

# **Abbots Bromley Parish Neighbourhood Development Plan Independent Consultant's Report**



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***September 2018 – Clive Keble Consulting Ltd.***

## **Executive summary and principal recommendations**

This report was commissioned by the Parish Council (PC), which wishes to move forward with work on the Neighbourhood Plan (NP). It assesses if the extensive body of previous work fulfils the requirements for a formal 6-week (Regulation 14) Draft Plan consultation, such that the PC has confidence that the process and evidence base reflect guidelines and good practice. When submitted, the NP must pass examination and be supported by local people at the referendum.

Initial reference is made to related advice that has been provided to the PC on Terms of Reference for a new NP Working group. Thereafter, as required by the PC the report focuses on consultation and evidence, especially a Housing Needs Assessment (HNA) and Housing Sites Assessment (HSA). Further, noting the critical relationship between NPs and Local Plans, the need to consider the revised National Planning Policy Framework (NPPF) and recently published toolkits and guidance for NPs, the report is set in its wider context. One issue for the NP and the process to date, is that the level of concern/conflict over potential additional housing sites has caused the process to become inward looking. This is a common feature of NPs, which are often locally contentious. However, a subsequent failure to consistently engage all interested parties and divergence from nationally applicable guidance/good practice can lead to problems at Submission and Examination. There is a focus in this report on how to avoid that problem.

The report sets out three options to enable the consideration of further housing provision, each of which presents both opportunities and constraints. There are two critical determinants on what will be the best option for Abbots Bromley that are identified; namely, the attitude of East Staffordshire Borough Council and what will be acceptable to the local community.

Six Key recommendations are set out below for the PC and Working Group to consider in order to make progress on the NP.

**Key Recommendation 1** - Agree Terms of Reference and confirm membership Working Group. Select Option A, B or C (or a variation) in this report, agree a Project Plan and Work Programme.

**Key Recommendation 2** – Meet ESBC formally to get agreement on either site allocations or a criteria-based approach in the NP, considering the existing or (potentially) emerging Local Plan.

**Key Recommendation 3** – Relaunch the NP to the local community **and** to businesses, landowners, developer, statutory consultees and other interested parties.

**Key Recommendation 4** – Revise and extend the Housing Needs Assessment to reflect the 2018 Locality Toolkit, “How to undertake a Housing Needs Assessment.”

**Key Recommendation 5** – Consider revising and extending work on Site Allocations, based on this report and the 2018 Locality Toolkit, “How to Assess and Allocate Sites for Development.”

**Key Recommendation 6** – Discuss potential grant aid and technical support with My Community/Locality and scope out consultancy support to enable completion of the NP.

Notwithstanding the above, it is a fact that Abbots Bromley will have a greater degree of influence on planning decisions if it has an up to date and well-prepared NP. However, the process needs to be completed because an NP will have no real influence until it has been Examined and “Made”, following a successful Referendum. Building on Key Recommendations, the next points identify some primary influences on and opportunities for, the NP.

- If the East Staffordshire Local Plan is reviewed, which is a possibility, then there may be a requirement for an additional housing requirement or a change in the village status.
- Schools and education in all sectors are subject to continual change and pressures and whatever the current position of Abbots Bromley School, it is likely that it will continue to look carefully at how land and building assets are used. A positive policy in the NP would ensure a degree of community influence over this.
- The NP can address wider matters than new housing, for example positive policies towards business development tourism and home working could help to ensure that Abbots Bromley retains and increases local employment and does not become a dormitory/commuter village. Other issues such as village parking, farm diversification and protecting important open spaces can also be covered.
- The process can be used to engage in and influence any review of the ESBC Local Plan to the extent that the NP and the LP take full account of both local circumstances and strategic influences, based on a positive working relationship.
- Finally, although the process of preparing a NP can sometime be divisive, which means that compromises have to be made, it is far preferable to have a strong” Made” NP to address planning issues in a proactive manner. The lesser alternative is that the PC simply reacts to applications and appeals, without the detailed local policy base that a NP can provide.

## 1 Terms of reference

1.1 The need for new or revised Terms of Reference (ToR) for a Working Group (WG) to complete the preparation of a Neighbourhood Plan (NP) for Abbots Bromley has emerged from the dissolution of the previous WG earlier in 2018. The Parish Council (PC) wishes to continue work on the NP and a new WG has emerged but this is an informal body not yet operationally linked to the Parish Council and there is need for updated and mutually agreed ToR.

1.2 Both versions of the ToR which are under consideration appear to be influenced by the strength of feeling over the demise of the original WG and differing views on approaches to consultation and accountability. As such, it can be argued that both fall into the trap of being over prescriptive. Focus and simplicity could provide a solution to this and it is worth considering the wider context.

1.3 A PC is ultimately subject to democratic processes and it is the tier of (local) government which is closest to the community. However, PCs must work according to a set of defined procedures on administration and governance. Since the 2011 Localism Act, Parish Councils and Town Councils may apply for their area to be designated as a Neighbourhood Area, to undertake Neighbourhood Planning, including the preparation of a Neighbourhood Plan. The governance requirements for PCs remain, but there is some flexibility on the approach to NPs.

1.4 In a designated neighbourhood area covering all or part of the administrative area of a parish council, the PC is responsible for neighbourhood planning. There is a requirement that where a parish council chooses to produce a neighbourhood plan it should work with other members of the community who are interested in, or affected by, the neighbourhood planning proposals to allow them to play an active role in preparing a neighbourhood plan.

1.5 The relevant legislation and guidance (see: <https://www.gov.uk/guidance/neighbourhood-planning--2#who-leads-neighbourhood-planning-in-an-area> ) set out requirements as follows.

- The relationship between any group and the formal functions of the town or parish council should be transparent to the wider public.
- A PC may choose to establish an advisory or sub-committee under S102(4) of the Local Government Act 1972 and appoint local people (not always parish councillors) to it.
- Members of such committees or sub-committees would have voting rights under section 13(3), (4)(e) or (4)(h) of the Local Government and Housing Act 1989.
- The terms of reference for a steering group or other body should be published and the minutes of meetings made available to the public.

