



Newcastle-under-Lyme Borough Council

Strategic Housing and Employment Land Availability Assessment

Methodology 2022

Contents

Foreword	2
1.0 Introduction & Background	3
<i>Policy Context</i>	3
<i>Purpose of the Assessment</i>	4
<i>Stakeholder Input</i>	5
<i>Outputs</i>	5
<i>Review</i>	5
2.0 Methodology	6
<i>Assessment Methodology</i>	7
<i>Stage 1 – Identification of Sites / Broad Locations</i>	7
<i>Determining the Assessment Area & Site Size</i>	7
<i>Small Sites for Housing</i>	7
<i>Desktop Review of Existing Data</i>	7
<i>Call for Sites - Suggesting a Site for Potential Development to the Council</i>	8
<i>Carrying out the Survey / Site Assessment</i>	9
3.0 Detailed Methodology	10
<i>Stage 2 – Site / Broad Location Assessment</i>	10
<i>Estimating the Development Potential</i>	10
<i>Developable Area Assumptions</i>	10
<i>Density Assumptions</i>	11
<i>Lead-in Times and Build-Out Rates</i>	13
<i>Assessing the Suitability of Sites</i>	14
<i>Suitability Assumptions</i>	14
<i>Assessing a Sites Availability</i>	18
<i>Assessing a Sites Achievability</i>	19
<i>Overcoming Constraints</i>	20
<i>Stage 3 – Windfall Assessment</i>	20
<i>Stage 4 – Assessment Review</i>	20
<i>Stage 5 – Final Evidence Base</i>	21
<i>Glossary</i>	22

Foreword

A key piece of evidence to support the production of a Local Plan is the Strategic Housing and Employment Land Availability Assessment (SHELAA) which provides details about sites within an administrative area and assesses whether they have development potential.

Previously such assessments only considered sites for housing potential, whereas now the potential for employment uses is also assessed.

From January 2021 Newcastle-under-Lyme Borough Council has embarked on the production of a new standalone Local Plan for Newcastle-under-Lyme. Historically, the Borough Council has updated its SHLAA (now termed SHELAA) on an annual basis. As part of the new Local Plan process the Borough Council will undertake the production of a SHELAA to inform the new Local Plan about sites across the Borough with development potential for housing and employment.

This methodology has been updated to replace the 2017 joint SHLAA methodology with Stoke-on-Trent City Council to reflect the new Local Plan for Newcastle-under-Lyme and to reflect the change to consider potential for employment land. As per previous iterations, the SHELAA will be updated periodically.

The methodology is formulated in line with national governments specifications on how to produce housing and economic needs assessments. Please see the Planning Practice Guidance for further details:

<https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>¹

If you would like any further information in relation to the SHELAA and the wider Local Plan programme, please find the contact details below:

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Website: <https://www.newcastle-staffs.gov.uk/planning-policy>

¹ web link accessed (07/06/22).

1.0 Introduction & Background

- 1.1 Newcastle-under-Lyme Borough Council is preparing a Local Plan which will identify how much new land is required to supply the Borough's development needs over the next 20 years, and in which locations, to help ensure sustainable economic growth is achieved.
- 1.2 The SHELAA aims to provide details of sites within the local authority area which may have the potential to meet the Borough's housing and economic need.
- 1.3 The primary role of the assessment is firstly to identify sites and broad locations for development and then secondly, to assess whether they are suitable, available and achievable for housing and economic development, and the likelihood of potential development sites coming forward. This assessment will inform whether the Borough has enough land to meet its future housing and economic needs. Each SHELAA document and subsequent update will therefore provide an important evidence base of the plan area's potential capacity to accommodate new housing and economic development which will be used to inform the development of the Local Plan strategy.
- 1.4 This report aims to set out the methodology which will be used to guide the technical assessment of sites to be considered in the Borough Council's SHELAA.

Policy Context

- 1.5 Planning policies, designations and allocations of land within Newcastle-under-Lyme are currently set by the Core Spatial Strategy 2006-2026 and the remaining saved policies of the Newcastle-under-Lyme Local Plan 2011. All of these existing development plan documents were adopted prior to the publication of the NPPF.
- 1.6 In order to ensure that planning policies are up to date and are fully compliant with the requirements of the NPPF and the supporting Planning Practice Guidance (PPG), the Borough Council is working on a new Local Plan which will cover the Borough of Newcastle-under-Lyme. As well as setting the broad development strategy for the area, the new plan will also contain detailed policies, designations and allocations of land for specific uses such as residential and economic development.
- 1.7 Details for the production of the new Local Plan are available on Borough Council's website: <https://www.newcastle-staffs.gov.uk/planning-policy>
- 1.8 The PPG places a duty on Local Planning Authorities to identify a supply of land which is suitable, available and achievable for housing and economic development uses over a given plan period. This includes assessing a range of site sizes from small scale to opportunities for large scale development such

as village or town extensions and new settlements where appropriate. The production of the SHELAA will assist in achieving this, and will provide a key evidence base document to inform the development strategy (i.e. spatial options and land allocations for new housing and economic development) for the new plan).

- 1.9 The PPG is clear that a SHELAA is designed to be an informative tool to assist in identifying a future supply of land for potential housing and economic development. The assessment does not in itself determine whether a site should be allocated for development. It is for the development plan itself to determine which sites are suitable to meet the development needs of the local authority area.
- 1.10 Furthermore, the PPG requires Local Planning Authorities to identify a five year supply of deliverable sites for housing, and to produce a Brownfield Land Register. The production of a SHELAA will help to inform these additional requirements and workloads for the Council.

