

APPROACH TO THE EAST DEVON HELAA – AN INSIGHT

1 Producing the HELAA report in stages

1.1 Reporting on the HELAA to this committee is proceeding in stages due to the magnitude of the work. This is a pragmatic way to manage the complexity of the HELAA and the need for transparency. It also accommodates the reporting on the second East Devon Call for sites and other sites. The stages are as follows:

1. Draft interim 2022 East Devon HELAA report – Part 1

1.2 The current assessment of potential sites has progressed to the stage where detailed assessments relating to the 2017 and 2021 Call for sites can be set out in the draft interim 2022 East Devon HELAA – Part 1 report (*see Appendix 2 appended to the Committee report*). It is an interim report because some of the analysis, notably supply counts, will be superseded when evidence from the second stage of the HELAA report is taken into account.

1.3 The Part 1 report contains information that will become part of the combined HELAA report. It is technical evidence which:

- Explains the process of assessing site availability, suitability and achievability, and calculates delivery rates, assessing the delivery of sites for development against need for housing development and for economic development
- Sets out the latest agreed HELAA methodology
- Sets out the latest agreed HELAA Panel's Constitution and Terms of Reference
- Provides a list identifying each site in East Devon submitted through two calls for sites (2017 and 2021) which have been assessed, and identifying overlaps
- Lists site overlaps
- Includes maps showing where the sites are
- Provides detailed output through the individual assessments of sites in East Devon submitted through the 2017 and 2021 calls for sites
- Sets out interim summary results about the amount of potential housing capacity and in East Devon identified as available, suitable and achievable (drawn from the assessments of sites submitted through the 2017 and 2021 Call for sites).

2. Draft interim 2022 East Devon HELAA report – Part 2

1.4 The interim HELAA report - Part 1 also identifies matters where there is still 'work in progress'. The intention is for the outcome of that work to be presented in a forthcoming 2022 HELAA Part 2 report, notably on:

- The 2nd East Devon Call for sites (currently in progress)
- Other potential supply sources for housing and employment land

- Combined housing sites trajectories from 1 April 2021 for potential net housing delivery of suitable, available and achievable supply identified from the HELAA Part 1 and Part 2 assessments
- Combined employment sites trajectories from 1 April 2021 for potential net housing delivery of suitable, available and achievable supply identified from the HELAA Part 1 and Part 2 assessments

3. Final 2022 East Devon HELAA report

- 1.5 The contents of the interim HELAA report – Part 1 and the HELAA-Part 2 reports will then need to be combined together in a single document in order to complete the 2022 East Devon HELAA report.
- 1.6 The Final HELAA report will need to be accepted and signed off by Committee as evidence before it is then published as part of the Local Plan evidence base. As a technical evidence document, the HELAA report must be robust, thorough and proportionate for the purposes of plan-making, if the policies which rely on it for evidence are to be found sound.

2 HELAA Methodology

- 2.1 Planning Practice Guidance Housing and Economic Land Availability Assessment (22 July 2019) is a very important factor influencing the approach used by the Council to identify and assess potential sites and potential capacity, and to forecast delivery. Following the guidance in PPG will inevitably result in the HELAA report being a lengthy and detailed document. There will however be an executive summary.
- 2.2 PPG paragraph 4 indicates what inputs and processes can lead to a robust assessment of land availability. PPG makes clear that the assessment needs to be thorough and proportionate. It expects that the LPA, as a plan-making authority, will have regard to the guidance in preparing and updating its assessments. The Council will need to explain any departure from this guidance in the plan-making evidence.
- 2.3 The 2022 East Devon HELAA (Parts 1 and 2) report will be the latest in a series of HELAA reports covering the district, produced since 2008. It continues the history of working collaboratively to an agreed methodology with the other authorities in the Exeter Housing Market Area, as outlined in the report to the 15 December 2020 Committee, available at [5. LocalPlanEngagementReport.pdf \(eastdevon.gov.uk\)](#).
- 2.4 The collaboratively prepared HELAA undertaken as part of work on the Greater Exeter Strategic Plan (GESP), used a joint methodology agreed by Committee on 21 November 2016. The subsequent 2017 HELAA report (including the strategic sites assessments for East Devon included as an appendix in the draft Interim East Devon HELAA report – part 1) was published as evidence at: <https://www.gesp.org.uk/evidence/>
- 2.5 The methodology for undertaking the 2017 HELAA reflected the guidance in the PPG available at that time.
- 2.6 The four authorities in the Housing Market Area subsequently amended the joint methodology in 2021, to reflect the latest requirements set out in the 2021 NPPF and Planning Practice Guidance, including the updated PPG on Housing and Economic Land

