



**Strategic Housing and Economic Land
Availability Assessment (SHELAA)**

2021

Introduction

This document is the Council's Strategic Housing and Employment Land Availability Assessment (SHELAA). It brings together information about the potential availability of sites for housing and economic purposes in North West Leicestershire. It is the third time that the Council has produced information in this way. Prior to this, information about sites for housing and economic purposes was published in separate documents.

The publication of the SHELAA coincides with the start of detailed work to identify potential sites for housing and employment allocations as part of the Local Plan Substantive Review.

This SHELAA supersedes all previous versions.

What Is a SHELAA?

SHELAA is an acronym for Strategic Housing and Economic Land Availability Assessment.

The National Planning Policy Framework (NPPF) requires local authorities to have a Strategic Housing Land Availability Assessment (SHLAA) as part of the evidence base for Local Plans. Paragraph 67 of the [National Planning Policy Framework](#) (NPPF, February 2019) states that:

“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.”

The assessment of land availability is an important first step in the preparation of Local Plans as it enables policies to meet the NPPF requirement to identify a supply of:

- a) Specific, deliverable sites for years one to five of the plan period; and*
- b) specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan (NPPF, paragraph 67).*

The government's [Planning Practice Guidance](#) (PPG) confirms that in addition to housing, local authorities should also assess sites for economic development purposes. It states that the purpose of such an assessment of land availability for both housing and economic development uses is:

“An assessment of land availability identifies a future supply of land which is suitable, available and achievable for housing and economic development uses over the plan period. The assessment is an important source of evidence to inform plan-making and decision-taking, and the identification of a 5-year supply of housing land. It can also inform as well as make use of sites in brownfield registers.” (Paragraph: 001 Reference ID: 3-001-20190722)

The PPG goes on to confirm that the SHELAA itself will not confirm whether a site should be allocated for development; it is for the development plan (i.e. the local plan) itself to determine which of the available sites are the most suitable to meet the Council's development needs.

In the above context, it is important to note that the SHELAA is a technical document to identify potential sites for housing and economic development. The inclusion of a site in the SHELAA does not provide any indication of the Council's view of its acceptability for future development. Any inclusion of sites within the document does not necessarily mean that a site will be included in the reviewed Local Plan nor does it imply or guarantee that planning permission would be granted should an application be submitted for consideration.

In summary, the SHELAA:

- identifies sites and broad locations with potential for housing and economic development;
- assesses their development potential; and
- assesses their suitability for development and the likelihood of development coming forward (their availability and achievability) (PPG, Paragraph: 001 Reference ID: 3-001-20190722).

Methodology

The SHELAA process has been guided by:

- a) The government's [Housing and Economic Land Availability Assessment methodology](#) set out in the PPG (last updated 22 July 2019); and
- b) The [Leicester and Leicestershire Housing and Economic Land Availability Assessment Joint Methodology Paper \(February 2019\)](#).

The Joint Methodology Paper represents an agreed joint approach to the preparation of housing and economic land availability assessments between the Leicester and Leicestershire Local Planning Authorities. This in turn has had regard to the staged approach set out in the PPG. The authorities have also agreed common working arrangements in line with Duty to Cooperate requirements. This includes locally specific criteria as part of the methodology and ensures that each authority's individual document will follow the same broad methodology and appear in a similar format (accepting that occasionally local circumstances may justify a change).

The Joint Methodology was also informed by consultation undertaken in early 2019 with house builders, land agents and landowners.

The summary below confirms how the Joint Methodology approach has been applied by officers in North West Leicestershire.

Stage 1: Identification of sites and broad locations

The geographical area covered by the North West Leicestershire SHELAA corresponds with the North West Leicestershire district boundary.

In line with the Joint Methodology, only sites capable of delivering five or more dwellings or economic development on sites of 0.25ha (or 500sqm of floorspace) or above are considered for inclusion within the SHELAA.