1.6 Through Locality and the Royal Town Planning Institute (RTPI), the Government issued guidance on how to prepare NPs, including a toolkit on how to write a Terms of Reference (see:- <https://neighbourhoodplanning.org/toolkits-and-guidance/write-terms-reference-neighbourhood-plans/>) The guidance suggest a robust but simple approach to ToR.

1.7 Based on the above, a comprehensive report, including a review of a draft provided by the Parish Council, the comments on those from the new/emerging Working Group and a proposed composite set of Terms of Reference has been provided separately from this report.

## 2 Context

2.1 In order to be successful, both in terms of completing the process satisfactorily (especially the Examination) and proving effective at influencing planning decisions over time, a Neighbourhood Plan must be prepared taking full account of legislation guidance and good practice. The procedures, relating back to the Localism Act, are laid down in Government guidance <https://www.gov.uk/guidance/neighbourhood-planning--2> (updated in Feb. 2018).

2.2 The key test for an NP is that it must satisfy the Basic Conditions. The role of the examiner is to check for compliance with the Basic Conditions. If a NP is found to be non-compliant, it can fail at examination or be so substantially altered that it no longer reflects the Draft Plan.

The five Basic Conditions are:

**1** Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan.

**2** The 'making' of the plan contributes to the achievement of sustainable development.

**3** The 'making' of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).

**4** The 'making' of the plan does not breach and is otherwise compatible with EU obligations.

**5** Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

2.3 The Basic Conditions are largely unchanged since 2012, but more recently there have been significant changes in other important contexts to Neighbourhood Planning, that is:

A - the revised National Planning Policy Framework (NPPF) July 2018, see:

<https://www.gov.uk/government/collections/revised-national-planning-policy-framework>

B - updated support (including toolkits on site allocations and housing needs assessment) on

Neighbourhood Planning, see: <https://locality.org.uk/services-tools/neighbourhood-planning/>

### A - The NPPF

2.4 The NPPF represents the first of the Basic Conditions (Having regard to national policies and advice...). The third of the Basic Conditions relates to the "Strategic Policies" (as set out in the adopted ESBC Local Plan). In the revised document the following sections are pertinent to the Abbots Bromley NP, including the relationship with the ESBC Local Plan (my bold type).

### Plan-making (Local Plans)

**Para. 22.** Strategic policies **should look ahead over a minimum 15-year period from adoption**, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.

**Para. 33.** Policies in local plans.....should be **reviewed to assess whether they need updating at least once every five years** and should then be updated as necessary. **Reviews should be completed no later than five years from the adoption date of a plan** and should take into account changing circumstances affecting the area or relevant changes in national policy.

**Relevant strategic policies will need updating at least once every five years if their applicable**

**local housing need figure has changed significantly** and they are likely to require earlier review if local housing need is expected to change significantly in the near future.

### **Plan-making (Neighbourhood Plans)**

**Para. 29.** Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of a statutory development plan. **Neighbourhood plans should not promote less development than set out in the strategic policies for the area or undermine those strategic policies.**

**Para. 30.** Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; **unless they are superseded by strategic or non-strategic policies that are adopted subsequently.**

### **Delivering a sufficient supply of homes**

**Para. 60.** To determine the **minimum number of homes** needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

**Para 61.** Within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require **affordable housing, families with children, older people**, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).

**Para. 65.....** Within this overall requirement, **strategic policies should also set out a housing requirement for designated neighbourhood areas** which reflects the overall strategy for the pattern and scale of development and any relevant allocations.....

**Para.66.** Where it is not possible to provide a requirement figure for a neighbourhood area, the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should **take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy** of the local planning authority.

**Para. 77.** In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. **Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.**

## **B – Neighbourhood Plan Support (from Locality)**

2.5 Locality provides support to neighbourhood planning groups on behalf of the Ministry for Housing, Communities & Local Government with two types of support: Financial Grants and Technical Support (professional assistance/advice), see: <https://neighbourhoodplanning.org/> Locality also provides toolkits & guidance, supports a network and online advice. There are 28 toolkits, including two that are relevant to this review of work on the Abbots Bromley NP:

**A - How to undertake a Housing Needs Assessment (HNA).** (What is involved in undertaking a HNA and what data and resources will be required to complete an assessment, see: <https://neighbourhoodplanning.org/toolkits-and-guidance/undertake-housing-needs-assessment-hna/>)

**B - How to Assess and Allocate Sites for Development.** (The principles for allocating sites and the methods that should be applied to ensure that sites chosen are the most appropriate, see: <https://neighbourhoodplanning.org/toolkits-and-guidance/assess-allocate-sites-development/>)

2.6 The way in which the work completed to date accords (or not) with the guidance in the toolkits is considered in detail in later sections of the report. In the meantime, the implications of the revised government guidance and the new NPPF are summarised below.

2.7 The key issue is that the ESBC Local Plan (2012-31), which provides a housing requirement for Abbots Bromley (40 units) and a modified settlement boundary to meet that requirement, was adopted in October 2015. It will, therefore, become out of date (see NPPF Para. 22 and 33) after October 2020, unless it is reviewed in 2019/20.

2.8 As will be apparent from subsequent sections of this report, it is likely to be early Spring 2019 (at the earliest) when the formal 6-week (Regulation 14) consultation can be undertaken. This would mean submission of the NP to ESBC during Summer 2019, with an examination in the Autumn and a referendum in late 2019 or early 2020. If a new ESBC Local Plan is then adopted later in 2020, it would take precedence over the NP, especially if it includes a new/increased development requirement and proposed changes to the settlement boundary.

2.9 In the meantime, the NP will need to be prepared to conform with the existing Local Plan but can anticipate an emerging local plan, see: <https://www.gov.uk/guidance/neighbourhood-planning--2> Although a draft neighbourhood plan is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is relevant to the consideration of the Basic Conditions, e.g., **up-to-date housing needs evidence is relevant** to whether a housing supply policy in an NP contributes to the achievement of sustainable development.