Availability Assessment published on 22nd July 2019, available on the Government's website at [Housing and economic land availability assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/414444/Housing_and_economic_land_availability_assessment_-_GOV.UK.pdf)

- 2.7 At their meeting on 22 June 2021, Committee resolved
- That the proposed next steps and amendments to the HELAA methodology detailed in the report be agreed.
 - That delegated authority be granted to the Service Lead – Planning Strategy and Development Management in consultation with the Portfolio Holder for Strategic Planning to make any further minor changes that might arise from a review of the methodology by the Panel.
- 2.8 Details of the latest methodology are set out in an appendix in the draft interim HELAA report- Part 1.

3 Site size and the HELAA assessment area

- 3.1 The flow chart in PPG details the inputs and process which should be included to produce such a robust assessment. The council followed this flow chart approach.
- 3.2 The first step in HELAA -Stage 1 (Site/Broad location identification), as set out in PPG, is to determine site size and the assessment area. This is the step which is referred to as Stage A in the endorsed HELAA methodology. Both site size and assessment area directly impact on the amount of land identified to be assessed for potential development.

1. Site size threshold

- 3.3 The site size threshold is used in Stage A of the HELAA assessment. The agreed HELAA methodology confirms the minimum site size threshold for sites if they are to pass Stage A of the assessment process and go on to be assessed for availability suitability, and achievability in Stage B, as:

- 5 dwellings (gross) or 0.15 hectares for housing sites
- 500m² floorspace or 0.25 hectares for employment led sites.

- 3.4 Sites below the threshold do not progress to Stage B of the HELAA analysis (as set out in the HELAA methodology) and are therefore discounted. They are however recorded in the list of HELAA sites identified to ensure that all identified sites are accounted for.

2. Area for assessment

- 3.5 PPG HELAA (22 July 2019) Paragraph 6 makes clear that the area selected for the assessment should cover the plan-making area.
- 3.6 To date, the geographical area covered by the current East Devon HELAA is all the land within the council's administrative boundary. As the Local Planning Authority, the Council is responsible for the production of both the emerging East Devon Local Plan and the Cranbrook Plan. The current title of the former implies that it covers all of the East Devon district. The latter relates only to the plan area of Cranbrook. The Cranbrook Plan, is a Development Plan Document (DPD) and is at a very advanced stage of plan-making, where the Main Modifications consultation closed on 28 February 2022.

Sites inside and outside the Cranbrook Plan area

- 3.7 Including or excluding identified HELAA sites within the Cranbrook plan area will impact on the HELAA potential supply assessments and trajectories for housing and employment.

- 3.8 The HELAA work has raised the need to clarify the plan-making area for the East Devon Local Plan. In particular, the inclusion or otherwise of land within the emerging Cranbrook Plan area remains to be clarified through the Local Development Scheme. The working draft East Devon Local Plan does not propose superseding the emerging Cranbrook DPD policies. Neither does it incorporate Cranbrook Plan policies within the Local Plan, nor does it currently suggest making additional Local Plan site allocations within the plan area of the Cranbrook Plan.
- 3.9 The issues of the plan making area, spatial strategy and policy coverage will be matters for Members to determine.
- 3.10 Until then, it remains necessary for the 2022 HELAA report (Parts 1 and 2) to assess sites that have been identified within East Devon including those from:
- The 2017 Call for sites which occurred as part of the previous GESP work, but provides evidence about potential sites. It predates the decision to produce a new East Devon Local Plan. Some submitted sites lie within the Cranbrook Plan area;
 - The 2021 Call for Sites which did not expressly preclude sites within the Cranbrook Plan area from being submitted. Some submitted sites lie within the Cranbrook Plan area; and
 - Sites identified from other sources, which may include sites within the Cranbrook Plan area
- 3.11 To avoid prejudicing any future LDS decision about the plan-making area, particularly regarding site allocations in the emerging East Devon Local Plan, it will be necessary for the 2022 HELAA report (Parts 1 and 2) to:
- Assess identified sites which lie within the Cranbrook Plan DPD area; and
 - Provide separate counts of supply from identified HELAA sites and other sources for:
 - All of East Devon District; and
 - That part of East Devon District outside the Cranbrook Plan DPD area (i.e. excluding sites wholly within or any area of a site partly within the Cranbrook Plan DPD area).