A call for sites was carried out between September and October 2020 to enable landowners and promoters, local property agents, developers, businesses, and the local community in general to be involved in the process. This enabled these parties to submit new sites or provide updates on previously submitted sites via a standard proforma. Sites from previous assessments were carried over and reviewed. Sites were only removed from the SHELAA where specifically requested by the relevant landowner/developer/agent.

Officers also undertook a search of recent planning application records and updated sites submitted through the previous SHELAA. Specialist advice was also sought from Leicestershire County Council highways and ecology officers.

All data in this SHELAA is relevant up to 31 March 2021. The SHELAA was published in June 2021.

Stage 2: Site Assessment

Red constraints

The Joint Methodology identifies four 'red' constraints that render a site undevelopable and unworthy of further consideration and assessment. In North West Leicestershire, officers have used this approach for three of these constraints - Scheduled Monuments, major hazardous facilities and Sites of Special Scientific Interest/Special Protection Areas (SSSIs/SPAs - with the exception of the River Mease Special Area of Conservation, further information on which is set out below).

The fourth 'red' constraint is the functional floodplain (Flood Zone 3b). Officers have made the decision, based on local circumstances (that the Environment Agency has previously supported development in the functional floodplain in the north of the district subject to implementing flood alleviation measures), not to automatically exclude sites that fall within these areas.

For residential development, it is assumed that no development will take place in Flood Zone 3b. This means that sites that fall solely in Flood Zone 3b have been excluded. Where sites lie partially in Flood Zone 3b, these areas have been excluded from the total site area for the purposes of calculating site capacity.

For employment development, sites have not automatically been excluded where they are in Flood Zone 3b. ***This does not mean that sites within these areas are automatically acceptable for economic development*** – but simply that any site promoter would need to work closely with the relevant authorities, including the Environment Agency, to see if any on or off-site solutions to the flooding issue can be found before development can be considered. Given the time implications of this, it means that where sites have been assessed that fall within the functional floodplain, they are generally considered to be only achievable towards the end of the assessment period (usually 11 – 20 years).

Site Suitability

Planning Policy

Sites assessed in the SHELAA may be subject to existing planning policy constraints which would currently prevent their development for homes/employment. Whilst existing policy constraints are highlighted in relation to a site, they do not automatically render a site unsuitable, either because there is some flexibility in that particular policy and/or because the policy will be reassessed as part of the Local Plan Review (for example, limits to development/countryside designations).

With regards to the principle of development, sites within the Limits to Development are generally considered **suitable**. However, there may be other technical issues (the most common are expanded upon in the sections below) for which further information/justification is required and which results in the site being assessed as **potentially suitable** overall.

As the Limits to Development will be reviewed as part of the Local Plan Review, sites in the countryside are generally regarded as **potentially suitable**. However, where relevant, any general planning policy issues which could impact the site's suitability are noted. These include: proximity to the existing Limits to Development; the settlement's current position in the settlement hierarchy; potential coalescence issues; the scale of the site in relation to the existing settlement; and/or the site's existing use.

Several sites promoted for residential use in the SHELAA have previously been refused planning permission for housing. The reasons for refusal may have related to the site's location in the countryside and/or more site-specific issues such as access or an adverse impact upon interests of acknowledged importance such as heritage or ecology. Such sites are generally considered to be **potentially suitable** in the context of the SHELAA, albeit in the longer term (to reflect that a change in policy is required and/or technical constraints need to be overcome).

Key specific issues which could affect the suitability of the site have been highlighted, where relevant, in the assessments. The approach with regards to these potential technical constraints has been expanded upon below.

Highways

Leicestershire County Council, as the local highways authority, has been consulted on sites and given the opportunity to comment on matters such as site access and opportunities for sustainable travel (e.g. proximity to bus stops, existing footways and facilities and services). There are instances where potential conflicts with the Leicestershire Highway Design Guide have been highlighted. Such sites are not automatically assessed as unsuitable. Instead, it is acknowledged that a solution may be achievable with further detailed investigation/engineering input and that evidence is required to demonstrate a safe and suitable highways solution can be achieved.

