any other task identified and agreed with the HELAA project team or partner authorities for the purpose of preparing the HELAA report.

### ***Deliverables***

The panel will facilitate the delivery of the HELAA report by giving advice and opinions to the partner authorities on the deliverability and developability of identified potential sites for housing and economic development.

### ***National policy, practice guidance and methodology background***

HELAA reports shall be prepared in accordance with national planning policy, national planning practice guidance and the HELAA methodology<sup>(1922)</sup>.

Type of site	Potential data source
Existing housing and economic development allocations and site development briefs not yet with planning permission	Local and neighbourhood plans Planning applications records Development Briefs
Planning Permissions for housing and economic development that are unimplemented or under construction	Planning application records Development starts and completions records
Planning applications that have been refused or withdrawn	Planning application records
Land in the local authority's ownership	Local authority records
Surplus and likely to become surplus public sector land	National register of public sector land Engagement with strategic plans of other public sector bodies such as county councils, central government, National Health Service, police, fire services, utilities services, statutory undertakers
Sites with permission in principle, and identified brownfield land	Brownfield land registers (parts 1 and 2) National Land Use Database Valuation Office database Active engagement with sector
Vacant and derelict land and buildings (including empty homes, redundant and disused agricultural buildings, potential permitted development changes, eg offices to residential)	Local authority empty property register English Housing Survey National Land Use Database Commercial property databases (eg estate agents and property agents) Valuation Office database Active engagement with sector Brownfield land registers
Additional opportunities for un-established uses (eg making productive use of under-utilised facilities such as garage blocks)	Ordnance Survey maps Aerial photography Planning applications Site surveys
Business requirements and aspirations	Enquiries received by local planning authority Active engagement with sector
Sites in rural locations	Local and neighbourhood plans
Large scale redevelopment and redesign of existing residential or economic areas	Planning applications Ordnance Survey maps Aerial photography
Sites in adjoining villages and rural exceptions sites	Site surveys
Potential urban extensions and new free-standing settlements	

## Call for Sites/Site Availability Update: Data Requested

### Site details

- Site address and Postcode
- Site grid reference
- Total site area (hectares)
- District (Torrige/North Devon)
- Existing Local Plan allocation details
- Existing planning permissions
- Previous SHLAA reference
- Additional information on planning status
- Area of site not suitable for development
- Is the site currently under construction?
- ~~Site plan (to be attached)~~

Site plan (to be attached)

### About you

- Your role in promoting the site (e.g. as the land owner, developer or agent acting on behalf of a land owner/developer)
- Your details (name, organisation, address, contact email and telephone)

### Site ownership details

- Is the site in single or multiple ownership?
- Details of site owners (name, organisation, address, contact email and telephone)
- Land Registry details (to be attached)

### Developer details

- Confirmed developer interest in site?
- Name of developer and contact details (address, contact email and telephone)

### Current use of site

- Current use
- Previous uses
- Uses for which the site has planning permission and/or is allocated in the Local Plan
- Is there a need to relocate the current use?
- Potential to relocate current users?
- Implications of relocating current site users for development timescales

### Potential/proposed use of site

- Residential development ? (yes/no)
- Total potential residential units
- New build or conversion/change of use?
- Mix of dwelling types (houses/flats/gypsy and traveller pitches)
- Mix of tenures (open market/first homes/other discounted/affordable rent/social rent/shared ownership/other)

- Specialist housing types (older people's housing/other residential care/gypsy and traveller/other)
  - Serviced plots for custom or self build to be provided?
  - Economic land development? (yes/no)
  - Total floorspace to be developed (square metres)
  - Total area to be developed (hectares)
  - New build or conversion/change of use?
  - Mix of development types (retail/office/manufacturing/warehousing/leisure or cultural/other)
  - Mix of uses (potential combination of residential and economic uses)
  - Other uses
- 
- ~~Economic land development? (yes/no)~~
  - ~~Total floorspace to be developed (square metres)~~
  - ~~Total area to be developed (hectares)~~
  - ~~New build or conversion/change of use?~~
  - ~~Mix of development types (retail/office/manufacturing/warehousing/leisure or cultural/other)~~
  - ~~Mix of uses (potential combination of residential and economic uses)~~
  - ~~Other uses~~

### Site availability

- ~~Current availability status (in developer ownership/developer 'option'/for sale and being marketed/for sale before April 2023/for sale in less than 3 years time/for sale in 3-5 years' time/for sale in 6-10 years' time/for sale in 11-15 years' time/status unknown/other)~~
- Current availability status (in developer ownership/developer 'option'/for sale and being marketed/for sale before April 2023/for sale in less than 3 years time/for sale in 3-5 years' time/for sale in 6-10 years' time/for sale in 11-15 years' time/status unknown/other)
- ~~Ownership issues (e.g. multiple ownership, ransom strips etc.)~~
- Ownership issues (e.g. multiple ownership, ransom strips etc.)
- Agreements related to current use
- Other legal issues (e.g. covenants etc.)
- Other availability issues
- Overcoming availability issues

### Planning applications pending

- Application details (planning references etc.)
- Progress/anticipated timescales for submission of planning applications
- Progress/anticipated timescales for site assessment work
- Other comments on planning application progress

### Development status and delivery expectations

- Commencement date and development progress (if applicable)
- Anticipated commencement date (if applicable)
- Anticipated delivery issues
- Anticipated/actual date of first completions
- Expected time to fully build out site (years/months)

- Expected completions within five years (number of residential units and/or economic land developed in hectares)
- Year by year expected delivery of housing development (number of residential units completed 2022/23 - 2041/42)
- Year by year expected delivery of economic development land (hectares developed 2022/23 - 2041/42)
- Developer's delivery/phasing plan (to be attached)

### **Site suitability and viability**

- Details of any constraints/issues that could impact on the suitability or viability of the site, or might need to be addressed before the site is developed (including access, existing planning policies, natural or man made features, topography, local area character, ground conditions, environmental designations, flood risk, other environmental issues, infrastructure requirements, market viability)
- Overcoming the identified constraints
- Change in circumstances since grant of planning permission or allocation through local plan (if applicable)

### **Additional supporting information**

- Attach any relevant additional supporting information

## **Memorandum of Agreement**

By submitting this form, I agree that the development timescales set out in the submission are realistic and achievable and are based on an accurate assessment of the factors that are expected to affect the delivery of the site. Development timescales take account of any site constraints that are known at the present time, including any ownership, legal or planning-related issues. Any technical, financial or viability implications arising from the known site constraints have also been taken into consideration.

