

Neighbourhood Planning & Local Planning Service Redesign & Capacity Building fund – Milton Keynes Council

1. Background to proposal

- 1.1. The main group within the pilot study was originally intended to be an urban parish predominantly focussed on underused garage sites. However, a rural parish council subsequently indicated they were conducting their own assessment of land availability and site assessments.
- 1.2. This parish were therefore brought into the exercise and the findings below also relate to this particular group and their experiences in collecting information on site availability and suitability.
- 1.3. The rural group actually provided the more significant findings below as the urban sites were generally homogenous in nature with little to distinguish them, certainly not in strategic terms. Nevertheless, the general findings of the exercise are supported by the work with both groups.

2. Process undertaken

- 2.1. The exercise was intended to mirror the regular SHLAA process as much as possible, so as to examine how it would need to be tailored in order to fully engage local groups.
- 2.2. A template proforma that has been used in previous SHLAA exercises is available in Appendix 1. A slightly altered version, based on the feedback of groups involved in the exercise, is included as Appendix 2.
- 2.3. The exercise involved going on-site with representatives from parish council/neighbourhood plan groups and appraising the availability and broad suitability of sites for residential development.
- 2.4. This was more a discursive process than is normally undertaken by planning officers as it was considered there was less value in the local groups' role being simply to 'observe'. The sessions were run on the basis of the officer running through what they would normally do on viewing the site, and also their initial conclusions. The groups were then invited to discuss how their perspectives differed and what they would do differently if undertaking the process by themselves.
- 2.5. Typically, planning officers responded by respectfully pointing out why certain issues raised were either not material planning considerations or were matters of detail that could be overlooked at this particular stage of assessment. Nevertheless, the thrust of the exercise was principally the improvement of communication and technical understanding, so on many occasions the process itself was slightly amended or the issues raised were indeed incorporated into the final

assessment outcomes. A summary record of the most significant or interesting site-specific points raised and the discussion that ensued is included in Appendix 3.

- 2.6. Parish Councils would, of course, normally be a key consultee in the SHLAA process (as per the planning practice guidance) but the objective of the exercise was to actively engage local groups rather than consult them on methodology (before the assessment had taken place) or outcomes (after the assessment had taken place). This was in recognition of the fact that the groups would have to be carrying out similar processes if they wished to undertake a neighbourhood plan that allocated sites for development.
- 2.7. The second element of the exercise involved a recap of all the sites visited and agreement of the issues presented for discussion. Various 'follow-up' actions were agreed upon, such as the need to pursue certain landowners or statutory undertakers or more generally update the methodology used to assess the sites (see Appendix 1 and 2).

3. Existing Neighbourhood Plans

- 3.1. The proposal originally envisaged extending the exercise to include groups with a made neighbourhood plan. However, there was a weak reception to this idea, ostensibly due to the perception that starting new work on land availability in the area might imply that the Neighbourhood Plan was no longer valid despite being recently completed. This is viewed as a reputational issue rather than a genuine technical concern.
- 3.2. It is anticipated that it would be more appropriate to instigate the exercise in areas with a neighbourhood plan after a longer period of time had elapsed, e.g. 5 years post-making. Several of our Neighbourhood Plans include monitoring criteria, which mostly relate to the effectiveness of policies. Going forward the Council would consider recommending to groups that they include provision for a full review of land availability at given points in the Neighbourhood Plan period. Incidentally, once made the Neighbourhood Plans 'belong' to the Local Planning Authority so involving neighbourhood groups in the monitoring is a separate exercise that might largely mirror the findings of this one.

4. Conclusions – 'toolkit' lessons

- 4.1. There is little doubt that the exercise engendered the goodwill it was intended to create between parish council and local authority. However, to maintain this in a comprehensive SHLAA may require a degree of fragmentation of the document as a parish council will only be able to have 'ownership' of the particular chapter that relates to their area. It will not be practical to review evidence like the SHLAA on a

piecemeal basis so some thought ought to be given to reconstituting the SHLAA from a report-based document to a more fluid directory such as an online database. This would tie the approach taken in this exercise into other efforts at reforming the Local Plan process, such as the brownfield register and the Local Plan's Expert Groups recommendation for greater use of graphics and interactive tools in plan-making.

