Appendix F: SHLAA Methodology Working Group Paper & Responses

1. The 2022 SHLAA

The SHLAA is an assessment of sites that may be available for housing development over the next fifteen years. It forms part of the evidence base for the New Local Plan, by providing an initial assessment of potential housing development sites. The SHLAA includes a number of methodological assumptions which are considered as part of the Council's 5 Year Housing Land Supply reports. It examines the extent to which potential sites are suitable, available, and achievable over the plan period in a (local planning) "policy off" approach.

The purpose of this consultation document is to give the working group the opportunity to comment on the SHLAA methodology. The assessment will benefit from the experience and expertise of the working group, supporting a robust approach to projecting potential housing supply. This discussion will help provide informed judgements about forecasting supply, which will in the case of 5 Year Housing Land Supply calculations also be balanced against up to date site delivery forecasting / statements.

2. Types of sites in the assessment

- **Selby District Local Plan (2005) Allocations:** Sites allocated for housing in the 2005 Selby District Local Plan, which have since been saved by the Secretary of State and still make up part of the development plan.
- **Selby District Core Strategy Local Plan (2013) Allocation:** In the 2013 Core Strategy, a strategic site was allocated at Olympia Park in Selby for mixed uses including housing. A large part of the allocated site to the west has previously had permission for 863 dwellings (2012/0541/EIA).
- **Large Planning Permission:** These are sites with full, reserve or outline permission for housing developments of 10 units (gross) or more, this can also include applications which have been resolved to grant at planning committees, subject to successful section 106 negotiations, as of the 31st of March 2022.
- **Small Planning Permission:** These are sites with full, reserve or outline permission for housing developments of less than 10 units (gross), this can also include applications which have been resolved to grant at planning committees, subject to successful section 106

negotiations, as of the 31st of March 2022. These sites are only given a basic assessment.

- **Prior Approvals:** The scope of prior approvals can include developments of multiple dwellings. They are not technically planning permissions and so have been included as their own type of site. As these sites are less than 5 dwellings, they are only given a basic assessment.
- **Potential Site:** The potential supply is made up primarily of sites put forward by landowners and developers for consideration through the new Local Plan. They usually take the form of unallocated greenfield land outside of development limits, but include a variety of forms, including land currently allocated for education, employment and other non-housing uses.
- **Approve subject to section 106:** Applications which have been resolved to grant at planning committees, subject to successful section 106 negotiations, prior to 31st March 2022.

Dwellings which are restricted by an agricultural occupancy condition, dwellings which are classified as holiday accommodation and dwellings which comprise 'Granny' annexes are not included in the overall supply, as these are dwellings which are not considered to be available to the general public.

Sites can be several of the above types over time, for example a new site could be put forward for consideration in the Local Plan, and would be classified as a Potential Site, then it could be allocated in a Local Plan and then it could be granted permission. However, a site in the SHLAA can only be one type of site at any one time, so there is no double counting.

Question:

1. **Does the working group agree with these types of sites as a viable source to populate the 2022 SHLAA?**

3. Gross and Net

In the case of planning permissions, there may be dwellings lost on the site through demolitions, mergers of dwellings and changes of use. These are taken account of in the supply and completion of dwellings, which will both be net figures. This is further explained in table 7 below.

4. Net Developable Areas

The net developable area will be used to estimate the area of each allocated or potential site that can be built for housing use only. It is acknowledged by the

Council that in order to give an accurate estimate of the housing potential of these sites, this aspect must be taken into account.

We have defined the net developable area as including those access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children's play areas (where these are to be provided). Beyond this, it is considered reasonable to exclude the following from the definition of net developable area:

- major distributor roads, significant landscape buffer strips, open space serving the wider surrounding area, or an area necessary to make space for significant water storage in areas of high flood risk;
- an existing on-site feature or wider constraint that limits the area that can be developed, such as the need to maintain an important landscape or wildlife site or historic assets (where they would limit the extent of a site that could be developed); and
- areas comprising non housing development, such as employment, commercial uses, or community facilities (such as new school or health centre)

Table 1b shows the Council's proposed assumptions for the developable area of sites, based on an assessment of different sizes of recently approved and completed sites in Selby District (Appendix A[1] table 1 and summarised below in table 1a). Larger sites tend to have more of their area used for non-housing uses and infrastructure and this is generally why the rates are lower as the site size gets larger. We also intend to give site promoters the option to submit their own assumptions for the developable areas of their sites.

