

# Sayers Common Housing Land Availability Assessment

Prepared for  
Hurstpierpoint & Sayers Common Parish Council

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Contents	Page
1. Introduction	1
2. Methodology Guidance	2
3. Stage 1 - Site/Broad Location Identification	5
4. Stage 2 - Site Assessment	7
5. Stage 3 - Windfall Assessment	12
6. Stage 4 - Assessment Review	13
7. Stage 5 - Final Evidence Base	13

## Appendices

Appendix 1	Mid Sussex District Council Strategic Flood Risk Assessment
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## 1. INTRODUCTION

- 1.1. This report comprises a Housing Land Availability Assessment of the settlement of Sayers Common. It is a study of the availability, suitability and likely viability of land in and around the settlement of Sayers Common to accommodate housing development to contribute towards meeting the identified need for the parish. This report should be read in conjunction with the Hurstpierpoint & Sayers Common Parish Council Neighbourhood Plan (HSCNP), in particular Policy H3 and its supporting text.
- 1.2. This report sets out the methodology that has been used to undertake the Assessment. It is not a Local Planning Authority Strategic Housing Land Availability Assessment (SHLAA). Nonetheless, it has had regard both to Government guidance on undertaking housing land availability, as contained within the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), together with the Strategic Housing Land Availability Assessments that have been undertaken by Mid Sussex District Council (draft dated February 2015).
- 1.3. This report is a background paper only and is not a statement of Neighbourhood Plan policy and does not allocate land. Once completed, it will be used to help inform judgments on the future development and allocation of land for housing. This report does not allocate land, pre-empt or prejudice any decisions that may be made in the future about any particular site. In particular, judgements concerning whether sites should be allocated in any future review of the Neighbourhood Plan will be made through the statutory Plan-making process, which will test the suitability of any sites identified in assessment, which may be proposed for housing, including, where appropriate, a Sustainability Appraisal (incorporating Strategic Environment Assessment).

## 2. METHODOLOGY GUIDANCE

- 2.1. This report is not a Local Planning Authority SHLAA. Nonetheless, close regard has been paid to the guidance on undertaking housing and economic land availability assessments, as detailed in the NPPF and National Planning Practice Guidance.
- 2.2. The NPPG notes that while there are prescribed documents that must be submitted with a Neighbourhood Plan, there is no “tick box” list of evidence required for Neighbourhood Planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft Neighbourhood Plan. It continues that Local Planning Authorities should share relevant evidence, including that gathered to support its own Plan-making with a qualifying body.<sup>1</sup>
- 2.3. The NPPG guidance continues that the Neighbourhood Plan can allocate sites for development. A qualifying body must carry out an appraisal of options and an assessment of individual sites against clearly identified criteria. It notes that guidance on assessing sites and on viability should have regard to guidance provided to Local Planning Authorities in undertaking housing and economic land availability assessments.<sup>2</sup>
- 2.4. Guidance on housing and economic land availability assessments is set out in the NPPG. This guidance notes that it is related to paragraph 159 of the NPPF, which encourages Local Planning Authorities to have a clear understanding of housing needs in their area and ensure they prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the Plan period.
- 2.5. The NPPG notes that the purpose of the assessment of land availability is to identify a future supply of land which is suitable, available and achievable for housing and economic development uses over the Plan period. The assessment of land availability includes the SHLAA requirement set out in the NPPF. It notes that the assessment of land availability is an important step in the preparation of Local Plans. It notes an assessment should:
  - Identify sites and broad locations with potential for development;
  - Assess their development potential;
  - Assess their suitability for development and the likelihood of development coming forward (the availability and achievability).
- 2.6. They note this approach ensures that all land is assessed together as part of the Plan preparation, to identify which sites or broad locations are most suitable and deliverable for a particular use.<sup>3</sup>

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<sup>1</sup> Paragraph 040 - reference ID: 41-040-20140306

