

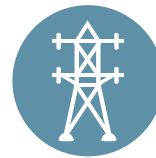
EASTBOURNE

Borough Council



Land Availability Assessment

METHODOLOGY



JUNE 2022



Eastbourne Land Availability Assessment

METHODOLOGY

June 2022

TABLE OF CONTENTS

1. INTRODUCTION	1
2. BACKGROUND	2
3. NATIONAL PLANNING POLICY CONTEXT	5
Requirements for a Land Availability Assessment	5
4. STAGE 1: SITE IDENTIFICATION	8
Task 1: Determine assessment area and site size threshold	8
Task 2: Desktop review of existing information	10
Task 3: Call for Sites	11
Task 4: Urban Capacity Survey	11
Task 5: Site survey	12
5. STAGE 2: SITE ASSESSMENT	15
Task 6: Estimating development potential and capacity	15
Task 7: Suitability Assessment	18
Task 8: Availability Assessment	19
Task 9: Achievability Assessment	21
Task 10: Assessment of the deliverability and developability of each site	22
6. STAGE 3: WINDFALL ASSESSMENT	24
7. STAGE 4: ASSESSMENT REVIEW	27
8. STAGE 5: FINAL EVIDENCE BASE	28
Monitoring	28
APPENDICES	30
Appendix 1: Density Area Map	31
Appendix 2: Site Assessment Criteria	32
Appendix 3: Consultation	35

I. INTRODUCTION

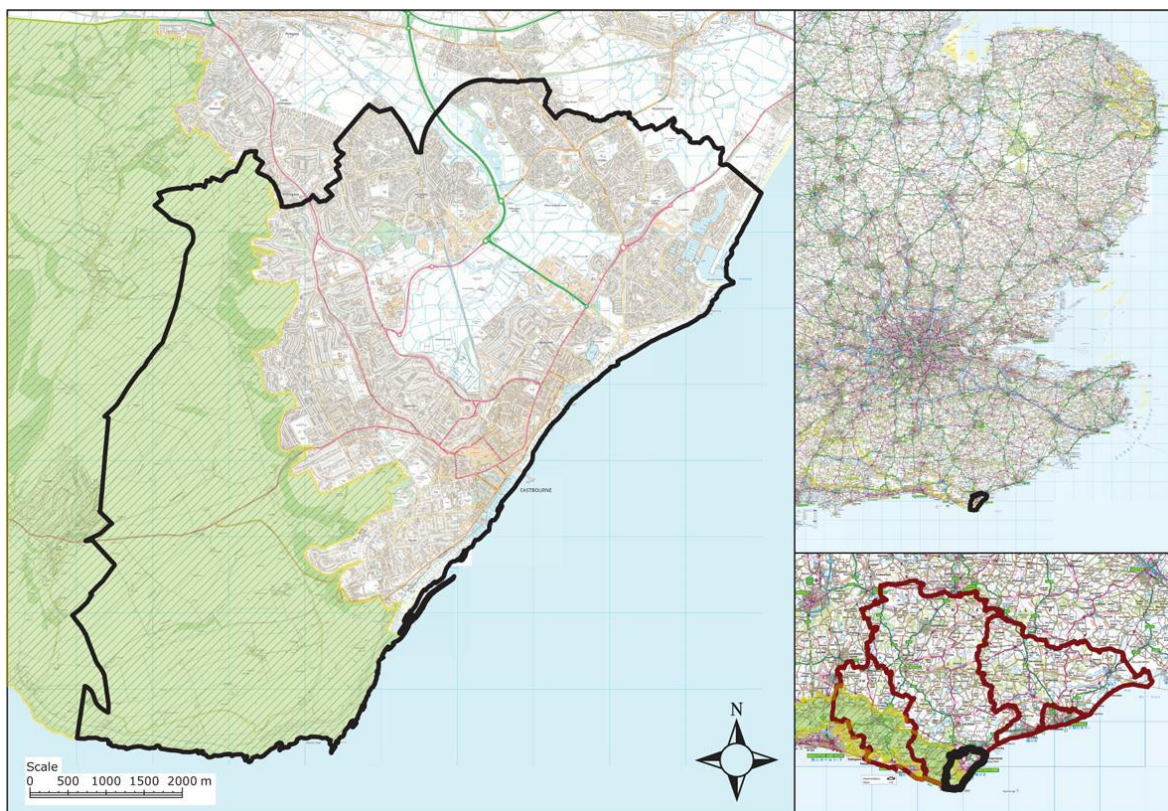
- 1.1 The National Planning Policy Framework (NPPF) (2021)¹ requires local planning authorities to identify the future supply of land that is suitable, available and achievable for development. In order to meet this requirement, Eastbourne Borough Council are preparing a Land Availability Assessment (LAA), for the area of the Borough outside of the South Downs National Park, to demonstrate a robust understanding of the future supply of land in the area.
- 1.2 The LAA is a technical assessment of the amount of land that is available and suitable to meet the Borough's development needs. The purpose of the LAA is to identify sites with potential for development; estimate the amount of development that they can provide; assess whether land is suitable, available and viable for particular land uses; and identify timescales in which that development could be delivered.
- 1.3 **The LAA is an important evidence base document that informs plan-making. The LAA is not a statement of Council policy and it does not itself determine whether a site should be allocated for development in the future, nor does it influence the likelihood of gaining planning permission on a particular site. All planning applications must, and will continue to be, determined against the development plan and other material planning considerations.**
- 1.4 This report sets out the Council's methodology for undertaking the LAA, and replaces the previous methodology published in 2016. The updated methodology reflects changes to national policy, and a renaming of the assessment from 'Strategic Housing & Employment Land Availability Assessment' (SHELAA) to 'Land Availability Assessment' since it was last published in November 2019, to reflect that the local circumstances in Eastbourne mean that the assessment incorporates an Urban Capacity Study and identifies sites under the usual five homes threshold, and to extend the scope of the assessment to include other land to support future development, such as renewable energy generation and green infrastructure.
- 1.5 The findings of the LAA will be published in a separate report. The LAA is an evolving document and will be updated annually, or as and when there are significant changes to the information about land in the borough that would affect the accuracy of the assessment.

¹ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

2. BACKGROUND

2.1 The Borough of Eastbourne covers 17 square miles of East Sussex. Over 40% of the Borough is within the South Downs National Park, which is to the west of the town. The English Channel bounds the south of the Borough, with Wealden District entirely enveloping the Borough, particularly to the north where the northern urban area of Eastbourne is contiguous with Willingdon, Polegate and Stone Cross in Wealden District. Much of the central and eastern areas of Eastbourne are constrained by flood risk. The main transport routes through the Borough are the A22 and A2290 and the London Victoria to Eastbourne railway.

Figure 1 - Eastbourne Location Map



(C) Crown copyright. All rights reserved. Eastbourne Borough Council. LA100025879 2021

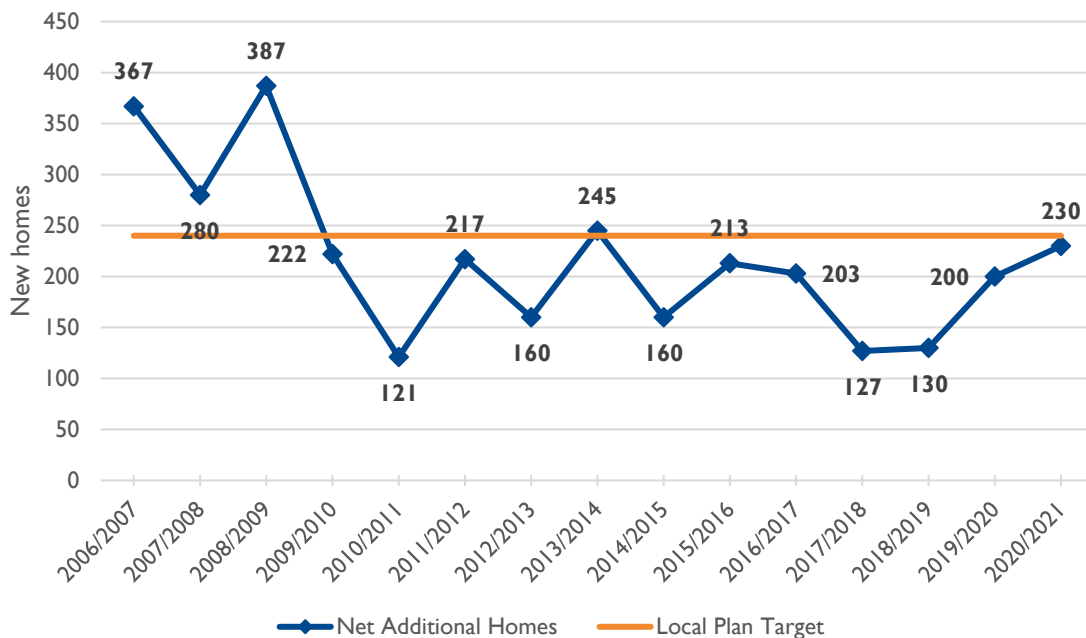
- 2.2 In 2020, Eastbourne Borough recorded a population estimate of 103,324 people², and contained 49,150 dwellings³. 40% of all residential properties are flats, and 27% are Terraced. Properties are predominantly 2-bed (34%) and 3-bed (36%).
- 2.3 Eastbourne Borough Council are in the process of preparing a new local plan to replace the Eastbourne Core Strategy 2006-2027, which was adopted in 2013 and set a housing requirement of 240 homes per year over the plan period.

² Office for National Statistics (ONS), Mid-year Population Estimates.

³ Valuation Office Agency, Table CTSOP1.0: number of properties by Council Tax band and region, county and local authority district as at 31 March 2020

- 2.4 Eastbourne Borough Council is the local planning authority for the area of Eastbourne Borough that is outside of the South Downs National Park. Therefore, the new Local Plan and this LAA will only apply to the part of the Borough outside of the National Park.
- 2.5 Since 2006, 3,263 net additional homes have been delivered in Eastbourne at an average of 217 new homes per year. However, this record is influenced by high levels of delivery in the early years of the plan. Figure 2 shows that delivery since the economic turndown in 2010 has reduced significantly, and over the last five years 890 new homes have been built at an average of 178 homes per year, despite the absence of a five-year housing land supply and the application of the NPPF’s presumption in favour of sustainable development.

