

Neighbourhood Planning

Site Allocations

Guidance and Toolkit

Prepared for Parish and Town Councils in St Albans District

Introduction:

This guidance has been produced to assist Parish and Town Councils within the St Albans City and District Council area (in their role as Qualifying Bodies for the development of Neighbourhood Plans) in identifying and allocating development and other sites within their emerging Neighbourhood Plans. Whilst the guidance focuses on the St Albans City and District Council area the principles and approach apply to other council administrative areas. It is therefore hoped that this guidance can be shared more widely to assist other Qualifying Bodies in allocating sites within their own Neighbourhood Plans.

The guidance has been developed by working with both officers of St Albans City and District Council and with representatives from the Parish and Town Councils within the District, who gave up their time to work with us to help make this guidance useful and user friendly. We were also supported by staff and students from the University of Hertfordshire. Wherever possible we have provided examples of the work of other Qualifying Bodies to help explain the approaches set out in this guidance and to provide links to other guidance that has been produced at the national level. Where we have provided examples we are not advocating that these are necessarily 'best practice' but rather they are intended to help 'visualise' different parts of the process.

The aims and objectives of this guidance are to:

- Provide a practical resource for Qualifying Bodies
- Provide an understanding of the requirements for identifying sites
- Signpost the data, information and the evidence base that is potentially available to help assess sites
- Share learning and information from elsewhere.

NB This document contains useful evidence for Parish Councils and other Qualifying Bodies. Since the document was drafted there have been changes in the National Planning Practice Guidance and in some case law, however, SADC still consider the content of this guidance document to be useful.

How do we start?

Whether you are thinking of allocating sites in your Neighbourhood Plan or not there is a need to have an understanding of the key characteristics of your community and what issues it is facing. This is normally done by undertaking a 'baseline' assessment of your plan area and understanding what your community would like the area to be like in the future. There are a lot of examples and guidance available as to how to go about this and we are not proposing to repeat this here, but have provided some links at the end of the document to help get you started.

What will be fundamental to supporting everything you do in developing your Neighbourhood Plan is the development of a Vision and Objectives for your Neighbourhood area. This will provide the 'framework' that will help you to sense-check if what you are proposing will deliver what your community wants the area to be like in the future. This framework is key when it comes to looking at site selection and the criteria that you may wish to use to test the suitability of sites – something that is explained in more detail below.

This initial analysis may lead you to conclude that there is a need to allocate sites within your Neighbourhood Plan, even if this was not what you had originally thought. It is really important at this initial stage to keep an open mind and let the evidence that you have gathered – both factual and from engaging and understanding the needs and aspirations that your community has – guide you as to what the right approach to take is.

If, from this initial evidence, you have now decided to explore allocating sites in your Neighbourhood Plan you then need to develop a more detailed understanding of what is needed whether it is for housing, employment, open space or for community facilities and services. Neighbourhood Plans can allocate sites for a range of uses, as well as identifying sites where existing uses need to be protected in the same way that Local Plans developed by the Council can. The process for identifying what these may be will be dependent on what your 'baseline' assessment tells you and from the evidence you have gathered. We provide some examples of how other Parish and Town Councils have gone about this later in the document and the principles that are set out in this guidance apply regardless of what allocations you are looking to make. However because, more often than not, the main focus of site allocation work in Neighbourhood Plans is for housing, this guidance has focused on helping you to go about this.

How do we get started on understanding what type of housing is needed?

Assuming from your initial evidence you have decided to move forward to allocating housing sites in your Neighbourhood Plan you will need to develop a more detailed understanding of what type of housing is needed and what tenures (market housing, private rented housing, starter homes, affordable

housing – i.e. homes that are provided through public subsidy either to buy or rent¹). For example is there a need for homes for young people or for older people to ‘downsize’ into to enable them to stay in the community whilst freeing up family sized homes? Is there an issue of ‘affordability’ and how does this fit with what the Council’s Local Plan says is needed? Having this understanding will help you to have the evidence that you need so that you can look to develop policies and allocate sites that help to support these needs.

The Council will have undertaken a Strategic Housing Market Assessment (SHMA) which will go some way towards helping you to understand the overall needs of the District area. However, the SHMA won’t necessarily provide all of the answers and so we would recommend that you undertake some work which helps you to understand what is needed within your designated area.