- 4.2. Another way that adopting the exercise might result in a slightly different 'product' to a regular SHLAA stems from the detail that the parish councils were keen to explore. There was inherent difficulty in establishing the principle of development without supposing certain principles that, to the local community, would be crucial. There is therefore the need or potential to make the SHLAA and its assessments more detailed than would usually be the case. This risks blurring the line between evidence and policy so further explanation of how policy is drafted might be required if the exercise is to be replicated elsewhere.
- 4.3. The role of the 'twin hatter' is also an interesting one. Members that sit on both the parish council and local authority are inadvertently afforded a greater involvement in the SHLAA process by virtue of being on both councils. As this exercise was restricted to just two particular areas this did not present a problem but it is envisaged that issues could arise in areas that are not represented by 'twin hatters'. A logical solution would be to simply ensure that in those situations, the Local Member is invited into the process alongside the parish council, but in a larger authority the logistics of carrying out the exercise become increasingly difficult if the attendance of every Local Member must be catered for.
- 4.4. The focus on involving the lowest tier of local government in the SHLAA process would also undoubtedly increase the expectation that other aspects of plan preparation and evidence gathering will be subject to similar engagement. This would be difficult to achieve within current resource constraints.
- 4.5. At a practical level the involvement of community groups in site identification is particularly useful in rural areas where local knowledge (or, specifically, the propensity for parish councillors to be involved in local agriculture) meant contact details for landowners are easier to come by without recourse to land registry searches.
- 4.6. Another indirect advantage of the exercise was that it 'swept up' other planning matters that may not have come to light. For example, various enforcement issues were duly noted and reported back to the authority. If the exercise was carried out in high-growth areas, the visits could also double as a land supply monitoring exercise by viewing the progress being made on development sites.

- 4.7. There was also an eagerness for surveying to be comprehensive – informally there seemed to be a considerable amount of local pride taken in knowing the circumstances of every piece of land in the area. This is potentially an important sense of responsibility for Local Authorities to harness as officers may not be able to justify the time pursuing every single site, which sometimes makes SHLAAs not as comprehensive as they could be. In the future, the Council may consider a two-tier approach to the SHLAA process where the LPA tackles sites promoted formally through a call for sites whilst asking parish councils to conduct local research into the ‘gaps’ that are left in and around settlements.
- 4.8. This split is most easily achieved along the lines of how receptive landowners are to promoting their sites. However it might also occur naturally in terms of size of sites. Typically the Local Authority would not consider land that cannot accommodate more than a certain number of dwellings (a threshold of 10 is used in Milton Keynes but we are aware some authorities go as low as 5). It was found that neighbourhood groups are often focussed on smaller in-fill type sites, so in future it may be reasonable to have a genuine ‘Strategic’ Housing Land Availability Assessment and also a ‘non-Strategic’ Housing Land Availability Assessment.
- 4.9. There was, predictably, still difficulty in undertaking assessment in a ‘policy off’ fashion. This reflects the fact that groups involved were already committed to a Neighbourhood Plan with a referendum in mind. It is therefore difficult to not conflate a genuine objective assessment of a site’s suitability with more subjective local reasons why a site should not be allocated in the proposed Neighbourhood Plan. In summary, the exercise did provide a useful way of explaining these issues first-hand and probably would improve the integration of neighbourhood planning and local plan making if rolled out over the longer term. However, in the shorter term it is unlikely the exercise would streamline the local plan process due to the additional logistics that were involved in administering it. This could potentially change if the outputs were reconstituted (see paragraph 4.1) with greater responsibility devolved to local groups to monitor and review findings. It is presently unclear what appetite there would be for this role at parish council level though as the SHLAA is ultimately a technical piece of evidence, the value of which would seemingly diminish to a neighbourhood group once a neighbourhood plan is adopted.
- 4.10. For these reasons, Milton Keynes Council will potentially only replicate the exercise in future where the timing of neighbourhood plan preparation and SHLAA site visits are compatible or in situations where there is a significant amount of ‘new’ land that has been promoted and a neighbourhood group has expressed an interest in being involved in the process of assessment.