4 Site identification -sources of potential sites/broad locations

- 4.1 Mindful of Members' concerns expressed at previous Committee meetings, the HELAA is investigating a wide range of potential sites, not just the sites put forward by landowners and developers through the Call for Sites undertaken in 2017 and 2021.
- 4.2 To provide a complete audit of available land, however, the East Devon HELAA should aim to identify all sites and broad locations regardless of the amount of development needed. This is consistent with PPG paragraph 8. A robust HELAA assessment can then provide information as part of the process enabling the LPA to identify sites and locations that are most suitable for the level of development required.
- 4.3 It is the LPA's role and responsibility to carry out the processes to identify potential sites which will be assessed by the HELAA. In doing so the Council should also be mindful of NPPF 2021, which expresses the Government's objective towards significantly boosting housing supply, and of paragraph 68 which states:

Strategic policy-making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.

- 4.4 The work of the HELAA requires considerable effort to identify potential sites that can then be assessed using the HELAA methodology. The sources of potential sites and the degree to which the LPA is proactive in investigating those sources directly impact on the number and range of sites that are identified, and the scale of potential supply.
- 4.5 Site identification and assessment needs to be robust, based on the endorsed methodology, consistent with PPG and NPPF.
- 4.6 The next steps in Stage 1 of the HELAA process identify sites and broad locations in East Devon as indicated in the flowchart in PPG (*reproduced in HELAA Report Part 1*), from the following sources:
- Desktop review of existing information
 - Call for sites/broad locations (*see details in section 5 of this Appendix*)
 - Site/broad location survey.

1. Desktop Review of Existing Information

- 4.7 Through carrying out the desktop review, the LPA can demonstrate how it has been proactive in identifying as wide a range of sites and broad locations for development as possible. This includes those existing sites that could be improved, intensified or changed.
- 4.8 The Government's PPG provides a list of the types of site sources that may be particularly relevant (*reproduced in the draft Interim HELAA Report - Part 1.*) Some of this data for East Devon is available, and other data is being gathered, as follows:

a) East Devon - data available

- 4.9 The LPA has information at the 2021 Monitoring Point, the latest data available, regarding
- Site allocations in existing Local Plan and Neighbourhood Plan (plans adopted or made as at the 2021 Monitoring Point), and
 - Housing planning permissions that were unimplemented or under construction in East Devon. These are considered to be suitable, available and achievable, and will be counted in the HELAA trajectories unless there is clear evidence to the contrary.
- 4.10 Work is well advanced to provide information on employment (Use classes E(g), B2 and B8) with planning permissions that were unimplemented or under construction in East Devon,

b) East Devon - data being gathered/analysed

- 4.11 Work is progressing on other potential sources, and will be set out in the HELAA report - Part 2. This could add to the potential supply identified.
- 4.12 One useful source of information is the 2021 Urban Capacity Study (UCS) - Summary of Findings report. That study considered sites within the built up area boundaries of the seven towns in East Devon. At their meeting on 30 March 2021, the Strategic Planning Committee noted the report and endorsed its use as evidence to support production of the new Local Plan with a caveat that we explore higher densities in towns. Sources of supply in that

assessment included source types listed in PPG including sites that meet size thresholds on the following site types:

- Planning approval not completed
- DPD site allocations not completed
- Brownfield Land Register
- Withdrawn, refused, live planning applications
- Council identified opportunities: Council assets
- Institutional assets and opportunities
- Targeted national non domestic ratings – identified sites
- Vacant residential properties
- Additional potential UCS sites (from the 'left-over space' assessment

- 4.13 Work is in progress to identify which of these UCS sites are not already identified from the HELAA Call for sites or had planning permission by the 2021 Monitoring Point. Further work is needed to assess their availability and achievability, and the results included in the HELAA Part 2 report.
- 4.14 Further work will also be needed to find out if there are other sites of these types that can be identified within or adjoining proposed settlement boundaries of other settlements identified in the emerging Settlement Hierarchy, and consistent with the emerging spatial strategy, that have not already been identified by the HELAA process to date.
- 4.15 Rather than simply relying on the current information as being correct and up to date, the council will seek to check data accuracy with agents/landowners/ developers and other interested parties, to confirm that sites remain available and achievable and if the site is correctly identified as deliverable or developable.
- 4.16 Work will then need to be undertaken to assess sites' availability and achievability, and the results included in the HELAA Part 2 report.