Table 1a - Average Developable areas 2019 - 2022	
Site Size Bracket (ha)	**Net developable area ratios (%)**
Up to 1	99
1 to 5	88
5 to 10	81
More than 10	74

Table 1b – Proposed Developable areas	
Site Size Bracket (ha)	**Net developable area ratios (%)**
Up to 1	100
1 to 5	85
5 to 10	80
More than 10	75

[1] The reason for the different year ranges in the tables in Appendix A is to give a big enough sample size for certain categories in the tables such as site sizes, settlement hierarchies and brownfield/greenfield sites etc.

Questions:

2. Is the definition of developable area appropriate?

3. What are your thoughts on the proposed developable area ratios?

4. Are the brackets of site sizes appropriate?

5. Density

The proposed densities in table 2b below are based on an analysis of permitted sites, as seen in Appendix A table 2 and summarised below in table 2a. Densities have been worked out on the net developable areas of the site. We have found that the only consistent correlation on sites in terms of density is when they are grouped by type of settlement. Please note that sites with planning permissions already have their densities determined and will not be affected.

Table 2a - Average Density 2016 - 2022			
Row Labels	**Greenfield**	**Brownfield**	**Average**
Principal Town - Selby	36	50	45
Local Service Centre - Sherburn	23	50	28
Local Service Centre - Tadcaster	59[2]	43	53[3]
Designated Service Village	26	30	27
Secondary Village	21	23	22
Countryside	30	24	27
Grand Total	**25**	**31**	**27**

Table 2b – Proposed Densities	
Settlement Hierarchy	**Densities (dph)**
Principal Town (Selby) Brownfield (more than 50% PDL area)	50
Principal Town (Selby) Greenfield (50% or less PDL area)	35
Local Service Centres	35
Designated Service Villages	30
Secondary Village	20
Countryside	20

[2] This is a high density as there have been limited housing completions on greenfield land in Tadcaster

[3] This average density is high given the low number of completions in Tadcaster on both greenfield and brownfield sites.

Questions:

5. Should sites be grouped by other factors?

6. What are your thoughts on the density rates proposed for sites without permission?

7. Are there particular locations which require higher density levels – for example urban brownfield sites?

6. Pre-build lead-in times

This is the amount of time it takes from obtaining planning permission to finishing the first dwelling. The approach taken factors in the size of the site in terms of dwellings, as well as the planning status of the site. The presumptions being that:

- the more advanced along the permission timeline, the shorter the time it takes to start on site, and;
- The bigger the site in terms of units, the longer it takes to negotiate the section 106 agreements.

The proposed lead in times in table 3b, below, are partly based on an analysis of the time it has taken recently approved sites to complete their first unit (seen in table 3a and Appendix A table 3). The proposed lead in times are not set and site promoters have the option to submit their own estimates for lead in times for their sites.

Table 3a - Average of Months between decision and first plot completed 2015 - 2022			
Application Type	**1 to 10 Dwellings**	**11+ Dwellings**	**Average**
REM/FUL	13	16	15
OUT	18	23	21
Grand Total	14	17	16

Table 3b – Proposed Lead in times (Months)		
Type of site	**1 to 10 Dwellings**	**11+ Dwellings**
Reserved matters/full planning	**12**	**18**
Outline planning permission	**18**	**24**
Sites without planning permission	**24**	**30**

Question:

8. What are your thoughts on the parameters for the lead in times and on the presumptions we have made?

7. Build rates

An analysis of the rate of completion from a range of developed sites (Appendix A table 4 and summarised in table 4a below) has led the Council to propose the build rates in table 4b below. Sites are grouped by size, this is because:

- Larger sites have been shown to be built out at greater rates by major national housebuilders, who have the capacity to do so.
- Smaller sites are generally built out by local builders, who build at a slower rate due to them having a lower capacity.

