

# **Strategic Housing and Economic Land Availability Assessment**

## **Methodology**

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## 1. Introduction

- 1.1. The National Planning Policy Framework (NPPF) requires strategic policy making authorities to prepare a Strategic Housing Land Availability Assessment (SHLAA)<sup>1</sup> to: 'have a clear understanding of the land available in their area. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability'.
- 1.2. The NPPF also requires that planning policies set out a clear economic vision and strategy and to support this 'set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period'.<sup>2</sup>
- 1.3. The National Planning Policy Guidance (PPG) provides further context to the policy set out in the NPPF and provides guidance on the preparation of Housing and Economic Land Availability Assessments (HELAA). The PPG states that 'plan-making authorities may carry out land availability assessments for housing and economic development as part of the same exercise, in order that sites may be identified for the use(s) which is most appropriate'<sup>3</sup>. The Rutland Strategic Housing and Economic Land Availability Assessment (SHELAA), therefore combines these housing and employment requirements into a single assessment of land available in the County.

## 2. Purpose of SHELAA

- 2.1 The purpose of SHELAA is to provide information about the availability, suitability, and likely economic viability of land to meet the identified need for housing and economic development over the plan period. This will form part of the evidence base to support the preparation of the Local Plan and Neighbourhood Plans and to support the delivery of new housing and economic development in Rutland.
- 2.2 The SHELAA is a technical document and does not determine if sites should be allocated for development or whether planning permission will be granted for development. The SHELAA will provide an evidence base to support the preparation of the Local Plan and new development allocations will be determined through the Local Plan making process.<sup>4</sup> The Local Plan making process will comprise of a more detailed assessment of potential sites and will be subject to sustainability appraisal to ensure that the social, environmental and economic effects are considered. Sites may also be allocated for development in neighbourhood plans.
- 2.3 The inclusion of a site in the SHELAA does not preclude it from being developed for other suitable uses and nor does the exclusion of a site from the SHELAA preclude the possibility of planning permission being granted for residential or employment development.

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<sup>1</sup> NPPF paragraph 67

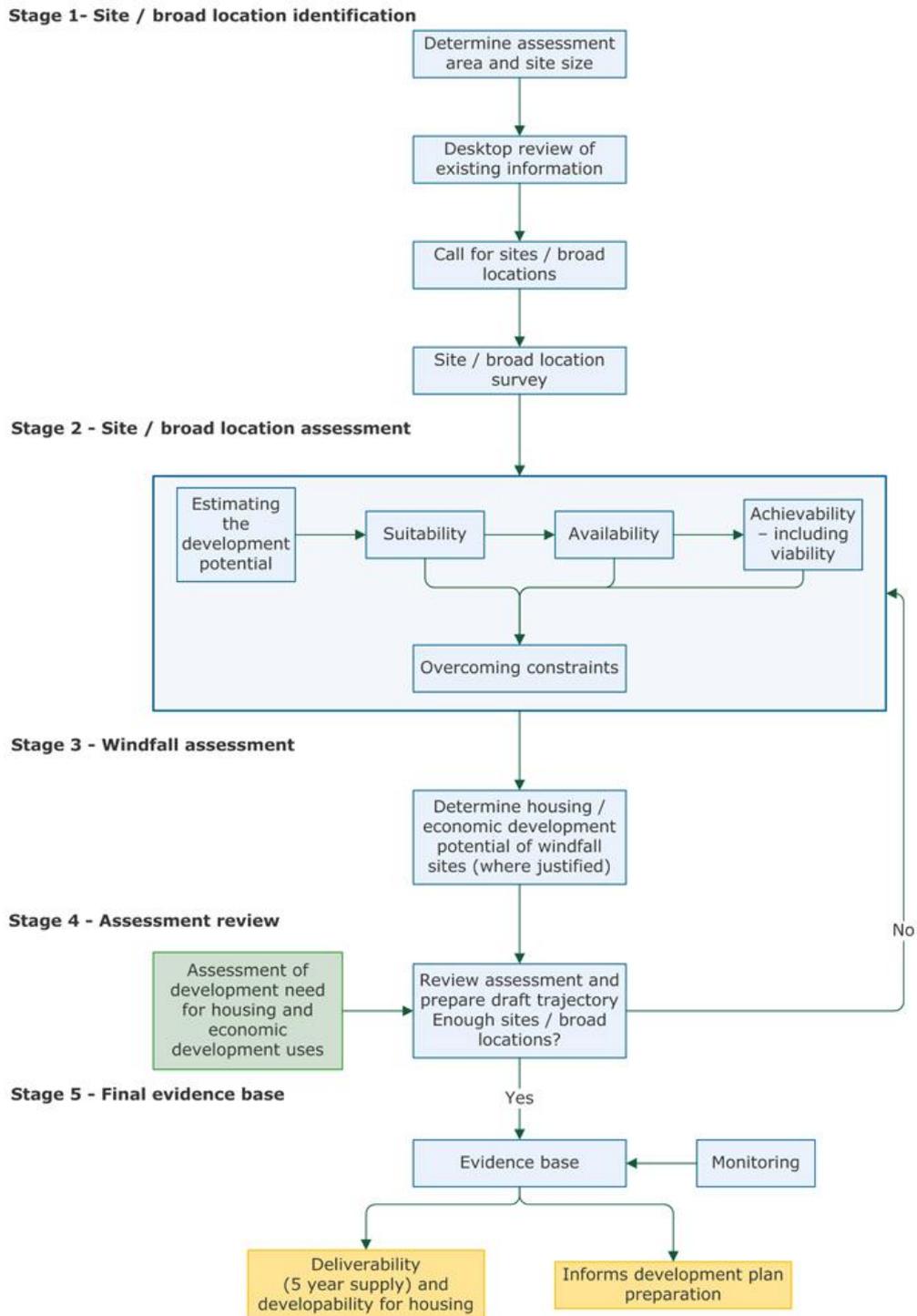
<sup>2</sup> NPPF paragraph 81

<sup>3</sup> NPPG Paragraph: 001 Reference ID: 3-001-20190722

<sup>4</sup> A separate methodology for assessing potential sites as Local Plan allocations has been prepared and is available on the website at [www.rutland.gov.uk](http://www.rutland.gov.uk)