The most common way of developing this more fine-grained understanding of what the local community needs are in terms of new homes is to undertake a Neighbourhood level Housing Needs Study. This may seem a bit daunting at first but when you start to break down what information you need and where you can get the information it becomes less so. Many Neighbourhood Plans are supported by this type of evidence. The type of information that you may want to find out more about for your area could include:

- Existing housing stock – size (number of bedrooms),
- Tenure (owner occupier, private rented, social rented)
- Second homes and vacant homes
- Duration of residence
- Older persons housing – suitability of existing property
- Support of community for affordable housing and market housing
- Reasons for wanting to move
- Affordability of housing (house prices/rental prices)

A useful tool that you can use to obtain a range of information on housing and other topics within your area based on 2011 Census information is through the Office of National Statistics Neighbourhood Statistics at <http://www.neighbourhood.statistics.gov.uk/dissemination/>. This provides free access to a

¹ The definition of Affordable Housing for planning purposes is provided in Annex 2 of the National Planning Policy Framework (NPPF). The current definition can be viewed at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf. The definition is provided on page 50. The Government has introduced thresholds for the size of housing site that affordable housing can apply to. This is set out in the Planning Obligations section of the Planning Practice Guidance at Paragraph: 031 (Reference ID: 23b-031-20161116). This can be viewed at <http://planningguidance.communities.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>. It should be noted that this does not apply to rural exception sites as defined Annex 2 of the NPPF.

summary of your neighbourhood and small area data. This covers the census, deprivation, health, local economy, education, housing and crime. It allows you to analyse and compare selected areas using maps and charts, pick and mix data from different datasets to compare different areas, and view or download whole datasets.

The West Hoathly Housing Needs Survey provides an example of what information was gathered and how the report was presented. It helps to show that, whilst West Hoathly had some support in doing this work, it is possible undertake and analyse this yourself and that the report does not have to run into 10's of pages in order to understand what your local needs are. The West Hoathly Housing Needs Survey Report can be viewed at:

<http://www.hoathlyhub.info/NeighbourhoodPlan/NPLibrary/F.HousingNeedsSurvey%20and%20CallForSites/Housing%20Needs%20Report.pdf>

Much of the information used to inform the development of West Hoathly's Housing Needs Survey Report was gathered by sending out a questionnaire to all households within the Neighbourhood Plan area. Other examples include the Cuckfield Neighbourhood Plan² and Marton Neighbourhood Plan³ Housing Needs Surveys and Reports.

Information about the price of renting in the area can be gathered from property websites such as Rightmove and Zoopla. It is important to recognise that the asking price for a home is not necessarily what is actually paid so when analysing the cost of buying a home it may be better to use information available on the Land Registry Website. The weblink is:

<http://landregistry.data.gov.uk/app/ppd>

Understanding what is 'affordable' is linked to peoples' salaries assessed against the cost of the housing, the ability to secure a mortgage and be able to pay for it. There are generally agreed levels which councils use when preparing their SHMAs. SACDC's most recent SHMA can be viewed at

http://www.stalbans.gov.uk/Images/SP_EB_SHMA_Update_tcm15-52354.pdf The Council's Housing Department should be able to help with information relating to affordability. Whilst produced in 2007 and now superseded by the Planning Practice Guidance, the 'Strategic Housing Market Assessment:

Practice Guidance'⁴ document provides useful information relating to, for example, income levels and affordability. You may also want to look at guidance that was produced by a national working group on Housing Requirements which can be viewed at

http://www.howmanyhomes.org/resources/LHRA_Guidance_7-3.pdf

² <http://www.cuckfield.gov.uk/Cuckfield-PC/UserFiles/Files/9.Cuckfield%20Housing%20Need%20Survey.pdf>

³ <http://www.marton-pc.gov.uk/wp-content/uploads/2015/10/Housing-Needs-Survey.pdf>

⁴ This can be viewed at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/11812/Strategic_Housing_Market_Assessments-Practice_Guidance.pdf

Why allocate sites in your neighbourhood plan?