Table 4a - Average Build Rates 2014 - 2022	
Gross capacity of site (dwellings)	**Annual Build rate**
1-10	4
11-25	11
26-50	20
51-100	27
101-200	39
201+	49

Table 4b - Proposed Build Rates	
Gross capacity of site (dwellings)	**Annual Build rate**
1-10	5
11-25	10
26-50	20
51-100	30
101-200	40
201+	50 (70 if 2 developers, all potential sites are presumed to have 2 developers)

Questions:

9. Are the sizes of sites appropriate?

10. Are the build rates appropriate?

11. Should location be factored into the assessment?

8. The assessment questions

Below are the proposed questions which will be included in the assessment of sites in the 2022 SHLAA. These questions have been formulated having regard to the most recent guidance in the planning practice guidance note for Housing and Economic Land Availability Assessments.

In line with the guidance, there will be a basic assessment of housing sites (shown in table 5) and then from this assessment a judgement in principle is made on whether the site is suitable for housing. If the answer is no the site will

be put in abeyance. If the answer is yes, then the sites will be assessed in detail with the questions from table 6. Once sites are assessed for their Suitability, Availability and Achievability in table 7 they will be given a deliverability timescale and put into the supply of sites for housing. The methods for the application of these questions will of course depend on what is agreed with the working group.

Table 5 - Basic Assessment Questions	
Question Title	**Explanation**
SHLAA ID	The unique reference number for the site. This cross-references to the sites shown in the SHLAA maps.
Emerging Local Plan site reference	The unique reference for the site which cross-references to the references used in the Emerging Local Plan consultation documents
Site Submission Reference	The unique reference for the site which cross-references to the call for sites submissions and emerging Local Plan consultation documents.
Parish	The name of the parish the site is located in.
Settlement Hierarchy	Where the settlement is placed in the Core Strategy settlement hierarchy in policy SP4.
Location	Short description of where the site is located
Current land use	Description of the land use of the site.
Surrounding Land Uses	Description of surrounding land uses
Site Type	• Selby District Local Plan (2005) Allocation • Selby District Core Strategy Local Plan (2013) Allocation • Large Planning Permission • Small Planning Permission • Prior Approval Not Required • Potential Site • Approve Subject to S106
Allocations Reference/ Planning Permission Reference	Reference should the site be a saved allocation in the Selby District Local Plan (2005) or an allocated site in the Selby District Core Strategy Local Plan (2013). Should the site have planning permission, this is the most recent planning application reference.
Area (ha)	Gross area of the site measured in hectares (ha)

Greenfield/ Previously Developed Land	An indication as to whether the site is greenfield land, previously developed, or a mixture of both
% Greenfield	% of sites area that is greenfield, this will later be used to calculate the number of homes that could be built on greenfield land.
% Previously Developed Land	% of sites area that is previously developed land, this will later be used to calculate the number of homes that could be built on previously developed land.
National Policy Restrictions	*Minimum Site Size – 0.17ha (less than 5 dwellings at 30 dwellings per hectare)* *Sites of Special Scientific Interest (SSSI)* *Ramsar Sites, Special Protection Areas (SPA)* *Special Areas of Conservation (SAC)* *National Nature Reserves (NNR)* *Scheduled Monuments, Ancient Woodlands* *Health and Safety Executive Inner Zones* *Flood Risk areas - Zone 3b 'Functional Floodplain'* *Registered Battlefields and Registered Parks and Gardens*
Suitable for proposed use?	An initial assessment on whether the site is suitable for housing, based on 2 main factors, these being: • Relation to the settlement hierarchy • National policy restrictions Sites which are suitable are taken through to be assessed in more detail. Sites with permission automatically go through to stage 2.