Purpose of the Assessment

- 1.11 The SHELAA aims to provide details of sites and broad locations within the local authority area and assess whether they have development potential which will help the Borough Council to proactively plan for those sites to go forward in the Local Plan, and help meet its local housing and economic needs (employment under E Class uses).
- 1.12 The primary role of the assessment should therefore identify sites and broad locations for development, assess development potential and assess individual sites in terms of their suitability for development and the likelihood of development coming forward.
- 1.13 The PPG is clear that the SHELAA forms a key component of the evidence to underpin policies in the development plan for housing and economic regeneration, including supporting the delivery of land to meet identified need for these uses.

1.14 Whilst the SHELAA provides a robust mechanism to help identify a potential future supply of housing and employment (economic) land which is suitable, available and achievable, the SHELAA will not itself allocate land for development or uses, and sites identified in the SHELAA will not automatically come forward, or be guaranteed planning permission. Likewise, if sites are ruled out through the SHELAA process this does not prevent a planning application being submitted on the site. Any applications for planning permission to develop sites would be considered against the most up to date national and local planning policies, together with all material planning considerations. Any proposals to allocate sites will be subject to extensive consultation in line with the Statement of Community Involvement 2021.

Stakeholder Input

- 1.15 As part of fostering a positive with the development industry, the Borough Council has undertaken targeted engagement with landowners, developers, agents and relevant organisations on the draft version of this methodology paper. The comments received have been considered in preparing this methodology document, which sets out the parameters to be used to complete the Borough Council's SHELAA. The Borough Council will also consider any future comments received on the SHELAA's themselves once they have been published.

Outputs

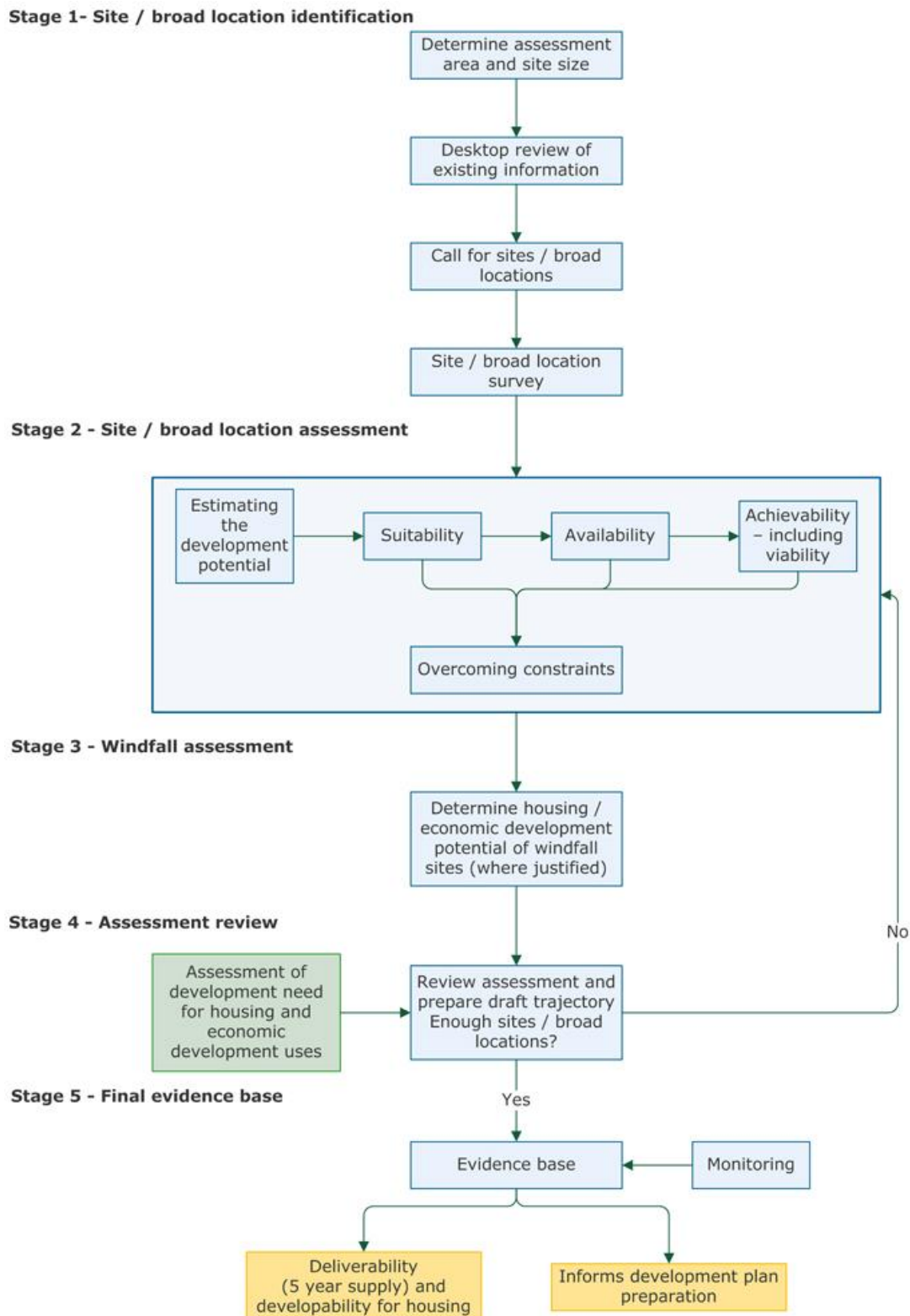
- 1.16 To ensure that the outputs of the study are consistent with the PPG the Borough Council's SHELAA will deliver the following outputs:
- A list of all sites or broad locations considered, cross-referenced to their locations on maps.
 - An assessment of each site or broad location, including:
 - where these have been discounted, evidence justifying reasons given;
 - where these are considered suitable, available and achievable, the potential type and quantity of development, including a reasonable estimate of build out rates, setting out how any barriers to delivery could be overcome and when;
 - an indicative trajectory of anticipated development based on the evidence available.