### 3. Methodology

3.1 The PPG which supports the policy framework of the NPPF, includes a methodology for the preparation of Housing and Economic Land Availability Assessments<sup>5</sup> outlining the inputs and processes that should be followed in preparing assessments. The flowchart of methodology for carrying out an assessment as set out in the PPG is reproduced below:



<sup>5</sup> For further information see <https://www.gov.uk/guidance/housing-and-economic-land-availability-assessment>

- 3.2 The preparation of the Rutland SHELAA will follow these stages and processes, as far as possible and achieve the aims of the assessment process including the identification of sites and broad locations with potential for development, an assessment of their development potential and suitability for development and identification of the likelihood of development coming forward (the availability and achievability)<sup>6</sup>. Stage 1 and 2 will be completed as part of this assessment.
- 3.3 The work for Stage 3 regarding windfall assessments is undertaken annually as part of the Five Year Housing Land Supply monitoring which is published on the website at [www.rutland.gov.uk](http://www.rutland.gov.uk).
- 3.4 Stage 4 including the assessment review and the establishment of development need for housing and economic development uses along with identifying how and by which sites this need will be met is also partly carried out through the Five Year Housing Land Supply monitoring on an annual basis looking at the sites with planning permission in place and those that are allocated. The remainder of this assessment will be completed through the Local Plan Review Process which is currently underway.
- 3.5 Stage 5, the final evidence base is partly provided by the Five Year Housing Land Supply report which identifies the five year housing land supply position. This assessment will provide the evidence to inform the preparation of the Local Plan Review.
- 3.6 For ease of reference throughout the SHELAA, sites will be grouped and considered on a parish by parish basis to allow easy comparison of sites within each location.
- 3.7 The Council will involve key stakeholders and a range of individuals and organisations throughout the process of preparing SHELAA including (where appropriate):
- Developers;
  - Landowners;
  - Land promoters;
  - Local property agents;
  - Local communities;
  - Partner organisations;
  - Local Enterprise Partnerships;
  - Businesses and business representative organisations;
  - Parish and town councils in Rutland.

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<sup>6</sup> NPPG - Paragraph: 006 Reference ID: 3-001-20190722

## **STAGE 1 – IDENTIFICATION OF SITES AND BROAD LOCATIONS**

### **Determine assessment area**

3.8 The PPG confirms that the geographical area covered by an assessment should be the 'plan-making area'.<sup>7</sup> The review of the Local Plan covers the county of Rutland only and the assessment is therefore limited to the administrative area of Rutland.

### **Determine site size**

3.9 The PPG states 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 floor space) and above'<sup>8</sup>. This enables a wide range of different sized sites to be compared and assessed. It is proposed that the minimum site size for housing to be considered in the SHELAA should be 0.15 hectare across the plan area. Sites of this size could accommodate at least 5 dwellings (at a density of 30 dwellings per hectare) and this is considered to be in line with the PPG.

3.10 It is proposed that the minimum site size for economic development should be 0.25ha (or 500m<sup>2</sup> of floor space). This is consistent with the recommended minimum site size recommended in the PPG.

### **Desktop review of existing information**

3.11 To seek to maximise the housing and employment land potential a thorough site search and desk top review will be undertaken. The PPG identifies a number of potential sources of land, including sites already in the planning process and those that are not. These will be used as the basis for the SHELAA and include:

- Sites previously identified in the Strategic Housing Land Availability Assessment (SHLAA) and Employment Land Availability (ELA) studies and submitted to the Council through 'calls for sites';
- existing housing and economic development allocations not yet with planning permission;
- planning permissions for housing and economic development that are unimplemented or under construction;
- planning applications that have been refused or withdrawn;
- land in the local authority's ownership;
- surplus and likely to become surplus public sector land;
- sites included on the Council's Brownfield Land Register;
- additional opportunities in established uses (e.g. making productive use of under-utilised facilities such as garage blocks);
- business requirements and aspirations;
- potential urban extensions and new free standing settlements.

### **Call for Sites**

3.12 A 'Call for Sites' was carried out between September and November 2015. This sought the suggestion of sites for inclusion in the SHELAA. A pro-forma was made available to ensure sufficient information was submitted to enable a consistent assessment of sites to be made.

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<sup>7</sup> NPPG - Paragraph: 006 Reference ID: 3-006-20190722

<sup>8</sup> NPPG - Paragraph: 009 Reference ID: 3-009-20190722

- 3.13 There have been further opportunities to submit sites during consultations as part of the Local Plan review. This included consultations on the Issues and Options (November 2015), Draft Local Plan (July 2017) and Additional Sites and Focused Changes Consultation (August 2018).
- 3.14 It was made clear, as part of the above, that any sites submitted to previous SHLAAs or ELAs should be resubmitted in order to allow the Council to take account of the most up to date position on development intentions and site availability.
- 3.15 Any future call for sites will also be used to inform the SHELAA as and when it is updated and reviewed.