Table 6 – Suitability, Availability, Achievability	
Suitability	
Question Title	**Explanation**
Risk of Flooding	A significant issue for Selby, flooding has been kept separate from other physical constraints. The level of flood risk is determined by the latest flood risk factors identified in the Council's latest Strategic Flood Risk Assessment.
Risk of surface water flooding	The level of surface water flood risk is determined by the latest flood risk factors identified in the Council's latest Strategic Flood Risk Assessment.
Physical Constraints	An assessment of any other physical constraints that would need to be overcome through the planning application process e.g. access to the site, infrastructure, neighbouring uses, proximity of waste water treatment works, topography, mineral designations, etc. ground conditions, hazardous risks, pollution or contamination
Overcoming suitability constraints	A range of potential solutions for any constraints
Availability	
Submitted by?	Whether the site has been submitted by a landowner or an agent, and whether there is a developer involved. This question will not feature any names, addresses or personal details of any kind.
Availability Considerations	Whether the site has a history of unimplemented planning permissions. The number of landowners there are on the site. Impact of the existing land use of the site on availability. Impact of any land ownership constraints or any third party land required.
Overcoming availability constraints	A range of potential solutions for any constraints
Achievability	
Is the site economically viable?	Developer interest in the site can demonstrate that it is economically viable, along with a recent history of planning applications showing developer intent.

Overall Deliverability	Depending on the evidence submitted in the suitability, availability and achievability sections, a site will be given a deliverability timescale, these being: 0-5 years- no constraints to deliverability, or constraints can be mitigated. Units will be projected from the start of the supply period. 6-10 years – constraints have been found that will take time to be mitigated, or the site is part of long term phase. Units will be projected from year 6 of the plan period. 11-15 years – significant constraints have been found that will take significant time to be mitigated, or the site is part of long term phase. Units will be projected from year 11 of the plan period. Not deliverable – the constraints on the site cannot be mitigated against, and the site is held in abeyance, no units from this site will be projected in the supply.

Table 7 – Estimating the Development Potential	
Question Title	**Explanation**
Date of permission	The date the notice of decision was issued, should the site have planning permission.
Permission started?	An indication as to whether works have commenced on-site, should the site have planning permission.
Permission Expiry Date	The date the permission will expire (lapse), should the site have planning permission.
Net Developable area ratio	The area of the site considered purely developable for housing (%) Sites with planning permission have already had their developable area approved through the development management process.
Net Developable area (ha)	The area of the site in hectares (ha) considered developable

Build rate	The annual rate at which dwellings are built out on the site. Where there is more than one developer on site, this will be noted and will increase the rate of building.
Lead in time (years)	The time from the point of approval of a planning application, to the expected completion of the first plot.
Density	The number of dwellings which can be built on the site per hectare (ha) of the site area. Sites with planning permission have already had their density approved through the development management process.
Greenfield capacity	Number of units on the site that are estimated to be delivered on the greenfield sections of the site.
Previously Developed Land capacity	Number of units on the site that are estimated to be delivered on the previously developed sections of the site.
Gross capacity	The estimated number of dwellings that can be accommodated onto the net site area. For sites with permission, this number represents the total number of dwellings given by the most recent permission on the site.
Net Capacity	For sites with permission, this will be the gross capacity, minus any demolitions/ mergers/ changes of use associated with the permission that result in the loss of dwellings.
Deliverable Capacity remaining	In the case of sites with planning permission, this figure shows the remaining number of dwellings still to be complete if development has already started. This figure will be the same as net capacity for all other types of sites. Sites assessed as undeliverable will be given zero for this question.
Dwelling projections	A series of cells that project how the units from the site will be built out across the plan period, taking into account the lead in times and build out rates mentioned above.