Review

- 1.17 It is anticipated that the Borough Council will update its SHELAA throughout the Local Plan process, to provide the evidence on housing and employment land supply to inform the development of the Local Plan. The SHELAA is subject to periodic review and assessments will be updated accordingly.

2.0 Methodology

2.1 The methodology has been prepared in accordance with the PPG. This is illustrated in the diagram below.



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

Assessment Methodology

Stage 1 – Identification of Sites / Broad Locations

Determining the Assessment Area & Site Size

- 2.2 The PPG is clear that the geographical area should be the plan-making area. In this instance the local planning authority area - Newcastle-under-Lyme is the geographical area the assessment will cover.
- 2.3 The Borough Council will continue to run 'Call for Sites' exercises throughout the Local Plan process to seek submissions of sites to be included in the assessment. Expired planning approvals for development will also be considered, along with sites included in other evidence base studies such as the Economic Needs Assessment.
- 2.4 In terms of site size, the Borough Council will consider all sites and broad locations capable of delivering 5 or more dwellings, or economic development on sites of 0.25 hectares (or 500 square meters of floorspace) in line with the requirements of the PPG.

Small Sites for Housing

- 2.5 Historically, sites of four dwellings or less have also made a significant contribution to the authority's housing supply, with a significant number of planning permissions for smaller scale schemes coming forward. However, these sites will not be assessed through the SHELAA process and will be counted towards the windfall allowance for 5 year land supply and local plan purposes.

Desktop Review of Existing Data

- 2.6 The PPG requires that plan makers should be proactive in identifying as wide a range as possible of sites and broad locations for development. It further reinforces this by stating that 'plan makers should not simply rely on sites that they have been informed about but actively identify sites through the desktop review process'. The PPG notes that these sites may not always be in suitable locations stating 'sites, which have particular policy constraints, should be included in the assessment for the sake of comprehensiveness but these constraints must be set out clearly'.
- 2.7 Therefore, in considering sites which could form part of the Borough Council's housing land supply, a variety of sources will be used to identify sites for assessment. In accordance with the types of sites listed within the PPG, these will primarily include:
 - Previously submitted SHLAA / SHELAA sites without planning permission
 - Extant planning permissions yet to be completed or implemented
 - Expired planning permissions

- Planning applications that have been refused or withdrawn.
 - Land in public sector ownership (including Staffordshire County Council land)
 - Opportunities in established uses (such as sites identified as surplus to local needs through evidence-base studies including the Economic Needs Assessment, Playing Pitch Strategy and Open Space Strategy)
 - Desktop Review and Officer identified sites (see below).
- 2.8 The Borough's land supply for potential development will be monitored throughout course of the plan's production. Where necessary, further desktop reviews will be undertaken using Ordnance Survey mapping to identify additional sites (i.e. derelict and under-utilised sites). Officers will determine if sites should be included, discounting where it was already assessed or has no development potential.

Call for Sites - Suggesting a Site for Potential Development to the Council

- 2.9 In order to supplement sites from the above sources, the Borough Council will undertake a 'Call for Sites' exercise. The exercise will invite all members of the public (including land owners, agents, developers etc) to submit sites for potential development. If submitted sites fulfil the criteria of being 0.25 hectares or greater, are able to accommodate 5 or more dwellings, or 500 square meters of floorspace for economic development they will be subject to the SHELAA assessment process.
- 2.10 The "Call for Sites" exercise will remain open to provide opportunities to submit sites to the Borough Council. However, there will be a cut-off point once the Local Plan gets to its latter stages and is prepared to be submitted. New sites put forward will be recorded and held in the database until the next SHELAA is updated. The Borough Council will aim to update the SHELAA on an annual basis.
- 2.11 If you would like to suggest a new site for consideration or provide new information on a site already known to the Borough Council, please complete a Call for Sites submission on the on-line portal by following the instructions on the Borough Councils webpage using the link below.
- 2.12 During the course of the Local Plan's production the Borough Council may seek to contact all land owners, agents or developers who have previously submitted sites through the 'Call for Sites' exercise, where relevant, to confirm the information initially submitted remains up to date.

<https://www.newcastle-staffs.gov.uk/planning-policy/call-sites/3>

Carrying out the Survey / Site Assessment

- 2.13 In order to fully assess a site in terms of deliverability and developability, decisions will be based on the most up to date information available at the time of the assessment.

3.0 Detailed Methodology

Stage 2 – Site / Broad Location Assessment

Estimating the Development Potential

- 3.1 Below are the proposed assumptions to be used in assessing the development potential of proposed SHELAA sites. These assumptions are intended only as a starting point for estimating capacity and site delivery timescales, and will be superseded by more appropriate site specific information where this is available.

Developable Area Assumptions

- 3.2 Below are the assumptions to be used where no site specific information is available to guide assessment of the proportion of a site required for associated infrastructure. These assumptions reflect the fact that larger sites may need to provide a portion of land for necessary infrastructure, such as open space and community facilities, which may not be reflected in average density assumptions. Therefore, in the absence of more detailed information, the Borough Council will use the following presumptions as a starting point to determine how much of a site's area could accommodate development.

