

## Newton Poppleford and Harford Parish Council

### Discussion Paper: For Parish Council Meeting.

### Review of Strategic Housing Land Availability Assessment Process in 2012 for Newton Poppleford And Harford Parish Council

#### Aim of the Paper

1. The Parish Council agreed to review the Strategic Housing Land Availability Assessment (SHLAA) process that the Council had been involved during the 2012 exercise led by East Devon District Council. This paper provides a brief review of the background to the SHLAA request and some of the key issues raised about the process.
2. This review has been based on issues raised in Council meetings, the documents provided by Councillor Salter (see **Annex A**) and the Clerk, minutes of meetings and information provided by Councillors.

#### Background

3. The new **East Devon Local Plan** will set out where development in East Devon will occur and how natural assets will be conserved and enhanced. The Plan has yet to be finalised. In the Plan, East Devon District Council assigns 40 homes to Newton Poppleford until 2026. This represents a 5 percent increase on the existing number of houses which, given the decreasing size of households, is likely to maintain the existing population of the village.
4. A **Village Development Plan Document (DPD)** is being produced separately from the main local plan document by East Devon District Council (EDDC). The Plan will be concerned with development boundaries around villages, the allocations of land for development at these villages and other policies that may be applicable at or for villages.
5. Parish and Town Councils were asked to consider all potentially developable sites that were put forward through the Strategic Housing Land Availability Assessment (SHLAA) and identify the preferred site/s to report back to the East Devon Planning Policy team by 30 November 2012. Following this, East Devon Planning will ensure site selections for development allocations are reasonable and sustainable and then go out to consultation on the Village Development Boundaries DPD in early 2013.
6. To provide some of the evidence for the East Devon Local Plan, annual studies called **Strategic Housing Land Availability Assessments (SHLAAs)** are undertaken. The SHLAAs help identify suitable sites with potential for housing, investigate their housing potential and assesses when they are likely to be developed over the next 15 years. However, inclusion of a site in the SHLAA does not indicate that a site will be granted planning permission or allocated for development. (East Devon District Council web site)
7. East Devon District Council set out how the SHLAA was conducted and then implemented it themselves using input from stakeholders. Landowners were requested to submit information about potential sites for inclusion in the SHLAA. EDDC reviewed information about the sites and decided which sites were surveyed. The EDDC conducted the surveys to look at the suitability,

availability and achievability for development of the site using an agreed methodology. Outputs were provided in terms of maps of areas and a table of potential sites which also listed any constraints.

8. Planning proposals on sites identified in the SHLAA report will be judged on their merits against the relevant Development Plan policies unless material considerations indicate otherwise. The SHLAA does not preclude sites from being developed for other suitable uses, neither does it preclude other sites that have not been identified in the SHLAA being developed for housing. (Methodology for Strategic Housing Land Availability Assessments, Exeter Housing Market Area, Revised August 2011)
9. Potential sites for new housing which have been identified through the SHLAA are being further tested through the process for Development Plan Documents where judgements will be made about whether sites should be allocated through plan policy. This will include testing through Sustainability Appraisal / Strategic Environmental Assessment, Appropriate Assessment, stages of public participation and independent examination. It was at this stage that EDDC requested information from the Newton Poppleford Parish Council in terms of filling out a Sustainability Appraisal form for each potential developable site identified in the 2012 SHLAA and for some sites identified in previous SHLAAs.
10. The Sustainability Appraisal is a statutory requirement of the Planning and Compulsory Purchase Act 2004. It is designed to ensure that the Development Plan Document (DPD) preparation process maximises the contribution that a plan makes to sustainable development and minimises any potential adverse impacts. (East Devon Local Plan, Publication Draft, Sustainability Appraisal Report, Prepared by LUC, October 2012). The criteria used in the questionnaires filled in by the Parish Council are found in Appendix 5 of the new East Devon Local Plan Proposed Submission, November 2012.
11. Separate to the development process run by EDDC, the Parish Council developed a Parish Plan. Parish Plans are a local initiative which enable the community to identify the characteristics which make their village special and any issues which need to be resolved to improve quality of life. The Parish Plan is not a statutory planning document and it can cover far more than the built environment and does not usually identify particular sites for development.
12. To develop the Parish Plan, every household in the parish received a questionnaire and around 70% were returned, so the Parish Plan has a sound basis. Key issues that the Parish Plan highlighted are: traffic, a need for new community facilities, such as a new hall, school and surgery and a need for a small amount of extra housing, particularly affordable and for older people. The Parish Plan does not decide where development should take place, this is the role of the East Devon Local Plan.

### **Parish Council Role**

13. Parish and Town Councils were asked to consider all potentially developable sites that were put forward through the Strategic Housing Land Availability Assessment (SHLAA) and identify the preferred site/s of the local community to accommodate the housing numbers identified in the emerging East Devon Local Plan. Councils were asked to report back to the East Devon Planning Policy team by 30 November 2012.