### **Site/broad location survey**

- 3.16 Previously only sites within or adjoining Oakham, Uppingham and local service centres were subject to a detailed site/broad location survey in the SHELAA. However, as the development of a new settlement is now being considered as part of the emerging Local Plan Spatial Development Strategy larger sites capable of delivering new settlements away from existing settlements will progress to the next stages of the assessment process, and will not be screened out at the initial stage.
- 3.17 In addition to this change, the list of local service centres has been re-assessed during the updating of the evidence base in preparation for the review of the Local Plan and there are an additional three settlements identified in that tier of the settlement hierarchy including Great Casterton, Langham and Whissendine. These settlements will therefore be assessed. In addition sites in Barleythorpe will also be assessed due to the settlement being directly adjacent to the built up area of Oakham.
- 3.18 All sites identified during the desktop review and sites which have been submitted to the Council through the “Call for sites” and Local Plan consultations will be included in a comprehensive list of sites and broad locations within the SHELAA and a site location plan provided for each site.

### **Stage 1 Screening Process**

- 3.19 Sites identified in the comprehensive list will be subject to an initial assessment against national policies and designations in order to determine which sites have reasonable potential for development and should be included in the site survey. At this stage 1 screening process, some sites will be excluded from further consideration including sites that:
- are not located adjacent to or within the built up area of Oakham, Uppingham, Stamford or a Local Service Centre, or are not capable of delivering a new stand-alone settlement;
  - fall below the size thresholds for the proposed use (0.15ha for housing and 0.25ha or 500 square metres floor space for economic development);
  - have planning permission in place for housing but are not yet implemented in full and are included in the Five Year Land Supply Monitoring Report (employment developments will be retained and monitored through the SHELAA);
  - are promoted for uses other than housing (C3 use) and employment (B1, B2 or B8 uses) or retail use (A1);
  - are no longer available;

- are wholly or predominately within a SSSI or European Nature Conservation Site (SPA/RAMSAR);
- wholly or predominately contain a Scheduled Monument;
- are residential sites lying wholly or mostly (more than 50%) within Flood Zone 3.

3.20 For those remaining sites which are considered to have more reasonable potential for development, a detailed assessment (including where necessary a site visit by officers) will be undertaken to record the following information (or checked if previously identified through the data sources and call for sites):

- site description, size, boundaries, and location;
- current land use and surrounding land use;
- character of site and surrounding area;
- Constraints identified on GIS layers (e.g. landscape sensitivity, ecology, contamination, flood risk, agricultural land classification, minerals safeguarding areas, open space, TPOs and heritage assets).

3.21 The GIS constraint check information for stage 1 including the RAG rating applied are listed in Appendix 1. Once this information is collated about all of the sites brought forward after the stage 1 screening process there will be a two step process at stage 2 to further screen the sites for their suitability and development potential.

## **STAGE 2 – SITE/ BROAD LOCATION ASSESSMENT**

3.22 Stage 2 of the assessment will provide a more detailed look at the sites to identify development potential, suitability, availability and achievability of sites.

### **Estimating the development potential**

3.23 In order to assess the residential development potential it is first necessary to assess the net developable area of each site and then determine the number of dwellings it might yield. When developing sites, not all of the site can be developed solely for housing. Site areas are recorded as 'gross' and, therefore, to reflect the realities of development it is necessary to identify the 'net' developable area. This is the developable area of the site and excludes areas such as roads, public open space and other ancillary uses. In general, the larger the site, the greater the area given over to non-developed uses. The SHELAA will use the following assumptions:

- up to 1ha - 95% developable area
- between 1ha and 4ha - 80% is developable area
- over 4ha – 60% developable area.

3.24 Having calculated the developable area it is then necessary to estimate the potential residential development capacity of each site. The PPG advises that the development potential of each identified site should be guided by the existing or emerging plan policy, including locally determined policy on density. Policy CS10 in the Council's adopted Core Strategy set out local densities of 30 dwellings per hectare in the villages and 40 dwellings

per hectare in Oakham. However in the more recent Local Plan Review Consultation Draft published in July 2017 policy RLP14 is less prescriptive and identifies that densities will vary dependent upon the local area context and character and the sustainability of the location. The density calculation used to provide indicative capacities of sites in the Consultation Draft is 30 dwellings per hectare across all sites. A density of 30 dwellings per hectare will therefore be applied to all sites unless a made Neighbourhood Plan includes a density policy for that area that differs from this.<sup>9</sup>

- 3.25 It should be noted that the resultant dwelling capacity of sites is indicative only as the true potential of a site can only be determined by more detailed assessment having regard to a number of factors outside the scope of the SHELAA. It should not be assumed that planning permission may be granted for development, or the number of dwellings identified, for sites included in the SHELAA. The gross area identified for sites promoted for employment or retail uses will be utilised for assessment purposes.
- 3.26 Where detailed site information is available from planning applications, masterplans or information provided through the promotion of a site which sets out detailed justification for an alternative capacity, this will be included instead.

### **Suitability**

- 3.27 Where relevant the assessment will consider the suitability of a site for any particular use or mix of uses that are put forward or whether the site would be suitable only for a particular type of development. The assessment of suitability will be guided by the development plan (local plans and neighbourhood plans), emerging plan policy and national policy along with market and industry requirements in that housing market or functional economic market area. Sites in the existing development plans or with planning permission will be considered suitable for development although an assessment will be made whether circumstances have changed which would alter their suitability. Where appropriate this may include re-appraising the suitability of previously allocated land for different or a wider range of uses.
- 3.28 In addition to the above considerations, a more detailed assessment of constraints and the impact of these on the potential for development will be carried out under the stage 2a and 2b suitability screening processes. This part of the assessment enables a more in depth look at the following considerations:
- physical limitations or problems such as access, ground conditions, flood risk, hazardous risks, pollution or contamination;
  - potential impacts including the effect upon landscapes including landscape features, nature conservation, heritage assets and their setting;
  - contribution to regeneration priority areas;
  - environmental/amenity impacts experienced by would be occupiers and neighbouring areas.