Figure 2 - Net Additional Homes delivered against Local Plan target



- 2.6 Historically, housing delivery has been reliant on small sites. 77% of the homes delivered since 2006 have been on sites accommodating less than five units.
- 2.7 The NPPF (para 11b) confirms that the new local plan should, as a minimum, seek to meet the need for housing and other uses, as well as any needs that cannot be met within neighbouring areas (as established through Statements of Common Ground), unless there is a strong reason for restricting the overall scale, type or distribution of development in the plan area; or the adverse impacts of meeting the need would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.
- 2.8 The NPPF (para 61) also confirms that the starting point for determining the number of new homes that the new local plan should provide is determined through a local housing need assessment, which is conducted using a standard

methodology that is set out in Planning Practice Guidance (PPG)⁴. This currently identifies a local housing need for Eastbourne of 693 new homes per year.

- 2.9 However, PPG⁵ confirms that local housing need is not the housing requirement, and it is for the plan-making process to test whether there are reasons why it may be appropriate to plan for a different level of housing provision, for example where there are significant strategic constraints to development that would justify a lower level of provision. The LAA will provide key evidence that will identify land availability and provide justification for whether the local plan can meet the local housing needs.

⁴ PPG – Housing and economic needs assessment, Paragraph: 004 Reference ID: 2a-004-20201216

⁵ PPG – Housing and economic needs assessment, Paragraph: 002 Reference ID: 2a-002-20190220

3. NATIONAL PLANNING POLICY CONTEXT

- 3.1 This section provides a brief summary of the national planning policy and guidance contained within the NPPF and PPG that has informed the approach to undertaking the LAA.
- 3.2 The NPPF (para 119) emphasises the importance of making an effective and efficient use of land to meet need for homes and other uses, whilst at the same time safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 3.3 The NPPF (para 120) identifies the importance of using suitable brownfield land within settlements for homes and other identified needs, and supporting appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. It also recognises that the development of under-utilised land and buildings should be supported, especially where land supply is constrained and available sites could be used more effectively.
- 3.4 The NPPF (para 124) confirms that in making efficient use of land, account should be taken of:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
 - b) local market conditions and viability;
 - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
 - d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
 - e) the importance of securing well-designed, attractive and healthy places.
- 3.5 In terms of the identification of sites, the NPPF (para 121) confirms that local planning authorities should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.

Requirements for a Land Availability Assessment

- 3.6 The requirement to undertake the LAA is set out in paragraph 68 of the NPPF. This identifies that local planning authorities should have a clear understanding of the land available in their area through the preparation of a land availability

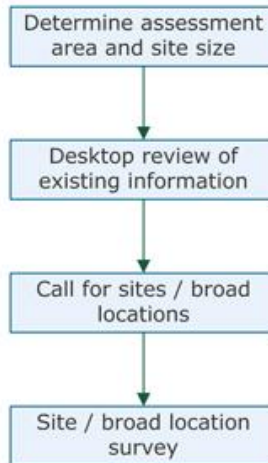
assessment, which will enable the authority to identify a sufficient supply and mix of sites taking account of their availability, suitability and likely economic viability.

- 3.7 PPG⁶ sets out the purpose of the assessment and identifies the content of the assessment. The guidance sets out that the assessment should:
- identify sites and broad locations with potential for development;
 - assess their development potential; and
 - assess their suitability for development and the likelihood of development coming forward (the availability and achievability).
- 3.8 The LAA aims to provide specific 'deliverable' sites for years one to five of the plan period; and specific, 'developable' sites or broad locations for growth, for years 6-10 and where possible, for years 11-15 of the plan. The NPPF (Annex 2) sets out the difference between the meanings of 'deliverable' and 'developable' in the context of the assessment.
- 3.9 The guidance identifies a process covering five main stages that should be followed to achieve a robust assessment. The PPG methodology is shown in Figure 3, and this approach has been followed in this methodology.
- 3.10 The following sections identify the detailed methodology and stages for how Eastbourne Borough Council will undertake the LAA.

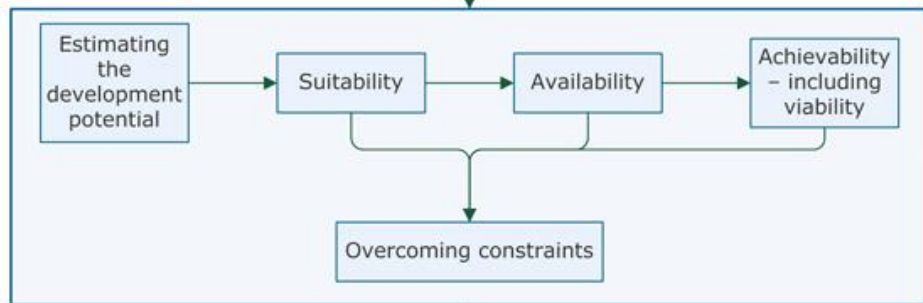
⁶ PPG - Housing and economic land availability assessment, Paragraph: 001 Reference ID: 3-001-20190722

Figure 3 - Housing and economic land availability assessment flowchart⁷

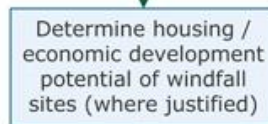
Stage 1 - Site / broad location identification



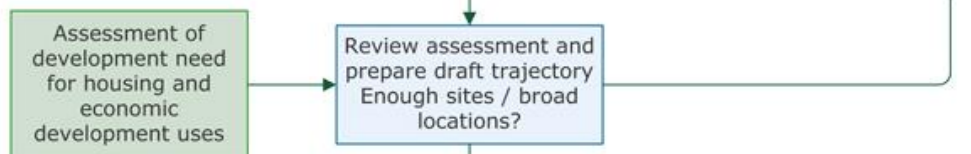
Stage 2 - Site / broad location assessment



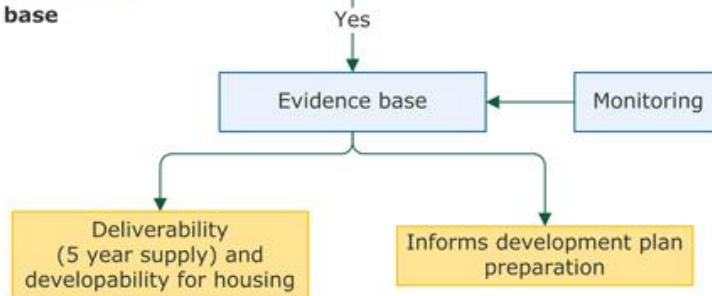
Stage 3 - Windfall assessment



Stage 4 - Assessment review



Stage 5 - Final evidence base



⁷ PPG – Housing and economic land availability assessment - Paragraph: 005 Reference ID: 3-005-20190722

4. STAGE I: SITE IDENTIFICATION

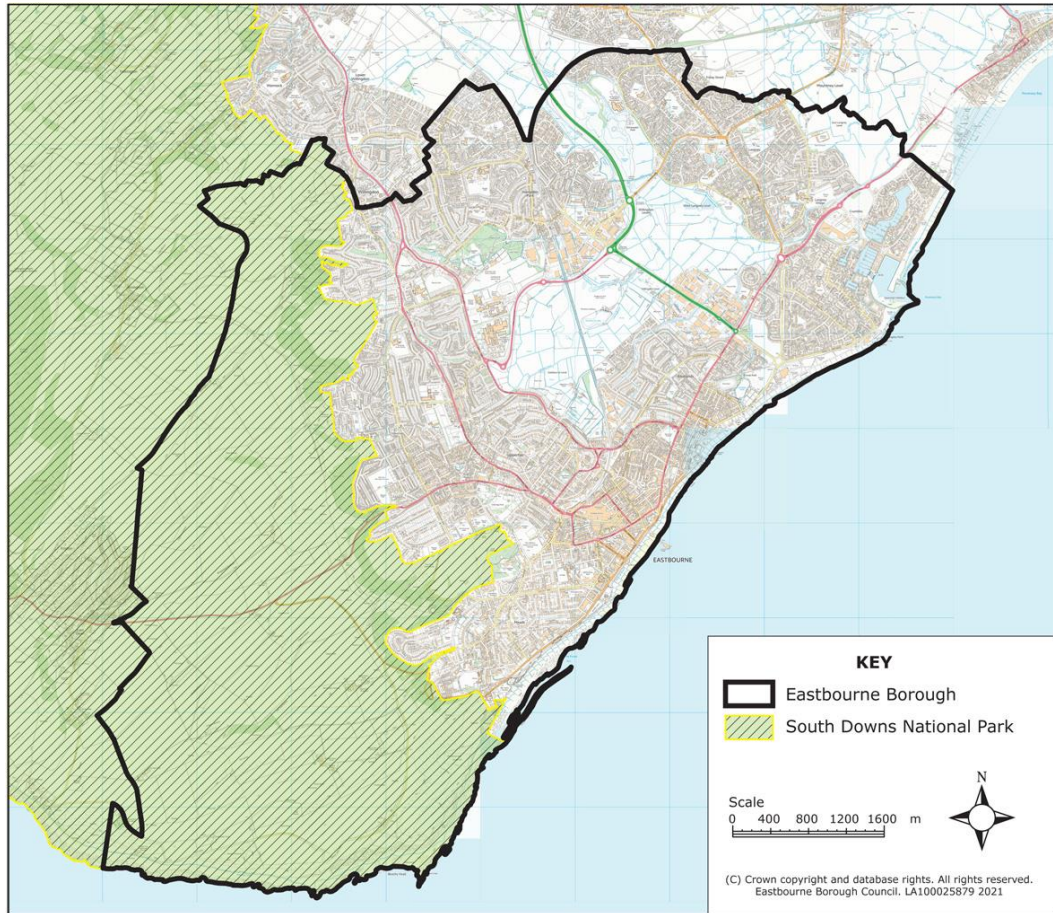
- 4.1 Stage 1 involves the identification of all potential sites for inclusion in the assessment. This section outlines the decisions and actions that will be completed to ensure there is a robust understanding of the amount of land with potential for development within the plan area.
- 4.2 The PPG does not specify which uses should be included in the LAA but indicates that residential should include different tenures, types including older people housing, private rented housing and self-build and that economic uses would include retail, leisure, cultural, office, industrial and warehousing. This LAA will also include other uses of land, including renewable energy generation, habitat banks or other forms of green infrastructure.