For many places there are four main reasons:

1. Where the Qualifying Body (Parish/Town Councils or designated Neighbourhood Forum) has identified/recognised a need for housing in their area but the local plan is not proposing to allocate sites:
 - a) because they are not needed to achieve the overarching housing targets for the District; and/or
 - b) because sites identified are not of a size that they are appropriate to be allocated in the Council's Local Plan (the test is that the sites to be allocated are those that are needed to deliver the Strategic Vision and Spatial Strategy for the area).

This is the case for the St Albans City and District Council area.

2. The Council's Local Plan has set specific housing targets for Neighbourhood areas. This is often based on an understanding of the local needs within an area, that there are potentially enough sites identified within the Neighbourhood area, and that the allocation of sites forms part of the Council's overall strategy. However, the decision as to which sites should come forward is for the Qualifying Body (Town/Parish Councils or designated Neighbourhood Forum) so that they can decide which sites work best for their local area.
3. Where the Qualifying Body (Parish/Town Council or designated Neighbourhood Forum) has identified the need for housing but no sites have been identified.
4. Where the Council has identified sites at a Local Plan consultation stage to be developed but where the Qualifying Body (Parish/Town Council or designated Neighbourhood Forum) considers that there is a different way of delivering the housing needed (the Thame approach).

Does the Neighbourhood Plan have to allocate housing sites?

The short answer is No – unless the Council has set a housing target for the Neighbourhood area which it needs to allocate within its Neighbourhood Plan (as set out above). However, if you decide not to allocate any sites then you may still feel that there is a need to guide the shape of development in your area in terms of type and size of housing that is proposed to come forward. To do this you should work with the Council using the local evidence that you have gathered to help support the justification for the approach that you feel is needed to support your community.

How do we know what sites are potentially available for development?

It is important to have a very clear idea as to what and how much land may be available for development. This is so that you are able to have as much choice as possible when looking to allocate sites to ensure that they provide the greatest opportunity to support the overall vision and objectives for your area, best meet your identified housing needs, whilst minimising any potential impacts. Taking a proactive approach, by using your local knowledge of potential sites, as well as by using information published by the Council, can help to achieve this. You can, for example, find out who owns a piece of land which you may think may have development potential (so that they can be approached) using the services offered by the Land Registry.⁵ Some Qualifying Bodies, such as Stevenage, included a 'call for sites' within their initial Neighbourhood Plan consultation survey. However, in taking a proactive approach you will need to make it clear that just because you have identified potential sites, including through making direct contact with landowners, this does not automatically mean that the site will be allocated for development. All sites will need to be assessed using the same consistent approach as explained later in this guidance.

The starting point is to use the information gathered by the Council to inform their Strategic Housing Land Availability Assessment (SHLAA). Some authorities widen this out and undertake a Housing and Employment Land Availability Assessment, known as a HELAA, so that they can understand the sites that may be available for both housing and employment development in one assessment. St Albans Council undertook an update of their SHLAA in 2016 (this can be viewed at <http://www.stalbans.gov.uk/planning/Planningpolicy/library/shlaa.aspx>). This update included a 'call for sites' by the Council to see if promoters wished to put forward any additional sites. Sites are then assessed by the Council to help them to understand what future supply of land is suitable, available and achievable for the delivery of new homes over their Local Plan period. The Planning Practice Guidance sets out the suggested approach to undertaking a SHLAA/HELAA and, with reference to Neighbourhood Plans, states that:

'Designated neighbourhood forums and parish/town councils may use the methodology to assess sites but any assessment should be proportionate. Neighbourhood forums and parish councils may also refer to existing site assessments prepared by the local planning authority as a starting point when identifying sites to allocate within a neighbourhood plan.'

⁵ The link to the relevant part of the Land Registry website is <https://www.gov.uk/search-property-information-land-registry> . It should be noted that there is a financial charge for using the service.