14. Part of the response to East Devon was to complete questionnaires for a Sustainability Appraisal of sites that had already been included in the SHLAA 2012 (and previous SHLAAs) process and the other main part was to consult with the community and any other interested parties.
15. Following this, East Devon Planning will ensure site selections for development allocations are reasonable and sustainable and then go out to consultation on the Village Development Boundaries DPD in early 2013.
16. At the Parish Council meeting of 2 October 2012 the minutes indicate that EDDC had requested a meeting with the Parish Council to discuss development issues for the East Devon Local Plan. The Parish Council discussed the issue "In Committee" on 11 October.
17. Some of the information from the questionnaire used to consult for the Parish Plan was used in discussions of options. The Parish Council also held an open meeting in the Village Hall on the 24<sup>th</sup> November 2012. At that meeting the proposed sites for development from the SHLAA exercise were available for discussion. Residents attending the meeting were asked to fill in a questionnaire to help identify which sites were preferred for development. At the open meeting one of the proposed sites (Clinton Devon Estates) was already advanced in their proposal for development and presented initial plans at the meeting.
18. Sustainability Appraisal forms were filled in by the Clerk, in the first instance, for each of the proposed developable sites. The forms were then e-mailed to all Councillors for comment and edit, which a few did. Forms were then returned to EDDC.
19. The deadline for submitting information to EDDC was tight and needed to be in at the 30 November 2012.

#### **Issues raised concerning the conduct of the SHLAA**

20. Issues concerning the conduct of the SHLAA process have been raised by Councillor Salter and members of the public. The main issues raised are captured in the tables below, followed by comments based on evidence from documents and minutes. Learning points have been identified for each issue that the Parish Council may wish to consider and apply to further consultations. It is noted that the identification of potential sites for housing will be occurring again in 2013.

<p>1) <b>Issue:</b> Process must be open and transparent and fully informed with all interested parties including residents, land owners and businesses.</p>
<p><b>Comments:</b> A public exhibition was held on 24<sup>th</sup> November 2012, which was close to the deadline for submission of information to EDDC. The meeting was advertised on the Parish Council noticeboards and website and by an advert in the Sidmouth Herald on 17<sup>th</sup> November. Attendance at the meeting was about 110 people. Whilst EDDC requested openness and transparency, they also leave the process up to the Councils. It was also noted that three meetings were held by some members of the Parish Council with one of the developers (Clinton Devon Estates) in private.</p>
<p><b>Learning points:</b></p>

- Request information from EDDC on the purpose, process and timing as early as possible. Seek EDDC's direct involvement to explain the process.
- Set out a timetable to allow sufficient time to engage with stakeholders and community. (as does Government).
- Establish a sub-committee and appropriate governance if areas of discussion with stakeholders are to be taken forward.
- Set out how the community and other stakeholders will be engaged and consulted, seeking out best practice as needed.
- Ensure information is communicated through a range of channels using plain English as much as possible. This needs to reflect value for money.
- Issue about how we engage with developers going forward, need to be fair and objective to all potential developers.
- Need to be clear about the role of engagement in a public meeting ie. To seek opinions and input, to inform a decision, to test different options etc.. The Parish Council needs to explain its rationale behind its position on an issue.
- Councillors need to ensure they are clear about what their personal opinions are and what is a Parish Council opinion or decision.

2) **Issue:**

The results of the SHLAA questionnaire were compiled by Mr Swann who was party to consultations with Clinton Devon Estates. Results were compiled by Mr Swann on 28 November 2012 although questionnaires stated that residents had until 29<sup>th</sup> November to respond. (Note no other responses were received)

**Comments:**

Mr Swann responded to these issues at the meeting on 29<sup>th</sup> April 2013. The questionnaire responses were reviewed by Mr Swann and Councillor Sanders.

**Learning points:**

- Need to establish any potential conflicts of interest before engaging a volunteer to help with Parish Council work and support them.

3) **Issue:**

SHLAA Public Meeting Questionnaire: Q3 of the questionnaire has been misunderstood and therefore the figures are wrong. Q2 asks 'Do you think 50 houses is the right number', 21 people supported 50 houses and 43 people did not support 50 houses. Q3 then goes on to ask 'Of No to Q2 what is the suggested number'. A range of suggested numbers of houses are provided. It is not clear from the results how many of the 21 supporting 50 houses in Q2 may have answered again in this question.

**Comments:**

Q3 is not conclusive and therefore should not be used. The response is ambiguous in relation to the response in Q2.