I understand that if the Councils have not been provided with sufficient information to determine whether a housing site is deliverable within 5 years or developable in the longer term, this will affect the outcome of the HELAA assessment process and any subsequent decisions regarding the suitability of the site as a potential future Local Plan allocation.

I understand that for housing sites to be assessed as deliverable the Councils will need a high degree of confidence that completions will occur on the site within 5 years. In particular:

- The proposed development timescales have been confirmed by a developer in control of, or with an 'option' on, the site.
- The information submitted with this call for sites/site availability update provides clear evidence that the site will deliver housing in the timescale and in the numbers proposed.

I recognise that the Councils reserve the right to prioritise sites assessed as deliverable when considering potential future site allocations. Sites that are assessed as developable but not deliverable within 5 years may be considered as longer-term options for plan-making purposes.

I agree that the development timescales set out in the submission represent an understanding of 'common ground' between the site promoter/developer and the partner authorities.

All other information provided in this submission is, to the best of my knowledge, up to date and accurate.

## Site Assessment Categories and Criteria HELAA Site Assessment Template: data categories, response options and guidance notes

Details of the following are to be recorded for each HELAA site through the survey and assessment process. For further explanation of how the assessment stages are carried out, please refer to the relevant section of the HELAA methodology: **SECTION 1: KEY SITE INFORMATION**

### Key Site Information

#### *Basic Site details*

- HELAA site reference
- Address/post code
- Grid reference
- Total site area
- Local Authority
- Ward
- Parish
- Settlement

#### *Site promotion*

- Site promotion records (reference number for submitted call for sites data)
- Source of site promotion (e.g. identified through call for sites, existing planning data, other source or local knowledge etc.)

#### *Site overview*

- Site description
- Proposed development type (residential/economic/mixed/other)
- Land status (greenfield/previously developed/mixed)
- Current land use
- Surrounding land use
- Planning status (no planning, outline, full/reserved matters, permission pending etc.)
- Planning history summary, current permissions and expiry dates

- ▣ Allocation status (allocated in adopted Local Plan?)
- ▣ Local Plan allocation reference

Assessment Categories/Criteria	Response options	Guidance notes/data sources
<b>Basic site details</b>		
HELAA site reference	Use format HEA/ABC/0001	Create new HELAA reference for each site submission using the format HEA/ABC/0001. Use HEA in all cases (may be updated from previous SHLAA reference); ABC is parish code; 000x is sequential number for site (within parish).  Add these basic site details when adding new sites on the database. You can use details provided from the site promotion submissions and where necessary check these against other information about the site we have access to. To find the relevant parish and ward, look up the site location and admin boundaries on GIS mapping using the plotted site area. If the site is not within or reasonably well-related to any settlement listed, record as 'not applicable'.
Site address	Free text (multi line box)	
Post code	Use standard post code format	
Grid reference	Use standard grid reference format	
Total site area	Number (area in hectares)	
Local Authority	North Devon or Torridge	
Ward	All wards in North Devon and Torridge	
Parish	All parishes in North Devon and Torridge	
Settlement	All settlements in North Devon and Torridge	
SHLAA Ref	Free text	
HLA Ref	Free text	
<b>Site promotion/data source</b>		

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Site promotion records	Add new record	Add all relevant site promotion submissions (call for sites responses or site availability updates) to the list. This ensures that all details submitted through the call for sites/site availability update are accessible from the database site assessment record.
Site source	Select one or more options from: Promoted through call for sites, Existing permission, Existing allocation, Previous SHLAA, Expired permission, Pending permission, Brownfield Land Register, Other planning (refused and withdrawn applications), Local Authority records (e.g. publicly owned land), Officer knowledge, Urban areas survey, Other	The majority of sites will be identified through the call for sites process or are sites already in the planning system (including allocations), which are subject to a request for updated site availability information. In some instances, sites will have been identified from other data sources. In these cases, targeted requests for site availability and delivery information will need to be requested. Select all the sources of new site information which apply (one site may be identified from multiple sources).
<b>Site overview</b>		
Site description	Free text	Provide a brief general description of the site, its character and setting. Identify current uses on site, rural/urban location, type of settlement, relationship of site to settlement and surrounding area. This will be informed by observations recorded during the site visit, or if no visit is undertaken refer to allocation or planning permission information (e.g. officer report or description in Local Plan).
Proposed development type	Select from: residential, economic development, mixed, TBC, other	See use(s) promoted through call for sites submission or approved/allocated uses. Mark as TBC if site could be for either residential or economic use and mixed if multiple uses are proposed. This can be updated if only assessed as suitable for a specific use.

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Land type status	Select from: Greenfield, Brownfield, mixed.	Record as brownfield (if previously developed land), greenfield or a mix of the two (refer to definition of previously developed land in <a href="#">NPPF Annex 2</a> ). Identify opportunities for regeneration of previously developed land. This will be informed by observations recorded during the site visit, or if no visit is undertaken refer to allocation or planning permission information (e.g. officer report or description in Local Plan).
Current land use	Free text	From site visit or existing data sources confirm current uses match those submitted through the call for sites/availability update (site promotion) data.
Surrounding land use	Free text	Uses adjacent to and in vicinity of the site: e.g., residential (low/high density), employment uses or agricultural. Based on site visit, aerial mapping or other existing data sources.
Planning status	Select from: No planning, TBC, lapsed, refused, pending outline, outline subj S106, outline permission, pending full, pending RM, full/RM subj S106, full/RM permission, started, completed.	Check site promotion details match our own internal monitoring data (e.g. Housing Land Account (HLA))
Current planning permission reference	Standard planning reference format	Planning reference for current approval where applicable. Include live permissions, permissions subject to S106 or implemented/part implemented permissions only (exclude permissions lapsed or pending)
Current planning permission expiry date	Date (dd/mm/yyyy)	Expiry date for current live approval (leave blank if implemented/part implemented or subject to S106). Normally development must be started within 3 years from date of full permission (unless altered by condition). Reserved matters usually need to be submitted within 3 years of outline permission. Reserved matters permission lasts for 2 years from date of approval, or 3 years from date of outline approval, whichever is later.