The guidance on SHLAAs and HELAAs can be viewed at <http://planningguidance.communities.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/>

As set out above you may also want to use your local knowledge to identify potential sites as you may find that smaller sites, particularly in more rural locations, may not have been put forward by a local landowner or developer. There is nothing to prevent you from undertaking your own 'call for sites' to supplement what the Council has already done. This will be particularly important if the Council's SHLAA has gathered only a limited number of sites in your area, and will be essential if there are no sites at all. This was an issue for West Hoathly when taking forward the development of their Neighbourhood Plan. When they originally undertook a call for sites to local landowners only one site came forward. They proceeded to consult on their draft plan and residents were unhappy that it was the only possibility listed. Concerns were raised not just through representations on the Plan but also through a petition. This led to another call for sites which resulted in a further 13 sites being put forward.

We would strongly advise preparing a pro forma for landowners/developers to fill in as part of your 'call for sites' submissions. This gives you the opportunity to gather information about a number of aspects of the development that you may want to know about. This can then help you with some of your site assessment work. This approach is one that is used by councils in preparing their SHLAAs or HELAAs and it is not unreasonable for you to ask for this information from a developer or landowner. The pro forma used by St Albans City and District Council as part of their 'call for sites' can be viewed on the Council's website⁶. This should help you to understand the type of information that you can request and helps to demonstrate that a consistent approach is being taken. This is important in demonstrating that an open and transparent approach is being taken. An important element of the assessment is determining whether a site is available for development at some point within the timeframe that your Neighbourhood Plan covers.

How do we choose which sites are the best?

The Planning Practice Guidance points Town/Parish Councils and Neighbourhood Forums to the section within the guidance on undertaking Housing and Economic land availability assessments or HELAAs. This is the same for local planning authorities and therefore there is an expectation that the same approach is taken when identifying sites whether it is for a local plan or for a neighbourhood plan. The guidance can be viewed via the following link:

<http://planningguidance.communities.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/>

This can appear quite daunting and so we have provided some examples of how others have gone about this work, including how it has linked back to the Qualifying Body's Vision and Objectives. This should help you to unpick the guidance and be able to take this work forward.

⁶ http://stalbans-consult.limehouse.co.uk/portal/planning_policy/shlaa_2016/shlaa_update_2016?tab=files

The approach to 'sifting' sites is a critical stage in moving forward to allocating sites. It is vital that you do this in an open, transparent, consistent and objective way. We would recommend that this is best done in line with commonly held practice, by identifying a range of criteria so that you can look at each individual site in exactly the same way. This also follows the same approach that Councils are expected to take and it ensures that you have an audit trail as to why you are proposing to allocate some sites and not others. The criteria you use will be a combination of criteria that would preclude development for good planning reasons (such as development in high flood risk areas and the functional floodplain), factors that could be impacted both positively and negatively by development (loss, or new provision, of public open space). The criteria should also relate to your Vision and Objectives and also be informed, where appropriate, by any baseline assessment of your community that has been undertaken. The latter may indicate, for example, that there is a strong desire in the community to support the vitality of centres and that new homes, including starter homes, could help to support this.

Below is a list of potential criteria, together with where you can get the information from and how to go about assessing the site against these criteria. Where appropriate the relevant paragraph(s) of the National Planning Policy Framework (NPPF) and/or Planning Practice Guidance (PPG) have been included so that you are aware of what national policy and guidance identifies as key considerations. This is because the Basic Conditions against which your plan will be assessed state that it should have '*appropriate regard to national policy*'.

You may be able to sign up to a Public Sector Mapping Agreement (PSMA) as a Qualifying Body. This allows for the sharing of maps/data by the County and/or District Council. Some Town/Parish Councils may already be signed up. Further information can be found at:

<https://www.ordnancesurvey.co.uk/business-and-government/public-sector/mapping-agreements/public-sector-mapping-agreement.html>

It is important to recognise that the list of criteria set out below is not exhaustive, nor is it necessarily appropriate to use them all when you are undertaking your site selection assessments. They are provided as a guide only. It should also be noted that these criteria are focussed on assessments of housing sites. You may need to think about using slightly different criteria if you are looking at other uses. For example, for employment uses access to schools or GP practices are not really relevant, but access to the strategic road network may be (depending on the size of the site). Whatever criteria you use in all cases is being clear about how the criteria have been applied.

One area which is not included is the provision of water and electricity infrastructure. This is because water and electricity companies have a duty to make such provision, with the cost of doing so being a matter for the utility provider and the developer of the site⁷. Consequently this will rarely be a ‘show stopper’ for bringing a site forward for development.