2.10 This means that if the Abbots Bromley NP simply reflects the current Local Plan, it may quickly become outdated. Options, including making new site allocations to anticipate an increased development requirement or using an area based, criteria led policy for sites are considered later in this report.

### **3 Process and Consultation**

3.1 The Parish Council and the NP Working Group are to be congratulated on the amount of time and effort that has been going into the NP since designation in 2016. This has yielded progress on significant matters, including;

- The establishment of a Working Group.
- Good early consultation with residents and recording of activity.
- Good evidence base for policies on heritage and character.
- Useful work on housing needs and site assessment.

3.2 However, preparing a Neighbourhood Plan can give rise to contentious issues, especially new housing numbers and site selection. This can, in turn, lead to a focus on specific issues and sites which diverts attention from the overall process and can cause delays. This is what has happened in the case of Abbots Bromley. In addition, based on an examination of the minutes of the Working group, possibly because of the distraction over the disagreement on housing numbers and site allocations and due to multiple authorship and an over reliance on Dropbox, the drafting of the plan and policies has stalled.

3.3 Therefore, although elements of the process to date are generally sound, limitations have arisen and when work restarts the following matters need to be addressed:

- Confirmation of any new Working Group arrangements, including Terms of Reference.
- Agreement to a new Project Plan/Work Programme with key dates for all stages.
- Agree sole responsibility to complete drafting the NP and/or engage a consultant support this.
- Review/revise Housing Needs Assessment & Sites Assessment (if required), see Section 4.

3.4 In addition, the revised NPPF and updated guidance, coupled with the passage of time since the adoption of the Local Plan, as analysed in Section 2, presents both constraints and opportunities for the completion of the NP, including:

- Considering the implications of a potential review of the ESBC Local Plan in 2019/2020.
- Ensure that the Housing Needs Assessment conforms to the latest guidance/toolkit.
- Ensure that the Housing Sites Assessment conforms to the latest guidance/toolkit.

3.5 The current Local Development Scheme (LDS), dates back to 2015 and Government Guidance states that an LDS must be kept up-to-date. Based on the requirements in the new NPPF for a 15-year plan period and for Local Plans to be reviewed every five years, it is a reasonable assumption, that the LDS will be updated and that a review of the Local plan will be undertaken in the next couple of years. Over the past few days, updated guidance on Local Plans has been issued by the Government and it is probable that ESBC Officers will use this as a basis to consider the next steps for the Local plan



## Consultation

3.6 It is good that the activities and outcomes from consultation have been recorded in a Statement of Community Involvement (SCI – also known as a Consultation Statement), covering the period November 2015 to May 2018. Technically this document is not needed until the Submission stage, but it is helpful to compile it on an on-going basis and it can be used at various stages to explain the process to people. In that report, the explanation of the context provided by legislation and guidance is sound.

3.7 It is noted that the consultation during the first part of 2016 focused on general community engagement/information on perceptions, aspiration and options. There was then a consultation on Housing Needs Assessment, focused on a questionnaire and Horn Dance Day. Feedback and consultation events, which were well attended, were held in December 2016 and March 2017. In addition, there was a focus on traffic and parking in these consultations.

3.8 The Parish Assembly in May 2017 was used to introduce a first draft of the Plan Vision and Objectives for the community to view and comment on. A second stand was taken at the Horn Dance Day in 2017. The Parish Assembly meeting in May 2018 was intended to be used to update residents on the progress of bringing the draft plan forward to consultation. It was, however, at this stage that public opposition and concerns over the process emerged.

3.9 A “Report on Consultation” on the Housing Needs Assessment includes the consultation and questionnaire which formed the core of that work.

3.10 There has been a strong and effective focus on consultation with local residents throughout the process for which the Working Group and the Parish Council should be congratulated. However, based on a review of the information been provided there are several improvement and additional measures that can be taken to support the re-commencement of work on the NP and enhance the prospects of a successful outcome from the examination.

- A need to identify statutory consultees and other interested parties. It is a requirement that these organisations/people are consulted on the Draft Plan (Regulation 14) but it is good practice that they are informed and engaged earlier on in the process.
- Targeted consultation with landowners and developers as part of the assessment of housing needs and site selection.
- Targeted consultation with organisations on site assessment/selection, for example: ESBC, SCC (Highways), Historic England, South Staffs Water etc.

3.11 It is acknowledged that there has been some engagement with external organisations on an issue by issue basis, for example SCC Highways on possible housing sites. However, there may be benefit to putting together a simple stature or action plan on external consultation to ensure the three requirements set out above can be fulfilled.

#### **4 Evidence (including housing needs)**

4.1 The evidence base is quite well developed. In addition to the primary research on opinions and housing needs, there is extensive and well-developed secondary evidence, including:

- ESBC SHLAA.
- ESBC Conservation Area Appraisal.
- ESBC Housing Completion records.

4.2 However, there are some missing components which it would be helpful to address, especially in relation to NP policies to influence housing size and affordability. In the "Housing Needs Assessment - Report of Consultation" there is population and household data (from the 2011 Census) and absolute figures are presented for Abbots Bromley, East Staffs, West Midlands and England. However, percentages would help to highlight where Abbots Bromley differ from the comparators in such a way as to justify bespoke NP Policies, for example:

- % Older People
- % One/Two Person Households over 65
- % Economically Active

4.3 In addition, comparative information on the existing housing stock (type size and tenure) would be useful. This can be obtained from Census Data, but analysis is needed. Unfortunately, a Bagots Ward Profile from ESBC uses the 2001 census and is too old to consider).

4.4 ESBC has provided a schedule of housing completions from April 2012 to March 2018 which is useful in terms of working out the net dwelling requirement and understanding planning activity. However, it does not provide details of the dwellings committed or built in terms of size and tenure. As with population data, this can be used to justify bespoke NP policies, especially if it is demonstrated that the emphasis has been on the provision of larger dwellings.