Development Timescale	How long the site will take to complete all its units in years

Questions:

12. Are these questions appropriate for the assessment?

13. Are there any questions which are unnecessary?

14. Are there any other questions we could include?

9. Next Steps

- The SHLAA working group have until 5pm on Friday 19th August 2022 to make comments.
- An updated finalised methodology (featuring working group comments and our responses to them) will be sent to the working group.
- Sites within the SHLAA will then be assessed with the methodology.
- The results of the assessment will be sent to the working group, who will have 2 weeks to comment.
- The SHLAA will then be used to inform the assessment of the Councils housing land supply from the period 2022-23.

Responses to the SHLAA Methodology Working Group Paper

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
Charlotte Gill (York Consortium Drainage Boards)	Thank you for the opportunity to comment on the methodology. From the Board's perspective, I can see that the risk of flooding is already included as part of the "Suitability" section but can we ask if drainage options (for both surface water and foul sewage) can be added to the "Physical Constraints" section also please.	Comment noted. Assessment of surface water flood risk added to the site assessment questions.
Simon D Jones Esq. (National Highways)	Thank you for the consultation. National Highways will be making a representation on this, however noting that this arrived with myself yesterday and has what I assume to be a typographical error (response within 5 working days), this note is merely a holding position to inform the Council that our comments will not be viable within that timeframe, however they should not proceed without our comments. All the best and we will be in touch soon.	Comments noted.
Glen Wilson (Noble Homes)	Answers 1. Yes	Comments noted.
	2 to 7 - bespoke site dependant, shouldn't be averaged, each site is completely different	Accept the fact that each site is different, and this is why the consultation for site promoters to project their site according to their own specs. Averages are used, informed by recent data, where specific

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		data is not supplied and evidenced by site promoters.
	8 - again bespoke to each site as dependant on remediation which won't start until full planning is granted and S106 agreed, but the quicker planning is approved then better for all, time of year is also relevant due to weather issues.	Accept the fact that each site is different, and this is why the consultation for site promoters to project their site according to their own specs. The Lead in times are informed by recent data, as seen in Appendix B.
	9 to 11 - site and developer dependant, plus add in the current market factors	Accept the fact that each site is different, and this is why the consultation for site promoters to project their site according to their own specs. Market factors are reflected in the use of recent data to inform the averages.
	Assessment Questions 12-14; Table 5 - fine Table 6 - 'is the site viable' - not required at this stage of allocation as true viability is only determined upon known plots numbers and any S106 costs. Developer will have expectations and intended plots, otherwise the land wouldn't be up for discussion	The NPPG on Housing and Land Availability Assessments states that *"Plan-makers will need to assess the suitability, availability and achievability of sites, including whether the site is economically viable."* Therefore a question which brings looks at basic viability factors on the sites has been included.
	Table 7 - fine albeit confusing saying if with current planning?	Some of these questions only apply to sites with planning permission and so this has been highlighted where this is the case.

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James Langler (Historic England)	We welcome the reference made to the potential for historic assets on a site to reduce the net developable area. This decision will need to be made on a case by case basis, giving careful consideration to the nature, extent and significance of the heritage asset, or assets, in question.	Comment Noted.
	We also welcome the inclusion in Table 5 – Basic Assessment Questions of Scheduled Monuments, Registered Battlefields and Registered Parks and Gardens as national policy restrictions. However, at present, it is unclear where the implications of a site containing one or more listed buildings, or being located within a conservation area, would be considered in the assessment of the suitability or achievability of a site. As the presence of these categories of designated heritage assets may not necessarily preclude a site from development but may place restrictions on what can be delivered, it would seem sensible to consider them as a potential constraint under the 'Suitability' section of Table 6.	Heritage Assets are considered under physical constraints and a range of possible solutions are recommended in the questions 'Overcoming suitability constraints'. As the SHLAA is a high level assessment, the presence of heritage assets near or on the site is not considered to make a site undeliverable, as mitigation can be recommended. Exceptions to this would be a severe constraint such as a Scheduled Ancient Monument being underneath the entire site.