<sup>2</sup> Paragraph 042 - reference ID: 41-042-20140306

<sup>3</sup> Paragraph 001 reference ID 3-001-20140306

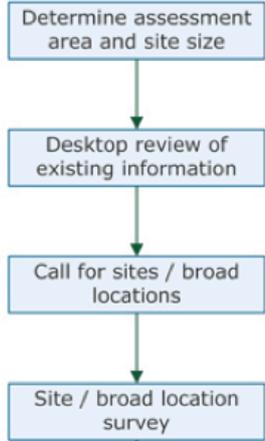
- 2.7. The NPPG guidance continues that the assessment forms a key component to the evidence base to underpin policies and Development Plans for housing and economic development, including supporting the delivery of land to meet identified need for these uses. It notes that, from the assessment, Plan makers will then be able to plan proactively by choosing sites to go forward into their Development Plan Documents to meet objectively assessed needs.<sup>4</sup>
- 2.8. The NPPG notes that, “Designated... Parish/Town Councils may use the methodology to assess sites but any assessment should be proportionate... Parish Councils may also refer to existing site assessments prepared by the Local Planning Authority as a start when identifying sites to allocate within their Neighbourhood Plan”.<sup>5</sup>
- 2.9. The Methodology for undertaking a Land Availability Assessment is detailed in the NPPG as comprising five main stages, as detailed in the flowchart in Figure 1 below.

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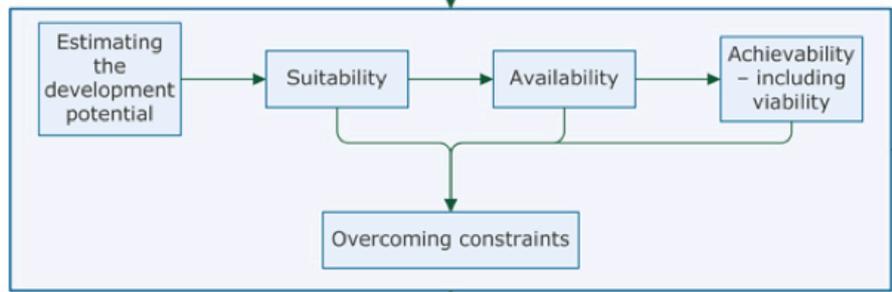
<sup>4</sup> Paragraph 002 reference ID 3-002-20140306

<sup>5</sup> Paragraph 004 reference ID 3-004-20140306

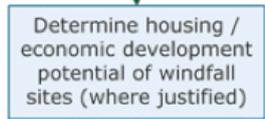
**Stage 1 - Site / broad location identification**



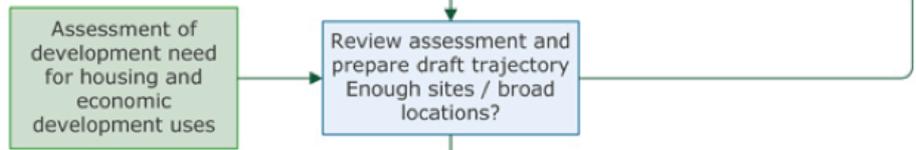
**Stage 2 - Site / broad location assessment**



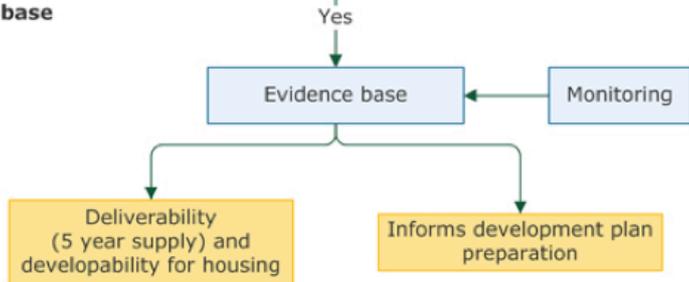
**Stage 3 - Windfall assessment**



**Stage 4 - Assessment review**



**Stage 5 - Final evidence base**



### 3. STAGE 1 - SITE/BROAD LOCATION IDENTIFICATION

#### Determine Assessment Area & Site Size

- 3.1. The Neighbourhood Plan covers the administrative boundary of Hurstpierpoint & Sayers Common. Policy H3 of the Neighbourhood Plan states:

“Subject to existing water drainage issues being resolved, to remove the incidence of localised flooding, new housing will be permitted at Sayers Common. It is anticipated that the village will accommodate around 30-40 dwellings during the Plan period. A review and appraisal of deliverable housing sites will be undertaken at an early stage in the Plan period”.