#### **The Housing Needs Assessment**

4.5 A housing needs assessment has been carried out by the Working Group, based on a questionnaire. As part of the process, the Working Group considered engaging the Midlands Housing Association (MHA), which has carried out several surveys in East Staffordshire but ultimately it took a decision to manage the process "in house." The process is outlined in a November 2016 Report – "Housing Needs Assessment – Report of Consultation," but this is as yet marked as "Draft and Confidential." 145 questionnaires were completed and returned (a 15% return rate, which is reasonable). The work makes reference to national and local planning policy, but it is now 2 years old and so does not take account of the revised NPPF and the 2018 NP guidance, especially the Housing needs Assessment Toolkit referred to in Section 2 (above). It may be pertinent that this toolkit states that a detailed household survey should not be necessary for an NP Housing Needs Assessment.

4.6 In Section 3 of the report, there is a Parish Profile (referenced to the 2011 Census) outlining households, household size, car ownership, central heating, economic activity, children in families, life stages, household types, travel to work and second addresses. Figures are included for East Staffs., West Midlands and England; however, these are absolute with no percentages and so it is not possible to see if Abbots Bromley has any particular characteristics. In addition,

it would be helpful to add figures (and percentages) on the existing housing stock (numbers, house types, size and tenure) and on population structure (e.g. is it aging?).

4.7 The 2018 My Community/Locality guidance (Housing Needs Assessment – HNA - at Neighbourhood Plan Level) provides a good reference point to assess the work completed to date. This emphasises that a housing needs assessment is just one part of the evidence base and is not in itself a policy document. It states that any HNA should be clear, consistent, defensible, and has been carried out in line with national planning guidance and that delivering a robust, defensible assessment requires detailed, technical work. For Abbots Bromley, the Local Plan sets an overall housing requirement, but it does not provide locally based evidence on **what type** of homes will be required and this justifies an HNA.

4.8 The guidance states that the HNA can only show the demand for new housing, whereas Site Assessment shows the supply of available land. It is important to keep the demand and supply analyses separate, i.e. through a two-stage process, so neither is constrained by the other.

4.9 For a HNA much of the existing data will be at local authority or a housing market area level, both of which are much larger than any neighbourhood plan area. It is important is to consider and to determine the extent to which the neighbourhood diverges from the local authority or housing market average, hence the importance of comparative statistics referred to above. For example, does the NP area have proportionately more or less old people or larger dwellings than average? Both help to inform conclusions on quantity and type of housing needed.

4.10 The guidance goes on to state that it is possible, even desirable, to do a fit-for-purpose HNA without spending significant time or money on primary evidence gathering. **It states that a household survey is not usually necessary**, as sufficient data from other sources is usually available. This applies the principle as set out in the Planning Policy Guidance (PPG) on Strategic Housing Market Assessments (SHMAs). It is noteworthy that this approach differs from the household survey-based methods previously advised by ESBC and MHA.

4.11 The guidance includes a summary of process which is set out in the table below to enable comparison with the work that has been done to date in Abbots Bromley.

HNA NP Guidance	Abbots Bromley
Do you want to address housing the NP, if so	Yes
Have you reviewed the Local Plan?	Yes
Have you spoken to Local Planning Authority?	Yes, but need to share the survey results
Have you gathered data on quantity?	Partially (.....
Have you gathered data on type?	Partially (.....
Is there a report showing a graph of forward projections?	No, but the assessment/report is on-going
Have you applied market signals to emerging conclusions on quantity and type?	No, but the assessment/report is on-going
Have you developed and presented adjusted conclusions on quantity and type?	No, but the assessment/report is on-going

4.12 The following table show the recommended data sources for an HNA to enable comparison with the work that has been done to date in Abbots Bromley.

<b>HNA NP Guidance</b>	<b>Notes</b>	<b>Abbots Bromley</b>
<b>Recommended</b>		
Local authority Strategic Housing Market Assessment (SHMA)	2014, but is likely to be updated	No, but can be added
Adopted local authority Core Strategy/ Local Plan	2015	Yes
Emerging local authority Core Strategy/ Local Plan	Not underway yet, but likely to emerge	N/A (now, but may change)
DCLG Household Projections	Can be requested	N/A (now, but may change)
Dwelling completion rate 2001-11	Can be requested	No, but can be added
Dwelling completion rate 2011 -		Yes
Local housing waiting list	Can be requested	No, but can be added
Local Enterprise Partnership (LEP) Strategic Economic Plan	Can be requested	No, but can be added
Most recent local authority Employment Land Review	Can be requested	No, but can be added
Data from Census	Can be collated*	Partial – can be developed
Local house prices	Can be collated	No, but can be added
Local rental prices	Can be collated	No, but can be added
<b>Optional</b>		
Local surveys	Complete, may exceed “Proportionate” needs.	Yes (2016)
Estate agent interview	Can be arranged/added	No

N/A = Not Applicable

\* The data from the 2011 Census that is recommended includes: households, household size, *population age structure, place of birth, rooms per household, persons per room, tenure, household composition, accommodation type, shared dwellings, concealed families, economic activity, rates of long-term health problem*, and distance travelled to work. Those *in italics* are outstanding but, in all cases, comparative percentages need to be prepared.

4.13 It is possible to project data forward to estimate what needs will be later on in the plan period, for example, age groups on the basis of sub-national population projections. Growth in age groups 25-44, for example, would tend to demand family housing, (indicating a need for properties with 3+ bedrooms) alongside smaller units more typically occupied by those over 65.

4.14 The HNA will provide a basis for the sort of market housing that should be provided but it is also desirable and necessary to address the complex issue of affordable housing. The Government defines affordable housing as housing provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices and the three main categories of affordable housing are:

- Social rented;
- Affordable rented;
- Intermediate housing (including shared ownership and equity loans)

This definition of affordable housing should be used throughout the NP process to ensure clarity and consistency with local authority and national planning documents. The guidance concludes that NPs virtually never need to set a target for affordable housing provision (i.e. the % of new housing that should be affordable). The stated reasons for this are as follows:

1 A target is only needed where there is no up-to-date Local Plan or where the Local Plan has no policy on affordable housing provision.