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<sup>9</sup> For further information on 'made' Neighbourhood Plans see <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/neighbourhood-plans/>

- 3.29 The criteria used for the assessment and the associated RAG ratings in stage 2 of the process are identified in Appendix 2. The stage 2a and stage 2b screening processes for suitability are discussed in more detail below.

### **Suitability - Stage 2a Screening Process**

- 3.30 At stage 2a of the screening process sites will undergo an initial assessment to identify whether they are considered to be suitable. At this initial stage of the process, sites will be considered unsuitable and screened out based on two key factors, including:
- Sites considered unsuitable by the Highways Officer due to significant concerns about the access situation and the resultant detrimental impact on highway safety;
  - Sites considered to have a poor relationship with the existing settlement causing significant concerns about the impact on the character of the settlement.
- 3.31 Any sites considered to meet either of these criteria will be screened out at stage 2a of the process and be identified as unsuitable for development.

### **Suitability Stage 2b Screening Process**

- 3.32 All sites that pass the stage 2a screening process will proceed to a more detailed assessment under stage 2b. This stage of the assessment will include further information collation including the presence of green infrastructure, important open space and rights of way to provide further information about the sites. This stage of the process will also include consultation with technical experts who will provide comments for their particular area of consideration. This will enable the identification of any sites that may be unsuitable due to physical and environmental constraints. The following assessments will take place:
- Topography (using Planning Officer assessment and Landscape Study)
  - National Ecology Designations (using MAGIC datasets)
  - Local Ecology Designations (consultation with Principal Ecologist at Leicestershire County Council)
  - Heritage (Planning Officer assessment including where constraints are flagged, consultation with Conservation Officer)
  - Archaeology (consultation with Principal Archaeologist at Leicestershire County Council)
  - Landscape (Planning Officer assessment including consultation with Landscape Architect for all sites)
  - Flood Risk (Consultation with Local Lead Flood Authority)
  - Environmental Health & Contamination (Consultation with Environmental Health Team)
  - Access (Consultation with Highways Authority)
  - Impact on wider road network (Consultation with Highways Authority)
- 3.33 In assessing the physical and environmental constraints of each site a red/amber/green (RAG) rating assessment will be used (see Appendix 1). Those sites that score a red RAG rating for topography, national or local ecology, flood risk, heritage, environmental health and contamination, access or impact on wider road network will be identified as

unsuitable. This is due to the red RAG rating being identified only for those sites that are subject to a significant constraint that it is not considered can be mitigated from. With regard to the landscape assessment, due to the need to focus development around the main towns of Oakham and Uppingham to fulfil the requirements of sustainable development, those sites located adjacent to Oakham or Uppingham regardless of the RAG rating in the initial landscape assessment will remain in at this stage so that further consideration can be given to these particular sites. It maybe that parts of these sites could be suitable, or a particular layout or density on part of the site could enable a suitable scheme to be developed. Keeping any sites in the process that meet this criteria will enable these sites to undergo further consideration through the site allocations assessment process and will allow further assessment of sites in the most sustainable locations within the county.

### **Availability**

- 3.34 A site will be considered available for development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners. This will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell. The landowners and/or site promoters (where this information is known) of all sites promoted will be contacted in order to identify when sites will be available for development and the latest position in terms of progress towards bringing them forward. The timescales identified will be recorded and used in order to assess the availability of each site and this information will be provided on the site information sheets.
- 3.35 Where potential problems have been identified regarding the availability of sites, these will be noted in the individual site assessment information sheet, and an assessment will be made as to how and when they can realistically be overcome.

### **Achievability**

- 3.36 A site will considered achievable for development where there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site and the capacity of the developer to complete and let or sell the development over a certain period. The capacity of the developer to deliver will be affected by a number of factors including a developer's phasing, build out rates, whether there is a single developer or several developers offering different housing products and the size and capacity of the developer.
- 3.37 A Viability Update Report prepared in order to inform the review of the Local Plan in February 2018 confirmed that the Rutland area is a vibrant and active property market where all types of residential and non-residential development are coming forward. It identified that the significant majority of schemes are viable but with two exceptions where viability is more questionable including, brownfield sites and large greenfield sites (capacity of 150 dwellings or more) adjacent to Oakham and Uppingham.

- 3.38 Therefore the achievability of sites is based on the viability update assessment in order to provide a consistent and comparable assessment across all of the sites. Where issues of viability are raised by landowners or site promoters these will be taken into account through the assessment process. If viability issues are raised moving forward these will be added to the individual site information database in order that they can be taken into account during SHELAA reviews.
- 3.39 In respect of build out rates it is assumed that sites of less than 100 dwellings will be built out within five years. For sites of more than 100 dwellings, it is assumed that a build out rate of 50 dwellings per annum is achievable. Where there are multiple developers on the same site then a higher build out rate of 100 dwellings per annum is considered achievable.<sup>10</sup>

### **Overcoming constraints**

- 3.40 Where constraints are identified during the stage 2a and stage 2b assessment processes consideration will be given to what action would be needed to remove them (along with when and how this could be undertaken and the likelihood of sites/broad locations being delivered).
- 3.41 Where it is considered that mitigation maybe possible this will be identified and an amber RAG rating will be given to reflect that it is considered that the constraints could be overcome. Where there are constraints that are considered to be so significant that they could not be mitigated a red RAG rating will be given.