- 3.2. In support of this approach, this assessment has sought to identify a wide range of sites for potential housing development within and in close proximity to the settlement of Sayers Common. It has identified sites regardless of the amount of development needed in order to provide an audit of available land. The process of the assessment has however sought to provide information to enable an identification of sites and locations suitable for the required level of development set out in the Neighbourhood Plan.
- 3.3. The assessment considers a range of different site sizes. The NPPG recommends sites be considered where they are capable of delivering 5 or more dwellings, or on sites of 0.25 hectares or more. It does however note the Plan-makers may wish to consider an alternative site size threshold.
- 3.4. Having regard to the purpose of this report, it has sought to identify and consider all known potential housing sites close to the existing built-up area boundaries of Sayers Common, irrespective of size. With the exception of part of one site<sup>6</sup>, the Assessment has not considered potential housing sites within the defined settlement boundary of Sayers Common.<sup>7</sup>
- 3.5. It should however be acknowledged that there is the potential for some housing development within this ‘built-up area’ to come forward over the Plan period. An example of such ‘infill’ includes Dukes Place, London Road, where planning permission was granted in October 2008 for alterations to the ‘donor’ dwelling and construction of 5 additional dwellings.
- 3.6. Such applications for ‘windfall development’ may come forward and would be assessed against Development Plan Policy and other material considerations.

#### Desktop Review Of Existing Information

- 3.7. The identification of potential housing sites has come from two main sources (i) the ‘call for sites’ exercise undertaken as part of the preparation of the Neighbourhood Plan; and (ii) the Mid Sussex Strategic Housing Land Availability Assessment April 2015.

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<sup>6</sup> Land comprising the domestic curtilage of Whitehorse Lodge (HP33)

<sup>7</sup> See Proposals Map accompanying the Parish 2031 Neighbourhood Plan

- 3.8. In addition to this, sites have been included where it is known to the Parish Council that they are being 'promoted' for consideration for housing development. This has occurred where landowners/promoters have directly contacted the Parish Council.

### Site Survey

- 3.9. NPPG Guidance notes that the comprehensive list of sites derived from data sources and the call for sites should be assessed against national policies and designations to establish which have a reasonable potential for development and should be included in the site survey.
- 3.10. It notes that Plan-makers should then assess potential sites via more detailed surveys in order to:
- Ratify inconsistent information gathered through the call for sites and desk assessment;
  - Get an up-to-date view on development progress (where sites have planning permission);
  - A better understanding of what type and scale of development may be appropriate;
  - Gain a more detailed understanding of deliverability; any barriers and how they could be overcome;
  - Identify further sites with potential for development that were not identified through data sources or the call for sites.
- 3.11. The Guidance notes that site surveys should be proportionate to the detail required for a robust appraisal. For example, it notes that more detailed assessment may be necessary where sites are considered to be realistic candidates for development.
- 3.12. The Guidance notes that during the site survey, the following characteristics should be recorded (or checked if they were previously identified through the data sources and call for sites):
- Site size, boundaries and locations;
  - Current land use and character;
  - Land uses and character of surrounding area;
  - Physical constraints, (e.g. access, contamination, steep slopes, flooding, natural features of significance, location of infrastructure/utilities);
  - Potential environmental constraints;
  - Where relevant, development progress (e.g. ground works completed, number of units completed, etc);
  - Initial assessment of whether the site is suitable for a particular type of use or is part of a mixed use development.
- 3.13. In light of this advice, all sites included within this Assessment have been the subject of a site visit, conducted in June 2015. Sites were viewed from public vantage points, including Rights of Way.

## 4. STAGE 2 - SITE ASSESSMENT

### Estimating The Development Potential

- 4.1. The NPPG states that the development potential of each site should be guided by existing and emerging Plan policy, including locally determined policies on density.
- 4.2. It notes that where these are out of date or do not provide a sufficient basis to make a judgment, then relevant existing developments can be used as a basis for assessment, adjusted for any individual site characteristics and policy constraints.
- 4.3. The guidance notes that development potential is a significant factor that effects economic viability of a site and its suitability for a particular use. Therefore, assessing achievability (including viability) and suitability can usefully be carried out in parallel with estimating the development potential.
- 4.4. Having regard to the overriding character of Sayers Common, the capacity of each site has been analysed, having regard to an initial theoretical density of 25 dwellings per hectare. Regard has then been paid to specific constraints to identify where a reduced development potential may exist on any given site. This could include, for example, constraints in respect of access, topography, flood risk, relationship to neighbouring land uses, site layout, etc.
- 4.5. This approach seeks to recognise the balance that needs to be struck between making efficient use of land through good design principles, without detriment to local infrastructure, and harming the amenities of surrounding land uses, the character and historic fabric of the area.