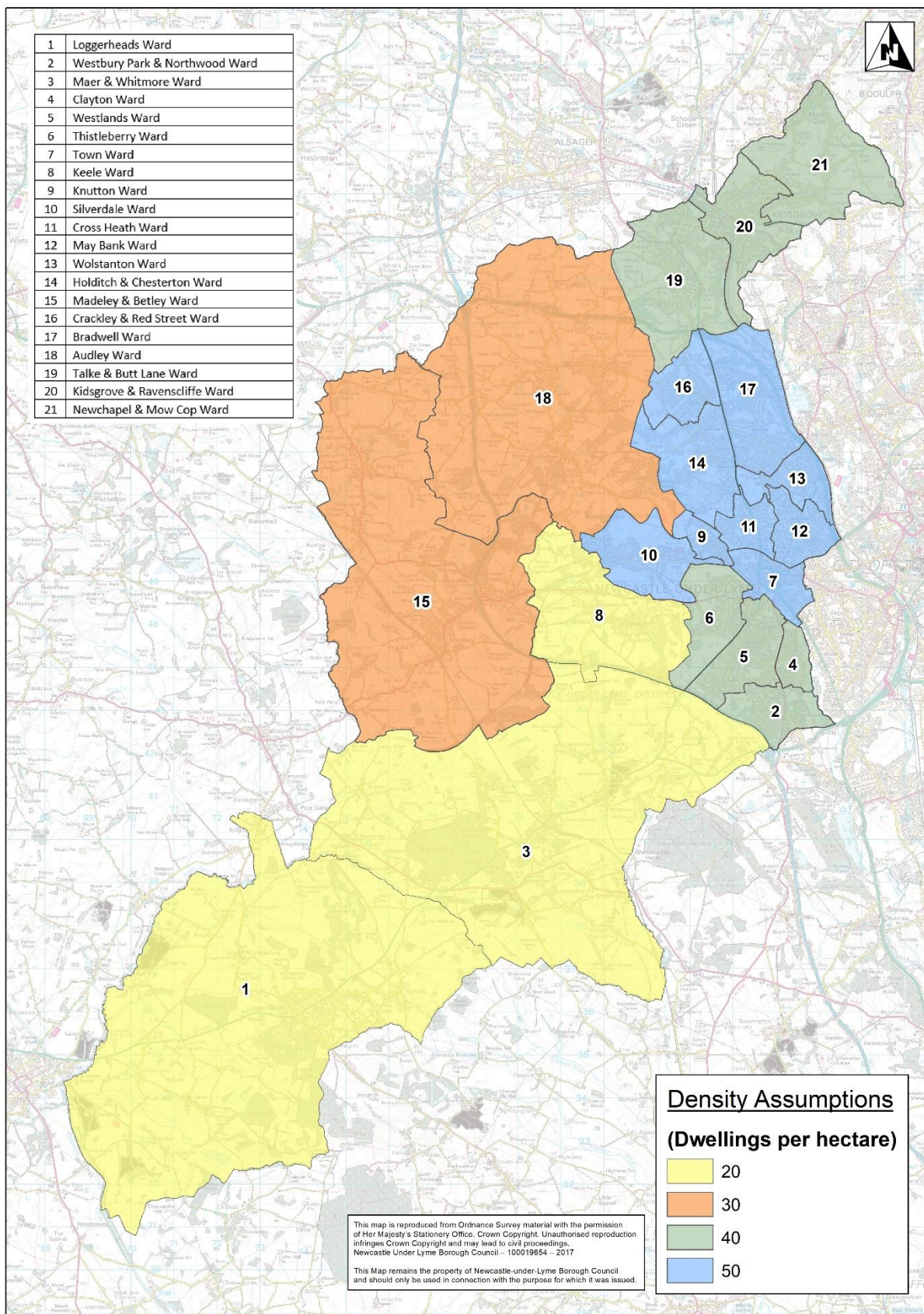
Newcastle Borough Council Developable Area		
Site Size (Hectares)	Proportion of site for associated infrastructure	Area of site for development
Up to 0.5	5%	95%
0.5-2	15%	85%
2+	20%	80%

- 3.3 Officers will also consider the sites on an individual basis to determine an appropriate developable area in arriving at a judgement as to the appropriate developable area. This may be particularly relevant for employment sites as infrastructure requirements may differ in size and extent in comparison to a housing site.
- 3.4 The Environment Act 2021 has made it mandatory (with a few exemptions) for planning applications to deliver 10% biodiversity net gain (BNG) from November 2023. This will influence the developable area of proposed sites for development. It is difficult to apply developable area assumptions for BNG because prior to an application for development, uncertainties exist as to whether BNG will be delivered on or off site. Also, all new developments will not necessarily take place on vacant or undeveloped sites. For example, a change of use application may not require BNG. The Borough Council will continue to review all relevant legislation and best practice guidance, and will make any necessary changes to the methodology or assessment process in future if needed. BNG will be fully evaluated when sites are allocated in the Local Plan.