2 Setting an affordable housing target is a complex task needing detailed technical assessment of local affordable need, how it might project into the future, and how it would impact on viability. This could be very difficult to justify in light of the PPG advice on ensuring that evidence is proportionate.

3 An affordable housing target differing from that at local authority level risks conflicting with the Local Plan and the NP could potentially fail the Basic Conditions test.

4 If an affordable housing target does not differ from the local authority target, this would be a simple restatement of existing policy, which is unnecessary.

5 If it is felt that the local affordable need is higher than provided for by the local authority target, there are other options to meet that need which are easier to deploy than calculating a bespoke affordable housing target. These include affordable housing exception sites in rural areas, whereby a policy supporting an affordable housing exception site in a suitable location can be drafted even if it is not possible to identify a suitable site at the time the plan is drafted. The policy can be an aspiration to be met at some point over the plan period.

4.15 The guidance states that proposals for new properties to be offered to local residents before being sold on the open market (through planning policy or condition) would also **not be supported by national policy**. Although in theory an NP could encourage (rather than require) local developers to market their homes in this way, it is highly unlikely that a developer would voluntarily seek to impose restrictions on the sale of their houses, and even encouragement (as an alternative to compulsion) goes against the spirit of national policy. However, at local authority level, statutory guidance reiterates that Councils have discretion to determine who qualifies for an **allocation of social (i.e. affordable rather than market) housing**, including those with a local connection and working/community contribution.

4.16 Judgements on housing numbers/types should be robust and clearly set out, with reasons for them, based on sound evidence. It may also be helpful to make the judgements as a small group or committee, so they are informed by a range of viewpoints. The guidance includes a methodology to calculate a range of housing need or numbers. However, given the small size of Abbots Bromley and the modest levels of growth in past local plans, it may be expedient to rely on the existing and emerging Local Plan figures, unless there is a clear intent to over-provide.

4.17 There is a table (see overleaf) in the guidance on the assessment of market factors specific to neighbourhood plan area with potential impact on housing target. This is edited and annotated to illustrate if any of these circumstances are likely to apply to Abbots Bromley.

Market signal	Source(s)	Possible impact on future housing need	Rationale for judgement
Dwelling completions	SHMA, Census, Estate agent	↑	It is unlikely completion rates in Abbots Bromley are lower than average creating pent-up need.
House price change relative to surroundings	SHMA	↔	House prices in Abbots Bromley are typical of the rural areas if the western part of East Staffordshire
Long-term vacancy rates	SHMA, Vacant Dwellings By Local Authority District	↑	Abbots Bromley vacancy rates are low, suggesting demand for housing
Overcrowding, including concealed families	Census	↓ ↓ ↓	This does not apply in Abbot Bromley
Rental market relative to wider area	Home.co.uk, Census	↑ ↑	There is no evidence of strong demand for rented property in Abbots Bromley, as a result of low supply, which suggests evidence of demand for owner-occupied property too.

4.18 Setting aside the above, an assessment based on a wide range of data from the Census and other sources on local demography and the characteristics of local households, can be extrapolated into judgements of the characteristics of housing needed, including:

- Relative proportions of dwellings by size (i.e. number of bedrooms);
- Tenure of housing;
- Type (i.e. detached, terraced, or apartments);
- Specialised need (e.g. for older people, families or those who mainly work from home).

4.19 There is a table (see overleaf) in the guidance which provides a summary of factors specific to neighbourhood plan area with a potential impact on type of new dwellings. This has been

edited and annotated this to illustrate if any of these circumstances are likely to apply to Abbots Bromley.

Market indicator	Source(s)	Possible impact on housing needed	Conclusion
Increase in older person households	SHMA, Census, household survey, estate agent	Evidence from Census (increasing numbers of older people but relatively low level of long-term sick/disabled) suggests housing for independent living for older people likely to be in demand. Anecdotal evidence of high demand for housing suitable for older people from estate agent	<b>This is likely to apply in Abbots Bromley</b> to justify providing a range of dwelling sizes, with smaller units (1-2 bed) suitable for older people
Need for family-sized households	SHMA, Census	Families likely to need and/or afford medium-sized and larger households. Conflicting evidence between SHMA and Census on rate of family housing growth, but both indicate increased level of growth, so prudent to plan for a proportion of family households	<b>This may apply in Abbots Bromley</b> , leading to Provide range of dwelling sizes, including medium-sized and larger (3-4 bedroom) dwellings for families, which would also be suitable for the higher than average number of people who work from home evidenced by Census data.
Potential for specialist care housing for the elderly	Census, household survey, estate agent	Evidence suggests that specialist facilities for the elderly may be in demand due to the rapidly ageing population. Equally, as a small town with a range of services and facilities, neighbourhood plan area is well-placed as a location for this kind of housing. Evidence from estate agent of demand for retirement housing.	<b>This may apply in Abbots Bromley.</b> Support the provision of a range of specialist housing for the elderly, ideally in close proximity to services and facilities

4.20 The above is borne out in results of the household survey, but specific policies will need to be justified by further statistical analysis and consideration of ESBC data.

4.21 The relevance and implications of the twenty questions that formed the household survey questionnaire, of which 145 copies were completed and returned, are considered overleaf. Therefore, where the findings are relevant, they are useful indicators, but **they do not cover the whole of the population/households in the Parish.** Conclusions are set out after the table.