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Planning history summary	Free text (include dates and planning references)	Provide details of most recent planning approval, permissions pending or subject to S106 and any historic data relevant to the assessment (indicate planning refs, development proposed including number of units, decision date). Do not detail all previous approvals/refusals here (full details of planning history will be imported from uniform to the Planning tab of the database).
Allocation status	Allocated, allocated as non-strategic housing site (NSHS), not allocated	Check information submitted via site promotion with authority monitoring records and/or Local Plan allocation details.
Allocation ref	Use Local Plan allocation reference format (e.g. BID01)	Check information submitted via site promotion with authority monitoring records and/or Local Plan allocation details.

Estimating Development Potential (Site Capacity) **SECTION 2: ESTIMATING DEVELOPMENT POTENTIAL (SITE CAPACITY)**

*Residential development*

- ▣ Capacity estimation method (as per HELAA methodology)
- ▣ Gross Developable Area (ha)
- ▣ Net Developable Area (ha)
- ▣ Housing character area type (Town centre/suburban/strategic extension/rural)
- ▣ Housing capacity (estimated number of units)
- ▣ Notes/explanation

Assessment Categories/Criteria	Response options	Guidance notes/data sources
<b>Residential development*</b>		
Capacity estimation method	Select from: Existing information, Net developable area/density assumptions, Contextual approach, Urban design approach or Other	See HELAA methodology Stage 2a for full details on appropriate method to use. Provide explanation in notes below.
Gross Developable Area (ha)	Area in hectares	Deduct any site area excluded at step A of suitability assessment or any other part of gross site area deemed unsuitable
Net Developable Area (ha)	Area in hectares	Apply appropriate gross to net area ratio for housing development (see HELAA methodology Stage 2a for further details)
Housing character area type	Select from: Town centre, Suburban, Strategic extension or Rural	See HELAA methodology Stage 2a.
Estimated housing capacity (total units)	Number of units	Calculate as applicable based on chosen method, following approach set out in HELAA methodology Stage 2a
Notes/explanation	Free text	Justification for approach taken.

Assessment Categories/Criteria	Response options	Guidance notes/data sources
<b><i>Economic development*</i></b>		
Capacity estimation method	Select from: Existing information, Net developable area/density assumptions, Contextual approach, Urban design approach or Other	See HELAA methodology Stage 2a for full details on appropriate method to use. Provide explanation in notes below.
Gross Developable Area (ha)	Area in hectares	Deduct any site area excluded at step A of suitability assessment or any other part of gross site area deemed unsuitable
Net Developable Area (ha)	Area in hectares	Apply appropriate gross to net area ratio for economic development (see HELAA methodology Stage 2a for further details)
Notes/explanation	Free text	Justification for approach taken.

*Economic development\** Complete for proposed/promoted use

### SECTION 3(A): SUITABILITY ASSESSMENT (STEP A)

- Capacity estimation method (as per HELAA methodology)
- Gross Developable Area (ha)
- Net Developable Area (ha)
- Notes/explanation

For Step A, consider each of the three criteria in turn. Select 'pass' or 'fail' as applicable. Identify and record information needed to demonstrate/explain step A outcome only (e.g. to make clear the site lies within, or development would result in significant impact on, a designated/protected site). Details of additional impacts/issues should be recorded at Step B.

#### Suitability Assessment (Step A)

- Isolated/unsustainable location? (yes/no + provide comment)
- Bio/geodiversity designations? (yes/no + provide comment)
- Flood zone 3b/functional flood plain (yes/no + provide comment)
- Step A conclusion (no further consideration or carry to Step B)

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
Isolated/unsustainable locations	Pass/fail response + comment box	Isolated rural sites that are clearly unsustainable locations for development with no realistic prospect of being made sustainable as part of a large-scale development (for example in conjunction with other proposed sites). Consider relationship of sites to existing settlements.	Desktop mapping exercise
Bio/geodiversity designations	Pass/fail response + comment box	Land within, or where development would have significant impact <sup>(23)</sup> on, the following specific biodiversity or geodiversity designations: Special Area of Conservation (SAC), Special Protection Area (SPA), RAMSAR Site, Site of Special Scientific Interest (SSSI), National Nature Reserve, Local Nature Reserve or ancient woodland.	GIS mapping data, check site promotion

<sup>23</sup> If significance of impacts is not clear, progress to stage B and seek advice from Natural England or relevant expert consultee. Sites can be retrospectively eliminated at Step A if required.

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
Flood zone 3b/functional flood plain	Pass/fail response + comment box	Land within areas identified as Flood Zone 3b (functional flood plain) <sup>(24)</sup> .	GIS mapping data, check site promotion
Step A conclusion	No further consideration/carry to Step B	If site passes all three Step A criteria, progress to Step B. If site fails on <i>any</i> Step A criteria, do not progress: select 'no further consideration' and go direct to 'suitability conclusions' to provide conclusions and justification for exclusion.	n/a

### Suitability Assessment (Step B)

#### Key features of site and surrounding land SECTION 3(B): SUITABILITY ASSESSMENT (STEP B)

- Land status (quality of existing land, potential for regeneration etc.)
- Natural features (potential impact on watercourses, trees, hedgerows etc.)
- Man-made features (potential impact on existing buildings, services and other structures)
- Site topography (which parts of site are flat/steeply sloping etc?)
- Ground conditions (evidence of poor drainage, instability or contamination)
- Compatibility (impact from/on neighbouring uses)

#### Access

- Access to services and facilities
- Access to the site for pedestrians and cyclists
  - Access to public transport
- Highway access

#### Impacts on social/community and economic uses

<sup>24</sup> If there is any uncertainty regarding the whole or part of a site falling within Flood Zone 3b, progress to step B and investigate further in conjunction with relevant expert consultees. For example proposed flood defence works have the potential to change the extent of Flood Zones in the future. Sites can be retrospectively eliminated at Step A if required.