Density Assumptions

- 3.5 The PPG requires that, in the absence of an up-to-date plan policy on housing density, relevant existing development schemes can be used as a basis for assessment. The Borough Council has therefore determined housing densities using historic completions data on permissions for 5 or more dwellings. This is to ensure that these assumptions are based upon site densities which were deliverable and considered to be suitable in the context of the area.
- 3.6 The density assumptions expressed within the previous 2017 Joint SHLAA Methodology were calculated based on historic housing completions data prior to 2014. As part of this methodology update (2022), housing completions data between 2014 and 2021 was collated. The limited timeframe provided only a few records of recent permissions for each ward, which was not sufficient data to challenge the original assumptions. In conclusion, there was not enough data (housing completions) to provide robust and up-to-date data to inform density assumptions. The lack of data simply reflects the geographical constraints of the Borough, and the diminishing land supply within non-Green Belt locations between 2014 and 2021. However, even with limited data there was no indication that the more recent permissions would have resulted in any changes to the original data assumptions for each ward. It was agreed by officers to retain the previous density assumptions for the purposes of this SHELAA methodology update and to continue to monitor densities on an annual basis to inform any future update.
- 3.7 The assumptions to be used to guide assessment of potential capacity per hectare are set out below. These housing density assumptions will be used alongside officer judgement on site specific constraints and developable area assumptions to determine site capacity.
- 3.8 Additionally, officers may also consider factors such as density and character of the immediate area surrounding a site and any other site specific characteristics in arriving at a judgement as to the appropriate site density.
- 3.9 In Newcastle-under-Lyme, the Town Ward has been split apart from the rest of the central area to ensure the higher density nature of this ward is appropriately considered. This largely reflects completions of apartments (modular development) within or surrounding the town centre. However, there are also locations within the Town ward where high density apartment developments would not appropriately reflect the character of the surrounding area. In these cases a lower density of 50 dwellings per hectare will be applied as a starting point to reflect the character of the wider central sub-market area.
- 3.10 Density assumptions will be considered on a site by site basis through the Local Plan for allocations (this is a separate exercise to the SHELAA), where densities are not based on averages but the pressure for land may necessitate consideration of higher densities in some cases to maximise the efficient use of land.

Newcastle-under-Lyme Housing Densities per Hectare (DPH) by Ward



Wards	Density Assumptions for the SHELAA (Dwellings per hectare)
Loggerheads, Maer & Whitmore, Keele	20
Audley, Madeley & Betley	30
Westbury Park & Northwood, Clayton, Westland, Thistleberry, Talke & Butt Lane, Kidsgrove & Ravenscliffe, Newchapel & Mow Cop	40
Town, Knutton, Silverdale, Cross Heath, May Bank, Wolstanton, Holditch & Chesterton, Crackley & Red Street, Bradwell	50
Town	50 / 180

Lead-in Times and Build-Out Rates

- 3.11 In determining the indicative build out rates for housing development as set out below, historical monitoring data between 2014 and 2021 was collated of all completed housing sites delivering 5 or more dwellings. The data was used to establish the average number of dwellings built per annum. Site size thresholds (number of dwellings) were adopted in the calculations to ensure that rates were based on average build out rates across a large sample of sites to avoid single sites skewing the figures (e.g. modular development or large / major development).
- 3.12 In determining the indicative lead-in times as set out below, the 2014-2021 housing completions data was used to calculate average timescales from a single site granting planning permission to commencement on site.
- 3.13 As previously noted within the density assumptions section, the 2014-2021 housing completions data had its limitations for conducting calculations. However, the calculation results for lead-in times and build-out rates were similar to the assumptions presented within the previous 2017 joint SHLAA methodology.
- 3.14 The following assumptions will be applied from the anticipated date of site commencement to determine site delivery timescales where no site specific information is available to guide judgements on when sites will be delivered. These are intended only as a starting point for estimating delivery timescales and where more appropriate site-specific information is available, this will be used instead.

Newcastle-under-Lyme: Site build-out rates	
Sites of 50+ dwellings	30 dwellings per annum
Sites of 16-49 dwellings	20 dwellings per annum
Sites of 5-15 dwellings	5 dwellings per annum
Newcastle-under-Lyme: Site lead in time	
With full planning permission	12 months
With outline planning permission	24 months

Assessing the Suitability of Sites

3.15 In order to assess the suitability of a site for housing or economic development a number of considerations should be taken into account including:

- national policy, the development plan and emerging planning policy;
- appropriateness and likely market attractiveness for the type of development proposed;
- contribution to regeneration priority areas;
- potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation.

3.16 Taking the above into account, all available information will be considered to establish the potential for suitability constraints on a site. This will then inform a judgement as to whether the site falls into one of three categories:

- **Suitable** - Sites which are free from suitability constraints, or where there is clear evidence that constraints can be overcome.
- **Potentially suitable (constrained)** - Sites which may be constrained by suitability considerations, but where mitigation measures may be possible, enabling constraints to be overcome. These sites will not be considered suitable for inclusion in the 0-5 year supply until it can be demonstrated that these constraints can be mitigated or removed.
- **Unsuitable** - Sites with significant suitability constraints, which are unlikely to be overcome through mitigation without a review of assessment criteria (e.g. sites within Flood Zone 3 or Green Belt designation).

3.17 It should be noted that a judgement on a site's suitability may be subject to change as new evidence emerges.

Suitability Assumptions

3.18 When assessing sites suitability a number of assumptions are applied in order to determine individual site suitability. These are set out below. Equally, there may be as yet unidentified constraints relating to sites which will have to be considered in assessing their suitability for development once clear evidence of a constraint becomes apparent. Sites which have an extant planning

permission for a residential use will be considered suitable, in accordance with the PPG.