2. Call for Sites/Broad locations

- 4.17 To expedite the HELAA process, the Council is making use of the GESP HELAA report (2019) which includes assessments of 83 "strategic sites" identified in East Devon. We have also drawn on information about other East Devon sites submitted in 2017, which have now been assessed. Nevertheless it was recognised at an early stage of East Devon LP plan making that it was necessary to undertake another Call for sites in 2021 to increase the amount of potential sites that could be identified. This work was prioritised ahead of the Desktop review of existing information. Consequently the East Devon HELAA report focuses on the sites identified from the 2017 and 2021 Call for sites. The Desktop review sites will be completed for the HELAA report Part 2 analysis.
- 4.18 Section 5 of this Appendix provides more detail about the 2017, 2021 and current 2022 Call for sites.

3. Site/Broad Location Survey

- 4.19 All sites identified through the 2017 and 2021 Call for sites for inclusion in the HELAA have been mapped and information about them recorded in sites' databases.
- 4.20 Consistent with PPG, work undertaken for the proportionate initial survey in Stage 1 of the HELAA process, has gathered and recorded information about the sites identified through the 2017 and 2021 Call for sites. This initial work helped to resolve inconsistencies in

submitted information, gain a better understanding of appropriate type and scale of development, and potential barriers to delivery, plus information of development progress if any on the sites.

4.21 The initial survey captured data, focussed on :

- site size, boundaries, and location;
- current land use and character;
- land uses and character of surrounding area;
- physical constraints (eg access, contamination, steep slopes, flooding, natural features of significance, location of infrastructure/utilities);
- potential environmental constraints;
- where relevant, development progress (eg ground works completed, number of units started, number of units completed);
- initial assessment of whether the site is suitable for a particular type of use or as part of a mixed-use development.

4.22 The survey stage relating to the two call for sites took place as follows

- The survey of sites submitted in 2017 occurred in 2 stages:
 - The survey for the 2017 GESP strategic sites was undertaken in 2017/18 as part of the process that resulted in the GESP HELAA report published in 2019.
 - The survey for the non-strategic sites submitted in 2017, including those resubmitted in 2021, was undertaken in 2021.
- The survey stage for new sites submitted in 2021 was undertaken in 2021.

4.23 This initial survey stage occurs before the HELAA Stage 2 (*see section 6 of this report*).

4.24 Going forward, the initial survey stage and other HELAA stages will be undertaken for the current 2022 Call for sites and other site sources

4.25 National guidance advises that particular types of land or areas may be excluded from the assessment as long as the reasons are justified,

4.26 **Sites which do not pass the HELAA stage A (suitability assessment) for the following reasons** (see Methodology) are excluded from the PPG Stage 2 Assessment (referred to as HELAA stage B suitability assessment in the Methodology) and subsequent stages:

- Sites below the site size thresholds (*see paragraphs 3.3.and 3.4 of this report*)
- Sites comprised entirely of land within the functional floodplain (3b) – a precautionary approach was applied where there is no data to distinguish Flood Zone 3a from 3b – to exclude sites wholly in Flood Zone 3
- Sites for more sensitive uses such as housing, which lie within the Exeter Airport Vector (2017 submission sites)
- Sites that did not accord with strategically appropriate locations as defined by:
 - • The Development Plan (e.g. saved policies, published, submitted or adopted Local Plan);
- Sites that wholly comprise of or have an unacceptable impact on any of the following:

- Area of Ancient Woodland
- Designated Site of Special Scientific Interest (SSSI)
- Designated or possible special area of conservation (SAC)
- Designated, listed or proposed Ramsar Site (wetlands of international importance)
- Designated or Potential Special Protection Area (SPA)
- Sites Identified or required as compensatory measure for adverse effects on European sites, potential SPAs possible SACs and listed or proposed Ramsar sites.