Task I: Determine assessment area and site size threshold

- 4.3 The PPG⁸ identifies that the area selected for the assessment should be the plan making area. Therefore, the area covered by the LAA is the administrative boundaries of Eastbourne Borough, excluding the area of the borough within the SDNP, as the South Downs National Park Authority (SDNPA) are responsible for all planning matters (both plan-making and decision-taking) within its area. The Borough outside of the SDNP is identified in Figure 4.
- 4.4 The PPG also advises that the assessment should be undertaken and regularly reviewed by working with other local planning authorities. In addition to the South Downs National Park, Eastbourne Borough also has close functional links with southern areas of the Wealden District. Wealden District Council is producing a SHELAA for their own administrative area.
- 4.5 Whilst the area to be assessed in this LAA is the Eastbourne Borough Council administrative area only, where a new or existing LAA site straddles or abuts the administrative boundary, the Council will assess those sites and liaise with the relevant neighbouring authority to provide information relevant to the assessment and consider the opportunities and constraints through the duty to co-operate process.

⁸ PPG – Housing and economic land availability assessment - Paragraph: 006 Reference ID: 3-006-20190722

Figure 4 - Eastbourne Borough and the South Downs National Park



- 4.6 The PPG recommends that it may be appropriate to consider all sites and broad locations capable of delivering 5 or more dwellings, or economic development on sites of 0.25 hectares (or 500 square metres of floorspace) and above.
- 4.7 However, land constraints and the fact that the majority of new homes in Eastbourne are delivered on small sites means that, in order to demonstrate a thorough understanding of land availability, the identification of potential sites for development should be as comprehensive as possible. For this reason, the LAA will not apply the site size threshold recommended by PPG, and instead will consider all sites capable of achieving any net gain in residential dwellings (i.e. sites that could deliver one or more net residential units) or 500 sqm of employment floorspace should be assessed.
- 4.8 The decision to not apply a threshold to the identification of housing sites has implications on the windfall allowance (Stage 3) and the way that this is assessed. Further information on this is provided in Section 6 of this report.

Task 2: Desktop review of existing information

- 4.9 The NPPF (para 121) and PPG⁹ confirms that a proactive approach should be taken to identify sites, and that plan-makers should not simply rely on sites that they have been informed about.
- 4.10 As a starting point, a desktop review of existing information will be carried out to identify potential sites for assessment. This will take a proactive approach to identifying as wide a range of sites for development as possible (including those existing sites that could be improved, intensified or changed), particularly using the sources of potential sites listed within the PPG¹⁰.
- 4.11 The sources that will be used to identify sites include:
- Undeveloped sites identified in previous versions of the SHELAA that are not subject to an extant planning permission
 - Sites submitted through a 'Call for Sites'
 - Sites that have been allocated in existing Local Plans
 - Sites that have an extant planning permission including those under construction
 - Sites where a planning application has been submitted but not yet determined
 - Sites where a planning permission has been granted but the permission has lapsed
 - Vacant, derelict and underutilised land and buildings, and sites on the Brownfield Land Register
 - Sites within Eastbourne Borough Council ownership
 - Surplus public sector land including land likely to become surplus in future
 - Sites identified through the pre-application advice service
 - Sites where an application was submitted and withdrawn, where planning permissions has been refused, and sites subject to appeal.

⁹ PPG – Housing and economic land availability assessment - Paragraph: 010 Reference ID: 3-010-20190722

¹⁰ PPG – Housing and economic land availability assessment - Paragraph: 011 Reference ID: 3-011-20190722

Task 3: Call for Sites

- 4.12 PPG¹¹ identifies that plan makers should issue a call for potential development sites and broad locations for development. This is to ensure as many sites as possible are included in the assessment.
- 4.13 The Call for Sites is aimed at a wide an audience as is practicable so that those not normally involved in property development can have the opportunity to contribute. Through the Call for Sites, private, public and voluntary sector bodies and individuals may submit potential housing sites for consideration as part of the LAA.
- 4.14 Call for Sites consultations have previously taken place on a number of occasions, including July – August 2016, October 2018 to March 2019, November 2019 – January 2020 and January 2022 – March 2022. Further Calls for Sites will be undertaken at regular intervals to ensure that all potential land has been identified and assessed.
- 4.15 On the commencement of a ‘call for sites’ an email invitation to submit sites is sent to those on the council’s consultation list, including those who have submitted sites previously. In addition to this, known large landowners in the Borough are contacted to ascertain their intentions and invited to submit any sites they may have surplus, or consider may become surplus in the plan period.
- 4.16 All submissions received through the Call for Sites will be included in the assessment. However, it should be noted that the nature of the developable land in Eastbourne has meant that very few sites have been submitted through the Call for Sites process in the past, and therefore the Call for Sites will not be the only method relied upon to identify sites.

Task 4: Urban Capacity Survey

- 4.17 In addition to the desktop review of existing information, thorough surveys of the existing built-up area will be undertaken in order to identify any further sites that may have the potential to accommodate future development, with a focus on identifying sites that have not been already identified through review of existing information or the call for sites. Taking this approach means that an ‘Urban Capacity Study’ is incorporated into the LAA, and this demonstrates consistency with the NPPF (para 121) and PPG requirements for local planning authorities to take a proactive approach to the identification of sites.
- 4.18 The process will involve identifying via GIS mapping and aerial photographs all undeveloped land within each neighbourhood that could be capable of accommodating any net gain in residential dwellings. This would include, but not

¹¹ PPG – Housing and economic land availability assessment - Paragraph: 012 Reference ID: 3-012-20190722

limited to, land being used as amenity space, car parks, garages and playing pitches, as well as land in commercial/employment uses within and adjacent to predominantly residential areas that may be suitable for redevelopment for housing.

- 4.19 Identification of sites at this stage does not suggest that they would necessarily be realistically considered for development, as this assessment will be undertaken in future stages of the LAA.
- 4.20 A site survey of each neighbourhood will be undertaken to clarify the status of the sites that have been identified via GIS/aerial mapping and gather additional information about the sites, and also to search for any additional sites that had not been previously identified.
- 4.21 Sites will be checked against sites identified via the desktop review of existing information and the call for sites to ensure that there is no double counting with sites.
- 4.22 All sites identified through the urban capacity survey will be taken forward to the next stage along with the sites identified through the desktop review of existing information and the call for sites.

Task 5: Site survey

- 4.23 The PPG¹² advises that all sites identified from data sources and the call for sites should be assessed against national policies and designations to establish which have reasonable potential for development and should be included in the site survey. The purpose of this is to:
- ratify inconsistent information gathered through the call for sites and desk assessment;
 - obtain 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; and
 - identify further sites with potential for development that were not identified through data sources or the call for sites.
- 4.24 Site surveys will be carried out as necessary with appropriate site characteristics being recorded to assist the subsequent, more detailed assessment. During the site survey the following information is recorded and verified:
- site size, boundaries, and location;

¹² PPG – Housing and economic land availability assessment - Paragraph: 013 Reference ID: 3-013-20190722

- current land use and character;
- land uses and character of surrounding area;
- physical constraints (e.g. access, contamination, steep slopes, flood risk, natural features of significance, location of infrastructure/utilities);
- potential environmental constraints, biodiversity and ecological sensitivities;
- potential heritage/historical environment constraints;
- landscape/townscape character and visual amenity constraints;
- proximity to the National Park boundary and consideration of whether site is within the setting of the National Park;
- consistency with the development plan's policies;
- proximity to services and other infrastructure, such as public transport; and
- initial assessment of whether the site is suitable for a particular type of use or as part of a mixed-use development.

4.25 PPG¹³ is clear that the LAA should identify as many sites as possible in order to provide a complete audit of the available land. The process of the assessment will provide the information to enable an identification of sites and locations that are most suitable for the level of development required.

4.26 As part of the initial assessment, constraints may be identified that could impact on whether the site is deliverable but that do not necessarily rule a site out completely.

4.27 Sites with identified constraints need to be included in the assessment for the sake of comprehensiveness; an important part of the desktop review is to identify sites and their constraints rather than simply to rule out sites outright. This includes sites where exclusion constraints exist on part of a site, which will not be excluded from the assessment.

4.28 However, there may be some sites which, when taking into account national policy and designations, it will not be appropriate to carry out these more detailed assessments for, where it is clear that they will not be suitable for development.

4.29 An initial desktop review of sites will be carried out to sift out those which should automatically be excluded from further assessment, based on the constraints set out in Table 1.

¹³ PPG – Housing and economic land availability assessment - Paragraph: 008 Reference ID: 3-008-20190722

Table 1 - Exclusions

Proposed Exclusion	Reason
<p>Areas or assets of particular importance identified within the NPPF including:</p> <p><i>Sites of Special Scientific Interest (SSSI), Special Area of Conservation (SACs), Special Protection Areas (SPA), Ramsar sites (wetlands of international importance), Scheduled Ancient Monuments, Historic Battlefields, Registered Park & Garden, National Nature Reserves, Ancient Woodland.</i></p>	<p>Nationally and internationally significant and important sites are protected by the National Planning Policy Framework (para 11 footnote 7) and by law and therefore sites within these designations will be excluded from further assessment.</p> <p>Where only part of a site falls within such designations, a judgement will be made whether to include the site and/or whether to reduce the developable area.</p> <p>Any sites adjacent to such designations will be carried forward for more detailed assessment in Stage 2.</p>
<p>Sites within the functional flood plain</p>	<p>Flood Zone 3b (functional floodplain) has the most severe risk of flooding. Eastbourne contains large areas of functional floodplain, and in these areas the PPG advises that only water compatible development should be permitted, and that housing and employment development is not permitted. Therefore, sites which fall entirely within Flood Zone 3b are excluded.</p> <p>Sites that are partly within Flood Zone 3b will be carried forward for more detailed assessment in Stage 2. Sites falling partly or entirely within Tidal Flood Zone 3a would also be included in the assessment at Stage 2 as these areas are protected by flood defences that would be maintained throughout the Local Plan period. These sites would need to be subject to an 'exception test' as part of the local plan process.</p>
<p>Field in Trust QEII Status</p>	<p>There are a number of sites in Eastbourne that have been given Fields in Trust QEII status, which provides a legal agreement between Fields in Trust and the landowner that the site will be used as green space and protected from development in perpetuity.</p> <p>These sites are therefore not legally available for development and are excluded from further assessment.</p>
<p>Sites that are expected to provide new homes through Change of Use or Conversion</p>	<p>The approach to the windfall assessment (Stage 3) is based on trends of housing delivery through change of use (non-residential to residential) and conversion (increase in dwellings within an existing residential building). Adjustments made to these trends to take into account recent changes in policy and legislation that may affect delivery, such as change to permitted development rights, in order to provide an assessment of future delivery from these sources.</p> <p>Sites identified in Stage 1 that are expected to provide new homes through Change of Use or Conversion are excluded from further assessment to ensure that there is no double counting of homes in the overall assessment.</p>

5. STAGE 2: SITE ASSESSMENT

- 5.1 The LAA will assess the potential capacity, suitability, availability and achievability of all sites taken forward from Stage 1. This will provide information on which a judgement can be made as to whether a site can be considered 'deliverable' within the next five years, or 'developable' over a longer period.