Criterion	Where to get the information	How to assess.
Is the site within one of the Environment Agency Flood Risk Zones (3b, 3a, 2 or 1)	The District Council	<p>The Environment Agency provides an initial classification of Flood Risk Zones although local authorities prepare Strategic Flood Risk Assessments which can provide a more fine-grained analysis of Flood Risk Zones. The Technical Guidance to the NPPF provides detailed information regarding how to consider flood risk and what types of development may or may not be appropriate in the different zones. This can be viewed at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6000/2115548.pdf</p> <p>In summary the following types of development by zone are:</p> <p>Flood Risk Zone 1 (low probability): All uses of land are appropriate in this zone.</p> <p>Flood Risk Zone 2 (medium probability): Essential infrastructure and the water-compatible, less vulnerable and more vulnerable uses, as set out in table 2, are appropriate in this zone. The highly vulnerable uses are only appropriate in this zone if the Exception Test is passed.</p> <p>Flood Risk Zone 3a (high probability): The water-compatible and less vulnerable uses of land (table 2) are appropriate in this zone. The highly vulnerable uses should not be permitted in this zone. The more vulnerable uses and essential infrastructure should only be permitted in this zone if the Exception Test is passed. Essential infrastructure permitted in this zone should be designed and constructed to remain operational and safe for users in times of flood.</p> <p>Flood Risk Zone 3b (the functional floodplain): Only the water-compatible uses and the essential infrastructure listed in table 2 that has to be there should be permitted in this zone. It should be designed and constructed to:</p> <ul style="list-style-type: none"> •remain operational and safe for users in times of flood;

⁷ More information can be viewed at <http://www.ofwat.gov.uk/regulated-companies/company-obligations/new-connections/> and <https://www.ofgem.gov.uk/ofgem-publications/87259/guideelectricitydistributionconnectionsolicy.pdf>

		<ul style="list-style-type: none"> •result in no net loss of floodplain storage; •not impede water flows; and •not increase flood risk elsewhere. <p>Essential infrastructure in this zone should pass the Exception Test. Table 2 referred to above is set out at page 6 of the Technical Guidance.</p> <p>If sites have been submitted for consideration as part of the Council’s SHLAA then the Flood Risk Assessment will have already been undertaken. However, for sites that have not been proposed through this route then you will need to undertake this initial assessment. Any sites for new residential development within Flood Risk Zone 3a and 3b should automatically be rejected and no further assessment should be necessary. Table 3 on page 8 of the Technical Guidance sets that residential development in Flood Risk Zone 3a and 3b should not be permitted.</p> <p>Area specific information on flood risk can be found at https://flood-warning-information.service.gov.uk/long-term-flood-risk/map?map=Reservoirs and from the Council’s Strategic Flood Risk Assessment</p>
Is the site at risk from surface water flooding?	The District Council	This is a ‘yes’ or ‘no’ answer. A Strategic Flood Risk Assessment is a study carried out by local planning authorities to assess the risk to an area from flooding from all sources, now and in the future, taking account of the impacts of climate change, and to assess the impact that land use changes and development in the area will have on flood risk. The Council will have undertaken a Strategic Flood Risk Assessment which will have looked at all sources of flooding including from, for example, surface water drains. The weblink provided in the Flood Risk Criterion above can also be used to help with this assessment.
Is the site within an internationally or nationally designated site of importance for biodiversity e.g. a Special Area of Conservation	The District Council DEFRA - Multi-Agency Geographic Information for the Countryside (MAGIC) website http://magic.defra.gov.uk/	This is a ‘yes’ or ‘no’ answer. If the answer is ‘yes’ then it is highly unlikely that development within these areas will be justified. If the site is in close proximity to such sites then consideration needs to be given to any possible impacts. More information can be viewed at http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/Images/lpa-consultation-table_tcm6-36596.pdf and https://www.gov.uk/guidance/construction-near-protected-areas-and-wildlife If you are unsure of whether an area is designated or not you should contact the Council