5 2017, 2021 and 2022 Call for sites

- 5.1 In line with PPG, it is important for the LPA to issue a call for sites and broad locations for development. If the process to identify land is to be transparent and identify as many potential opportunities as possible. This provides an opportunity for anyone to identify and inform the Council about any land areas that they consider could be appropriate for future development. There can be one or more call for sites on which the HELAA draws.
- 5.2 The draft interim 2022 HELAA report Part 1 brings together results from sites identified through the two calls for sites in 2017 and 2021.

2017 GESP Call for sites

- 5.3 Published collaboratively in 2019, the 2017 HELAA report only assessed 'strategic sites' put forward in 2017. Those assessments drew on the work undertaken by the four Greater Exeter Strategic Partnership (GESP) authorities including East Devon District Council, with additional comments from Devon County Council and the Environment Agency, plus the HELAA Panel's assessment of the achievability of those sites.

2021 East Devon Call for sites

- 5.4 In 2021 the last call for sites was approaching 4 years old. To ensure that the Council has an up to date picture of available sites across the District, at their December 2020 meeting, Committee authorised a new call for sites to be run alongside the "Issues and Options" consultation January to March 2021, resolving that:
- The timetable and process for future work on the Housing and Employment Land Availability Assessment be approved.
- 5.5 That future work included another call for sites. Again, the new 'call for sites' was open for submissions from 18 January to 15 March 2021, matching the consultation period for the Local Plan: issues and options stage. That call for sites provided an opportunity for anyone to identify and inform the Council about any land areas that they consider could be appropriate for future development. Data was gathered via an online form made available throughout the consultation period utilising infrastructure in place, administered by Devon County Council. Some sites put forward were resubmissions. Others were new sites. The new sites in East Devon needed to be assessed so that they can inform current plan-making.

2022 – 2nd East Devon Call for sites

5.6 This Call for sites commenced on 28 March 2022 and is due to close on 10 May 2022, and therefore not available in time to be included in the 2022 HELAA report – Part 1. The information will therefore inform the preparation of the 2022 HELAA report – Part 2.

Mapping

- 5.7 All sites identified and considered by the HELAA have to be mapped. This had been undertaken using GIS. This includes sites submitted made through the ‘call for sites’. Presentation of HELAA site maps is complicated by the sequence of submissions, resubmissions, withdrawals, overlaps and ‘cut-outs’, that occurred through the first 2 Call for sites. Sites being submitted through the 2nd East Devon Call for sites will add to that complexity.
- 5.8 Only ‘East Devon strategic sites’ from the 2017 Call for sites have site references starting ‘GH/ED’. All other East Devon sites identified from the 2017 and 2021 Call for sites have a site reference with a 4 or 5 letter code (for the parish) plus a 2 number code to identify the site (e.g. Axmi_01).
- 5.9 To date, the location of HELAA sites has been shown on the interactive map available on the Council’s website at [Housing and Economic Land Availability Assessment - East Devon.](#) In addition, information about the GESP 2017 HELAA strategic sites assessment remains available on the GESP website at in pdf document (Appendix F) at [Evidence - Greater Exeter Strategic Plan \(gesp.org.uk\)](#)
- 5.10 To aid the reader, the 2022 HELAA- Part 1 report includes Appendices showing:
- The location of sites in the plan-making identified from the 2017 and 2021 Call for Sites area, shown grouped in ‘Area Site Plans’; and
 - A detailed map of the site at a larger scale, clearly showing the site’s boundaries, at the start of the assessment of each site.
- 5.11 Where HELAA 2017 Non-GESP sites (i.e. non-strategic) were submitted in 2017 and then resubmitted in 2021 and where the site’s boundaries matched exactly, only the top layer (2017) can be seen on the HELAA website’s interactive map. For the avoidance of doubt, the 2021 resubmissions have been registered and assessed.
- 5.12 In a few cases, site assessment boundaries are not exactly the same as submission boundaries which also show on the interactive map. This is due to either
- Manual entry of the site boundaries using online entry – so the boundaries in 2017 and 2021 are not exactly the same (eg Sidm_01)
 - An inaccurate boundary from a 2017 submission being superseded by a correct boundary from a 2021 resubmission (e.g. Lymp_07); or
 - A 2017 site already assessed as a strategic site, where a 2021 resubmission has a slightly different boundary but the site has not been reassessed for the HELAA (e.g. GH/ED/72).
- 5.13 Maps of additional sites assessed in the 2022 HELAA report Part 2, will be included in that report.