Task 6: Estimating development potential and capacity

- 5.2 The development potential and capacity is a significant factor that could affect the assessment of a site and whether a site can be considered deliverable, so the assessment of suitability and achievability should be carried out in parallel with estimating the development potential.
- 5.3 PPG¹⁴ states that the development potential should be the estimation of the development potential of each identified site can be guided by the existing or emerging plan policy including locally determined policies on density. There is no specific policy on density for residential or employment development in the adopted Eastbourne Core Strategy, or any other local plan documents, and the new Local Plan is not far enough advanced to identify potential density policies. However, Core Strategy Policy B1: Spatial Development Strategy and Distribution does identify that higher residential densities will be supported in the six most sustainable neighbourhoods (Town Centre; Upperton; Seaside; Old Town; Meads; and Langney).

Housing

- 5.4 PPG¹⁵ is clear that where there is likely to be insufficient sites to meet identified local housing need, assumptions about development potential need to ensure that these make the most efficient use of land.
- 5.5 The starting point for estimating development capacity for housing sites is to consider any existing available information. This may be the planning permission figure, pre-application stage or figures resulting from design work such as a masterplan or planning brief or a landowner or site promoters' capacity assessments where these are provided as part of the call for sites. These figures will be reviewed to ensure they are realistic in terms of the site size, location and characteristics, and adjusted for any individual site characteristics if necessary, and increased if it is not considered to be making the most efficient use of land.

¹⁴ PPG – Housing and economic land availability assessment - Paragraph: 016 Reference ID: 3-016-20190722

¹⁵ PPG – Housing and economic land availability assessment - Paragraph: 025 Reference ID: 3-025-20190722

- 5.6 Where an estimate does not exist, density assumptions will be applied to sites to provide an indicative yield. PPG¹⁶ notes that assumptions for making the most efficient use of land may include applying a range of densities that reflect the accessibility and potential of different areas, especially for sites in town and city centres, and other locations that are well served by public transport.
- 5.7 An assessment of residential density in Eastbourne has been undertaken¹⁷, which analyses the density of the established areas, compares these against the density of recent developments, and then identifies local circumstances that may influence the densities that would be appropriate in different parts of the town. This is done in order to establish appropriate densities for future residential development in different parts of Eastbourne with the aim of maximising the number of new homes that can be sustainably delivered.
- 5.8 The report makes recommendations for the density of future development within specified density areas, based on and the need for a significant uplift in densities where this is appropriate, which can then be applied to the process of estimating development potential and capacity of sites identified in the LAA. The density ranges are identified in Table 2, and a map of the density areas is provided in Appendix 1.
- 5.9 It is important to note that these housing densities are indicative for the future development of a site, and there may be site specific reasons why the density range is inappropriate for a particular site.
- 5.10 The report identifies that the development capacity of sites of less than 0.1 hectares is likely to be more heavily influenced by the characteristics and constraints of the site, meaning that density ranges are likely to be less appropriate for estimating capacity on small sites.

Table 2 - Density Assumptions

Density Area	Sites less than 0.4 ha		Sites between 0.4 ha and 2 ha		Sites more than 2 ha	
	DPH	Site Ratio	DPH	Site Ratio	DPH	Site Ratio
Very High Density	> 150	> 0.60	135	> 0.54	101	> 0.41
High Density	80-150	0.30-0.60	72-135	0.27-0.54	54-101	0.20-0.41
Medium-High Density	60-90	0.27-0.40	54-81	0.24-0.36	41-61	0.18-0.27
Medium Density	40-70	0.25-0.35	36-63	0.23-0.32	27-47	0.17-0.24
Medium-Low Density	30-45	0.22-0.32	27-41	0.20-0.29	20-31	0.15-0.22
Low Density	25-35	0.20-0.30	23-32	0.18-0.27	17-24	0.14-0.20

¹⁶ PPG – Housing and economic land availability assessment - Paragraph: 025 Reference ID: 3-025-20190722

¹⁷ Assessment of Residential Densities in Eastbourne (2021), EBC

- 5.11 In addition, sites within Conservation Areas are also likely to have sensitivities that mean that the identification of the potential capacity of the site will need to be determined on a case-by-case basis with account taken of the underlying characteristics of the area in which the site is located and justification provided as to why the density range is not appropriate.
- 5.12 Although some of the density ranges have an upper end of the range, these are indicative and it does not mean that the density of a particular development site cannot exceed the upper end of the range if there are no adverse impacts on the character of the area, the development can meet minimum space standards, and there are no sunlight/daylight issues for neighbouring or future occupiers.
- 5.13 For all sites, the appropriate density range will be considered as the starting point for identifying capacity, but the individual site characteristics and physical constraints will be considered and may result in the development potential figure being adjusted either higher or lower. The reasoning behind any adjustments will be clearly set out in the assessment and will be considered on a case-by-case basis due to the specific nature of sites.

Economic land

- 5.14 The starting point for estimating development capacity for employment sites is to consider any existing available information. For sites already in the planning process or identified through the Call for Sites with a realistic estimate of the amount of floorspace by type that is expected to be delivered already known, this figure will be reviewed, and if appropriate applied in the assessment.
- 5.15 For sites where the development potential is not already known, a simple plot ratio will be applied. The plot ratio is the relationship between the employment floorspace provided and the site area. It takes into account that office floorspace is often developed at a higher density than industrial floorspace because it is usually provided over multiple floors and in taller buildings than industrial uses, which tends to be in less central locations and requires more land for access and deliveries.
- 5.16 The estimates produced for employment sites in Table 3 are based on plot ratios and are approximate figures only that should be taken as an indication rather than an exact figure. The level of development potential will be justified within the assessment of the site.

Table 3 – Plot ratios for employment uses

Employment Use	Plot Ratio	Floorspace (sqm) per hectare
Office in Town Centre	0.8	8,000
Office out of Town Centre	0.3	3,000
Industrial	0.3	3,000
Warehouse	0.3	3,000
Retail/Leisure/Community	0.5	5,000

Other uses

- 5.17 The development capacity of sites identified for uses other than housing and employment, such as green infrastructure and renewable energy generation will be assessed on a case-by-case basis, taking into account the nature of the potential use and the individual site characteristics and physical constraints.
- 5.18 Sites considered not suitable for housing nor employment uses will be considered for other uses, such as green infrastructure. Sites will be assessed on a case-by-case basis as above in terms of the potential to provide environmental improvements and whether the site would have potential to be part of the Nature Recovery Strategy.

Task 7: Suitability Assessment

- 5.19 A site or broad location can be considered suitable if it would provide an appropriate location for development when considered against relevant constraints and their potential to be mitigated.
- 5.20 These assessments will form a portfolio of sites as part of the evidence base for the study. In accordance with PPG¹⁸, the criteria informing the suitability assessment will include:
- national policy;
 - appropriateness and likely market attractiveness for the type of development proposed;
 - contribution to regeneration priority areas;
 - potential impacts including the effect upon landscapes including landscape features, nature and heritage conservation.
- 5.21 Detailed criteria used to assess the sites is identified in Appendix 2.

¹⁸ PPG – Housing and economic land availability assessment - Paragraph: 018 Reference ID: 3-018-20190722

- 5.22 In July 2019, the Council declared a climate emergency and set the ambition to be a carbon neutral town by 2030. Addressing climate change is one of the core land use planning principles that the NPPF expects to underpin plan making, and mitigating climate change is part of the presumption in favour of sustainable development. The site assessments will allow for a high-level assessment of a site's ability for development to constitute sustainable development and therefore its suitability for development.
- 5.23 PPG¹⁹ states sites can be assessed against the adopted development plan; however, the assessment will need to take account of how up to date the plan policies are. The Eastbourne Core Strategy Local Plan was adopted in 2013 and is now considered to be out of date, so whilst current local plan policies will be given consideration, they are unlikely to significantly affect the site assessment.
- 5.24 As part of the assessment of the sites, consultation will be undertaken as appropriate with East Sussex County Council on highways, archaeology, ecology and flooding issues.
- 5.25 The findings of the suitability assessment will be categorised as set out in Table 4. Sites with no identified constraints are assessed as being 'suitable'. Sites with constraints that can be overcome with additional work are assessed as 'potentially suitable'. Sites with substantial constraints which are likely to act as 'showstoppers' to development are assessed as 'not suitable'.

Table 4 - Suitability Assessment

Suitability Assessment	
Suitable	<ul style="list-style-type: none"> The site offers a suitable location for the identified type of development and there are no known constraints at the time of the assessment
Potentially suitable	<ul style="list-style-type: none"> The site offers a potentially suitable location for development however further information, investigation or work is required to confirm. Potential constraints should be highlighted in the assessment for clarity.
Not suitable	<ul style="list-style-type: none"> The site is not a suitable location for development

Task 8: Availability Assessment

- 5.26 The availability assessment uses the PPG²⁰ definition that a site can be considered available for development, when on the best information available

¹⁹ PPG – Housing and economic land availability assessment - Paragraph: 018 Reference ID: 3-018-20190722

²⁰ PPG – Housing and economic land availability assessment - Paragraph: 019 Reference ID: 3-019-20190722

(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 impediments to development.