<b>Question</b>	<b>Abbots Bromley</b>
Q.1 Is this your main home?	<b>Relevant</b> to second home pressure
Q.2 What type of home does household live in?	<b>Relevant</b> to house type
Q.3 How many bedrooms do you have?	<b>Relevant</b> to house size
Q.4 Which category best describes household?	<b>Relevant</b> to household composition
Q.5 Please complete the table below for all those living in your household (Age Groups)	<b>Partial.</b> Overall ages need to be presented as household types
Q.6 Your Employment	<b>Relevant</b> (110/145 respondents retired but also 122 working full or part time?!)
Q.7 How long have you lived in Abbots Bromley Parish?	Relevant, but majority of respondents have lived in parish for 20 years +
Q.8 Have any former members of your household left the village/parish over the last 5 years? Reasons for leaving the Parish?	<b>Relevant</b> to affordable housing need and employment, but other social factors apply.
Q.9 What is your ethnic group?	<b>Partial</b> Shows 134/140 respondents white
Q.10 Which best describes your home? (tenure)	<b>Relevant</b> to (majority) home ownership
Q.11 Does your household (whole) expect to need to move in the Parish in the next 5 years?	<b>Relevant</b> , indicates 28 households will move to buy and 4 to rent
Q.12 Does anyone in your household expect to need to move in the Parish in the next 5 years?	<b>Relevant</b> , indicates 21 people will move to buy and 6 to rent
Q.13 If renting is household considering moving to another rented property in the next 5 years? What would you wish monthly rent to be?	<b>Relevant</b> , indicates need for households to have access to housing at different rental levels.
Q.14 If others in the household are considering moving to a rented property in the next 5 years, what would you wish your monthly rent to be?	<b>Relevant</b> , indicates need for individuals to have access to housing at different rental levels.
Q.15 If you are considering buying a property in the Parish within the next five years, what value of property would you wish to buy?	<b>Relevant</b> , indicates need for households to have access to housing at different values, focus on up to £200k & £2-300k*
Q.16 If others from your household are considering buying property in the next 5 years, what value house would they wish to buy?	<b>Relevant</b> , indicates need for persons to have access to housing at different values, focus on up to £200k*
Q.17 How many bedrooms would the household expect to need?	<b>Relevant</b> to demand for house sizes – focus on 2 and 3 bed properties
Q.18 Would you support a small number of new homes in the Parish to meet local needs	<b>Relevant</b> 131/144 respondents support provision
Q.19 Reason for housing need?	<b>Relevant</b> (demand, first home & downsizing)
Q.20 How many vehicles in household? In a new home, how many parking spaces do you want?	<b>Partial</b> – comprehensive information can be derived from the 2011 Census

\* Table 12 shows a remarkably high level of activity/sales. to July 2016 – needs checking.

4.22 This is a useful survey, but statistical analysis (comparative %) would be helpful to assess the relative needs of Abbots Bromley. There is no need for further household surveys, but work is required to review and extend the datasets in the report to reflect new 2018 Guidance and Toolkit. If this can be completed over the next year, the 2016 data should remain relevant.



## 5 The approach to housing sites

5.1 The details of the process and site assessment work undertaken in the earlier stages of the NP are set out in three (Draft/Confidential) reports: The Landscape Character, Built Environment & Site Selection Methodology (Nov. 2016), The Housing Needs Assessment - Report of Consultation (Nov. 2016) and the results/report of site selection process (Jan.2017).

5.2 The work appears to have drawn upon a methodology that was applied in at least two other NPs in East Staffordshire, (Marchington and Denstone). It is however, pertinent that those plans pre-date the revised NPPF and the new guidance/toolkits on housing sites assessment and local housing need. In addition, those NPs had different examination outcomes, with Marchington largely unaltered and Denstone substantially amended. The inconsistency between examiners is frustrating and should be reduced by new guidance on the conduct of examinations which was issued earlier this year. In the meantime, noting the provision of an appropriate methodology in the new toolkits, it is clear that neither the Marchington or Denstone models will be applicable to Abbots Bromley in 2018. Amongst the comments made by the Denstone examiner were: *“The community has taken on the mantle of allocating sites and has done so with positive and good intentions. This policy has been positively prepared with good intentions. However, the housing site assessment and selection process is lacking in many respects”* and *“The individual site assessments are basic covering many issues, but without much commentary on those issues or how they might be overcome. It takes a ‘traffic light’ approach, but does not offer an explanation of the ‘red/amber/green’ scores. Some of the scores given seem to be without much foundation such as a limited site capacity or access and flooding “viability” is “assumed” whatever that might mean, and there is an emphasis on character, setting and views.”*

5.3 The hard work that has been undertaken and the analysis completed to date are valuable and can form part of a final assessment but, the methodology must extend beyond a character study and local preferences. These are relevant but cannot be used in isolation and based on the new advice in the Toolkit (see Para. 2.5above), it is clear that revision and further work are necessary. In order to identify what needs to be done the existing work has been benchmarked against the final checklist which form part of the Locality toolkit on Site Assessment and allocation for NPs. The outcome of this is set out in the table below.

<b>Site Assessment and allocation for NPs – Final Checklist Question</b>	<b>Abbots Bromley NP Site Selection Yes/No</b>
Have a reasonable number of people been involved	Yes
Have they declared any relevant interests from outset?	Unsure
Have the same people involved in assessing all sites?	One SG member n/a for assessment and it was done remotely rather than by a group meeting.
Have the preferred sites been assessed to ensure they are suitable, available and viable?	No, not explicitly.