### **Outcomes of this SHELAA Assessment**

- 3.42 For housing sites, the assessment of suitability, availability and achievability will provide the information as to whether a site can be considered deliverable, developable or not currently deliverable for housing. The definition of deliverable and developable set out in the NPPF<sup>11</sup> is as follows:
- To be considered **deliverable**, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. Sites that are not major development, and sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans). Sites with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

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<sup>10</sup> This reflects evidence from research into build out rates of large scale housing sites. For further information see:

<http://lichfields.uk/media/1728/start-to-finish.pdf>

<http://www.barrattddevelopments.co.uk/~media/%20Files/B/Barratt-Developments/materials-and-downloads/savills-delivery-rates-urban-extensions-report.pdf>

<sup>11</sup> NPPF Glossary

- To be considered **developable**, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.
- Where it is unknown when a site could be developed, but the site is assessed as being developable (in light of the definitions included in the NPPF) it should be regarded as **not currently deliverable**. Any such sites will be included in the SHELAA as a **long term possibility** as the site may be developable but not until a later phase.

3.43 This SHELAA assessment will provide the evidence base to inform the preparation of the Local Plan Review in particular regard to site allocations which will be assessed separately but informed by the outcome of this assessment. As identified at the beginning of this methodology report, this SHELAA assessment will complete Stage 1 and Stage 2 of the SHELAA process. Stage 3 relating to windfall assessment is already completed annually through the Five Year Land Supply report. Stage 4, the assessment review, is partly carried out through the Five Year Housing Land Supply monitoring on an annual basis with the remainder of this part of the assessment being completed through the Local Plan Review Process which is currently underway. Stage 5, the final evidence base is partly provided by the Five Year Housing Land Supply report which identifies the five year housing land supply position. This assessment will provide the evidence to inform the preparation of the Local Plan Review.

### **STAGE 3: WINDFALL SITES**

- 3.44 The PPG advises that an allowance for windfall sites may be justified if there is compelling evidence to show that they will provide a reliable source of supply.<sup>12</sup> Any allowance should be realistic having regard to, historic windfall delivery rates and expected future trends.
- 3.45 The Council has periodically undertaken reviews of windfall development in the County to assess the contributions from large and small windfall sites and the scope for identifying windfall contributions that may come forward over the period to 2036.<sup>13</sup> The windfall assessment is set out in the annual Five Year Land Supply Report available on the website at [www.rutland.gov.uk](http://www.rutland.gov.uk).

### **STAGE 4: ASSESSMENT REVIEW**

- 3.46 In respect of housing supply, a housing trajectory table will be provided as part of the SHELAA report setting out how much housing can be provided and at what point in the future from those SHELAA sites assessed as being deliverable or developable. Data from

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<sup>12</sup> NPPF paragraph 70

<sup>13</sup> The most recent Windfall Housing Study was published in July 2017. For further information see <https://www.rutland.gov.uk/my-services/planning-and-building-control/planning/planning-policy/local-plan-evidence-base/housing/>

the Five Year Land Supply Report 2018/19 will be used in the table to give the full picture of housing supply for Rutland at this point in time.

- 3.47 If insufficient sites are identified against objectively assessed needs, further sites may be sought and/or the assessment revised, where necessary changing the assumptions on development potential of particular sites. If, following this review there are still insufficient sites, then it will be necessary to investigate how the shortfall should best be planned for, including the consideration of 'broad locations' for the delivery of development later in the plan period. If after this, there is clear evidence that the needs cannot be met locally, it may be necessary to consider how needs might be met in adjoining areas in accordance with the duty to cooperate.
- 3.48 The SHELAA will be updated on a regular basis and will be used to inform the updating of the housing trajectory and the Five Year Housing Land Supply. The update will ensure that any changes in the status of SHELAA sites and progress in the delivery of identified sites is monitored. The update will also include the assessment of any additional sites that may have been submitted since the publication of the previous SHELAA.
- 3.49 A full re-survey of the sites/broad locations will only be undertaken when the development plan is reviewed or other changes make this necessary, for example if the Council is not able to demonstrate a five year supply of specific deliverable sites for housing.

## **STAGE 5: FINAL EVIDENCE BASE**

- 3.50 The final version of SHELAA will be published containing the following information:
- 1) a list of all sites or broad locations that have been considered, cross-referenced to their locations on maps through specific site information sheets;
  - 2) an initial assessment of whether sites identified meet minimum size requirements, national designations and policies through screening process 1;
  - 3) a more detailed assessment (stage 2a and 2b) of sites that are not screened out at the initial phase including an assessment of suitability for development, availability and achievability including whether the site is realistically expected to be developed and when;
  - 4) an indicative trajectory table of anticipated development;
  - 5) a summary broken down for each parish indicating the total numbers of dwellings considered to be deliverable and developable by 5-year period.