- Impact on social and community uses (existing accessible green space, community and recreation facilities etc.)
- Impact on current employment uses

*Environmental constraints and designations*

- Biodiversity/geodiversity (proximity to designations identified at Step A and other non-statutory designations)
- Flood Risk (specify flood zone and identify critical drainage area, watercourses and any other potential flood risks)
- Landscape (impact on areas subject to statutory designations or other potential landscape sensitivity)
- Historic Environment (consider setting and/or character of statutory designations and other key sites)
- Pollutants, hazards and health risks (e.g. potential air quality issues, light pollution or contaminated land)

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
<b>Key features of site and surrounding land</b>			
Land status	Free text	Expand on current uses and PDL status (see site overview information). Does the site present regeneration opportunities (e.g. derelict or under-utilised sites)? If greenfield, is it good quality agricultural land?	Refer to current land use and PDL status in site overview. Check the agricultural land classification from GIS mapping data.
Natural features	Free text	Identify location of watercourses, trees, hedgerows etc. Consider development impact on existing natural features.	Site visit observations and check mapping
Man-made features	Free text	Identify location of any power lines/other services, existing buildings and structures etc. Consider potential development impact on existing features/structures.	Site visit observations and check mapping
Site topography	Free text	Is site flat, steeply sloping etc? What are the implications of the topography for development on certain parts of the site?	Site visit observations and check mapping
Ground conditions	Free text	Any evidence of poor drainage, instability or contamination? If so, what would be the implications of development?	Site visit observations and check mapping

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
Compatibility	Free text	Consider use and character of surrounding land, including existing townscape in relation to proposed development and other potential uses for the site (refer to basic site information). Consider impact from/on neighbouring uses (e.g. noise, visual intrusion). Is there potential to mitigate?	Refer to proposed use of site, surrounding land uses and other information gathered through site visit.
<b>Access and impacts on social/economic uses</b>			
Access to services and facilities	Free text	Identify nearby key local services (local shop, school, community facility, GP surgery, post office etc.) and distance to these. Assess accessibility in relation to recommended max. 10 min/800m walk. Also consider proximity of main centres (offering college/secondary schools, employment, major retail etc.). NB Accessibility standard based on National Design Guide recommendations for walk distance to local services. Don't exclude sites on this basis: flexibility may be required for certain rural locations.	Site visit/desktop analysis.
Access to the site for pedestrians and cyclists	Free text	Identify existing footways and other routes/links in the surrounding area. Consider potential pedestrian and cycle access to the sites and how this may integrate with existing networks and infrastructure. Are there opportunities to enhance current provision? E.g. existing rights of way/other routes that may benefit from improved linkages; identify any key gaps in existing strategic routes.	Site visit. DCC to advise on PROWs. Sustrans NCN maps.
Access to public transport	Free text	How frequent are services? Identify key destinations, including main urban centres. How close to the site is the nearest stop? Refer to evidence from settlement assessment if required.	Site visit and check bus/rail timetables.

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
Highway access	Free text	Consider issues linking potential access to highway. Consider status/classification of nearest highway. Could appropriate access be provided?	Site visit - nearest roads etc. DCC to advise on highway access.
Impact on social and community uses	Free text	Identify any accessible green space, other green infrastructure/open space, sport and recreation facilities and community uses potentially affected by development. This should include land or buildings currently designated or proposed for these uses and where necessary any historical uses (e.g., former sports pitches). Consider potential impacts/implications of development and opportunities to relocate and/or enhance existing provision.	Site visit, site promotion and expert input (e.g. LA officers)
Impact on economic uses	Free text	Identify any employment/economic uses potentially affected. Consider potential impacts and opportunities to relocate existing uses.	Site visit, site promotion and expert input (e.g. LA officers)
<p><b><i>Environmental constraints and designations.</i></b></p> <p><i>Identify sites within or in proximity to designated areas and consider potential impacts and opportunities in relation to these categories.</i></p>			
Biodiversity/geodiversity	Free text	Identify key/statutory designations (see Step A) in proximity to (or potentially affected by development of) the site. In addition, for Step B identify nearby: County Wildlife Sites, Nature Improvement Areas, Priority Habitats, wildlife corridors/ecological networks, County Geological Sites and any other important sites or areas with protected flora/fauna (including TPOs). Consider potential impacts of development on identified sites/areas and any opportunities for biodiversity	Identify designations from GIS mapping. Expert input from Natural England, specifically in relation to potential adverse impacts of any site outside the designation boundary of SPAs, SACs and SSSIs. Indirect impacts on designated sites may be experienced several kilometres distant from new

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
		<p>enhancement or habitat restoration. Consider need for phase 1 habitat survey, or other additional survey/assessment as necessary. Where applicable, consider any Impact Risk Zones, Zones of Influence or similar for the identified sites. NB significant impacts identified in relation to key designations (SPA, SAC SSSI etc.) may result in retrospective exclusion of the site at Step A.</p>	<p>housing e.g. water pollution. Impact Risk Zones (IRZ) will be used to identify potential impact on SSSI and need to consult Natural England. Consider Zone of Influence (ZOI) for SACs and any current mitigation measures. Potential adverse impacts outside of the designation boundary of National and Local Nature reserves will be considered on a case-by-case basis in consultation with local Wildlife Trust. The UNESCO Biosphere Reserve Core Area is Braunton Burrows SAC/SSSI. The potential adverse impacts of any site outside of the core area will be considered on a case-by-case basis consulting relevant bodies as deemed appropriate. Other bodies may be consulted where appropriate. Local Authority officers will advise on any TPOs. Also refer to onsite observations to identify potential habitats (old buildings, trees and hedgerows etc.)</p>
Flood Risk	Free text	<p>Specify Flood Zone and identify any areas at risk from sea/river/surface water flooding. Are any parts of the site at risk of flooding which may preclude certain types of development? Identify and consider potential impact of nearby Critical Drainage Areas, watercourses, coastal, tidal and flood defences. For sites in coastal locations, take</p>	<p>Identify flood zone, CCMA etc. from GIS mapping. Expert advice from Environment Agency as required. DCC can provide desk-based input based on Local Lead Flood Authority (LLFA) data.</p>