- 5.27 When submitting sites to the Council for consideration in the LAA, landowners or promoters are asked to include details of the ownership of the site and whether there are any known constraints to development. They are also asked to provide details of when they anticipate that the site could be available for the commencement of development.
- 5.28 For sites identified via other sources, land registry searches will be undertaken, and landowners contacted in order to ask for evidence of site availability.
- 5.29 Given the significant role of the LAA in terms of establishing a robust housing land supply for future development over a Plan period, if there is no reasonable prospect that the site will become available over the lifetime of the plan, then it cannot be included as a realistic option for development.
- 5.30 Through the assessment a judgement will be made based on the information submitted and otherwise available, as to whether the site is available and when it may be able to deliver development, as set out in Table 5. There may be complexities with some sites, such as multiple owners or existing tenancies which means the site will be considered as potentially available. Further information and/or assessment may be sought if sites are otherwise suitable and achievable and selected as part of the new local plan.

Table 5 - Availability Assessment

Availability Assessment	
Available	<ul style="list-style-type: none"> Landowner confirmed availability and there are no known legal or ownership issues Sites with planning permission (including major development with detailed permission unless there is evidence otherwise)
Potentially Available	<ul style="list-style-type: none"> The land is in multiple ownership and may have assembly issues The land accommodates an existing use which would require relocation, for which arrangements are not in place The land is subject to legal issues, preventing the site being available in the short term
Not Available	<ul style="list-style-type: none"> Landowner(s) have expressed an intention to not develop the site, or no response or contact from landowner
Unknown	<ul style="list-style-type: none"> The site has been assessed as 'unsuitable' and therefore it has not been necessary to contact the landowner to confirm availability

Task 9: Achievability Assessment

- 5.31 According to PPG²¹, a site should be considered achievable for development if 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 let or sell the development over a certain period.
- 5.32 Although the PPG does not identify exactly how ‘achievability’ should be assessed, the following factors will be taken into account²²:
- **Market factors** – such as adjacent uses, economic viability of existing, proposed and alternative uses in terms of land values, location attractiveness and market demand.
 - **Cost factors** – such as site preparation linked to physical constraints, any exceptional works necessary, relevant planning standards/ obligations.
 - **Delivery factors** – including the developer’s phasing, realistic build-out rates and the size, capacity and number of developers in charge of the site.
- 5.33 As part of the Local Plan evidence gathering process, a viability assessment of the whole plan will be undertaken, which will take account of all relevant national and local policies and standards which could impact on the viability of a site, such as the Council’s Community Infrastructure Levy, nationally or locally set affordable housing contributions, or other planning obligations. The purpose of the ‘whole plan’ viability assessment is to ensure that policies are realistic and that the cumulative cost of relevant policies will not undermine deliverability of the plan.
- 5.34 The achievability assessment findings will be categorised as shown in Table 6. The assessment is based on a balanced judgement of the site values against the development costs. Where values are likely to exceed the cost of development then the site will be categorised as achievable at this stage. Where the judgement is finely balanced, the site will be assessed as potentially achievable.
- 5.35 Sites where it is considered that the value of the site will not exceed the development costs the site will be assessed as ‘unlikely to be achievable’. This may be due to constraints such as extraordinary requirements for access or infrastructure or may be due to expected lower sales values in a particular location. This is a high-level judgement and the site owner may be able to demonstrate that a site is at least potentially achievable.

²¹ PPG – Housing and economic land availability assessment - Paragraph: 020 Reference ID: 3-020-20190722

²² Department for Communities and Local Government, (2007), Strategic Housing Land Availability Assessment: Practice Guidance

- 5.36 Sites previously granted permission that lapsed will be carefully assessed to ensure they are achievable. Although these sites could still come forward, this will ensure a cautious approach to estimating the overall supply.

Table 6 - Achievability Assessment

Achievability Assessment	
Achievable	<ul style="list-style-type: none"> The site appears to have a realistic prospect of achievability
Potentially Achievable	<ul style="list-style-type: none"> The site appears to be potentially achievable
Unlikely to be Achievable	<ul style="list-style-type: none"> The site appears not to have a realistic prospect of achievability
Unknown	<ul style="list-style-type: none"> Insufficient information available or additional evidence/work is required to complete the assessment

Task 10: Assessment of the deliverability and developability of each site

- 5.37 The assessment of suitability, availability and achievability of sites will provide information on which a judgement can be made in the plan making context as to whether a site can be considered deliverable over the plan period. The definitions of deliverable and developable are set out within the NPPF (Annex 2).
- 5.38 The sites will be assessed as follows:
- Sites classified as “deliverable” should be expected to be developed within the next five years.
 - Sites classified as “developable” should be expected to be developed within the plan period.
 - Sites classified as “potentially developable” may be expected to be developed in the plan period, but further evidence may be expected change the assessment of the site
 - Sites classified as “undevelopable” cannot realistically be expected to be developed in the foreseeable future.
- 5.39 Where there are constraints identified that impact on the suitability, availability and achievability of a site, an assessment will be made of what actions could be taken to overcome them, in accordance with PPG²³.

²³ PPG – Housing and economic land availability assessment - Paragraph: 021 Reference ID: 3-021-20190722

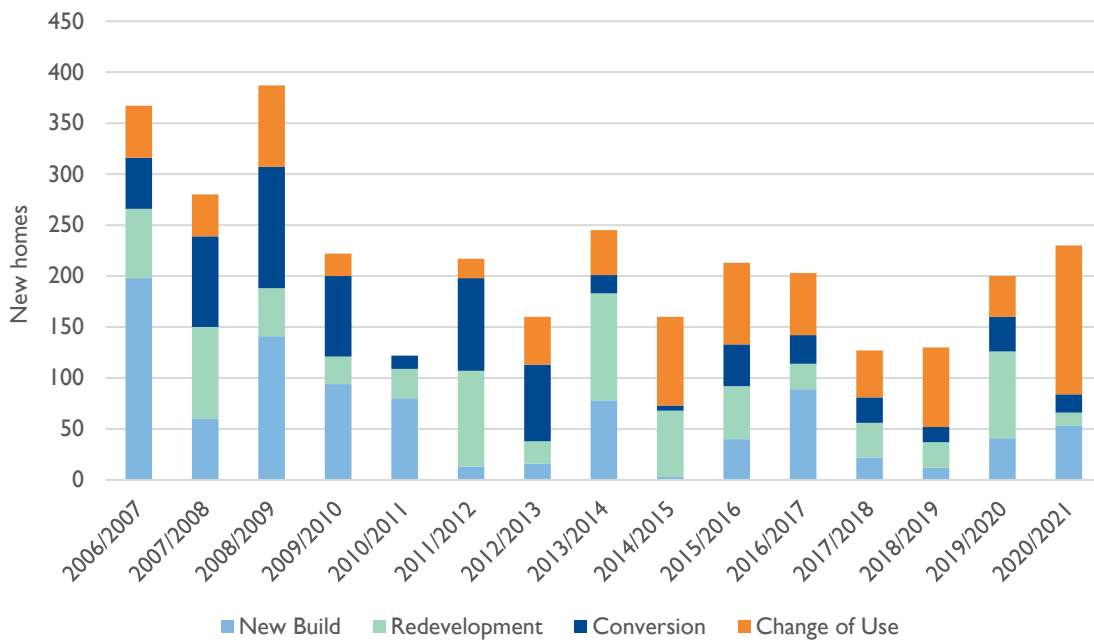
- 5.40 Information on suitability, availability, achievability and constraints will be used to assess the timescale and rate of development and which time period each site is capable of being delivered by.
- 5.41 In accordance with the PPG²⁴, each site will be assigned a timescale for delivery, which is either 1- 5 years, 6-10 years, 11 years and beyond.
- 5.42 The timescales will depend on the information known about each site in relation to its suitability and availability for development. If there are no known constraints to development and the site is owned or controlled by a landowner / developer who is in the process of bringing the site forward for development, the site will fall into the 0-5-year timescale. If a site is complex, is in multiple ownership, has constraints to development or there is no clear immediate intent to develop, this site will be assigned a later timescale of 6-10 years. If a site is expected to come forward for development within the plan period but there are severe constraints to delivery or intention to develop is not clear these sites are assigned the 11 years and beyond category.

²⁴ PPG – Housing and economic land availability assessment - Paragraph: 024 Reference ID: 3-024-20190722

6. STAGE 3: WINDFALL ASSESSMENT

- 6.1 The NPPF (para 71) permits the inclusion of a windfall allowance in the anticipated supply where there is compelling evidence that such sites have and will continue to form a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.
- 6.2 The role of windfall in a LAA is therefore to provide an allowance for sites which contribute to future housing supply through an analysis of past trends. Using trends to identify anticipated delivery provides evidence that this source of supply will continue forward over the local plan period.
- 6.3 The majority of housing delivery in Eastbourne over recent years has been on small sites, and it is expected that this will continue into the future. This is the basis for not applying a site size threshold to the LAA, which should lead to a more robust assessment as it will include potential sites regardless of size. However, this means that careful consideration needs to be given to the windfall assessment to ensure that it avoid any double counting.
- 6.4 Completed development sites since 2006 that have delivered net additional dwellings have been categorised as being either:
- New Build – the development of an empty, vacant or unused previously developed site, or greenfield site
 - Redevelopment – the demolition of an existing building and provision of new development in its place
 - Change of use – the change of a non-residential use to residential use within an existing building
 - Conversion – a change in the number of residential units within an existing residential building (including the creation of new dwellings through upward or sideward extensions).
- 6.5 Since 2006, 29% of new homes have been delivered via New Build developments. Changes of use provided 26% of new homes whilst 24% have been delivered through Redevelopments. The remaining 21% have been delivered through Conversions. The number of homes delivered in each year via these methods is identified in Figure 5.
- 6.6 It is expected that the majority of the sites that will be identified in the LAA will predominantly be either New Build or Redevelopment sites, as these are the most easily identifiable in advance of the site becoming known to the planning system.