**APPENDIX 1: GIS Constraint Check - Physical and Environmental Constraints RAG Rating**

Criteria	'RAG' rules	Commentary
SSSI Impact Risk Zones	<p><b>R</b> = Within an SSSI IRZ for all development</p> <p><b>A</b> = Within an SSSI IRZ for the type and scale of development likely to be proposed</p> <p><b>G</b> = Not within an SSSI IRZ</p>	<p>Impact Risk Zones (IRZs) are a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks to SSSIs posed by development proposals. They define zones around each SSSI which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts. The IRZs also cover the interest features and sensitivities of European sites, which are underpinned by the SSSI designation and "Compensation Sites", which have been secured as compensation for impacts on Natura 2000/Ramsar sites.</p> <p>LPA's have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. As such IRZs enable a consideration of whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated.</p>
Proximity to a Local Wildlife Site	<p><b>R</b> = Includes or is adjacent</p> <p><b>A</b> = &lt;50m</p> <p><b>G</b> = &gt;50m</p>	<p>There are a number of LWS situated within the county. The RAG distances reflect this, along with the assumption that the sites are of less significance/ are less sensitive than nationally designated SSSIs.</p>
Proximity to a BAP priority habitat	<p><b>R</b> = Includes or is adjacent</p> <p><b>A</b> = &lt;50m</p> <p><b>G</b> = &gt;50m</p>	<p>This seeks to flag if a development at a site could result in the loss of and therefore fragmentation of BAP priority habitats. It also helps to flag if there is the potential for disturbance to priority habitats within 50m of the site.</p>
Landscape sensitivity	<p><b>R</b> = Medium-High/High</p> <p><b>A</b> = Medium</p> <p><b>G</b> = Low/Low-Medium</p> <p>n/a = site not covered</p>	<p>A Landscape Sensitivity and Capacity Study was undertaken for Rutland in 2010 (David Tyldesley and Associates on behalf of Rutland County Council May 2010). This categorised landscape sensitivity of the areas considered into 'high', 'medium-high', 'medium', 'low-medium' and 'low' sensitivities. This constraint check is carried out using a GIS layer which identifies the sensitivity areas. Therefore if any of the site (no matter how small the area is) overlaps 'medium-high' or 'high' then it will be identified with a red RAG rating. If the site is not covered by the study it is identified as such with a grey not applicable status (n/a). Further qualitative assessment is carried out on landscape in addition later in the process.</p>

Criteria	'RAG' rules	Commentary
Proximity to a Conservation Area	<p><b>R</b> = Intersects or is adjacent</p> <p><b>A</b> = &lt;50m</p> <p><b>G</b> = &gt;50m</p>	<p>It is appropriate to 'flag' as red where a site is within, intersects with or is adjacent to a Conservation Area. It is also appropriate to flag sites that might more widely impact on the setting of a Conservation Area and a 50m threshold has been assumed. It is recognised that distance in isolation is not a definitive guide to the likelihood or significance of effects on a heritage asset. It is also recognised that the historic environment encompasses more than just designated heritage assets.</p> <p>Whilst there is good potential to highlight where development in proximity to a heritage asset might impact negatively on that asset, or its setting, a limitation relates to the fact that it is unlikely to be possible to gather views from heritage specialists on sensitivity of assets / capacity to develop each of the sites. This is a notable limitation as potential for development to conflict with the setting of historic assets / local historic character can only really be considered on a case-by-case basis rather than through a distance based criteria. It will also sometimes be the case that development can enhance heritage assets.</p>
Proximity to a Registered Park or Garden	<p><b>R</b> = Is adjacent</p> <p><b>A</b> = &lt;50m</p> <p><b>G</b> = &gt;50m</p>	As above.
Proximity to a Scheduled Monument	<p><b>R</b> = Is adjacent</p> <p><b>A</b> = &lt;50m</p> <p><b>G</b> = &gt;50m</p>	As above.
Proximity to a listed building	<p><b>R</b> = Intersects or is adjacent</p> <p><b>A</b> = &lt;50m</p> <p><b>G</b> = &gt;50m</p>	As above.
Tree Preservation Orders	<p><b>A</b> = Site Intersects with TPO</p> <p><b>G</b> = Site does not intersect with TPO</p>	It is appropriate to flag up sites where there are Trees protected by Tree Preservation Orders present. Whilst appropriate schemes can be designed to take account of the impact on protected trees it is important that they are identified as a constraint on a site.
Agricultural land quality	<p><b>R</b> = Grade 1 or 2</p> <p><b>A</b> = Grade 3</p> <p><b>G</b> = Grade 4/5 or urban</p>	Recent land classification has not been undertaken in many parts of Rutland. As such the pre-1988 classification is the only means of consistently comparing sites. This does not however provide a distinction between Grade 3a (i.e. land classified as the 'best and most versatile') and Grade 3b land (i.e. land which is not classified as such). As such Grade 3 land has been assigned an 'amber' score.