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
		account of Shoreline Management Plan, Marine Plan and provisional Coastal Change Management Areas (CCMAs). If site is within a provisional CCMA, what would be the implications for development (e.g. limited to temporary uses only unless technical evidence indicates otherwise)? Sites will be assessed for flood risk in line with the sequential test requirement of the NPPF and associated technical guidance. There are certain statutory duties in relation to river corridors and tidal defences arising from the Water Resources Act 1991 <sup>(25)</sup> .	
Landscape	Free text	Identify if the site is within or close to the AONB or National Park. Assess potential impacts on areas subject to statutory designations, local policy (e.g. undeveloped coast) or other potential landscape sensitivity. Refer to landscape and seascape character assessments. There are certain statutory duties in relation to sites within the AONB <sup>(26)</sup> .	Identify designations from GIS mapping. Expert input from Natural England and other relevant bodies as required.
Historic Environment	Free text	Consider impacts on significance of all designated and non-designated heritage assets (including settings). Consider setting and /or character of: Listed Buildings, Scheduled Ancient Monuments, sites on the Sites and Monument record,	Identify designations from GIS mapping. Sites within the curtilage or adjacent to Listed Buildings or Scheduled Ancient Monuments will be subject to advice

25 The Water Resources Act 1991 states that any proposed works or structures with 8 metres of the brink of a major watercourse or 5 metres of a non-main watercourse require written consent from the Environment Agency. It is the Environment Agency's policy to seek to maintain these buffer zones for nature conservation interests. As such, any element of a site that lies within these zones will be discounted during the assessment process. In addition, the Act states that any proposed works or structures within 16 metres of tidal defences require written consent from the Environment Agency. It is the intention to consult the Environment Agency on any potential sites that fall within this category

26 Under s85 of the Countryside and Rights of Way Act it is necessary for public bodies and statutory undertakers to have regard to the purposes of Areas of Outstanding Natural Beauty when performing their statutory functions. As such, the potential adverse impacts of any site within an Area of Outstanding Natural Beauty will be considered on a case-by-case basis consulting other bodies as deemed appropriate

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
		<p>Conservation Area, Historic Park and Garden, other site identified on Historic Environment Record. Consider any other sites and buildings which are locally valued and important. Cumulative impacts of multiple developments will need to be considered where necessary. In assessing potential impacts, consider the townscape, landscape and seascape components of the historic environment. Consider archaeological potential and areas of known archaeological interest. In some instances, there may be opportunities for development to protect or enhance the historic environment, including at-risk heritage assets. Consider how the historic environment can be used to contribute positively to local character and distinctiveness. Please note, heritage assets may be within the plan area or within adjoining local planning authority areas. Consider need for any further detailed assessment of heritage impacts.</p>	<p>from the Conservation Officers of the partner authorities. The appraisal of sites within or adjacent to Conservation Areas will be informed by advice sought from the Conservation Officers of the partner authorities. Other input from conservation officers as required to inform assessment of impacts on significance of designated and non-designated heritage assets. DCC to provide desk-based input on archaeology based on Historic Environment Record (HER).</p>
Pollutants, hazards and health risks	Free text	<p>Identify proximity to Air Quality Management Areas (e.g. Braunton). How would development impact on air quality? Is the site likely to generate inappropriate levels of light pollution? Identify contaminated land, coal mining legacy features, or other constraints that may pose potential hazards/health risks for future residents or others. Consider potential development implications in relation to identified hazards and health risks and any potential to mitigate.</p>	<p>GIS mapping will pick up areas listed on Contaminated Land Register and areas at risk from coal mining legacy features. LPA Environmental Health Teams can advise on potential air quality issues or other health risks. Also refer to any relevant on-site observations (see above).</p>
<b>Infrastructure, policy and other considerations</b>			

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
Infrastructure capacity	Free text	Consider local and strategic highway network, water, drainage and sewerage, education and health provision. What improvements to existing infrastructure would be needed?	Mainly input from DCC, infrastructure providers and other expert consultees
Local Plan (1/2): Conformity with current Local Plan spatial strategy	Yes/No	Would proposed development accord with provisions of policies ST06 or ST07? Consider whether site is located within the development boundaries of main settlements, local centres and villages identified in these policies. Small scale development may be acceptable in defined rural settlements.	Desktop review of site v local plan policies
Local Plan (2/2): Comments on conformity with local plan policy	Free text	Add further details in relation to conformity with spatial strategy if appropriate. Any other policies of the Local Plan that development may be in conflict with? May include land allocated for a particular use which is different to the use now proposed.	Desktop review of site v local plan policies
Minerals and waste	Free text	Would development of the site result in sterilisation of mineral resources? Is the site within a designated minerals safeguarding area? Consider any impact on waste management facilities and their consultation zones.	GIS Mapping. DCC to advise as minerals and waste planning authority
Underground services/utilities	Free text	Identify existing underground services and utilities. Potential to re-route if required?	GIS Mapping. Details from utility companies (telecoms, water, gas, electric)
Any other constraints, designations or considerations	Free text	Add details of any other relevant constraints or designations	Expert consultees or advice from other LA officers etc.

*Infrastructure, policy and other considerations*

- ▣ Infrastructure capacity (including highway network, water, drainage and sewerage, education and health provision)
- ▣ Local Plan: Conformity with current Local Plan spatial strategy
- ▣ Minerals safeguarding
- ▣ Underground services/utilities
- ▣ Any other constraints, designations or considerations

### SECTION 3C: SUITABILITY ASSESSMENT CONCLUSIONS

~~Suitability Assessment Conclusions~~ Consider all elements of the suitability assessment and draw conclusions on overall suitability for residential and/or economic uses. Sites deemed suitable for a particular use based on planning permission/allocation status do not need to be assessed for the alternative use. All other sites should be assessed for both potential uses, regardless of the proposed use(s) identified through the site promotion submission. For each use, select the appropriate assessment outcome and provide an assessment summary/conclusion in accordance with Section 2B of the methodology and by reference to the guidance notes below.