<p>If adding your own local criteria to the site assessment, are they fair?</p> <p>Avoid criteria that will discriminate against one site.</p> <p>Has the same criteria and scoring method been used for each site?</p>	<p>Yes (<b>in part</b>). Before criteria were used, or sites selected, residents were given the opportunity to view categories and suggest alternatives. People were asked to express, via display boards, which category was most important. This was used to determine the <b>weighting</b> of the site selection criteria.</p>
<p>Have you clearly 'told the story' in terms of why sites were rejected, shortlisted or become preferred sites?</p>	<p>No, this could be made more explicit and more work will be needed on completion. At present, the story is told in various places. It needs to be put together in a single document that reflects the advice in the toolkit.</p>
<p>Have you clearly documented every assessment meeting and in particular short-listing meeting(s) and preferred sites meeting(s)? Identify how this was done from minutes etc.</p>	<p>Not sure if this is clear and there may be an issue that WG members did assessments in isolation rather than in a recorded single meeting/series of meetings.</p>
<p>Is a Strategic Environmental Assessment (SEA) integrated into site selection process, if required?</p>	<p>N/A at this stage.</p>
<p>Is the proposed amount of development, e.g. number of new homes, appropriate for the site? Density should be consistent with the adopted/emerging local plan policies.</p>	<p>This needs to be checked, if sites are allocated but other factors will be relevant (e.g. existing buildings, trees and spaces. Conservation Area) as well as the local plan density policies.</p>
<p>Has the site selection process and its conclusions been properly communicated to local people, site owners, promoters and other stakeholders?</p>	<p>At present the details of the process are set out in three (Draft &amp; Confidential) reports: <i>The Landscape Character, Built Environment &amp; Site Selection Methodology (Nov. 2016)</i>, and <i>The Housing Needs Assessment - Report of Consultation (Nov. 2016)</i>. <i>Results/report of site selection process (Jan.17)</i> Therefore, it is not yet fully communicated and additional work will be needed on completion.</p>
<p>Have the reasons for preferred sites been properly and effectively explained (website, exhibitions &amp; newsletters).</p>	<p>See immediately above.</p>

5.4 Other key sections from the toolkit are considered in the following paragraphs and the key elements good practice considered in relation to the reports.

5.5 The benefits of carrying out a site assessment are that, if good practice is followed, it will provide the evidence that the sites selected for allocation are the most appropriate, that they are in the most sustainable location, that they are in conformity with the strategic policies of

the Local Authority's Local Plan and that there is a good prospect that they will be developed. At the end of the process a site (or sites) will have been identified that it will be possible to demonstrate to an examiner have been thoroughly and objectively assessed for suitability. The site(s) can then be allocated in the plan to establish the principle for a particular form of development in that location. The process allows/requires you to 'tell the story' of how the sites chosen for allocation were selected and why others were not. This helps to demonstrate to the **community**, to **landowners** and developers who may be promoting sites that are not chosen to be allocated, the **basis on which the decisions were reached**. However, this must extend beyond the preferences expressed during public consultation, as is suggested by the checklist on the previous page.

5.6 The assessment must take into account and be in conformity with the strategic planning context provided by the SHLAA and the Local Plan. This applies to an adopted Local Plan **and to any emerging** Local Plans. This may mean that a housing requirement has been set, that settlement boundaries have been defined/amended and/or that sites have already been allocated. This scenario applies to the ESBC Local Plan (2015) but there is some doubt as to future needs because of a potential review of the Local Plan.

5.7 It is necessary to look for any possible sites with development potential, including:

- Sites known to the community;
- Sites identified by the neighbourhood planning group;
- Sites allocated or proposed for allocation in the adopted or emerging development plan. Also check the evidence base, particularly the Housing Land Availability Assessment (SHLAA);
- Other sites in the area with development potential, e.g. sites that have come forward through a recent Call for Sites or pre-application discussions, based on information from the LPA.

5.8 For Abbots Bromley, in 2016, these requirements/suggestions will have been satisfied, but there is a need to incorporate the 2017 SHLAA and consider a potential Local Plan review. It will not be necessary to have a "Call for Sites" if the last one by the LPA was within 2-3 years. However, in any event, early engagement with landowners and developers is recommended and the process must be transparent and objective. This aspect may require further description and analysis in the final report/NP.

5.9 The guidance recommends that a working group should be set up to carry out the site assessment process and ideally this should be a core group who are involved in the assessment of each site, to ensure consistency. Each member should declare any interests and also avoid assessing sites that they may have an interest in (e.g. they live next door or have a close relative that lives next door). As with the engagement of landowners, this aspect may require further description and analysis in the final report/NP.

5.10 The fundamental requirement for a sound site assessment is that it must cover whether the sites are **Suitable, Available and Achievable**:

- A site is considered to be **suitable** if there are no insurmountable physical or environmental factors which would restrict development. Whether or not a factor is insurmountable is a

matter of judgement but often depends if it can be mitigated. Therefore, matters such as flooding, drainage, services and school capacity may not mean that a site is unsuitable.

- A site is **available** if there is evidence that a landowner or developer is willing to sell or develop the site at a known point in the future, and within the plan period. Any legal or ownership issues should also be taken in account, such as multiple ownership.

- A site is considered **achievable** when there is evidence that it is **economically viable** and there is a reasonable prospect that the particular type of development will be developed on the site a particular point in time.

5.11 Whilst much work has been undertaken, it is not clear that this requirement has been fully satisfied. Consequently, further analysis is likely to be needed, in accordance with the detailed guidance and examples in the toolkit. One area of concern is the way in which assessment criteria and weightings were derived from other ESBC NPs, pre-dating the 2018 toolkit and from community consultation. This may not have satisfied the requirements set out above. There is also a question of whether SHLAA sites have been assessed in the same way as others.

5.12 The guidance states that all gathered information and assessment results should be used to select a preferred site or sites, making sure there is evidence available to support the choice of sites, including a completed site assessment. There may be choices to make between different options, e.g. allocating one large site or several small sites to meet housing need. The choice should be guided by Local Plan policies and against the vision and objectives of the neighbourhood plan. Once the options have been produced they can be consulted on with the wider neighbourhood plan group. The preferred site(s) may also be tested against alternatives as part of the Strategic Environmental Assessment.

5.13 The results of the assessment should then be shared with the community, to allow people who live and work in the area to have a say in the option that the core group has proposed. This can be done by, for example, a leaflet drop, an online survey or a public meeting with a presentation and discussion afterwards. It is important that the results are presented as a range of options, so that local residents and businesses are able to express a preference and that they understand why a preferred option has been proposed. The current assessment included consultation with the community early on, but differences within the working group mean that the results have not been formally issued and further consultation has not been possible. This is a shortcoming which will need to be addressed if the assessment continues to be a core part of the NP.

5.14 In one of the reports, a Character Assessment is presented alongside the Site Assessment methodology and outcomes. Such an assessment, drawing upon published material and local surveys is valuable to a NP- in relation to landscapes, views, design policies and potentially areas to be protected from development. A Character Assessment can feed into site assessment, but it is confusing for this to be presented as part of a Site Assessment report. This will need to be addressed when the background documents to the NP are finalised.