- 3.19 **Development Plan policies (including Green Belt)** – The Borough Council is currently reviewing its existing Development Plan policies through the preparation of a new Local Plan. Therefore, sites will be assessed against existing Development Plan policies from the Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (2009), Saved Policies of the Newcastle-under-Lyme Local Plan (adopted 2003) and relevant Neighbourhood Development Plan policies. Sites within the Green Belt will be considered ‘unsuitable’, and will only be reconsidered if exceptional circumstances are demonstrated through the preparation of the Local Plan, in line with the requirements of paragraph 140 and 141 of the NPPF.
- 3.20 **Sites required for other uses** – Sites that are assessed as part of other evidence base documents, such as the Open Space Strategy or Playing Pitch Strategy will be considered ‘unsuitable’ for housing or employment development where there is a clear up-to-date requirement to keep the site for another use. Where this evidence requires updating or is subject to review, sites will be considered ‘potentially suitable’.
- 3.21 **Contaminated Land** – Potential constraints with regards to land contamination will be established in consultation with the environmental health team within the Borough Council and any other relevant stakeholders, such as the Environment Agency. In most cases the key issue is not whether a site can be adequately remediated but instead whether it can be done so viably. The decision therefore to deem a site ‘unsuitable’ or ‘potentially suitable’ due to contamination should not be made unless there is site-specific information which indicates that remediation is unlikely to be able to make a site suitable.
- 3.22 **Land Stability** - Potential constraints with regards to ground stability will be established primarily through use of the Coal Authority’s Development High Risk areas. However, it is recognised that such constraints can usually be overcome and therefore sites in Development High Risk areas may be considered ‘suitable’ at this stage, subject to further detailed consideration at the site allocation or planning application stage.
- 3.23 **Amenity Impacts** - Where site specific information indicates that development on site would be affected by significant amenity constraints, the site will be deemed ‘potentially suitable’ or ‘unsuitable’ depending on the severity. For example, a housing site being adjacent to an active landfill site will be considered as ‘potentially suitable’. Depending on the extent in which an employment site is surrounded by residential development will be considered ‘potentially suitable’ or ‘unsuitable’. Please note that the loss of property value or loss of a view are not material planning considerations and as such cannot be taken into account.

3.24 **Flood Risk** – Inappropriate development in areas of high flood risk should be avoided by directing development away from areas of highest risk, but where development is necessary then it will need to be made safe from flood risk and also without increasing flood risk elsewhere. Taking the above considerations into account, the SHELAA will apply the assumptions below. Until up-to-date Strategic Flood Risk Assessments are prepared to establish the extent of Flood Zone 3b, judgements will be made based upon Environment Agency Flood Zone mapping, which does not differentiate between Flood Zones 3a or 3b. Therefore, a precautionary principle that sites in Flood Zone 3 should be treated as ‘unsuitable’ will be used, unless evidence or modelling suggests otherwise (for example that remediation measures would alleviate adverse consequences). Where sites are only partially within Flood Zones 2 & 3, the area of the site will be reduced to locate development outside of these areas.

- Environment Agency Flood Zone 1 – ‘Suitable’
- Environment Agency Flood Zone 2 – ‘Potentially suitable’ i.e. constrained until an acceptable Flood Risk Assessment is produced
- Environment Agency Flood Zone 3 – ‘Unsuitable’

3.25 **Historic Environment** – A positive strategy should be promoted to conserve and enhance the historic environment. Where a potential development site would lead to substantial harm or total loss of a designated heritage asset the site should be deemed unsuitable. The assessment however will consider whether a listed building could be considered for alternative uses i.e. the conversion to residential. Taking into account the above considerations, development on the following sites would be deemed as ‘unsuitable’:

- Scheduled Ancient Monuments,
- Registered Battlefields
- Registered Parks and Gardens
- Grade I Grade II*, and Grade II listed buildings (loss would be unsuitable but the impact of development maybe mitigated through layout / design which is sensitive to the significance of the designated heritage asset)

The assessment will also consider the proximity of sites to nearby heritage assets other designated and non-designated areas and structures, such as conservation areas and buildings on the local list. Based on these considerations, officers will judge the degree of harm caused by the development of a site.

3.26 **Natural Environment** – Development on the following sites are suggested as being classified as ‘unsuitable’:

- European designated and Ramsar - including potential Special Protection Areas and Special Protection Areas, and proposed Ramsar sites
- Ancient woodland, Local Nature Reserves & Sites of Special Scientific Interest
- Blanket Tree Preservation Order sites
- Local Nature Reserves
- Heavily wooded sites

- Regionally Important Geological Sites
- Sites of Biological Importance and Biodiversity Alert Sites

3.27 It is recognised that sites may also potentially impact upon the natural environment due to their proximity to environmental designations. Expert advice and data (such as SSSI impact zones) will be used to indicate such potential impacts. Any constraints by proximity to natural sites will be recorded but will not lead to a site being considered 'unsuitable' or 'potentially suitable' at this stage unless site specific information indicates that any potential impact is unlikely to be adequately addressed at a planning application/site allocation stage.

3.28 **Access to Services and Facilities** – An overall assessment of general accessibility to services and facilities will be considered by officers to determine whether the assessed site is considered 'suitable' The services and facilities considered will be as follows:

- Primary school
- Secondary school
- College
- Supermarket
- Convenience store
- GPs / Health Centre
- Hospital
- Post office
- Bus stop
- Train station
- Town Centre
- Publically accessible open / green space

3.29 A measurement (in metres) will be taken from the middle of each site to each relevant service or facility to ensure a consistent approach. However, this is only a starting point for considering accessibility, as whether a service or facility is within an acceptable distance will depend upon the type and size provided and the quality of surrounding pedestrian links.