6 Site Assessments (STAGE 2 of the HELAA Process)

6.1 East Devon sites which passed Stage A proceeded to Stage B of the HELAA assessment. This is the start of Stage 2 of the HELAA process set out in the PPG flowchart. The assessment includes all sites that passed Stage A, including the 83 GESP 2017 strategic sites. The key assessments made at this stage are whether the sites are available, suitable and achievable.

Available

- 6.2 The primary source of data to demonstrate that sites are available for development is provided by the submitters of sites, through their information submitted through the 2017 and 2021 Call for sites, or from follow up checks. In response to the question about availability set out in the HELAA form, their information states whether their sites are available for development. Evidence demonstrating landownership comes from Land Registry documents provided by the landowners/ developers with the HELAA submissions.
- 6.3 The detailed site assessment for each site shows whether a site is available. If a site is not available or no longer available then it is identified as such and is discounted from supply counts and trajectories.
- 6.4 To be robust, the HELAA evidence needs to be up to date. The 2021 Call for sites confirmed that 193 new sites are available for consideration for development. This is sufficiently up to date for the purposes of HELAA evidence.
- 6.5 The HELAA has drawn on data from the 2017 Call for sites. That data is now 5 years old. The passage of time means that some of the sites may no longer be available. Of the 359 sites submitted there is sufficiently up to date information on 213 sites as follows:
- Resubmission in 2021 confirmed 30 2017 non-strategic sites are available; and
 - Of the 83 Strategic sites
 - 34 sites were resubmitted in 2021
 - 10 sites were confirmed as available through their request to present their sites to Committee in January 2022
 - 1 site was confirmed as available through information supplied to the Council in autumn 2021 for housing monitoring purposes
 - 29 sites have been confirmed in writing that they remain available, following checks in February 2022 with the landowners/agents/developers
 - 5 sites have not been confirmed, although three at Axminster remain under the control of a volume house-builder, and oral evidence indicates that one other site remains available. One site has not been confirmed, but assumed to be available
 - 4 sites were confirmed as no longer available (these are discounted from supply counts and trajectories).
- 6.6 However, 146 of the 2017 non-strategic sites were not resubmitted. One site (Newt_03) has been withdrawn, so is confirmed as no longer available. The analysis in HELAA report Part 1 and in the tables below assumes that 145 sites remain available but it would be prudent to check and confirm their availability before the HELAA report - Part 2 is produced and presented to Members.

Suitable (Stage B assessment)

- 6.7 This part of the assessment required significant work to reach conclusions about the following matters which were used to determine whether a site has passed 'Stage B' of the detailed assessment of the suitability of submitted sites for housing and for employment:
1. **Is the site an unacceptable distance from a reasonable range of services and facilities?** (the threshold for housing is the site is within 1600 metres of 4 or more services/facilities, and the threshold for employment is the site is within 1600 metres of a train station or bus route with an hourly or better service)
 2. **Will the site have an unacceptable impact on biodiversity?** (For housing and employment, the threshold means the site being located entirely within a designated biodiversity site *i.e.* RAMSAR sites, NNRs, LNRs, Marine Conservation Areas Ancient Woodlands - where the impact on the sites cannot be mitigated. This does not include County Wildlife Sites or TPOs but they may reduce the yield)
 3. **Will the site have an unacceptable impact on heritage?** For housing and employment, the assessment is based on the impact on the significance of individual and 'in combination' heritage assets (*i.e.* Listed Buildings, Conservation Areas, Ancient Monuments, Historic Parks).
 4. **Will the site have an unacceptable impact on landscape?** – The assessment records whether the site is within the AONB, but at this stage sites within the AONB are not automatically ruled out.
 5. **Will the site have an unacceptable impact on flooding/land/resources?** Sites wholly within Flood Zone 3 did not pass Stage A and are not assessed. *For those sites which pass Stage A, No sites are ruled out on Agricultural Land Classification, flooding or water grounds currently. If entirety of site is a designated Local Green Space then it is considered unacceptable. If Devon CC (as Mineral Planning Authority) also object to its inclusion on minerals or waste grounds then it is also unacceptable.*
- 6.8 Failure on any one of the 5 suitability tests results (*i.e.* where the answer to the question in the test is YES) results in the site not passing the overall suitability test and not passing Stage B.
- 6.9 Additional comments on education, highways, minerals and waste matters are provided by Devon County Council, which informs the HELAA Panel consideration of sites, and may modify the EDDC officers' assessment of site suitability. National Highways also provided opinions on sites through the Panel. Natural England comments have informed the Stage B assessments of sites either through the suitability or achievability assessments.
- 6.10 Historic England and the Environment Agency were invited to participate on the Panel as a means to inform the HELAA process, but declined.
- 6.11 Generally, it has not been necessary to reassess the strategic sites which had been assessed in 2017. This includes those strategic sites where sites resubmitted through the 2021 Call for sites had minor boundary changes. Those assessments are therefore available to be combined with the Information about sites in East Devon put forward through the 2021 call for sites.