Figure 5 – Number of new homes delivered by Development Type and Year



6.7 However, the potential supply of sites includes buildings currently in non-residential use, or buildings currently in residential use where the number of homes provided can be increased. There is consequently a potential supply of housing land whose release for housing development tends to be determined primarily by buildings becoming available through the discontinuation of other uses, which are less obviously identifiable in advance of these sites becoming known to the planning system. Where this occurs, such sites can achieve planning permission and be implemented relatively quickly, including through the use of permitted development change of use rights.

6.8 Therefore, the approach to assessing windfall will be based on type of development, rather than size of development. The future windfall allowance will be identified based on trends of housing delivery through Change of use and Conversion sites (including planning permissions and permitted development), going back as far as 2006 to take into account economic cycles. These will then be adjusted to take into account recent changes in national policy and legislation that may affect delivery, such as change to permitted development rights, in order to provide an assessment of future delivery from these sources.

6.9 In order to avoid double counting of sites through the site identification and assessment process in the LAA and the windfall assessment, any site identified in Stage 1 of the LAA that is expected to provide new homes through Change of Use or Conversion will be excluded from further assessment (see Table 1). This will ensure that these new homes are not counted twice.

6.10 In identifying an appropriate windfall allowance based on delivery through change of use and conversion, a more detailed analysis will be undertaken on new homes delivered via conversion and change of use since 2006, including amount,

type and location of new homes, and also what type of change of use or conversion has taken place. This will allow the identification of past rates of delivery from these methods and be used to calculate a baseline allowance based on past trends, including broad location (neighbourhood) where new homes are expected to be delivered via these methods.

- 6.11 Consideration will then be given to how other factors such as how changes to national policy, guidance and regulations may impact these trends in future, and if these trends can be sustained over a longer timeframe. This will enable justified adjustments to be made to the past trends to reflect a realistic position in terms of potential future delivery.
- 6.12 The windfall trends will be projected forward to provide a windfall allowance for the plan period. There will be no windfall allowance included in years 1-3 to avoid double counting with extant planning permissions.

7. STAGE 4: ASSESSMENT REVIEW

- 7.1 Based on assessment of sites through Stages 1 to 3, an indicative trajectory will be prepared setting out how much housing and the amount of economic floorspace that can be provided, and at what point in the future.
- 7.2 In line with the PPG²⁵, an overall risk assessment will be made as to whether sites will come forward as anticipated.
- 7.3 Where the trajectory shows there to be insufficient capacity to meet local housing need, the assessments within Stages 1 to 3 will be revisited to establish whether anything can be done to alter the outcome of the assessment. This could include further call for sites, further evidence work to confirm assessments, investigations on availability of sites and/or identifying opportunities to facilitate land assembly to bring forward sites.
- 7.4 If there are still insufficient capacity identified to meet the local housing need, it will be necessary to investigate how this shortfall can best be planned for. PPG²⁶ advises that if there is clear evidence that strategic policies cannot meet the needs of the area, factoring in the constraints, it will be important to establish how needs might be met in adjoining areas through the process of preparing statements of common ground, and in accordance with the duty to cooperate. If following this, needs cannot be met then the Council will have to demonstrate the reasons why as part of the plan examination.

²⁵ PPG – Housing and economic land availability assessment - Paragraph: 024 Reference ID: 3-024-20190722

²⁶ PPG – Housing and economic land availability assessment - Paragraph: 025 Reference ID: 3-025-20190722

8. STAGE 5: FINAL EVIDENCE BASE

8.1 PPG²⁷ sets out the standard outputs which are expected to be produced following the assessment:

- a list of all sites or broad locations considered, cross-referenced to their locations on maps;
- an assessment of each site or broad location, including:
 - where these have been discounted, evidence justifying reasons given;
 - where these are considered suitable, available and achievable, the potential type and quantity of development, including a reasonable estimate of build out rates, setting out how any barriers to delivery could be overcome and when;
 - an indicative trajectory of anticipated development based on the evidence available.

8.2 Following the assessment of sites, the LAA will be published and site owners and/or promoters will be invited to update any information or submit evidence to overcome issues identified. Site owners and/or promoters are encouraged to submit additional sites, or updated information on submitted sites as necessary throughout the process.

Monitoring

8.3 Planning permissions, commencements and completions for housing and employment floorspace are monitored on a regular basis. The housing trajectory will be at least annually reviewed as part of the five-year housing land supply assessment in the Authority Monitoring Report (AMR).

8.4 The LAA will be reviewed and published annually, or as and when there are significant changes to the information about land in the borough that would affect the accuracy of the assessment. The methodology for the assessment will be updated only when national or local policy changes requires such.

8.5 Monitoring and review of the LAA and housing trajectory will highlight whether:

- Sites under-construction have now been developed;
- Sites with planning permission are under construction and the level of progress;
- Applications have been submitted or approved on identified sites;
- Previous constraints have been overcome providing further developable land;

²⁷ PPG – Housing and economic land availability assessment - Paragraph: 026 Reference ID: 3-026-20190722

- Constraints have emerged that may result in land being no longer available, and how these can be resolved.
- Windfall development is coming forward as expected, and whether any allowance will need adjusting.

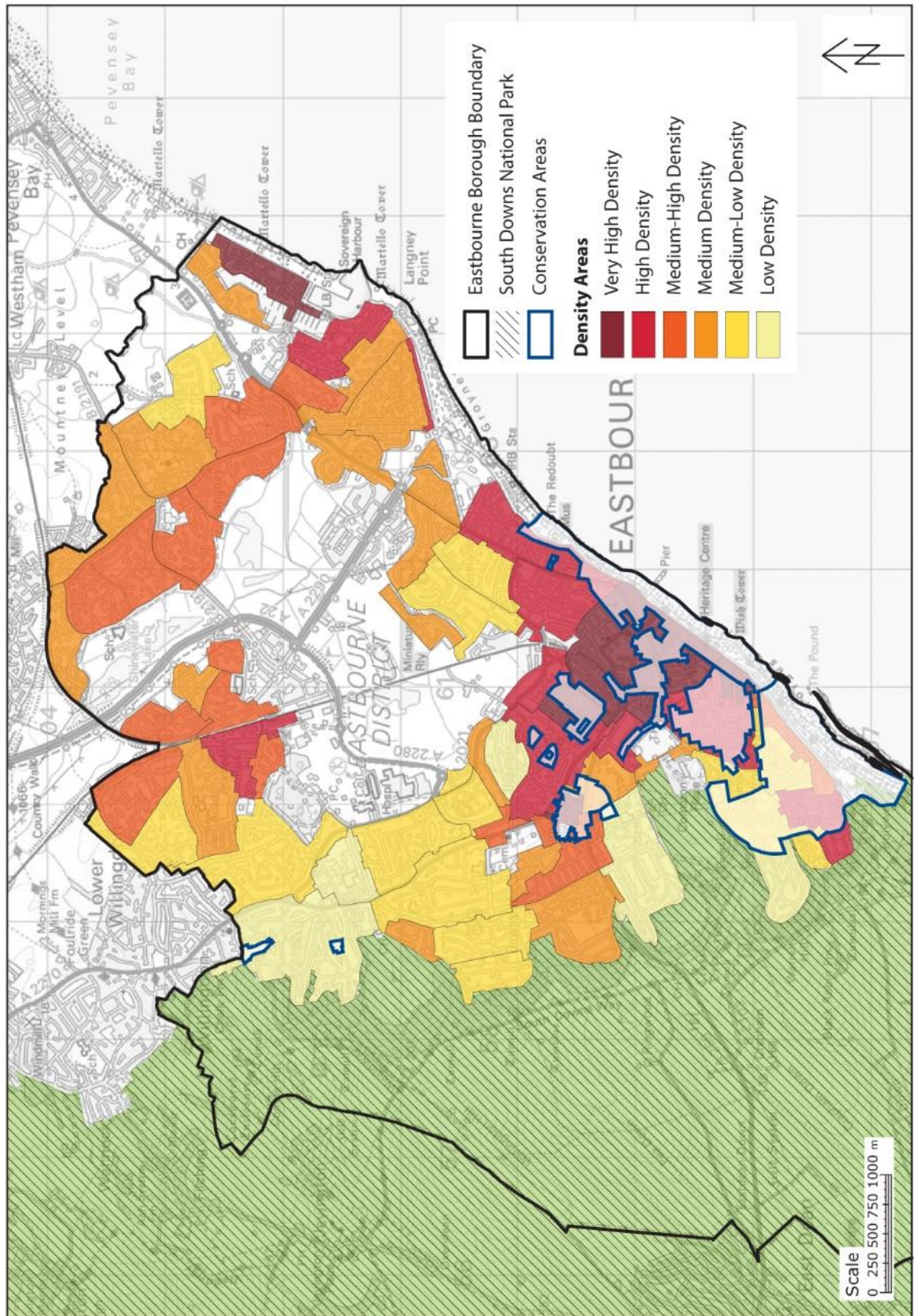
APPENDICES

Appendix 1 – Density Area Map

Appendix 2 – Site Assessment Criteria

Appendix 3 - Consultation

Appendix I: Density Area Map



(C) Crown copyright. All rights reserved. Eastbourne Borough Council. LA100025879 2021

Appendix 2: Site Assessment Criteria

Criteria	Factor	Questions to consider in assessing site
Suitability Assessment		
Policy Restrictions	National policy constraints	Consideration against the National Planning Policy Framework.
	Local policy constraints	<p>Would development of the site result in the loss of an existing use?</p> <p>Is the site a designated open space/sports pitch/playing field?</p> <p>Would the development of the site have an adverse impact on the viability or vitality of a designated shopping area or industrial estate?</p> <p>If the site is within the setting of the South Downs National Park can development be sensitively located and designed to avoid adverse impacts on the landscape, environment, wildlife and cultural heritage?</p> <p>What are the risks or potential vulnerabilities of the site to climate change over its lifetime?</p> <p>What, if any, potential is identified for the site in the Energy Opportunities Map?</p>
	Market attractiveness	Is there a demand for the type of development in this location?
	Contribution to regeneration	Is the site within a regeneration priority area?
	Current use / surrounding uses	Would the identified type of development be compatible with existing adjacent/nearby uses?
	Environmental Constraints	<p>Are there any Tree Preservation Orders, protected hedgerows or woodland designations on the site?</p> <p>Are there any Scheduled Monuments, Registered Park and Garden, Listed Buildings or Conservation areas nearby, or is the site within an Archaeological Notification Area? If so, is there potential for harm to their significance?</p> <p>Does the site have any local designations? Is there potential for the site to be part of the Nature Recovery Strategy and local designations?</p>
	Site typology	Is the site previously developed land?
Physical Site Issues	Highways infrastructure	Is there capacity in the surrounding highway network capable of supporting the identified type and amount of development?
	Site access	Is there appropriate existing access, or is creation of a new access possible?

