

# Draft SHELAA Methodology Consultation Statement

## Who was invited to be involved at this stage and how?

The consultation was held for eight weeks between 10 December 2019 and 4 February 2020.

Emails and letters (where appropriate), were sent to all on the Local Plan Consultation Database, and the document was made available to view on the Council's website. In addition, any person who made a submission through the Call for Sites, was informed of the Consultation through a personal acknowledgement email.

In the consultation letter we asked for a particular response as follows: "We would welcome your comments on the proposed approach to assess sites, particularly in terms of viability, and the weight given to both policy and physical constraints." It was not felt that a questionnaire was appropriate for this consultation, and therefore comments were received both generally and specific to sections of the methodology.

## What were the main issues raised?

In total 23 responses were received from a range of respondents including agents on behalf of developers, Parish Councils and statutory consultees. All respondents were supportive of the overall approach to the methodology, and supportive of the HMA authorities working together, with each authority tailoring the methodology to suit their specific individual circumstances.

Respondents showed their thanks at being invited to be part of the process, and statutory consultees offered to provide more detailed responses once sites were identified. A Parish Council asked to be part of the site assessment process itself.

Those from the development industry were all supportive of the 'policy off' approach and the decision to take all sites through to the site assessment stage. This approach however, led to concern from one statutory consultee who fears it would be misleading to identify sites in floodplains.

### *Settlement hierarchy*

The decision to use the settlement hierarchy set out in Policy H1 of the adopted Local Plan as a benchmark for sustainability, drew criticism from respondents as they felt that this was contradictory to the 'policy off' approach. However, another commented that whilst this is set out in current policy, it was assumed the intention is to reflect fact and physical characteristics of settlements rather than impose existing planning policy.

### *Density and developable area*

There was general support for the guidelines set out in the draft methodology on suggested site density and gross/net developable area specific to South Derbyshire.

Respondents acknowledged that the guidelines were derived from recent developments in the District, however, two respondents challenged the densities and suggested that they could be higher, given the push from Central Government to increase housing density and use land effectively. It was also suggested that where site promoters have undertaken a significant amount of masterplanning work, that their own site density calculations should be used.

### *Build rates*

Those from the development industry pointed out that the Council should take a cautious approach to build rates, and not rely on faster build out rates of the past. They advised using up to date evidence from housebuilders and a conservative approach to account for time taken to obtain planning permission for example.

### *Suitability assessment criteria (Appendix 2)*

The majority of the comments in this consultation related to the specifics of the Red, Amber, Green (RAG) assessment criteria, often in relation to the respondent's particular interests, whether a local resident or a developer. Most were supportive of the RAG criteria assessment, although one commented that this was more related to the Sustainability Appraisal (SA) process.

A few respondents suggested that the assessment criteria should allow for mitigation measures, and also be mindful that large schemes would be able to provide services and facilities on site and therefore shouldn't be penalised under the assessment criteria if they do not meet the preferred maximum distances for example. A Parish Council suggested a criterion for 'noise' should be added, and another would like more weight given to highway safety.

There were a number of comments relating to the technical nature of the RAG assessment criteria, including calls for the criteria to be tighter in terms of climate change action, biodiversity net gain, consideration of surface water disposal, alterations to the preference of contaminated land, and altering maximum walking distances particularly in relation to rural villages.

Questions were raised as to how the assessment criteria would be used in terms of the weight given to the RAG scores. Those from the development industry were keen to ensure that sites would not be discounted unfairly.

### *Suggestions*

The majority of respondents asked to be kept informed of the future progress of the SHELAA and upcoming Local Plan review. Many statutory consultees requested further information in the future so they are able to offer detailed comments, and suggested that specialist assessments such as landscape, archaeology and flood risk may need to be undertaken. In particular, respondents from the development industry suggested that an independent Green Belt review should be undertaken. A Residents Association suggested that local knowledge should also be sought, especially when assessing heritage matters.

### *Viability*

As previously stated, the consultation sought to gain helpful views on how to assess viability, however only a few respondents touched on this issue. It was suggested that the Council should take a realistic approach to brownfield sites that may require remediation, that there should be evidence of all landowners being willing to release their land for development, and that recognition should be given to those sites that already have a housebuilder controlling the options on site as they will be more likely to come forward in the short term. Another suggestion was that the methodology should state that individual viability assessments may need to be undertaken.

### **How, where necessary, these issues will be addressed**

The overall response to the consultation was positive and supportive as it largely followed National Planning Practice Guidance, however a number of changes have been made to the technical details of the methodology as set out below.

Whilst the inclusion of 'settlement hierarchy' based on Local Plan policy H1 was intended to represent factual characteristics of infrastructure, it was acknowledged that including existing planning policy could be misleading and that a site's sustainability issues, such as access to services would be dealt with through the suitability criteria. The 'settlement hierarchy' element of the assessment has been altered to 'relationship to existing built form and infrastructure', in order to ensure that the site will be assessed according to factual characteristics and not previous planning policy.

In terms of site density, the wording of the indicative density requirements has been altered, to remove the direct reference to 'settlement hierarchy'. In addition, the explanation has been clarified to note that the density requirements are to be used as an initial starting point only and are likely to reflect an expected minimum standard. The reference to masterplanning work has also been included.

Amendments have been made to the Suitability Assessment Criteria (Appendix 2) to quantify some of the Red, Amber, Green ratings and provide more detailed referencing and reasoning. The main element of change is the addition of a mitigation element to the assessment, whereby an initial judgement of potential mitigation measures will be considered where possible. This addition has been made following comments from the development industry who noted that often constraints can be mitigated effectively. The RAG criteria-based approach of the Suitability Assessment Criteria has been deliberately aligned with the Sustainability Appraisal process for clarity and ease of working once the Local Plan review gets under way. Noise has not been added as a separate criterion, as it is considered that it will be picked up through other criteria such as bad neighbours uses and landscape.

The methodology has been amended to acknowledge that potential issues highlighted from the suitability and availability elements of the SHELAA, may affect viability. It will also be stated that viability work will need to be undertaken at the Local Plan making stage. Issues relating to viability are often changing and therefore South Derbyshire intends to ensure the methodology is flexible in its approach.

The comments relating to build rates were duly noted and it has been acknowledged in the methodology that government schemes, and the economic climate, can also have an impact on the development industry. Assumptions relating to build rates will be reassessed as the SHELAA is updated and republished.

Finally, the District Council intends to engage fully with the relevant stakeholders through the assessment process and obtain professional judgements/technical information on each element wherever possible. In addition, local information on services and facilities will be sought through Parish Surveys.