- 6.12 The 2017 'Strategic sites have not been reassessed for suitability and achievability. However, a check on their availability was undertaken in February 2022.
- 6.13 The other, non-strategic sites put forward in 2017 were not assessed at that time. Therefore it has now been necessary to assess the East Devon sites so that they can inform our current plan-making. This is in line with the Committee's resolution in December 2020 to assess the smaller sites submitted into the GESP call for sites in 2017, to ensure that the Council has an up to date picture of available sites across the District.

Site Visits

- 6.14 The large number of sites submitted through the 2017 and 2021 Call for sites which met the Stage criteria for inclusion in the assessment meant that it was not practical for all sites to be visited by EDDC officers. Consistent with the PPG, the Council has made use of other information, include aerial photographs, site photographs, officer knowledge about sites and GIS mapping and database information.
- 6.15 Site visits were undertaken for the Urban Capacity Sites. However, some site visits may need to be carried out for sites which meet the Stage A criteria for inclusion in the assessment that are identified through
- the 2nd East Devon Call for sites; and
 - the other sources of supply that will be assessed in the HELAA Part 2.

Estimating the Development Potential

- 6.16 Stage 2 of the assessment in PPG also includes estimating the development potential of sites that are being assessed as available, suitable, and achievable. The endorsed HELAA methodology sets out the assumptions to apply to net site areas (i.e. after discounting land area eg for flood risk, airport noise vector, and other considerations such as steep slopes, electricity pylons, and strategic gas pipeline easements,
- a) To reflect the realistic developable site area, indicative 'gross to net ratios' have been applied to all sites. The relevant percentage discount to allow for on-site non housing uses (eg SUDS. Roads, open space/recreation) on sites assessed for housing is as set out in the tables in paragraph 5.9 of the HELAA methodology,
 - b) Given variations across the housing market area, no standard gross to net employment ratio will be applied and the entire site area will instead be considered as the potential area for employment. At this time the LPA has chosen not to apply a ratio based on local evidence.
- 6.17 Estimating development potential also means calculating the potential housing yield for each site, by applying density assumptions to the net developable area. The assumptions set out in Paragraph 5.10 of the Methodology report have been applied at this time. This has been undertaken for all identified sites considered for housing. However, mindful of the sheer volume of sites, additional information about capacity where provided by the site promoters (using the higher end of a range where indicated) has also been considered for the 2021 submission sites and the non-strategic sites from 2017 that have now been assessed. The lower of the Methodology result or the promoter's site capacity has been used, as a means to take account of factors such as topography and local characteristics.
- 6.18 The employment-led sites focused on the amount of gross developable land.

- 6.19 As well as the absolute constraints at Stage A, Stage B assessment has taken account of safety issues such as HSE major hazard gas pipelines, high voltage pylons, and airport noise vectors (using 57db as the threshold for more sensitive uses such as housing).
- 6.20 It will be possible to take other local circumstances or specific site characteristics into account through the separate work stream of the site selection process.
- 6.21 The HELAA database also records whether to zero count site capacity eg for those sites where planning permission has been granted since the site was submitted for HELAA purposes but before the 2021 Monitoring Point (31 March 2021), or sites that have been allocated in Development Plan Documents. This will avoid double counting when all the supply sources are brought together in the housing and employment delivery trajectories that will be included in the HELAA report – Part 2.