Criteria	Factor	Questions to consider in assessing site
	Contaminated land / Hazardous risks	Is there any known contamination? Is the site in proximity to a high-pressure gas pipeline?
	Topographical constraints	How will the topography of the site influence the intended development or density potential?
	Utilities	Are there existing utilities in close proximity? Are there underground utilities such as sewers that would impact the development of the site?
	Flooding	Is the site at risk of flooding? Is the site within a buffer area around a watercourse?
	Landscape / townscape sensitivity	Can the intended use/density of use be accommodated in landscape / townscape terms?
	Biodiversity / ecological sensitivity	Does the site have any biodiversity designations on or adjacent e.g. Local Wildlife Site? Are there known protected species, or priority habitats on site or nearby? Does the site have potential to be part of the Nature Recovery Strategy? Is the site part of a Biodiversity Opportunity Area?
Locational Suitability of Residential Development	Public transport accessibility	Is the site within 5-minute walking distance (400m) of bus stops? What are no. and frequency of services? Is the site within 15-20 minutes walking or cycling distance (approximately 1.6km) of a train station?
	Other sustainable transport opportunities	Does the site have pedestrian linkages or cycle path/network connections?
	Access to local shops and services	Where, and what is, the nearest neighbourhood centre? What services does it provide? What local shops/services are available within a 15-20-minute walking/cycling distance (approximately 1.6km)? Is the site within 10-minute walking distance (800m) of an open space/playing field/sports pitch?
	Residential amenity	Does the site adjoin existing residential uses? Would the identified use be compatible with existing neighbouring uses? Would there be residential amenity issues for neighbouring or future occupiers?
Availability Assessment		
Ownership/use	Single/multiple ownership	Are there any known legal or ownership constraints? Are there any ransom strips?
	Indication of intention to develop	Has an intention to develop been confirmed? Has any progress been made towards an application?

Criteria	Factor	Questions to consider in assessing site
	Current use of the site	Are there any leaseholders/tenants requiring relocation? When does the lease period expire?
Achievability Assessment		
Cost/delivery factors	Sales value	Are sales values/returns likely to be sufficient to cover costs of intended development?
	Abnormal costs	Are there likely to be additional costs in association with access or highway infrastructure, contamination, topography or land stability costs?
	Market factors	Is there market demand for the intended use? What is the economic viability of the existing, proposed or alternative use? What is the land value of alternative uses?

Appendix 3: Consultation

- A3.1 A consultation on the Methodology was undertaken between the 28th January 2022 and 11th March 2022. The purpose of the consultation was to allow stakeholders opportunity to input to the LAA methodology to help refine the way that sites are assessed. The consultation was hosted through our consultation website, and comments could be made online by completing the online response form or alternatively a response form could be downloaded and returned by post or email to the policy team. The consultation was undertaken alongside a 'call for sites'.
- A3.2 The council maintains a database of individuals or groups to notify when consultations on the Local Plan take place. This includes statutory bodies, and those who have requested to be kept informed of the Local Plan process. Emails were sent to all those on our consultation list advising of the consultation period, and how to access the consultation documents.
- A3.4 A total of four responses were received to the consultation all from statutory bodies and/or neighbouring authorities, no responses were received from members of the public or site promoters.
- A3.5 The following provides a summary of the comments received and the Council's response to those comments.

Wealden District Council

Comment	Response
Paragraph 4.5, Page 8: This paragraph notes that where a new or existing LAA sites straddles or abuts the administrative boundary with another local authority (such as Wealden), EBC will assess those sites and liaise with the relevant neighbouring authority to provide information relevant to the assessment and consider the opportunities and constraints through the duty to cooperate process. WDC supports this approach and will equally seek to liaise with EBC on sites within Wealden that abut the administrative boundary of EBC.	Noted.
Paragraph 4.7, Page 9: WDC fully supports the approach taken by EBC of lowering the site size threshold recommended in the Planning Practice Guidance (PPG) to assess sites within the LAA that only deliver a net gain of a single dwelling, given the urban nature of Eastbourne and its land constraints.	Noted.
Paragraph 4.11, Page 10: WDC considers that the minimum list of sources used to identify sites that is set out in the PPG is met. However, should the	4.18 refers to amenity space, car parks, garages, and playing pitches.

Comment	Response
sources identified in paragraph 4.18 of the LAA Methodology be included at paragraph 4.11 of the LAA Methodology also?	<p>Vacant, derelict and underutilised land and buildings under bullet point 7 would include many types of land, it's not felt necessary to mention specific types of land.</p> <p>Local Authority amenity space and playing pitches may also fall in surplus public sector land, this will be considered through the open space and playing pitch study.</p>
<p>Table 1, Page 14: This table confirms that all new sites that are expected to provide new homes through change of use or conversion will not be assessed individually (even if of a significant scale, such as an office or former department store) and would instead form part of a windfall assessment that is based on historic trends. WDC is concerned that such an approach may underplay the level of new housing development that comes forward through this source. WDC anticipates that such a reliance on past trends will not deliver the step change in housing delivery required by EBC.</p>	<p>Windfall through changes of use or conversion relate to existing buildings over which you have little influence on density. It is considered that any step change in density would be through increased delivery on identified sites where there is greater influence over quantum and design of development, rather than from changes of use or conversion where the number of homes provided is constrained by the existing building.</p> <p>Change of use and conversions are excluded to avoid double counting and an allowance for these is made and justified through the Windfall Assessment.</p> <p>Large sites such as large office blocks or unused retail shops would be identified in Stage 1 but excluded from further assessment if it was considered that they were likely to come forward as a change of use rather than a redevelopment. Each site would be considered on individual merits in the initial stage 1.</p> <p>We confirm that the two now unused department stores in the town centre (TJ Hughes and Debenhams) will be assessed in the LAA as indications suggest these are likely to be redevelopment of the sites rather than changes of use. Therefore, these sites would not be excluded in stage 1.</p> <p>It would not be possible to identify all houses which could be conversions to flats, this would be too onerous.</p> <p>Therefore, housing delivery via conversions and changes of use will be based on an assessment based on past trends adjusted by reasoned assumptions of the impact of changes to national policy and regulations.</p> <p>It should be noted that it is likely that the majority of the office space that can be readily converted has already done so, as acknowledged by the Economy Study.</p>
<p>Table 4, Page 19: We note that the category 'unknown' has been used to classify a site's suitability within the LAA. We note that the LAA is</p>	<p>The use of unknown in terms of 'suitability' was proposed where vital evidence documents relevant to the assessment of that site had not been</p>

Comment	Response
<p>ongoing and information and evidence work is ongoing. However, WDC does not consider that insufficient information is grounds to consider the site assessment as 'unknown' and that everything should be done by the local planning authority to confirm whether the site is either considered as 'potentially suitable' or 'not suitable', dependant on the evidence assembled.</p>	<p>completed. However, it is accepted that the site could be assessed as 'potentially suitable' in instances where evidence is still to be gathered to enable an assessment to conclude either 'suitable' or 'unsuitable'. Therefore the 'unknown' assessment outcome has been removed in terms of the 'suitability' assessment.</p>
<p>Table 5, Page 22: We note that the category 'unknown' has been used to classify a site's availability within the LAA. Again, we note that the LAA is ongoing and information and evidence work is ongoing. However, WDC does not consider that insufficient information is grounds to consider the site assessment as 'unknown' and that either contact has or should be made with the site owner, or has not, and in the case of latter, the site should be considered as available, unless there is recent information to the contrary.</p>	<p>The PPG states:</p> <p><i>A site can be considered available for development, when on the best information available...there is confidence that there is no legal ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.</i></p> <p>Every effort will be made to contact landowners and ascertain whether an identified site that is assessed as 'suitable' is available. However, if that owner does not engage, there is no evidence the site is available and the site becomes 'unavailable' in the assessment, in line with the PPG.</p> <p>It is anticipated there will be no 'unknown' assessments of availability on 'suitable' sites in the LAA.</p> <p>However, it is not considered necessary to ascertain availability where a site is assessed as not suitable, as this would not change the overall assessment of whether the site was developable. As set out in paragraph 5.30 of the methodology which states:</p> <p><i>"Further information and/or assessment may be sought if sites are otherwise suitable and achievable and selected as part of the new local plan."</i></p>
<p>Paragraph 6.8, Page 27: It is accepted that it is difficult to identify changes of use or conversions in advance of these sites becoming known to the planning system, as such sites do tend to come forward without pre-warning to the local planning authority. However, EBCs approach to assessing windfall being based on the type of development, rather than the size of development, is not considered sufficiently robust, as it is known that with the losses in both retail and office floorspace in recent years (exacerbated by the Covid-19 pandemic) that there may be large sites capable of conversion within Eastbourne's Town Centre specifically. Although, the windfall assessment will take account of trends on housing delivery through changes of use and conversions since 2006, and</p>	<p>The concern is noted. The issues around land supply in Eastbourne are very different to many other local authorities. In light of local circumstances and issues, it is considered appropriate that this methodology does not apply the PPG threshold and excludes changes of use/conversions, which allows for a 'windfall' allowance to maximise the potential supply calculation.</p> <p>If some sites which are likely to be changes of use or conversion are included in the assessment this would undermine the Windfall Assessment as it could result in potential supply being double counted.</p>

Comment	Response
will take account of future trends, WDC are still concerned that such a windfall assessment may underplay the quantum of residential development that will come forward through such development types, given the unprecedented climate for office/retail development.	The windfall assessment includes past trends and reasoned justification of future supply based on the anticipated impact of changes to national policy and regulations.