3.30 The Chartered Institution for Highways and Transportation's 'Guidelines for Providing for Journeys on Foot' indicates walkable neighbourhoods are typically characterised as having a range of services and facilities within 10 minutes walking distance (around 800m). The number of services and facilities located within 800m will be a useful consideration when assessing the suitability of the site. The assessment will also consider variations on this 800m figure, to establish whether the relevant service or facility is within (<) or beyond (>) those thresholds at 5 minutes (400m) & 20 minutes (1600m) to give a broader picture of relative accessibility. However, it will not be a defining factor.

3.31 From an employment perspective there is less emphasis on a site being in close proximity to a wide range of services and facilities. However, an

employment site must be accessible by foot or via a range of transport modes. Officer judgement will be applied to determine the suitability of an employment site based on access to services and facilities.

- 3.32 Ultimately, whether or not a site is in an unsustainable location due to poor access to services and facilities will be determined by use of officer judgement on a case-by-case basis, rather than a set number of facilities being required within a certain distance.
- 3.33 Recognising that sustainable transport solutions differ between urban and rural areas, as set out in paragraph 105 of the National Planning Policy Framework, the latest evidence will be considered regarding access to facilities in Newcastle-under-Lyme's rural area.
- 3.34 **Highways Issues** – Officer judgement will be used to make decisions on whether access constraints exist on potential housing or employment sites. Where it is felt to be necessary, the Borough Council will consult with the relevant highways teams and National Highways where appropriate to establish any potential highways constraints associated with sites. More detailed discussions will be held prior to the allocation of any sites through the Local Plan and ultimately if a planning application is submitted on a site, it will be subject to a detailed transport assessment if there is a highways constraint.
- 3.35 **Best and Most Versatile Agricultural Land** – The best and most versatile agricultural land is defined as land in grades 1, 2 and 3a of the Agricultural Land Classification. The NPPF requires local planning authorities to take into account the economic and other benefits of such land and should seek to use areas of poorer quality land in preference to that of higher quality. It is therefore proposed that land in grades 1 and 2 of the Agricultural Land Classification should be constrained by this factor and deemed as 'unsuitable' or 'potentially suitable'.

Assessing a Sites Availability

- 3.36 Available information will be considered to establish whether a site is available for development. This will then inform a judgement as to whether the site falls into one of three categories:
- **Available** - There are no known legal or physical barriers which would prevent immediate development on a site. Such sites may be considered 'deliverable', subject to an assessment of their suitability and achievability.
 - **Likely to become available** - There is a legal or physical barrier preventing immediate development on a site which is likely to be overcome.
 - **Unavailable** - The site has a clear legal or physical barrier preventing development on the site which is not likely to be overcome (e.g. an unwilling landowner).
- 3.37 For a site to be considered available for development, the PPG identifies that information should be obtained that confirms that there is confidence that there are no legal or ownership issues, ransom strips or operational requirements of

landowners. This will often mean that a developer or landowner has expressed an intention to develop, or the landowner has expressed an intention to sell.

- 3.38 The decision therefore on whether a site is considered available will be reached considering the following:
- Whether the site is in active use
 - Whether the site could be developed now
 - Whether the site is free from ownership and tenancy issues
 - Whether there is an extant planning consent and if so whether it is in the process of being implemented
- 3.39 If a site has extant planning permission and is in the process of being implemented, it will be considered to be available. Those sites that have an extant permission for an alternative use other than residential or employment and are in the process of being implemented will be considered unavailable.
- 3.40 If a site has been directly nominated by the land owner, agent or developer in control of the site then it will be assumed that the site is available. If this is the case but the site is still in active use, the site will still be considered available unless there are known tenancy issues. If a site is in active use and hasn't been put forward by a landowner or controlling developer, it is to be assumed that the site cannot be considered available at this time. It will be the landowners responsibility to keep the local authority updated of any changes affecting a sites availability.
- 3.41 'Suitable' and 'potentially suitable' sites where availability is unclear will be subject to further investigation and, if appropriate, officers will complete a land registry search to enable individual landowners to be contacted to determine availability.
- 3.42 The existence of a planning permission does not necessarily mean that the site is available. To take account of this, where an extant planning permission has been submitted on behalf of the sole landowner / all landowners on a site, it will be assumed that it is available for development. Where a planning application has not been submitted by all relevant landowners or has been put forward by a third party, further information will be sought to establish the site's availability. The assessment will therefore need to draw on the expertise of the Development Management team, based on first-hand knowledge to understand whether there are any potential problems that would deem a site unavailable.

Assessing a Sites Achievability

- 3.43 Planning Practice Guidance (PPG) suggests that in order for a site to be considered achievable for development there must be a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is based on a judgement of economic viability and

the capacity of the developer to complete, let or sell the development over a certain period.

- 3.44 In order to assess viability and deliverability, the Borough Council and Stoke-on-Trent City Council commissioned consultants to undertake a joint viability assessment. The Viability Assessment looked at site specific costs and values to be able to produce a model to help guide the viability of sites. The assessment produced a model which can be used to make an assessment of the viability of the sites. The inputs into the model will be updated as further information is available.
- 3.45 In addition the following factors may also be considered to help achieve a decision on achievability:
- Whether there is active developer interest in the site?
 - Whether similar sites have been successfully developed in the preceding years?
 - Whether there are any abnormal development costs (identified through the viability study)

Overcoming Constraints

- 3.46 Where constraints are identified on a site which impact upon the suitability, availability or achievability of a site, the Borough Council will consider what action would be needed to remove them as part of the local plans process. This may include the provision of new infrastructure, dealing with fragmented landownership, environmental improvement or a need to review development plan policy. This will also include a consideration of when and how such actions could be delivered.