7 HELAA Panel

- 7.1 The latest agreed joint methodology for the HELAA includes provision for a Panel to provide opinion about the HELAA methodology and the achievability of sites. The Panel comprises key stakeholders who have a recognised interest and experience in the development of land for housing and employment. They participate on a voluntary basis.
- 7.2 Using a HELAA Panel to consider sites' 'achievability' is promoted by PPG but not mandatory. The Panel process has been successful in the production of past HELAAs in this area. The Panel constitution and terms of reference was previously jointly adopted in 2016 by the authorities in the Exeter housing market area. These have been used to regulate the formation, structure, role and operation of the panel since then. A common approach to HELAA production across the Exeter housing market area is considered to be sensible in terms of use of resources and the duty to co-operate.

2017 Call for sites HELAA Panel.

- 7.3 A HELAA Panel had already met in 2018 to consider the strategic sites identified from the 2017 Call for sites. Their conclusions on the potential achievability of the 83 strategic sites in East Devon were set out in the GESP HELAA report (2019), and are reproduced in an Appendix in the East Devon HELAA – Part 1 report. A small number of assessments have been modified eg to take account of gas pipelines. Those achievability conclusions have not been revisited because specific issues about individual sites' are unlikely to have changed significantly in the last 5 years, although the wider economic context continues to evolve. Information about the 83 sites' availability has been updated, and this is taken into account in the calculations about potential supply and trajectories.

2021 Call for Sites HELAA Panel

- 7.4 To be consistent with the 2019 HELAA approach and evidence which the Council is relying on, it is therefore necessary to use a HELAA Panel to assess the new sites identified through the 2021 East Devon Call for sites, as well as 2017 non-strategic East Devon sites, including those resubmitted.

2021 HELAA Panel constitution and Terms of Reference

- 7.5 For the avoidance of doubt, the 2021 East Devon HELAA - Part 1, appended, is the responsibility of East Devon District Council. The HELAA Panels' role is advisory, focused on the HELAA methodology and on assessing the 'achievability' of submitted sites.

- 7.6 On 22 June 2021, Committee resolved that further information on the composition of the HELAA panel is brought back to Committee before the HELAA panel's first meeting to be set out including the role of local Members on the Panel. At their meeting on 7 September 2021, Members subsequently considered the revised constitution and terms of reference of the HELAA Panel. The revisions were minor, reflecting recent changes to PPG. Committee resolved:
- To agree the constitution and terms of reference of the HELAA Panel (including the minor changes reflecting recent changes to PPG)
 - To appoint the Portfolio Holder for Economy and Assets and the Portfolio Holder for Strategic Planning onto the HELAA Panel
 - To agree to delegate authority to the Service Lead – Planning Strategy and Development Management in consultation with the Portfolio Holder for Strategic Planning, to make any further minor changes that might arise from a review of the panel's constitution and terms of reference by the Panel.
- 7.7 Following this, the Panel constitution and terms of reference was shared with partner authorities in the Exeter Housing Market Area. They are reproduced as in an Appendix in the East Devon HELAA report - Part 1. EDDC officers identified potential participants for the categories as set out in the constitution, and shared this with the partner authorities. The potential participants were invited to participate in the HELAA Panel. Most accepted the invitation, replacements were sought for those who didn't accept, where possible. It should be noted that Natural England, Historic England and the Environment Agency declined or didn't respond to the invitation to be Panel members. Whilst they have not actively engaged at this early stage of evidence production, they will still have the opportunity to respond to the plan-making consultation stages.

Panel meetings held

- 7.8 The East Devon HELAA Panel inception meeting, held on 21 October 2021, agreed the HELAA 2021 Methodology and confirmed the Panel constitution and terms of reference.
- 7.9 Four panel meeting were then held to discuss sites. Prior to those meetings, the Panel received information about the sites, prepared by EDDC officers. To make the Panel meetings manageable, three Panel meetings were held in November and December 2021 to discuss all the large identified housing sites. Due to the high number of smaller housing sites, officers suggested achievability conclusions, and at the last December meeting the Panel discussed only those sites where they queried the suggested conclusion. A fourth Panel meeting was held in January 2022 to consider the 38 identified employment led sites from the 2017 and 2021 Call for Sites.
- 7.10 The 2021 HELAA Panel's conclusions about achievability are recorded in the 2021 site assessments in an Appendix set out in the HELAA report - Part 1 appended.