5.15 A further report, “Results and report of the site selection process” (marked as draft), was produced in January 2017, but it is uncertain whether this has been approved, either by the then Working Group or the Parish Council. That report is useful, and it shows that both SHLAA and non SHLAA site have been considered. However, there are several elements of the process and the report which suggest that more work will be needed in order for the requirements in the 2018 toolkit to be met. These are:

- The reliance on community opinion to identify criteria and weightings;
- A lack of clarity on how the weighting system worked and whether it was fair to all sites;
- The need to show maps/details for all sites, not just the SHLAA and preferred locations;
- The need to explicitly address the matters of Suitability, Achievability and Viability;
- Only aggregate scores are included with one set of notes/scoring provided as an example.

5.16 If site assessment and the intention to allocate sites is retained, it will be necessary to re-visit the assessment criteria and the definition of whether sites are suitable, available and achievable and to ensure that the process is described transparently. However, the extent to which these considerations are relevant will depend on the choice that is made on the scope of the NP and its relationship with the ESBC Local Plan(s). This is considered in the next section.

5.17 It is necessary and desirable to ensure that the outcomes are understood and supported by the community, but it is also essential to ensure that they are clear to the NP Examiner. If this is not the case, important policies in an NP can be recommended for amendment or deletion. There are many examples nationally of when an NP which is supported by the community is radically altered at Examination, such that public support drops off. Locally, Rolleston on Dove, Alrewas and Swanwick are such examples.

## 6 The basis of the Neighbourhood Plan

6.1 It could be argued that a Neighbourhood Plan is not required in order for Abbots Bromley to meet the requirement for 40 new dwellings in the adopted 2012-2031 Local Plan. The amendments to the settlement boundary in that document and completions/planning permissions exceed the requirement.

6.2 However, in the opinion of the author, it is likely that a review of the ESBC Local Plan will be undertaken. If there is no Neighbourhood Plan or the Neighbourhood Plan in place is solely based on the existing Local Plan, the Parish Council and the local community will have less influence on the number, type and appearance of new dwellings. This would mean that the expectations raised through extensive consultation on local housing needs will be more difficult to meet. It is pertinent that in consultation on the early versions of the current Local Plan, the PC had to make strenuous arguments to ensure that Abbots Bromley is defined as a Tier 2 Local Service Village and not a Tier 1 Strategic Village (Barton, Rolleston, Rocester and Tutbury)

6.3 In addition, the absence of an up to date Neighbourhood Plan places the Parish Council and the local community in a weaker position in terms of responding to changing circumstances. It is likely that retailing and leisure will continue to change, and this could have implications for the public houses in the village. A further example is the opportunity to improve community and recreation facilities through a collaborative approach to small scale development.

6.4. Abbots Bromley School is an important part of the village, socially, economically and environmentally. The preparation of a Neighbourhood Plan will mean that all interested parties can be engaged in the process and creates the opportunity for a mutually agreed policy approach which satisfies the widest aspirations.

6.5 It is my clear professional judgment that the school land and buildings around the riding school and playing fields, will be subject to pressure for development. This judgement is based on national guidance related to sustainability, economic viability, brownfield land and the planning status of schools.

6.6 The choices available in terms of how a Neighbourhood Plan could address this issue are:

**Option A** - To prepare a Neighbourhood Plan, without site allocations and based on the existing 2012 -2031 Local Plan, but with an area-based policy where deemed appropriate. This approach is used in other local NPs to cover Marchington Industrial Estate, Marchington Barracks, HMP Dovegate, Denstone School and a MoD in Whittington. A policy could set criteria to be applied to any development proposals, for example; housing mix and design, community facilities and access. However, the level of detail and certainty would be less than for a site allocation.

**Option B** - To prepare a Neighbourhood Plan, with site allocations, based on the existing 2012 - 2031 Local Plan but accepting a higher level of development through additional site allocations or changes to the settlement boundary.

**Option C** - To prepare a Neighbourhood Plan, with site allocations, based on the anticipated review of the Local Plan, which will positively identify additional new housing sites and a revised settlement boundary.

6.7 In each case, it would be extremely helpful to hold discussions with ESBC on the extent to which they would view the relationship between the Neighbourhood Plan and the Strategic Policies of the Local Plan as reflecting guidance. The attitude/support of the Council will be critical to the success (or not) of the NP at examination.

6.8 The options have the following implications in terms of the length and complexity of the process and the extent to which additional Neighbourhood Plan Grant (NPG) and Technical Support might be available. These are considered below.

**Option A** – This is a (potentially) a simpler route which could be achieved within 6 - 12 months through a NP with no site allocations, but with a criteria-based policy for sites available within the settlement boundary. However, the success or not of this approach will be entirely dependent on the attitude of the Borough Council. It would have to be achieved within the existing £9000 NPG (net of any past awards) and without technical support from Locality/AECOM. It may represent a compromise which is more acceptable to the community.

**Option B** - This a complex option and a 12 - 18month timescale, with the potential to influence the review of the Local Plan review is likely. The full £17,000 NPG (net of any past awards) should be available and technical support could be requested on site assessment. However, it may remain most contentious in terms of the community. There is a potential to provide more certainty how allocated sites are developed, but it may be liable to change by a Local Plan adopted in late 2020, (the existing Local Plan will have been adopted for 5 years in Oct. 2020).

**Option C** – This is the most complex options and an 18 - 24 month timescale, anticipating the programme for the review of the Local Plan review, is likely. However, the full £17,000 NPG (net of any past awards) should be available and technical support could be requested on site assessment. It may also be the most contentious option in terms of the community, but it would provide the greatest certainty on planning outcomes for the longest time into the future.

6.9 The Parish Council and the Working Group will wish to consider the above but in doing so, early engagement with the Borough Council is recommended and Locality should be contacted to confirm what level of grant and or technical support may be available.

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