- ▣ Suitability for residential use (suitable/potentially suitable/not suitable/not assessed)
- ▣ Summary of suitability assessment for residential use
- ▣ Suitability for economic use (suitable/potentially suitable/not suitable/not assessed)
- ▣ Summary of suitability assessment for economic use

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
Suitability R/A/G Assessment: residential use	Colour code as red - not suitable, amber - potentially suitable, green - suitable or white - not assessed	Does the site provide an appropriate location for the proposed development when considered against relevant constraints and their potential to be mitigated? Consider the key issues/impacts identified in relation to the suitability assessment criteria above. How significant are the constraints? What is the potential to mitigate these? Are any constraints 'showstoppers' (includes all step A exclusions)? Is further investigation needed to understand how/if these constraints can be overcome? See methodology for further details of Red/Amber/Green assessment outcomes. NB sites with planning permission or allocated for residential use will be assumed to be suitable for this use unless	Data on constraints etc. identified from suitability assessment & existing planning data if applicable (site allocated or permitted)

Assessment Categories/Criteria	Response options	Guidance Notes: Specific constraints (including designations), potential impacts, opportunities and other issues to identify/consider	Data sources
		circumstances have changed (refer to methodology for further details). Record as 'not assessed' for residential use if already permitted or allocated for economic use.	
Summary of suitability assessment for residential use.	Free text	See above. NB sites with planning permission or allocated for economic use will be assumed to be suitable for this use unless circumstances have changed (refer to methodology for further details). Record as 'not assessed' for economic use if already permitted or allocated for residential use.	
Suitability R/A/G Assessment: economic use	Colour code as red - not suitable, amber - potentially suitable, green - suitable or white - not assessed	See above. NB sites with planning permission or allocated for economic use will be assumed to be suitable for this use unless circumstances have changed (refer to methodology for further details). Record as 'not assessed' for economic use if already permitted or allocated for residential use.	Data on constraints etc. identified from suitability assessment & existing planning data if applicable (site allocated or permitted)
Summary of suitability assessment for economic use.	Free text	Provide a summary/conclusion to go with the RAG assessment above which draws together the key issues/impacts identified. If site is assumed to be suitable in principle for economic use by virtue of its allocation status or planning permission, provide the relevant details here.	

**Availability and Achievability Assessment**

**Availability** SECTION 4: AVAILABILITY AND ACHIEVABILITY ASSESSMENT

Assess availability for each potential use (the uses for which the site has been promoted). Indicate in the assessment outcome if any use is not assessed.

Achievability assessment should be informed by HELAA panel advice. Consider achievability for each potential use, where assessed as suitable and available for that use. Indicate if any use not assessed.

- Availability for residential use (available/potentially available/not available/not assessed)
- Commentary on availability assessment for residential use
- Availability for economic use (available/potentially available/not assessed)
- Commentary on availability assessment for economic use

Assessment Categories/Criteria	Response options	Guidance notes/data sources
<b>Availability</b>		
Availability R/A/G Assessment: Residential use	Colour code as red - not available, amber - potentially available, green - available or white - not assessed	See methodology (stage 2c) for further details
Commentary on availability for residential use	Free text	On what basis has site been assessed as available/not available? Consider legal or ownership issues identified from the site promotion information. Identify actions required to overcome availability constraints. See methodology for further explanation.
Availability R/A/G Assessment: Economic use	Colour code as red - not available, amber - potentially available, green - available or white - not assessed	See methodology (stage 2c) for further details
Commentary on availability for economic use	Free text	On what basis has site been assessed as available/not available? Consider legal or ownership issues identified from the site promotion information. Identify actions required to overcome availability constraints. See methodology for further explanation.
<b>Achievability</b>		

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Achievability R/A/G Assessment: Residential use	Colour code as red - unlikely to be achievable, amber - potentially achievable, green - achievable or white - not assessed	See methodology (stage 2d) for further details
Commentary on achievability for residential use	Free text	Consider viability, market, cost and delivery factors (input from HELAA panel and others as applicable). See methodology for further details.
Actions required to overcome constraints	Free text	See methodology for further details.
Achievability R/A/G Assessment: Economic use	Colour code as red - unlikely to be achievable, amber - potentially achievable, green - achievable or white - not assessed	See methodology (stage 2d) for further details
Commentary on achievability for economic use	Free text	Consider viability, market, cost and delivery factors (input from HELAA panel and others as applicable). See methodology for further details.
Actions required to overcome constraints	Free text	See methodology for further details.

*Achievability*

- ~~Achievability for residential use (achievable/potentially achievable/not achievable/not assessed)~~
- ~~Commentary on achievability assessment for residential use~~
- ~~Achievability for economic use (achievable/potentially achievable/not achievable/not assessed)~~
- ~~Commentary on achievability assessment for economic use~~
- ~~Actions required to overcome constraints~~

~~Delivery (Residential)~~ **SECTION 5(A): DELIVERY (RESIDENTIAL)**

*Residential development timescales*

- ~~■ Units completed annually 2022/23 – 2036/37~~
- ~~■ Total units completed years 1-5, 6-10, 11-15 and 16+~~

*Deliverability status of housing sites*

- ~~■ Site under construction? (number of units started, total net completions)~~
- ~~■ Detailed planning permission? (total units with detailed permission, number not started)~~
- ~~■ Outline permission only? (number of units)~~
- ~~■ Unconsented? (number of units)~~
- ~~■ Current Local Plan Allocation? (yes/no)~~
- ~~■ Total units allocated and unconsented~~
- ~~■ Applications pending/subject to S106 (Outline/Detailed, number of units proposed)~~
- ~~■ Total units in HELAA supply~~
- ~~■ Evidence to support deliverable status? (yes/no)~~
- ~~■ Major or non-major development?~~
- ~~■ Specialist housing? (provide details of delivery if applicable)~~
- ~~■ Additional delivery information (start dates, building control references if applicable)~~
- ~~■ Data source for projected residential development timescales (e.g. developer’s delivery plan, model delivery assumptions or observed build out rate)~~

Assessment Categories/Criteria	Response options	Guidance notes/data sources
<i>Residential development timescales</i>		
2022/23 – 2026/27	Expected number of units completed per year	Assessment of anticipated residential delivery (annual dwelling completions) informed by developers’ development timescales, model delivery assumptions, current completions rates, or other available evidence. Delivery timescales should be consistent with assessment of deliverability (see ‘overall conclusions’ section) and meet NPPF/NPPG evidence
Years 1- 5 total	5-year total for period above	