**Learning point:**

- Questionnaires need to need to be designed carefully to ensure responses are unambiguous and that they are not leading. Parish Council should seek guidance and best practice in preparing questionnaires. The information derived from questionnaires needs to be put into the overall context for which it is being used. (Note the questionnaires were those set out by Woodbury Parish Council).

4) **Issue:**

SHLAA Public Meeting Questionnaire: Q6 asked residents for their preferences of potential SHLAA sites. Full plans were provided by Clinton Devon Estates (CDE) at the open meeting.

<p><b>Comments:</b></p> <p>The Parish Council took the opinion that it would be better to have as much information available as possible. CDE were obviously quite far forward in their thinking to enable them to show outline plans and get some initial input from residents.</p>
<p><b>Learning points:</b></p> <ul style="list-style-type: none"> <li>• Parish Council needs to consider carefully the format of these type of meetings and how they will be perceived by the community.</li> <li>• Council may wish to seek out best practice for engagement events.</li> <li>• Need to recognize that it is difficult to get the right balance in providing information. Some people would have wanted to see all information that is available and some prefer to have information on an equal basis.</li> </ul>

<p>5) <b>Issue:</b></p> <p>The Sustainability Appraisal: Site Assessment Checklist submitted by the Parish Council for the land at King Alfred Way is littered with incorrect answers Q2, 3, 9 and 13.</p>
<p><b>Comments:</b></p> <p>Sustainability Appraisal forms were set out with criteria identified in the East Devon Local Plan. EDDC delegated completion of these forms to the Parish Council. The Parish Council requested the Clerk to fill in the forms for the Council. The purpose of the forms is to assess the sites identified in the village, considering whether development of each site would result in positive, neutral or negative impact. These forms are supplementary to the surveys already carried out by professionals as part of the SHLAA process. The criteria do not seem to be supported by further guidance.</p> <p>The issue about incorrect answers focuses only on the KAW site. For Q2, a comment in one of the Parish Council meetings said that ‘the site is not flat’, however the question actually asks ‘Is the route flat, if not is the gradient reasonable for the less mobile’ the answer given is ‘yes’.</p> <p>It is not clear what is proposed as incorrect for Qs 3 (distance from schools), 9 (promote conservation) and 13 (maintain and enhance the environment).</p> <p>A table developed by a member of the community has given marks for each criteria on the Sustainability Appraisal for each of the 5 sites to discredit the preferred site. Unfortunately the assumption has been to give every minor criteria the same weighting. The analysis also refutes the Parish Plan identified needs for a community hall and surgery.</p>
<p><b>Learning points:</b></p> <ul style="list-style-type: none"> <li>• Seek further guidance from EDDC in how to fill in these forms as early as possible.</li> <li>• Identify the context of these forms and how important their contribution will be to EDDC’s development plans.</li> <li>• Parish Council needs to discuss what their expectations are and if further quality assurance is required in providing responses.</li> <li>• It would be useful to test the robustness of a decision in the preference of sites if some of the main factors were to change.</li> </ul>

**Next steps:**

- Include any further issues and comments that need to be addressed
- Discuss the findings at a Parish Council meeting and what actions the Parish Council can take forward.

## **ANNEX A – Documents Reviewed**

- Strategic Housing Land Availability Assessment – Issues raised by Councillor Salter
- Site Assessment Checklist forms with responses (Sites: King Alfred Way, Down Close to the South, Little Down Nurseries, School Lane, Badger Close, Back Lane-does not meet criteria)
- Preferred Site/Sites Response Form to East Devon
- Strategic Housing Land Availability Assessment – A brief guide to the process in East Devon
- Newton Poppleford and Harpford Parish Council – Discussion paper for the Local Development Framework (22 March 2010)
- Newton Poppleford and Harpford Parish Council – Letter to Head of Countryside and Planning, East Devon (29 March 2010)
- East Devon District Council, Local Development Framework Panel Meeting – Agenda and SHLAA update (12 February 2009)
- East Devon District Council – Villages Plan. Statement for the Newton Poppleford Parish Council regarding role of Strategic Housing Land Availability Assessment (SHLAA) in plan preparation.
- East Devon District Council Letter to Clerk: Review of Village Boundaries (17 May 2012)
- Summary Report on the Newton Poppleford SHLAA Questionnaire (28 November 2012)
- Newton Poppleford SHLAA Report Addendum (30 November 2012)
- Map of SHLAA sites
- SHLAA Open Meeting Report
- Newton Poppleford Parish Council: How we got to where we are today. (Context of SHLAA process)
- Table comparing 5 sites and allocating points to answers provided on the Sustainability Appraisal Forms
- Parish Council Minutes Tuesday 2 October 2012
- Parish Council Minutes Tuesday 4 December 2012
- Priority Parish Requirements CIL/106

### **Comments on the initial paper have been received from:**

- Councillor Phillips
- Councillor Slattery
- Councillor Slater
- Clerk to Council