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Corinna Dietz (Marine Management Organisation)	Thank you for your invitation to participate in the consultation for the 2022 Strategic Housing Land Availability Assessment (SHLAA). No further comment is required from the MMO regarding the SHLAA, as there is no comment required from us at this stage of the plan development. We advise that you consider any relevant policies within the East Marine Plan Documents in regard to areas within the plan that may impact the marine environment, including the tidal extent of any rivers. We recommend the inclusion of the East Marine Plans when discussing any themes with coastal or marine elements. When reviewing the East Marine Plans to inform decisions that may affect the marine environment, please take a whole-plan approach by considering all marine plan policies together, rather than in isolation.	Comments noted.
Josh Plant (Gladman)	Gladman welcome the opportunity to comment on the draft Strategic Housing and Economic Land Availability Assessment (SHLAA). Notwithstanding this, the Council have only provided 7 days (5 working days) in which to provide comments on the SHLAA Methodology with no prior notification. This cannot be considered to be an appropriate timescale for public and stakeholder consultation, particularly during the summer holiday period. Finally, Gladman are further concerned with the fact that members of our team, who are registered on Selby's planning	The methodology consultation was extended by an additional 2 weeks (30/08/2022 to 13/09/2022). Those members of Gladman you mention who asked to be on the separate Local Plan peroration database have since been added to the Council's SHLAA contact database have been.

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	consultation database, were not informed about the opportunity to comment on the SHLAA methodology consultation. Neither were our team given the opportunity to comment on the 2021 draft SHLAA methodology consultation which was sent to key stakeholders on 30th April 2021, as confirmed by paragraph 2.10 of the SHLAA Report 2021.	
	Draft Strategic Housing Land Availability Assessment (SHLAA) Methodology Gladman only have minor comments to make at this stage of the SHLAA methodology but wish to be informed of any further publication and updates to the SHLAA. The consultation document seeks to give stakeholders the opportunity to comments on the SHLAA methodology. The SHLAA methodology and subsequent SHLAA appears to be solely to inform judgements for the Council's Five-Year Housing Land Supply (5YHLS) calculations given the current stage of Selby's plan-making process which has had two rounds of site selection assessments.	Comment noted.
	Densities, Lead-In Times and Build Rates Firstly, in general Gladman support the analysis of densities across the settlement hierarchy and by land type. The Council have also acknowledged that the figures noted for Tadcaster are distorted due to the limited number of housing completions in Tadcaster over the last 2 decades. Yet it is not clear how the Council have calculated the proposed densities of 35 dph at Local Service Centres or on greenfield sites at Selby and accounted for the Tadcaster figures.	

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	In this regard, it would wise to provide clarity in how the densities across the settlement hierarchy have been determined. In addition, the proposed densities align with those set out in the Regulation 19 Publication Local Plan which is set to be published for public consultation on the 26th August 2022. This Plan takes reference to the 2021 SHLAA and therefore the average density figures do not align with the evidence provided in the draft 2022 SHLAA methodology document, this will be considered further during the Local Plan consultation. The SHLAA documents merely seek to set minimum densities based upon the average densities achieved across permitted sites over the previous 5-year period. Gladman consider that in order to propose the most appropriate density levels for residential schemes the Council should undertake an assessment of the density of the surrounding built environment to ensure new development is well-related to the surrounding character of the area. Secondly, in assessing the pre-build lead-in times the Council utilise the number of dwellings on a scheme/application to determine the average number of months for lead in times. The categories are divided into '1 to 10 dwellings' and '11+ dwellings' or in effect minor or major residential developments. However, when analysing build out rates the Council utilise 6 categories for the number of dwellings on a site providing greater detail and understanding of how the delivery of sites differs depending on the number of dwellings proposed. It is considered that the approaches for lead-in times and build out rates should align, and the assessment of lead-in	