Assessment Categories/Criteria	Response options	Guidance notes/data sources
2027/28 – 2031/32	Expected number of units completed per year	requirements (see Stage 2e of HELAA methodology for further details). Delivery does not need to be assessed where sites are assessed as not achievable or if achievability has not been assessed (e.g. where the site is assessed as not suitable or not available)
Years 6 -10 total	5-year total for period above	
2032/33-2036/37	Expected number of units completed per year	
Years 11-15 total	5-year total for period above	
Years 16 + total	Expected total completions beyond year 15	
<b><i>Delivery status of housing sites</i></b>		
Site under construction	Yes/no	Material start confirmed as per authority monitoring data, building inspection record or other available evidence
Total net completions (all years)	Number	Net number of units completed (all years) at base year (see HLA)
Units under construction	Number	Number of units under construction at base year (see HLA)
Detailed planning permission	Yes/no	Reserved matters approved or full planning permission. Excludes permissions pending or subject to S106 agreement.
Total units with detailed permission	Number	Number of units with detailed permission (full or RM approval) as per HLA. NB should equal units complete + unit under construction + units not started.
Units not started with detailed permission	Number	Number of units with detailed permission not yet under construction or completed.

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Outline planning permission only	Yes/no	Outline approval (excludes permissions pending or subject to S106 agreement). Select 'no' if also subject to detailed planning permission. NB if some parts of the site become subject to detailed permission and other parts remain with outline or unconsented, the original site record should be archived and new HELAA records created which reflect the current status of each site.
Units with outline only	Number	Number of units with outline approval only. Excludes permissions pending or subject to S106 agreement.
Unconsented	Yes/no	No planning permission of any form, including permissions pending or subject to S106 agreement. NB if part of the site becomes subject to planning permission, a new site record should be created.
Units unconsented	Number	Of the total anticipated site capacity, the number of units without any form of planning permission
Current Local Plan Allocation	Yes/no	Current allocation in North Devon and Torridge Local Plan?
Units allocated and unconsented	Number	Total units allocated and without any form of planning permission
Applications pending/subject to S106?	SELECT FROM: Outline, Detailed or No	Indicate if any pending application is for outline or detailed (full/reserved matters) permission. NB details of any applications pending or subject to S106 should be included in the planning history summary (key site information).
Units pending/subject to S106	Number	Total units proposed in applications pending or approved subject to S106 agreement
Total units in HELAA supply	Number	Total units included in HELAA supply: should match total in trajectory for years 1-15 and 16+

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Evidence to support deliverable status	Yes/no	Evidence should meet NPPF/NPPG requirements - see assessment stage 2e of HELAA methodology for further details. Where applicable, an explanation of the evidence used to assess the site as deliverable should be provided in the 'overall conclusions' section of the assessment form. Refer to major/non-major status as applicable.
Major development	Yes/no	As per NPPF, major development is defined as 10 or more residential units or a site area of 0.5 ha or more.
Specialist housing	Yes/no	If applicable (e.g. care, gypsy & traveller), provide details on type of units and anticipated delivery timescales in 'additional delivery information'.
Additional delivery information	Free text	Provide any additional detail of site delivery here. If site has started or completed, include Building Inspection reference (or other evidence of start/completion) and the date of commencement/completion (sites that have fully completed before the assessment base date should be excluded from the final HELAA trajectory). For sites where development has started refer to total units completed/remaining.
Data source for projected residential development timescales	Free text	Typically, this would be developer's delivery plan, model delivery assumptions or observed build out rate. Indicate data source and add additional explanation if applicable.

~~Delivery (Economic Development)~~

**SECTION 5B: DELIVERY (ECONOMIC DEVELOPMENT)**

- ~~■ Total area of economic land developed years 1-5, 6-10, 11-15 and 16+~~
- ~~■ Site under construction (area developed and under construction)~~
- ~~■ Detailed planning permission? (total area subject to detailed permission, area not yet developed)~~
- ~~■ Outline permission only? (total area)~~
- ~~■ Unconsented? (total area)~~

- Current Local Plan Allocation? (yes/no)
- Total area allocated and unconsented
- Total land area in HELAA supply
- Applications pending/subject to S106 (provide details)
- Additional delivery information
- Data source for projected development timescales

Assessment Categories/Criteria	Response options	Guidance notes/data sources
<b><i>Economic development timescales</i></b>		
Years 1- 5 total	Total area of economic land developed within 5-year period (hectares)	Development timescales for economic development to be determined by officers on case-by-case basis, based on evidence available. Provide figures as area (in hectares) of economic land developed within each 5-year period. Delivery does not need to be assessed where sites are assessed as not achievable or if achievability has not been assessed (e.g. where the site is assessed as not suitable or not available).
Years 6 -10 total	Total area of economic land developed within 5-year period (hectares)	
Years 11-15 total	Total area of economic land developed within 5-year period (hectares)	
Years 16 + total	Total of any identified land area developed beyond year 15 (hectares)	
<b><i>Delivery status of economic development sites</i></b>		
Site under construction	Yes/no	Start confirmed by monitoring data or other evidence
Total area developed (all years) (ha)	number	Area of development land completed (all years) at base year
Area under construction (ha)	number	Area under construction at base year

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Detailed planning permission	Yes/no	Reserved matters approved or full planning permission. Excludes permissions pending or subject to S106 agreement.
Total area with detailed permission	number	Area subject to detailed permission (full or RM approval
Area not developed with detailed permission	number	Area subject to detailed permission not under construction or completed
Outline planning permission only	Yes/no	Outline approval, excludes permissions pending or subject to S106 agreement.
Area with outline only	number	Area subject to outline approval only
Unconsented	Yes/no	No planning permission of any form, includes permissions pending or subject to S106 agreement.
Area unconsented	number	Total area (based on site capacity) without any form of planning permission
Current Local Plan Allocation	Yes/no	Check Local Plan allocations
Area allocated and unconsented	number	Total area allocated and unconsented
Total area in HELAA supply	number	Should equal total in trajectory (see above)
Applications pending/subject to S106	Outline, Detailed or No	Add further details to 'additional delivery information'.
Additional delivery information	Free text	Provide any additional detail of site delivery here. Provide information on development progress. Refer to HELAA methodology and accompanying assessment guidance notes for further details.