Ecology

The Leicestershire County Council ecologist has been consulted on the potential for ecology at the SHELAA sites. Comments have been made in relation to any ecological designations,

potential onsite Biodiversity Action Plan (BAP) habitats and the potential for the site to impact upon any protected species. Sites are generally considered to be **suitable** subject to identified mitigation or **potentially suitable** subject to the outcome of ecological surveys (e.g. a Phase I Habitat Assessment, any necessary species surveys or where relevant, entry into the Natural England Great Crested Newt District Licensing Scheme). Where sites would result in the loss of an ecological designation (for example a Local Wildlife Site), it would be necessary to demonstrate that a more up-to-date survey shows a change in habitat value, or significant harm can be avoided through appropriate mitigation or compensation.

Ground Conditions

Sites that are within 250m of either an authorised or historic/closed landfill site are identified.

An authorised landfill site is a facility that local authorities and industry take waste to be disposed of in the ground, and which is currently authorised by the Environment Agency under Environmental Permitting Regulations. SHELAA sites within 250m of an authorised landfill are considered **potentially suitable** but would need further justification to demonstrate that any impacts in terms of odour, noise, dust and pests could be adequately mitigated.

Where a site is within 250m of a closed/historic landfill site, it is considered **potentially suitable** subject to the outcome of further geo-environmental investigation (e.g. a Phase I Desk Study / Phase II Site Investigation).

Minerals

Much of the district is located in a Minerals Safeguarding Area, predominantly for coal, brick clay and/or sand/gravel resources. Such sites would require further consultation with Leicestershire County Council on the potential sterilisation of the resource in question but do not make the site unsuitable for development.

Due to the prevalence of coal mining in the past, parts of the District are located in either a Low Risk or High Risk Coal Development Area. Sites in Low Risk Areas may contain unrecorded coal mining related hazards which would need to be reported if encountered during development, whereas sites in High Risk Areas would require a Coal Risk Assessment prior to the granting of planning permission.

Sites in either a Minerals Safeguarding Area or Coal Development Area are considered **potentially suitable** and would require further justification to demonstrate that they were suitable for development.

Flooding

Sites may sit wholly or partially within areas at risk of flooding. The methodology with regards to sites within the functional floodplain (Flood Zone 3b) has been set out above.

Where housing sites encroach into Flood Zone 2 or 3a, the site is deemed **potentially suitable**. The general approach is that the construction of housing within these areas should be avoided

unless, by means of the sequential and exceptions tests (NPPF paragraphs 157-163), it can be demonstrated as acceptable to the satisfaction of the Environment Agency.

Where employment sites encroach into Flood Zone 3a, the site is deemed **potentially suitable** unless the acceptability of the site has been confirmed through a planning permission.

River Mease Special Area of Conservation (SAC)

The River Mease SAC includes the River Mease and all its tributaries and covers a large part of the south west of the district. Under the Habitats Directive the Council is responsible for ensuring that proposals for new development will have no significant adverse impact on the SAC, which already suffers from high levels of phosphorous in the water. Currently, there is a Development Contribution Scheme (DCS) in place which requires any development within the SAC area to pay a financial contribution to be used to implement measures in the Water Quality Management Plan designed to reduce phosphorous levels.

The DCS estimates the amount of phosphorous likely to be generated by new development, which is used to create a 'development window' – the amount of development likely to be acceptable without adversely impacting the SAC. Once a development window is complete, then there may be restrictions on new development coming forward within the SAC area unless a) a new DCS can be agreed or b) a more long term, 'pumping out of catchment' solution has been implemented by Severn Trent.