Sport England

Comments	Response
Sport England welcomes the identification of site suitability factors in Appendix 2 and recognises that the first relates to national (NPPF) planning policies and guidance. However, we consider that these criteria should specifically identify playing field and sports sites. Although identifying sites where development may prejudice the use of nearby playing field sites may be more challenging, Sport England advises that any sites adjacent to sports or playing field sites are identified clearly because mitigation for potentially prejudicial impact may be required in bringing any site forward for development in such locations.	To include sports pitch and playing field in site assessment criteria changed point 2 of Local Policy Constraints to; <i>Is the site a designated open space/sports pitch/playing field?</i>
Where the Council presents data for sites on a proforma we would welcome inclusion of a grid reference for each site; and criteria for 'playing field' or 'sports land use'; or within x metres of a playing field or sporting facility within such a proforma, as it could significantly reduce the amount of time taken for Council officers or Sport England to review and check each site manually using the data provided, Active Places Power and Google Earth satellite imagery. It may also be helpful to us to receive data files from you on request in order to compare against our own sports databases.	Grid reference will be included on the proforma. The distance from sports pitch/playing field would be onerous, but a more simple inclusion of whether the site was within a certain distance of a playing field/sports pitch will be included in 'Locational suitability of Residential development, under Access to local shops and services' and provided on the proforma. Once published we can provide data files on request.
Sport England would be happy to receive advance consultation where potential allocations directly or indirectly affect the use of playing fields or other sporting infrastructure. The Council will be aware of Sport England's role as a statutory or a non-statutory consultee on planning applications affecting playing fields and in other circumstances, therefore it is important that consideration is given to the implications for existing sports facilities when decisions are made about site allocations. Sport England would wish to avoid having to make potential objections through the Local Plan process and the subsequent planning application process to address the impact of potential allocations on community sports facilities. Data on sports sites	Noted. EBC will carry out consultations as soon as practicable on potential allocations and provide data files on request.

Comments	Response
should be available on our Active Places Power website https://www.activeplacespower.com/	
Any potential allocations on sports sites or affecting sports sites should be based on an up to date Playing Pitch Strategy, as robust evidence is required by NPPF paragraph 98 to justify the release of playing fields/recreation sites for development if proposed; or any sports use should be replaced elsewhere.	Noted. Currently in the process of commencing an Open Space and Playing Pitch Strategy which will inform the LAA assessments.
Where greater housing need is demonstrated the Council should be able to use evidence from its' Built Facilities Strategy to ensure that decisions about planning for meeting the current and future indoor sports facility needs of the community through a Local Plan, are also based on up-to-date evidence. Furthermore, a robust evidence base to provide a clear understanding of current and future indoor community sports facility needs is essential for informing any new plan or review.	Noted. This will be included in Open Space Assessment.

Sussex Wildlife Trust

Comment	Response
SWT seeks clarity on Section 4.11 and what this bullet point means ' <i>Surplus public sector and including land likely to become surplus in future.</i> ' We unclear from the document how surplus will be defined or determined. This should be set out, particularly in terms of how long into the future will be considered.	This means sites that are on the National Register of Public Sector Land, or land owned by the Local Authority or other public sector bodies that is identified by them as being surplus land.
A further bullet point indicates: <i>'Sites where an application was submitted and withdrawn, where planning permissions has been refused and sites subject to appeal.'</i> SWT would expect the reasons for refusal to be clearly stated in the LAA.	Noted, and confirmed that previous refusals will be considered and noted if issues raised are able to be overcome or constitute showstoppers and therefore the site is not suitable.
SWT acknowledge that section 4.19 goes on to state that <i>Identification of sites at this stage does not suggest that they would necessarily be realistically considered for development</i> We highlight that this approach has the potential to identify significant areas for development that provide current natural capital resource in urban locations. We therefore ask the council to ensure that the lands existing functions within those communities is determined. Sites in these urban areas should not be considered in isolation, but in	Task 4, urban capacity study's purpose is to identify land that could potentially accommodate future development, the assessment of whether they would be 'suitable' follows later in the LAA, under Stage 2. Given the high housing need in the Borough all sites need to be considered for the potential to accommodate future development. The purpose of paragraph 4.19 is to advise that the identification of a site would not necessarily mean that the sites would realistically be considered suitable because

Comment	Response
<p>terms of their cumulative impact on access to natural spaces, use of natural resources and ecosystem services they provide to the local community. With this in mind, we ask the council to ensure they engage with the Sussex Nature Partnership throughout the process about the Natural Capital Investment Strategy and future Local Nature Recovery Strategies.</p>	<p>this is the point of Stage 2 of the LAA the site assessments. The Stage 2 assessment would draw on the consideration of the sites suitability to accommodate development.</p>
<p>Section 4.24 of this task outlines the information recorded as part of the site surveys. We note one of the bullet points listed is environmental constraints. We seek clarity if this includes or is limited to site designations or covers other environmental elements.</p>	<p>Amended bullet point 5, paragraph 4.24, to include biodiversity and ecological sensitivities. This would not be limited to just designations.</p>
<p>Whilst we expect to see international and national designations identified as indicated in Table 1 - Exclusions, SWT encourage the council to identify sites that may be within or adjacent to locally designated sites such as Local Nature Reserves (LNRs) and Local Wildlife Sites (LWS). How potential site allocations contribute or detract from current ecological networks and the emerging Nature Recovery Network requirements would be valuable information for the council to consider.</p>	<p>Table 1 exclusions are 'showstoppers' exclusions. Where sites are within locally designated sites this would be considered under the suitability assessment, specifically environmental constraints/Biodiversity or Ecological Sensitivity.</p> <p>Adding in the assessment criteria under environmental Constraints:</p> <p><i>Does the site have potential to be part of the Nature Recovery Strategy? Is the site part of a Biodiversity Opportunity Area?</i></p>
<p>Given the current emerging work around nature recovery networks, the survey information should also be considering lands environmental potential, as well as constraints. We are aware that Eastbourne Borough Council launched a Biodiversity Net Gain Technical Advice Note in August 2021 that seeks to deliver a minimum of 10% BNG, in line with the Environment Act 2021. Further to this, we encourage the council to be progressive in its thinking about a climate resilient landscape, especially given the coastal nature of the Borough. Future allocations should be considered alongside the requirement for nature's recovery and areas that may be vital in re-establishing natural processes and enabling the landscape to function in a changing climate. This will be imperative for the long-term sustainability of the area.</p>	<p>Agree. Potential as well as constraints need to be identified.</p> <p>Adding in the criteria under environmental constraints:</p> <p><i>Does the site have potential to be part of the Nature Recovery Strategy? Is the site part of a Biodiversity Opportunity Area?</i></p> <p>As well as under physical site issues, biodiversity/ecological sensitivity</p> <p><i>Is the site part of a Biodiversity Opportunity Area?</i></p>
<p>Task 6: Estimating development potential and capacity We note at the beginning of the draft document in section 1.4 it states: extend the scope of the assessment to include other land to support future development, such as renewable energy generation and green infrastructure.</p> <p>However, SWT is unclear where further information/explanations relating to this have been</p>	<p>5.17 amended to include reference to GI and renewable energy generation. These will be assessed on their individual basis.</p> <p>Additional paragraph added to confirm that sites assessed as not suitable for housing or employment uses will be considered for green</p>

Comment	Response
<p>captured within the methodology. We note that section 5.17 covers other uses, but we see no specific mention of Green Infrastructure or Renewable Energy.</p>	<p>infrastructure, including potential to form part of the Nature Recovery Strategy.</p>
<p>Section 5.2 references Appendix 2. Having looked at Appendix 2 we observe the following points. It may be relevant to consider that site designations should be considered as potentially policy and physical constraint depending on the designation. We also seek assurance that site designation also considers locally designated sites such as Local Wildlife Sites.</p>	<p>Extend section biodiversity/ecological sensitivity under Physical Site Constraints to:</p> <p><i>Does the site have any biodiversity designations on or adjacent e.g. Local Wildlife Site? Are there known protected species, or priority habitats on site or nearby? Does the site have potential to be part of the Nature Recovery Strategy? Is the site part of a Biodiversity Opportunity Area?</i></p>
<p>The document does not make clear in section 5.24 what the route will be for sites categorized as unknown. Despite this table being consistently used through the document we could see no information relating to clarity on this category.</p>	<p>The use of unknown in terms of 'suitability' was proposed where vital evidence documents relevant to the assessment of that site had not been completed. However, it is accepted that the site could be assessed as 'potentially suitable' in instances where evidence is still to be gathered to enable an assessment to conclude either 'suitable' or 'unsuitable'. Therefore the 'unknown' assessment outcome has been removed in terms of the 'suitability' assessment.</p>
<p>SWT think it would be useful for the monitoring and review of the LAA to incorporate percentage of Biodiversity Net Gain delivered as part of the allocation on sites under construction or completed.</p>	<p>This is not reviewed through the LAA, but rather monitoring of the delivery of the 'act' and the 'local plan' through the Authority Monitoring Report and statutory monitoring of the Environment Act.</p>
<p>Appendix 2 - We believe that environmental designations should also be noted under policy constraints given the requirements of paragraphs 175 and 179 of the NPPF. In the future, it would also be useful to include reference to the Local Nature Recovery Strategy. We would also encourage the council to ask if there is any potential for BNG identified through either the site information or local plan supporting evidence documents.</p>	<p>For clarity now included local designations and potential for site to be part of the Nature Recovery Strategy under Policy Restrictions, Environmental Constraints.</p> <p>Biodiversity/Ecological Sensitivity also updated to include whether the site is part of a biodiversity opportunity area.</p>

South Downs National Park

Comment	Response
<p>Thank you also for identifying the setting of the National Park as a matter to consider in Appendix 2 and quoting the NPPF in full. Further to this, I would suggest that you reference the National Park setting in Task 5 of your methodology. I would add 'proximity of the National Park boundary' to the bullet points in paragraph 4.24 along with a</p>	<p>This paragraph refers to site surveys, and agree this is a consideration for on site, therefore added an additional bullet point to paragraph 4.24 of:</p> <p><i>Proximity to the National Park boundary and consideration of whether site is within the setting of the National Park.</i></p>

Comment	Response
judgement over whether the site is within the setting or not.	