Stage 3 – Windfall Assessment

- 3.47 Windfall sites are sites which have not been specifically identified as available in the Local Plan process. The PPG allows local authorities to identify a windfall site allowance in their 0-5 or 6-15 year supply where they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. As the Borough Council is seeking to fully identify as many site options as possible to inform its SHELAAs, a windfall allowance is not being proposed as part of this SHELAA methodology at this point in time. This will be kept under review and reconsidered in future land supply updates.

Stage 4 – Assessment Review

- 3.48 When the assessment of sites has been completed, the Borough Council will produce SHELAA reports showing the Borough's housing and employment land supply that could potentially, or is likely to come forward to meet the borough's development needs.

- 3.49 An indicative housing supply and trajectory will be provided over a 15 year period. This will be divided between what is deliverable (0-5 years) and developable (6-10 and 11-15 years). A decision will be made as to whether sufficient sites have been identified to meet these needs. If it is then determined that insufficient deliverable and developable sites have been identified, a review of assumptions made regarding the physical and policy constraints affecting sites may have to be undertaken.

Stage 5 – Final Evidence Base

- 3.50 The SHELAA will inform the plan-making process through providing an understanding of what type of land is available, where it is located, and when it may be developed. Please note that inclusion of a site within the SHELAA does not mean that it will be allocated for development or granted planning permission. The SHELAA is evidence base information for plan-making and Development Management. Allocation of land for development will be considered through work to produce the Local Plan for Newcastle-under-Lyme and will be subject to Sustainability Appraisal and further public consultation.

Glossary

Ancient Woodland: An area that has been wooded continuously since at least 1600 AD.

Best and Most Versatile Agricultural Land: The most flexible, productive and efficient areas of agricultural land, which can best deliver future crops for food and non-food uses. The National Planning Policy Framework defines this as land falling into Grades 1,2 and 3a of the Agricultural Land Classification.

Biodiversity Alert Sites (BAS): Locally designated nature conservation sites (also known as Local Wildlife Sites)

Call for Sites: A consultation exercise in which landowners, developers and the public are invited to submit land to a council, so that land can be considered for its potential suitability for development.

Deliverable Sites: Sites which are available now, offer a suitable location for development now and are achievable with a realistic prospect that housing will be delivered on the site within five years. In particular this means that the development site should be financially viable.

Developable Sites: Sites which are in a suitable location for housing, where there is a reasonable prospect that the site is available for development and could be viably developed at the point in time envisaged.

Local Plan: A Local Plan sets out planning policies and land use proposals which will be used in determining applications for planning permission and to direct strategic investment.

Economic Needs Assessment (ENA): These assessments examine the likely demand for, and supply of, land for employment uses. They assess sites in a current employment use and potential future employment sites.

Evidence Base: The studies, reports and assessments that support the development of planning policy documents, such as the Local Plan. The evidence base should provide should be adequate, relevant and up-to-date evidence on economic, social and environmental characteristics of the area in question.

Flood Risk Zones (1, 2 & 3): Flood Risk Zones identify areas where there is a low (Zone 1), medium (Zone 2) or high (Zone 3) probability of river or sea flooding, ignoring the presence of flood defences. National planning policy requires that development should be allocated in areas at lower risk of flooding.

Open Space Strategy: A strategy which seeks to ensure that green spaces fulfil their potential to deliver environmental, economic and social benefits through a strategic approach to planning and management. This is based on an audit of all existing green spaces within an area.

Heritage Asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and asset identified by the local planning authority (including local listing).

Local Nature Reserves: Local areas which are of special interest due to their wildlife or geological features. Designated by Local authorities under the National Parks and Access to the Countryside Act 1949.

National Planning Policy Framework (NPPF): The National Planning Policy Framework is a material consideration in determining planning applications and a local authority must have regard to it in preparing a Local Plan.

Local Housing Need (LHN): the number of homes identified as being needed through the application of the standard method set out in national planning guidance, or a justified alternative approach.

Planning Practice Guidance (PPG): An online resource provided by the Department for Communities and Local Government which seeks to provides plain English guidance on national planning policies and legislation.

Play Pitch Strategy: A strategy for the maintenance and improvement of sports pitches within an area. This includes an audit of existing sports pitches and sporting need to inform future land use decisions on these sites.

Ramsar Sites: Wetlands of international importance, designated under the intergovernmental treaty of the Ramsar Convention, which aims to stop the loss of wetlands.

Regionally Important Geological Sites (RIGS): Non-statutory areas of local importance for nature conservation that complement nationally and internationally designated geological and wildlife sites. Also known as Local Geological Sites.

Sites of Biological Importance (SBI): Locally designated nature conservation sites (also known as Local Wildlife Sites)

Sites of Special Scientific Interest (SSSI): Sites which are protected by national law to conserve their wildlife or geology under the Wildlife and Countryside Act 1981 (as amended).

Special Protection Areas (SPA) and Special Areas of Conservation (SAC): Sites protected by the EU Habitats Directive and English and Welsh law, due to containing habitats or species of birds that are threatened or valuable

Tree Preservation Order (TPO): A Tree Preservation Order is an order made by a local planning authority in England to protect specific trees, groups of trees or woodlands in the interests of amenity.

Use Class: Uses of land and buildings placed into various categories known as 'Use Classes' in accordance with The Town and Country Planning 'Use Classes' Order 1987.

Windfall Sites: Sites which come forward for housing despite not having been identified through the Local Plan process. Examples of windfall sites include previously-developed sites which have unexpectedly become available for development.