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	times should also utilise 6 site size categories. Indeed, the number of dwellings within a scheme and planning application type can significantly influence the timescales in determining an application as larger schemes tend to involve more complexities and require greater detailed assessments and technical reports. The data the Council have included within the corresponding 'SHLAA Working Group Data' document does not allow for a comprehensive assessment of sites and to utilise all 6 categories of scheme size. However, the following table highlights the variation in lead-in time between outline planning applications size of schemes. Finally, while local data provides an appropriate starting basis to assess the delivery patterns and densities of sites, it would be prudent to 'sense-check' the results with national evidence. Lichfields' Start to Finish Report (2nd edition dated February 2020) is a comprehensive tool which the Council could employ, and which has become an industry standard to understand lead-in times and build out rates.	The figures for Lead-In Times and Densities cannot be aligned as their correlations are different. Density is analysed by area and the Lead-In Times are dependent upon the size of the site. The Council have utilised Lichfields' Start To Finish Report however the Council also considers local, recent information to be of great importance.
	Assessment Questions In general, Gladman support the considerations set out in Tables 5, 6 and 7 of the draft methodology paper but draw attention to 'Availability Considerations' within Table 6. Gladman welcome that consideration will be given to history of unimplemented planning permissions and the impact of land ownership constraints. However, given the significant history within Selby District of delivery issues related to unimplemented planning permissions and allocations, greater	The Council has utilised our own data to analyse non-implementation

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	weight must be given to this consideration particularly in relation to the calculation of the District's 5HYLS.	
Mark Johnson (Johnson Mowat Planning & Development Consultants)	No remarks from me at this stage.	Comments noted.
Joanne Widgery (Natural England)	Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. We recognise that SHLAAs form a critical component of the evidence base for Local Plans. In order to allocate the most appropriate sites to deliver high quality, sustainable development, environmental issues and opportunities should be considered as an integral part of the assessment process.	Comments noted.
Andrew Simpson (Environment Agency)	Thank you for giving us the opportunity to comment on the development of the new 2022 Strategic Housing Land Availability Assessment (SHLAA) Draft Methodology Paper. We have reviewed: Draft SHLAA Methodology Paper 2022. **Net Developable Areas** We welcome the inclusion of the landscape buffer strips and an area necessary to make space for significant water	Comments noted.

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	storage in areas of high flood risk being included within the areas excluded from the net developable areas. With the introduction of the Environment Act in 2021, there are new requirements on planning applications to incorporate Biodiversity Net Gain (BNG) into nearly all planning proposals. Therefore, it would be prudent to exclude a portion of each site for BNG enhancements.	
	Assessment questions BNG We would consider that there should be a question included as to whether the site can achieve the minimum biodiversity net gain required for the development to be compliant with national and local policy. We also want to highlight that the achievement of at least 10% BNG must relate to delivery of at least 10% net gain in each habitat type present on the site and that net gain values cannot be summed or converted in between habitat types – i.e. net gain values for terrestrial (area based), hedgerow (linear based) and river (linear based) habitats should be reported on separately). There is a need to further consider how BNG will operate within Selby and whether any regional system will be created for how to management BNG and also Local Nature Recovery. An example of something to consider is if the Council is going to have a 'bank' of potential sites on which Biodiversity Net Gain can be implemented? Promotion of wilding to create and restore wildlife-rich habitats, corridors and stepping stones – could also have linkages with other	Comments acknowledged. Adjustments to include Biodiversity Net Gain have been made accordingly.

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	aspects of the Environment Act 2021, such as ELMS and LNRS.	
	Flood Risk We support the statement that the level of flood risk will be determined by the latest flood risk factors identified in the Council's latest Strategic Flood Risk Assessment. We would consider the question on flood risk would need to be more detailed to account for the following: • Setting an objective to select sites with the lowest overall flood risk • We'd like to see further clarity on sites that may be discounted based on significant flood risk, including: o How other sources of flood risk are taken into account, such as surface water and groundwater; or artificial sources such as sewer and reservoirs o The impact of flood risk now, and in the future o Being clear on how sites not covered by detailed modelling are assessed under this heading (e.g. where FZ3b not delineated from FZ3 because of lack of robust modelling) o Sites that may be required now or in the future to manage flood risk (e.g. Flood Storage Areas, Safeguarded Land, etc…) • An understanding of how climate change will be considered, recognising that it may affect different parts of the authority in different ways. • An understanding of how all sources of flood risk are considered • Requirement for the sequential and exception tests	Surface Water Flood Risk has now been added to the site assessment questions and the database has been updated accordingly.