For the purposes of the SHELAA no sites have been deemed unsuitable or had their estimated delivery timeframe pushed back solely because a site is located within the SAC area. Instead, the SHELAA indicates where a site is within the SAC and stipulates that for development to be considered acceptable there will be a need for appropriate mitigation to protect the water quality in the catchment.

Site Availability

A site is considered to be **available** where it has planning permission, is the subject of a planning application or if an option agreement with an identified housebuilder or land promotion company is in place and there are no identified ownership constraints.

If the site has been submitted by a landowner and there is no identified developer/housebuilder/land promotion company attached to the site, it has been deemed **potentially available**. This is on the basis that the intention to develop for a particular use is less certain than if a legal option agreement is in place.

Site Achievability

Where sites have planning permission, they are assessed as **achievable** due to the detailed technical work that has been undertaken to support a planning application and the fact that, in line with the PPG, "there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time."

Elsewhere, sites are considered to be **potentially achievable** as there is greater uncertainty about whether a site can be developed, whether there are any economic viability issues or the developer has the capacity to complete and let/sell a site over a certain period.

Where sites are located in the River Mease SAC, they are not regarded as unachievable, however before such sites can be developed there will need to appropriate mitigation in place to protect the water quality of the catchment. Where there are doubts over achievability because it is unclear how access to the site would be achieved (for example the site does not adjoin the public highway and would need to cross third party land), sites have not been ruled out, but further evidence on how a suitable access could be achieved is required.

Development potential / Site capacity

Housing capacity has been calculated in line with gross to net development ratios set out on page 8 of the Joint Methodology. A density of 30 dwellings per hectare has been assumed for all sites. Where a site already has planning permission for a different number of dwellings, this amount is cited instead.

In terms of employment capacity, where a planning permission exists, the potential employment floorspace figures have been calculated based on the amount of floorspace with permission. For industrial and warehousing uses whether there is no permission in place, then the standard plot ratio calculation outlined in the Joint Methodology has been used. For offices on sites without permission, the plot ratio has been taken from 'North West Leicestershire: The Need for Employment Land (November 2020)' study as this represents the most recent evidence of local office densities.

Where a site has been put forward for a mix of residential and economic uses, it has been assessed in both the housing and economic sections of this document, and a note has been made in each assessment that a mix of uses is proposed. In terms of a calculation of number of potential new dwellings/amount of new employment floorspace on mixed use sites an assumption has generally been made that half of the site area will be available for residential and half for employment uses. In reality the area split between residential and employment uses on mixed use sites will be different in every case - however in most instances the exact split is unknown at this present time. Using half and half approach as the principal assumption (rather than a maximum of 100% residential or 100% employment) at least guards against 'double counting' of land in both potential residential and employment categories. For completeness, the housing/employment splits of 70:30 and 90:10 are also included to illustrate the capacities which would result from different mixes.

Timescale for Development

As confirmed in the Joint Methodology, sites that meet the definition of 'deliverable' at Annex 2 of the NPPF) can be expected to come forward in years 0-5 of the plan period.

Where sites meet the definition of developable at Annex 2 of the NPPF and are being promoted by a housebuilder/land promoter, they can reasonably be expected to be developed in years 6-10 of the plan period.

Elsewhere, the Local Plan Review is expected to look forward to 2039, meaning its end date is more than 15 years in the future. To take account of the sites that are not currently policy compliant and to ensure that the assessment runs at least until the end of the Plan Review period, officers have extended the final time period from 11-15 years to 11-20 years.

Sites in the 0-5 year period are deemed to be suitable, available and achievable and a build rate, based upon historic or site-specific evidence have been provided accordingly. Sites outside the 0-5 year period generally require further evidence to demonstrate their suitability, availability and/or achievability. Build rates are not deemed necessary for such sites, as there is a lack of certainty about their deliverability.

Format

The site assessments part of the SHELAA has been divided up into the following sections:

- Part 1 – Assessment of Potential Housing Sites
- Part 2 – Assessment of Potential Employment Sites