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Data source for projected development timescales	Free text	Based on evidence available (e.g. site promotion or HELAA advice); provide brief explanation here.

### Overall Assessment Conclusions

## SECTION 6: OVERALL ASSESSMENT CONCLUSIONS (DEVELOPABILITY AND DELIVERABILITY)

*For both residential and economic uses:* Separate assessments of deliverability/developability will be needed for each proposed use (residential or economic), including mixed use sites or where multiple uses are proposed. Refer to the site promotion submission for proposed uses and check for any alternative uses recommended as a result of the suitability assessment.

- Suitable/available/achievable?
- Developable? (yes/no)
- Conclusions on developability
- Deliverable? (yes/no)
- Conclusion on deliverability

Assessment Categories/Criteria	Response options	Guidance notes/data sources
<i>Residential development conclusions</i>		
Suitability	Red/Amber/Green/Not assessed	Refer to assessment outcomes
Availability	Red/Amber/Green/Not assessed	Refer to assessment outcomes
Achievability	Red/Amber/Green/Not assessed	Refer to assessment outcomes

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Developable	Y/N	To be considered developable, a site should be in a suitable location for development with a reasonable prospect that it will be available and could be viably developed at the point envisaged. Sites assessed as suitable, available and achievable for residential development are considered developable. Any sites with 'red' or 'not assessed' outcomes above are not developable. Refer to HELAA Methodology Stage 2e for further details on definition of 'developable'.
Conclusions on developability	Free text	Provide a brief explanation/summary referring back to the conclusions on suitability, availability and achievability. Confirm that the HELAA panel have endorsed the assessment outcomes. Provide a clear explanation for any 'amber' assessed sites considered developable. Provide justification for why a site has not been assessed as developable.
Deliverable	Y/N	Housing sites are only considered deliverable where there is a high degree of confidence of deliverability and where required, there is clear evidence to indicate completions will take place within five years, in line with NPPF and NPPG requirements. Sites with detailed permission should be considered deliverable unless evidence indicates otherwise. Refer to full requirements for housing sites to be assessed as 'deliverable' set out in HELAA methodology (assessment stage 2e). Evidence of deliverability should be provided through the site promotion submission (e.g. developer's phasing plan or evidence from site assessment work). Deliverable sites should be in developer ownership or subject to a developer 'option', with no barriers to delivery. Make reference to progress with applications pending or S106 negotiations, where applicable. Where delivery is expected within five years, check that the site promotion form indicates that the development timescales are based on a developer's phasing or delivery plan and that the promoter or developer has signed the memorandum of agreement confirming that the development timescales are realistic and take account of the known site constraints and any potential delivery issues. Sites assessed as not developable are by default also not deliverable.
Conclusions on deliverability	Free text	Include (where applicable) reference to the 'clear evidence' demonstrating that the site is deliverable, explaining how this meets the NPPF requirements. Provide explanation for any site without detailed permission (outline or unconsented) which is expected to deliver within

Assessment Categories/Criteria	Response options	Guidance notes/data sources
		the initial 5 year period. E.g. site in developer control, developer has provided projected delivery timescales showing completions within five years, no barriers to delivery identified and clear evidence of progress with planning application or S106. Refer to planning status, ownership and any other constraints identified by the site promotion submission. If sites are under construction or have full planning permission, and no evidence to suggest site is not deliverable, state this here.
<b><i>Economic development conclusions</i></b>		
Suitability	Red/Amber/Green/Not assessed	Refer to assessment outcomes
Availability	Red/Amber/Green/Not assessed	Refer to assessment outcomes
Achievability	Red/Amber/Green/Not assessed	Refer to assessment outcomes
Developable	Y/N	Refer to requirements for sites to be assessed as 'developable' set out in HELAA methodology (assessment stage 2e). Sites assessed as suitable, available and achievable for residential development are considered developable. Any sites with 'red' or 'not assessed' outcomes above are not developable.
Conclusions on developability	Free text	Provide brief explanation/summary referring back to conclusions on suitability, availability and achievability. Confirm panel have endorsed assessment outcomes. Provide clear explanation for an 'amber' assessed sites considered developable. Provide justification for why a site has not been assessed as developable.

Assessment Categories/Criteria	Response options	Guidance notes/data sources
Deliverable	Y/N	Refer to HELAA methodology (assessment stage 2e) for explanation of assessing deliverability of economic development sites. Consider evidence of deliverability on a case-by-case basis in conjunction with advice from the HELAA panel. For example, assume site is deliverable where infrastructure to service plots for economic/employment use is in place.
Conclusions on deliverability	Free text	Provide brief explanation of conclusions on deliverability for economic uses.

### HELAA Model Lead-in Times and Delivery Rates for Proposed Housing Sites

The delivery assumptions applied by this model are a guide only; development timescales should be based on delivery plans and other evidence provided by developers, where available. The model can be used as a sense check against the anticipated timescales provided by developers or others. Consideration should be given to site constraints and any other factors than can impact on site delivery identified through the HELAA assessment process. The model assumes that Local Plan allocations not yet subject to a planning application or other unconsented sites proposed through the HELAA would not normally be deliverable within the next five-year period; however, there may be exceptional circumstances where there is clear and convincing evidence that these sites can deliver completions within five years.

Size of site (number of homes)	Time to first (or subsequent) completions (years from base period)					Build out rate (dwellings completed per year)	
	Deliverable sites currently under construction	Deliverable sites with detailed planning permission (full or reserved matters approval)	Deliverable sites with outline planning permission*	Deliverable sites with outline planning permission pending*	All other developable sites	Year 1 of completions	Year 2+ of completions
<10 (non-major development)	1	2	4	5	6	All dwellings	n/a
10-49	1	2	4	5	6	15	15
50-249	1	2	3	5	6	15	30
250+ (assumes 2 developers)	1	2	3	5	6	15	60

\* Sites in these categories are only considered deliverable where there is a high degree of confidence of deliverability and clear evidence to indicate completions will take place within five years, in line with NPPF and NPPG requirements. Sites should be in developer ownership or subject to a developer 'option'.

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