Criteria	'RAG' rules	Commentary
Fluvial flood risk	<p><b>R</b> = &gt; 50% intersects with Flood risk zone 2 or 3</p> <p><b>A</b> = &lt; 50% intersects with Flood risk zone 2 or 3</p> <p><b>G</b> = Flood risk zone 1</p>	<p>Flood Zone 1 - land assessed as having a less than 1 in 1,000 annual probability of river flooding (&lt;0.1%).</p> <p>Flood Zone 2 - land assessed as having between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% – 0.1%) in any year.</p> <p>Flood Zone 3 - land assessed as having a 1 in 100 or greater annual probability of river flooding (&gt;1%) in any year.</p> <p>N.B. While it is important to avoid development in flood zones, there is the potential to address flood risk at the development management stage, when a 'sequential approach' can be taken to ensure that uses are compatible with flood risk.</p>
Surface water flood risk	<p><b>A</b> = Areas of high or medium surface water flood risk is present in the site</p> <p><b>G</b> = No areas of surface water flood risk are present in the site</p>	<p>High - each year, the area has a chance of flooding of greater than 1 in 30 (3.3%)</p> <p>Medium - each year, the area has a chance of flooding of between 1 in 100 (1%) and 1 in 30 (3.3%)</p> <p>This criterion will help to identify sites that fall within surface water flood risk areas. N.B. While it is important to avoid development in flood zones, there is the potential to address flood risk at the development management stage, when a 'sequential approach' can be taken to ensure that uses are compatible with flood risk. There is also the potential to design-in Sustainable Drainage Systems (SuDS).</p>
Groundwater Source Protection Zones (SPZs)	<p><b>R</b> = Within a Zone 1 SPZ</p> <p><b>A</b> = Within a Zone 2 or 3 SPZ</p> <p><b>G</b> = Not within an SPZ</p>	<p>Groundwater Source Protection Zones are designated zones around public water supply abstractions and other sensitive receptors that signal there are particular risks to the groundwater source they protect.</p> <p>The zones are based on an estimation of the time it would take for a pollutant which enters the saturated zone of an aquifer to reach the source abstraction or discharge point. For each source, three zones are defined around a particular water abstraction based on travel times, of the groundwater (Zone 1 = 50 days; Zone 2 = 400 days) and the total catchment area of the abstraction (Zone 3).</p>
Open space	<p><b>R</b> = Loss of public open space</p> <p><b>G</b> = No loss of public open space</p>	<p>The presumption is that a loss of open space will lead to a negative impact in relation to a range of SA themes. However it should be noted that some loss of open space may not necessarily be a negative effects if green infrastructure enhancements are initiated on-site or nearby.</p>
Minerals	<p><b>A</b> = Intersects with a Minerals Safeguarding Area</p> <p><b>G</b> = Does not intersect with a Minerals Safeguarding Area</p>	<p>The identification of MSAs does not necessarily mean that these areas will be worked in the future. MSAs, and corresponding Minerals Consultation Areas (MCAs), should be viewed as a sign-post to indicate the presence of mineral resources and as a trigger for such issues to be considered in the decision-making processes for land-use planning, including consultation where non-minerals development is proposed.</p>
Employment site	<p><b>R</b> = Loss of allocated employment site</p> <p><b>G</b> = No loss of allocated employment site</p>	<p>Considers the loss of an allocated employment area.</p>

## APPENDIX 2: Detailed Assessment with Consultation Responses RAG Rating

Criteria	'RAG' rules	Commentary	Source
Topography	<p><b>R</b> = Steep slope/ undulations – significant topographical constraints preventing development of the site</p> <p><b>A</b> = Gentle undulation/slope – so moderate topographical constraints would need mitigation adding to viability issues</p> <p><b>G</b> = Relatively flat with no topographical constraints to development</p>	Whether land flat, sloping etc.	Landscape sensitivity and capacity study reports – sites are generally part of a larger area of assessment within the study.
Agricultural Land	<p><b>R</b> = Within Grades 1 and 2</p> <p><b>A</b> = Within ALC Grade3</p> <p><b>G</b> = Within ALC Grades 4 or 5 (and urban)</p>	<p>Agricultural Land Classification (ALC)</p> <p>National policy requires protection of best and most versatile agricultural land which is defined as Grade 1, 2 and 3a in Annex 2 of the NPPF</p>	<p>MAGIC Dataset - <a href="http://www.magic.gov.uk/MagicMap.aspx">http://www.magic.gov.uk/MagicMap.aspx</a></p>
Previously Developed Land	<p><b>R</b> = Greenfield</p> <p><b>A</b> = Partially Brownfield</p> <p><b>G</b> = Brownfield</p>	Efficient use of brownfield land	SHELAA Submission Forms

Criteria	'RAG' rules	Commentary	Source
Biodiversity – International and National Designations (SSSI, SAC, SPA and Ramsar)	<p><b>R</b> = Site is a designated SSSI/SAC/SPA or Ramsar Site.</p> <p><b>A</b> = Site is within a Natural England Impact Zone – Impact Zone indicates that Natural England required to be <b>consulted</b> on likely risks.</p> <p><b>G</b> = Not within a Natural England Impact Zone, or within a Natural England Impact Zone but is unlikely to have an adverse impact on any designated site, meaning that Natural England consultation <b>not</b> required.</p>	Impact on biodiversity of SSSIs/SAC/SPAs and Ramsar Sites (nationally and internationally designated).	Impact Zones: <a href="http://www.magic.gov.uk/MagicMap.aspx">http://www.magic.gov.uk/MagicMap.aspx</a>
Biodiversity – Local Designations	<p><b>R</b> = Site is a locally designated nature site; and/or Significant impacts on Local Wildlife Sites, protected species and Biodiversity Action Plan (BAP) priority habitats. Significant mitigation required; only partial development of the site may be acceptable.</p> <p><b>A</b> = Significant impacts on Local Wildlife Sites, protected species and BAP priority habitats, but which can be accommodated through mitigation and avoidance of harm and/or further surveys required.</p> <p><b>G</b> = Less significant or negligible impacts on Local Wildlife Sites, protected species and Biodiversity Action Plan (BAP) priority habitats.</p>	Impact on locally designated wildlife sites and protected species.	The Leicestershire & Rutland Environmental Records Centre (LERC).