### Site Suitability Assessment

- 4.6. This report assesses the suitability of each identified site. In considering sites against Development Plan policy, consideration has been given to the appropriateness of identified constraints on sites and whether these can be overcome.
- 4.7. The NPPG notes that sites should be considered to assess the site's suitability against a range of criteria, including:
  - Physical limitations or problems, such as access, infrastructure, ground conditions, flood risk, hazardous risk, pollution or contamination;
  - Potential impacts, including the effect upon landscapes, including landscape features, nature and heritage conservation;
  - Appropriateness and likely market attractiveness for the type of development proposed;
  - Contribution to regeneration priority area;
  - Environmental/amenity impacts experienced by would be occupiers of neighbouring areas.
- 4.8. Having regard to this list, this report has considered the following key criteria to determine the suitability of each site:

- (a) **Biodiversity** - a review of potential impacts on environmental designations, flora and fauna;
- (b) **Landscape** - the District Council commissioned a Landscape Character Assessment, published in November 2005. This identified 10 separate Landscape Character Areas across the district. Sayers Common is surrounded by Landscape Character Area 4: Hickstead Low Weald. The document notes that the key characteristics of this area are its *“Lowland mixed arable and pastoral landscape, with a strong hedgerow pattern. It lies over low ridges and clay vales, drained by the upper Adur streams... alternating west-east, trending low ridges with sandstone beds and clay vales, carrying long sinuous upper Adur streams. Views dominated by the steep downland scarp to the south and the High Weald fringes to the north; arable and pastoral rural landscape and mosaic of small and larger fields, scattered woodlands, shaws and hedgerows, with hedgerow trees; quieter and more secluded, confined rural landscape to the west, much more development to the east, centred on Burgess Hill.”*

More recently, the District Council commissioned a Landscape Capacity Study, with the final report published in July 2007. This is not a Landscape Character Assessment, but rather a Landscape Capacity Assessment. As is made clear in the preface of this report, it was commissioned to assess the physical and environmental constraints on development in the district, with a view to identifying the capacity of the district’s landscape to accommodate future developments. It sought to reach determinations on the landscape sensitivity and landscape value of the Landscape Character Areas of the district. The report identified 9 zones, (of which Sayers Common falls within Zone 5; Burgess Hill; and surrounding area) and smaller local Landscape Character Areas, of which Sayers Common is surrounded by Area 62, Hickstead - Sayers Common Low Weald.

The study undertook an analysis of the landscape capacity of each Local Character Area, having regard to its landscape sensitivity and its landscape value. It concluded, with respect to Local Character Area 62 that this comprised generally west-facing slopes with a mixture of Landscape Character types, adjacent to the A23; it is rural; and it considered that its landscape sensitivity was substantial, its landscape value was slight, and its landscape capacity was low/medium.

Against the background of the Landscape Character Assessment and Landscape Capacity Assessment, each site has been assessed for its potential landscape sensitivity and capacity to absorb development. The results of these are detailed in the individual site assessments.

- (c) **Heritage Asset Impact** - including above and below ground heritage assets that are both statutorily designated and non-designated assets;
- (d) **Public Access** - a review of impact on existing public accessibility on or near to the site;
- (e) **Flood Risk** - A review of the site in relation to flood risk impact by reference to Mid Sussex District Council Strategic Flood Risk Assessment Maps.

The Neighbourhood Plan acknowledges that the settlement of Sayers Common and its environs has significant surface water flooding issues through a lack of natural falls and suitable watercourse running west from the village. It notes that most of the village lies on level and impermeable soil, which means that all surface water has to drain westwards through ditches and culverts in riparian and ownership, passing through Twineham, eventually reaching maintained main river near Shermanbury, some 3kms away. It notes that at times of heavy rainfall, surface water flows rapidly from the surrounding topography towards the centre of the village and this is retained in the village due to the inadequacy of the surface water drainage system, the lack of gradient away to the west and creates localised flooding. It notes that surface water has the potential to inundate the foul sewage system, thereby compromising its functioning and causing foul water flooding. The existence of 'combined' sewers, which accept both waste water and surface water sewers could also compromise the waste water systems in wet weather, including those affecting newer properties, depending on their proximity to flood affected areas.