Appendix 1 – original SHLAA template form

Site name:

Survey Date:

Location:

Surveyor Name:

Site Size	
Site Boundaries	
Current Use(s)	
Surrounding Land Use(s)	
Character of Surrounding Area	

Physical Constraints e.g. access, steep slopes, potential for flooding, natural features of significance and location of pylons		
Is site suitable for housing √ X	Is site suitable for mixed-use √ X	

Appendix 2 – amended SHLAA template form

Site name:
Location:
Neighbourhood Plan area:

Survey Date:
Surveyor Name:
Local accompaniment:

Site Size	
Site Boundaries	
Current Use(s)	
Planning history	
Surrounding Land Use(s)	
Character of Surrounding Area	

Physical Constraints e.g. access, steep slopes, potential for flooding, natural features of significance and location of pylons	
Local ownership constraints (e.g. covenants, ransom strips)	
Availability constraints?	
Site's potential 'added value' to local area.	
Other evidence required to improve conclusions.	

Other notes (to be reviewed)		
Is site suitable for housing <input checked="" type="checkbox"/> <input type="checkbox"/>	Is site suitable for mixed-use <input checked="" type="checkbox"/> <input type="checkbox"/>	
Are these circumstances likely to change in the future? <input checked="" type="checkbox"/> <input type="checkbox"/>		

Appendix 3 – summary record of discussion points and conclusions

Discussion point	Conclusion
Utilities – whether the adjacent flats had a gas supply and whether new development here could improve this.	Shouldn't fundamentally alter the principle of development but added to notes for context.
Ownership – the substantial verge edging the site was assumed to be in highways ownership making it questionable whether the land was accessible or not.	A useful local interpretation that may have been overlooked by an individual officer – duly to added to site assessment.
Several sites had planning history, either lapsed permission, refusals or permissions for non-residential uses. A significant amount of weight was placed on this by local groups in assessing the suitability of sites.	The SHLAA process should be independent and not influenced by previous planning history. However, as part of the contextual background to the site, it was decided it was useful to include a brief summary of planning history in order to provide full background for 'new' audiences.
The attractiveness of adjacent buildings and the public realm would make it challenging to deliver a suitable development.	Surrounding land uses are already taken into account in the assessment. In this instance it is best to establish the site's suitability in principle and then specify the details of delivery in policy requirements.
One site had seemingly been incorporated into the garden of an adjoining property without permission. There was much discussion about whether this affected its suitability or not, as well as whether any further action was necessary.	Added to notes for context with separate action to follow up with owner or enforcement team.
Members of the group had received several indications in recent years that the owner of one particular site had no wish to see it developed.	Noted but this does not prevent an assessment of its suitability. Added an 'availability constraints' section to accommodate this kind of information.
The site was unsuitable for agriculture because of an aquifer that frequently led to it being flooded.	The site is not in the flood zone and surface water flooding would normally be dealt with by Sustainable Urban Drainage systems. Agreed to add to notes with a caveat that anecdotal information should not prevent an overall assumption of suitability.
Site was heavily shrubbed with informal woodland that would need to be cleared.	Can be noted in current use and physical constraints. Overall

<p>Impossible to predict the implications this would have on suitability in terms of the visibility into/out of the site if developed.</p>	<p>conclusion is based on principle, which is fundamentally a locational judgement. This was countered by the claim that the site's wooded nature was fundamental to its suitability as it could not be retained and also developed. Therefore it was concluded to err on the side of caution and conclude that the site was not suitable until there is further evidence regarding the removal of the site's vegetation. A section regarding further 'desirable' evidence therefore added to proforma.</p>
<p>Site was extremely isolated from the settlement without any adjoining land promoted. Questions around whether it was worth considering the land at all in the assessment.</p>	<p>The SHLAA is supposed to be a comprehensive assessment of all land made available by owners. The outcome is clearly unsuitable so there is no harm in specifically including a site in the document and concluding this.</p>
<p>Three separate sites were adjacent to each other and generally speaking were individually of equal suitability. However, a larger development across all three sites would not be in keeping with the rural area. How can this cumulative impact be reflected.</p>	<p>This should be noted in neighbouring land use criteria and can also be elaborated under the new notes section. In general cumulative impact and appropriate scale of development is a matter for policy development and sustainability appraisal. Discussion on SA would be required at a later date with the group.</p>