Criteria	'RAG' rules	Commentary	Source
Tree Preservation Orders	<p><b>R</b> = Significant adverse impact on Tree Preservation Orders (e.g. blanket)</p> <p><b>A</b> = Tree Preservation Orders – but impact can be mitigated.</p> <p><b>G</b> = No Tree Preservation Orders</p>	Impact on Tree Preservation Orders.	Local Authority GIS records
Settlement Planned Limits of Development	<p><b>R</b> = No relationship</p> <p><b>A</b> = Edged on 1-2 sides</p> <p><b>G</b> = Within settlement or edged on 3 sides</p>	Whether the site is a logical extension to a settlement's planned limits of development.	Local Authority GIS records
Heritage Assets	<p><b>R</b> = Significant adverse impact would result in the loss of a designated heritage asset</p> <p><b>A</b> = Some impact which could be mitigated (e.g. affect a heritage asset and/or the setting of a heritage asset)</p> <p><b>G</b> = No impact on heritage asset or setting</p>	<p>Impact on designated and locally important heritage assets and their setting including:</p> <ul style="list-style-type: none"> <li>• Scheduled Ancient Monuments</li> <li>• Registered Parks and Gardens</li> <li>• Conservation areas</li> <li>• Listed buildings</li> </ul>	Local Authority GIS records and consultation with Conservation Officer where heritage asset located within 50m of site or where there are known issues.
Archaeology	<p><b>R</b> = Significant adverse impact on an archaeological site</p> <p><b>A</b> = Some impact which could be mitigated (e.g. affect an archaeological site and/or the setting)</p> <p><b>G</b> = No impact on archaeological site</p>	<p>Impact on designated and locally important heritage assets and their setting including:</p> <ul style="list-style-type: none"> <li>• Archaeological Sites</li> </ul>	Leicestershire County Council Archaeology

Criteria	'RAG' rules	Commentary	Source
Landscape	<p><b>R</b> = Sensitivity to development is High, Capacity for development is low</p> <p><b>A</b> = Sensitivity to development and capacity for development both moderate</p> <p><b>G</b> = Sensitivity to development Low and Capacity for development - High</p>	<ul style="list-style-type: none"> <li>• Impact on landscape and townscape character</li> <li>• Impact in relation to scale and character of existing community</li> <li>• Impact on historic landscape character</li> <li>• Using the Landscape Sensitivity and Capacity Study LS&amp;C (2017 and 2016 / 2017)</li> </ul>	Landscape Sensitivity and Capacity Studies and consultation with Landscape Architect.
Green Infrastructure	<p><b>R</b> = site is public open space /recreation facility which will be lost</p> <p><b>A</b> = site is public open space/recreation facility but any loss can be mitigated against</p> <p><b>G</b> = Not a public open space/recreation facility - so no loss/impact</p>	Loss/Impact on public open spaces/recreation as identified in the Council Sport and Recreation Facilities Strategy and Open Space, Informal Recreation Assessment Nov 2015	Council Sport and Recreation Facilities Strategy and Open Space, Informal Recreation Assessment Nov 2015
Important Open Space	<p><b>R</b> = Loss or adverse impact on the openness of the important space</p> <p><b>A</b> = designated site but with no adverse impact</p> <p><b>G</b> = Not designated</p>	Loss or harm of a designated important open space and frontages.	Local Authority GIS records
Water Conservation and Management – Flood Risk	<p><b>R</b> = Significant flood risk or potential to exacerbate flood risk downstream – known issues</p> <p><b>A</b> = Moderate flood risk or possible/potential risk to downstream locations.</p> <p><b>G</b> = No flood risk or minimal downstream flood risk.</p>	<p>Susceptibility to, and impact on, flood risk.</p> <p>Sites will be subject to the sequential test and where necessary the exception test.</p>	Local Lead Flood Authority comments (using Environment Agency Flood Maps)

Criteria	'RAG' rules	Commentary	Source
Environmental Quality, contaminated Land and Human Health	<p><b>R</b> = Significant detrimental effect that cannot be mitigated against and/ or Contamination likely – known issues</p> <p><b>A</b> = No significant detrimental effect that cannot be mitigated against and/ or Contamination possible</p> <p><b>G</b> = No detrimental effect and or/ Contamination unlikely</p>	<p>Impacts on occupants of new development arising from existing sources of :</p> <ul style="list-style-type: none"> <li>• Air quality (including dust) and pollution</li> <li>• Noise and vibration</li> <li>• Odours</li> <li>• Bird strike hazard zone</li> <li>• Potential for residual environmental nuisance</li> <li>• Contaminated land</li> <li>• Potential for cumulative impacts</li> </ul>	Rutland County Council Environmental Health
Restoration and after use		Potential for beneficial restoration and after use	Northamptonshire County Council
Waste Management		<ul style="list-style-type: none"> <li>• Enable communities to take more responsibility for their own waste</li> <li>• Contribution towards sustainable waste management and a reduction in reliance on land filling</li> <li>• Co-location of facilities together and with complementary activities</li> </ul>	Northamptonshire County Council
Access	<p><b>R</b> = No access achievable</p> <p><b>A</b> = Potential access concerns which are resolvable</p> <p><b>G</b> = No access concerns</p>	<ul style="list-style-type: none"> <li>• Consultation with Local Highways Officer.</li> </ul>	Local Highways Authority
Impact on wider road network	<p><b>R</b> = Significant impact on the wider road network with no possible mitigation</p> <p><b>A</b> = Impact on the wider road network requiring mitigation</p> <p><b>G</b> = No significant impact on the wider road network</p>	<ul style="list-style-type: none"> <li>• Consultation with Local Highways Officer.</li> </ul>	Local Highways Authority

Criteria	'RAG' rules	Commentary	Source
Rights of way	<p><b>R</b> = Public rights of way affected no mitigation possible</p> <p><b>A</b> = Permissive footpaths/Public rights of way affected – requiring mitigation.</p> <p><b>G</b> = No public rights of way affected</p>	<p>Potential impact on public rights of way and whether they would need to be designed in to a scheme, whether they would need to be re-routed or whether they would be significant enough to stop the development of the site.</p>	<p>Local Highways Authority GIS records</p>