The Plan notes that until a comprehensive scheme is implemented to address the surface water drainage issue, there would be no further housebuilding. It notes that Southern Water has advised that a flood alleviation scheme was implemented in Sayers Common in 2009 and new development can progress from a foul water drainage perspective, providing the development connects to the sewage system at the nearest point of adequate capacity, and surface water is drained separately from the foul sewer network.

The flood risk issue in Sayers Common is both complex and subject to change. It is noted that at the current time, funding has been secured through Operation Watershed to undertake improvements to the drainage system to the west of the village.

Given this complexity, careful consideration has been given as to how to assess the flood risk on each of the potential housing sites. At this stage, it is considered prudent to rely upon the District Council prepared Strategic Flood Risk Assessment, attached at Appendix 1. This details flood risk known to the District Council from a variety of sources.

It should be noted that this map identifies (in pink) a source of historical flooding along and to the north of Reeds Lane and to the west of the main built up area of the village. The District Council have confirmed this relates to incidents of foul sewer flooding from 1994 onwards. They in turn have been informed by Southern Water that the last updated flood incident data of this type was in April 2008 and is likely to have been superseded by sewer upgrades undertaken shortly thereafter. It is noted this may explain why flooding has not reoccurred since then from that source in this area.

In preparing this report, attempts have been made to corroborate the understanding of this position direct with Southern Water. No response has been received from them at this time. Nonetheless, it is noted that no objection was raised by Southern Water on such grounds in consideration of the latest application for development at Kingsland Laines (see Southern Water response dated 8 May 2015 to application DM/15/1467).

In light of this, it is considered that this area/source of flood risk is no longer likely to be up to date and can be omitted from consideration of flood risk from the District Council's Strategic Flood Risk Assessment Map. All other forms of flooding, as identified on this map, are understood to be appropriate and up to date for the purposes of this report.

(f) **Sustainability** - an assessment of the accessibility of the site by non-car modes of transport. This is determined by reference to proximity of the site to key community infrastructure. Distance measurements are taken from the centre of each site, following a practical walking route (straight line measurement will therefore not be used). For this report, essential facilities are defined as Primary School, Secondary School, Doctor/Health Centre, Public Transport, Post Office, Bank, Food Retail, Formal Public Space and Informal Public Open Space;

(g) **Infrastructure** - for the purposes of this Assessment, it is assumed that all potential housing sites are, or can be made, accessible to local infrastructure, defined as: water, surface and foul water drainage, highways and transport, electricity and gas.

Furthermore, it is assumed that all potential housing sites will not have an undue impact on such services. In this regard, it is acknowledged that there are existing capacity constraints in some local infrastructure, including foul sewage disposal.

This has most recently been confirmed by Southern Water in their consultation response to a proposed housing development on land at Kingsland Laines (HP30) (LPA Ref: DM/15/1467) dated 8 May 2015. In this, Southern Water state that,

*'The proposed development would increase flows to the public sewerage system, and existing properties and land may be subject to a greater risk of flooding as a result... Additional off-site sewers or improvements to existing sewers, will be required to provide sufficient capacity to service the development. Section 98 of the Water Industry Act 1991 provides a legal mechanism, through which the appropriate infrastructure can be requested (by the developer) and provided to drain to a specific location'.*

Having regard to this feedback, it is concluded that existing inadequacies are capable of being remedied in conjunction with development;

- (h) **Ground Conditions** - for the purposes of this assessment, it is assumed that there are no ground conditions issues which would prohibit the development of any of the potential housing sites.

### Site Availability Assessment

- 4.9. NPPG guidance notes that a site is considered available for development when, on the best information available, confirmed by the call for sites and information from landowners and legal searches, where appropriate, there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips, tenancies or operational requirements of landowners.
- 4.10. This will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell. Given that persons do not need to have an interest in land to make planning applications, the existence of a planning permission does not necessarily mean the site is available.
- 4.11. The potential housing sites considered in this report have been identified by a “call for sites”, the LPA’s SHLAA, or direct owner/promoter contact with the Parish Council. On this basis, and for the purposes of this report, it is assumed there are no availability constraints that would prohibit the development of any of the potential housing sites.