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	• Encourage a sequential approach within a development site We advise referring to our response on the preferred options consultation in March 2021, where we provided significant comments on flood risk. Groundwater and Contaminated Land We would consider that further factors should be added into the physical constraints, including: - Source Protection Zones. Our position on various activities and development in respect of groundwater protection are set out within the Environment Agency's approach to groundwater protection. We would urge Selby to follow that. - The risks to groundwater should be considered for any new proposed development sites. It must be ensured that any SUDS proposals will not detrimentally impact upon groundwater quality. - Previous land contamination should be factored into site appraisals.	
	Environment Management Within the physical constraints, there should be an additional factor considered in terms of development adjacent to regulated sites. We recommend that regulated sites are considered within the site allocation methodology and potential allocations are directed away from sites which are adjacent/nearby permitted facilities.	Contamination is included within the Physical Constraints section of the SHLAA Methodology. The Local Plan and Site Assessment Methodology for the Local Plan addresses these more complicated matters.

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	New development close to permitted facilities could result in impacts including the nearby community being exposed to impacts (e.g. odour, noise, dust and pest). The severity of these impacts will depend on relevant local factors e.g. the size of the facility, the nature of the activities or prevailing weather conditions. Planning policy requirements (paragraph 187 of the National Planning Policy Framework) state that new development should integrate effectively with existing businesses and not place unreasonable restrictions upon them. Where the operation of an existing permitted facility could have significant adverse effects on new development (including changes of use), the applicant should be required to provide suitable mitigation for these effects. Mitigation can be provided through the design of the new development to minimise exposure to the neighbouring permitted facility and/or through financial contributions to the operator of the facility to support measures that minimise impacts. Environmental Permitting Regulations require operators to demonstrate that they have taken all reasonable precautions to mitigate impacts of their operations. This is unlikely to eliminate all emissions and there is likely to be residual impacts. In some cases, these residual impacts may cause local residents concern. There are limits to the measures that the operator can take to prevent impacts to residents. Consequently, it is important that planning decisions take full account of paragraph 187 of the NPPF. When a new development is built near to an existing permitted facility this does not automatically trigger a review of the permit.	

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	Water Quality and Water Resources The water environment should be considered further within the site selection methodology, and should include questions that would allow and enable the assessment of sites against water quality and water resources. For example the following aspects should be considered: • Impact on capacity of existing utilities and infrastructure to cope with the development • Can the site deliver key infrastructure including: water, sewerage, electricity, gas and community heating • Can the site connect to the mains foul drainage network? Wastewater drainage should be connected to a public foul or combined sewer whenever this is reasonably practicable. Land should be allocated for major development only if there is existing public wastewater sewerage infrastructure capable of accommodating and treating the predicted loads. Consultation should take place with the water company. • Is there sufficient sewage capacity and what is the impact on the Waste Water Treatment Works. • Can the site contribute to the objectives and goals of the Water Framework Directive?	

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	Climate change The EA strongly support local plan carbon mitigation policies and delivery projects which: • Ensure climate resilience and environmental benefits at the heart of delivery of new homes and the infrastructure that enables healthy, productive places. • Increase uptake of nature based solutions, including blue and green infrastructure, which provide multi-functional benefits including slowing the flow of flood waters, enhancing biodiversity and through recreation, increasing opportunities for the health and well-being of local communities. There should be consideration of how these elements can be built into the SHLAA site selection methodology more holistically.	The Level 1 SFRA (August 2022) has factored in climate change and the flood risk includes tidal fluvial and surface risk flooding. The Council's Local Plan contains greater detail on the sequential approach to development in flood risk areas.