### Site Achievability (Including Viability) Assessment

- 4.12. The NPPG Guidance states that a site is considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and sell or let the development over a certain period.
- 4.13. The NPPG notes that understanding viability is critical to the overall assessment of deliverability. The guidance notes there is no standard answer to questions about viability, nor is there is a single approach for assessing viability. The underlying principles for understanding viability are defined as:<sup>8</sup>
- Evidence based judgment - assessing viability requires judgements which are informed by the relevant available facts. It requires a realistic understanding of the costs and the value of development in the local area and an understanding of the operation of the market;
  - Understanding past performance, such as in relation to build rates and the scale of historic planning obligations can be a useful start. Directly engage with the development sector may be helpful in accessing evidence.

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<sup>8</sup> Paragraph 004 - reference ID 10-004-20140306

- Collaboration - a collaborative approach involving the Local Planning Authority, business, community, developers, landowners and other interested parties will improve understanding of deliverability and viability. Transparency of evidence is encouraged wherever possible. When communities are preparing Neighbourhood Plans, Local Planning Authorities are encouraged to share evidence to ensure that local viability assumptions are clearly understood.
- A consistent approach - Local Authorities are encouraged to ensure that their evidence base for housing, economic and retail policy, is fully supported by a comprehensive and consistent understanding and viability across their areas.
- Guidance states that Neighbourhood Plans should be based on a clear and deliverable vision of the area. Viability assessment should be considered as a tool that can assist with the Development Plans and Plan policies. It should not compromise the quality of development but ensure that the Local Plan vision and policies are realistic and provide high level assurance that Plan Policies are viable.<sup>9</sup>
- Evidence should be proportionate to ensure Plans are underpinned by a broad understanding of viability. Greater detail may be necessary in areas of known marginal viability, or where the evidence suggests that viability might be an issue - for example, in relation to policies for strategic sites which require high infrastructure investment.
- The NPPG notes that assessing the viability of Plans does not require individual testing of every site or assurance that individual sites are viable; site typologies may be used to determine viability at policy level. Assessment of samples of sites may be helpful to support evidence that more detailed assessment may be necessary for particular areas or key sites on which the delivery of the Plan relies.<sup>10</sup>

4.14. For the purposes of this Assessment, it is assumed that there are no achievability (including viability) constraints that would prohibit the development of any of the potential housing sites.

## 5. STAGE 3 - WINDFALL ASSESSMENT

5.1. The Guidance notes that a windfall allowance may be justified in a five year supply if a Local Planning Authority has compelling evidence to do so. It notes that Local Planning Authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance based on a geographical area.

5.2. In relation to this assessment, windfall developments as such are not considered. As detailed elsewhere in this report, it is acknowledged that there is the potential for some 'windfall' housing development to come forward from sites within the defined built-up area boundary of Sayers Common during the Neighbourhood Plan period. Such proposals would be assessed against Development Plan Policy and other material considerations.

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<sup>9</sup> Paragraph 005 - reference ID 10-005-20140306

<sup>10</sup> Paragraph ref: 006 REF ID: 10-006-20140306

## 6. STAGE 4 - ASSESSMENT REVIEW

- 6.1. This report assesses the development potential of all sites that have been considered. This includes consideration of how much housing can be provided on them.

## 7. STAGE 5 - FINAL EVIDENCE BASE

- 7.1. In accordance with the NPPG, this report seeks to facilitate the Parish's production of the following set of standard outputs, to ensure consistency, accessibility and transparency:
- A list of all sites considered, cross-referenced to their location on maps;
  - An assessment of each site in terms of its suitability for development, availability and achievability, including whether the site is viable, to determine whether a site is realistically expected to be developed and when;
- 7.2. This report seeks to facilitate the parish's assessment of the suitability, availability and achievability (including the economic viability of a site) as to whether a site can be considered deliverable, developable, or not currently developable for housing. The definition of deliverability and developability are as contained in footnotes 11 and 12 of the NPPF.
- 7.3. These state that, to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that sites will be delivered on the site within 5 years and, in particular, that development on the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within 5 years, for example, they will not be viable, there is no longer a demand for the type of units, or sites have long term phasing plans.
- 7.4. To be considered developable, the NPPF notes sites should be considered in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.