(SAC), Site of Special Scientific Interest (SSSI) or Local Nature Reserves		
Is the site within a County Wildlife site owned and/or managed by Hertfordshire County Council	The District and County Councils	This is a 'yes' or 'no' answer. If the answer is 'yes' then it is unlikely that development within such an area will be justified or indeed the site made available.
Does the site contain protected trees (either those covered by a TPO or in a conservation area) or ancient woodland? Would development of the site be constrained by the presence of protected trees?	The District Council.	The first part of this question is a 'yes' or 'no' answer. This does not necessarily mean that the site cannot be developed. However, it may mean that only part of a site is capable of being developed and that sufficient room may be needed to ensure that the roots and canopy of the trees are not affected by any development. You will also need to think about whether any new homes would suffer from a loss of light (or that their gardens would be constantly in shadow which would affect their usability). Creating such situations can put pressure on allowing for trees to be removed or lopped in the future. These types of issues and the approach that needs to be taken when developing a site to avoid such effects can be referred to when allocating a site for development. Further information on Ancient Woodlands and Veteran Trees can be viewed at https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences
Does the site fall within an area of landscape sensitivity (e.g. Landscape Conservation Area, Landscape	The District or County Council.	This is a 'yes' or 'no' answer. If the answer is 'yes' then you will then need to consider whether developing the site would be so intrusive within the landscape that it's development should be avoided. In making this assessment it is also important to have considered whether any impacts could be overcome through the provision of landscaping as part of any development proposal.

Character Area, Landscape Development Area, Area of Landscape Value)?		Enquiries for landscape advice should be directed to the Council's Neighbourhood Planning Officer.
Would development improve the character of the locality and/or settlement because the site is run down or because it provides an improvement in townscape?	Local assessment.	This will be based on a local assessment of the site and the benefits that development might provide.
Does the site lie within the Metropolitan Green Belt?	The District Council.	This is a 'yes or 'no' answer. If a site is in the GB there will be a need to consider what the Council's Green Belt Review says about the contribution that the sites makes to serving the purposes of the Green Belt as set out in the NPPF ⁸ . St Albans Council's Green Belt Review can be viewed at: http://www.stalbans.gov.uk/Images/SP_EB_GBR_Part1_Nov2013_StAlbansParcelAssessments_tcm15-38993.pdf
Is the site a greenfield or previously developed site?	Local assessment.	Paragraph 111 of the NPPF sets out that ' <i>Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value.</i> ' The glossary at Annex 2 of the NPPF defines Previously developed land as ' <i>Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should</i>

⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf Section 9 of the NPPF relates to 'Protecting Green Belt Land'.

		<p><i>not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.'</i></p> <p>There is a growing focus on seeking to bring forward brownfield sites for development to take the pressure off having to develop greenfield sites and may be better located to existing services and facilities. In addition some brownfield sites may no longer be appropriate for their current or previous use, and some make be in a poor condition and do not make a positive contribution to the character and appearance of a local area. There are therefore a number of potential benefits for prioritising the use of brownfield sites if these are available and suitable. It is important to be aware, however, that there can be additional costs to a developer for bringing forward a brownfield site which may impact on a development's viability and what contributions it can support towards affordable housing and infrastructure.</p> <p>Taking into account the above information you may wish to provide these as separate criteria within your assessment with previously developed land being given preference over greenfield land.</p>
<p>Would the development of the site result in the loss of agricultural land and if so what Grade?</p>	<p>The District Council.</p>	<p>Agricultural land falls into five categories according to versatility and suitability for growing crops. The top three grades, Grade 1, 2 and 3, are referred to as 'Best and Most Versatile' land. Grade 4 and 5 are described as poor quality agricultural land and very poor quality agricultural land. Agricultural land classifications can be found using the following link: http://publications.naturalengland.org.uk/category/5954148537204736</p> <p>The NPPF sets out at paragraph 113 that '<i>Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality</i>'. When assessing this criterion consideration should be given as to whether a significant proportion of agricultural land would be lost and also whether the allocation of the site would impact on the future farming of the</p>

<p>Would open space be lost as a result of development of the site? If so is the open space public or private? Is new open space being proposed to replace it and would this be public open space? How does the site link to existing public open space or provide access to open space? Would it impact on, or enable the provision of, for example, green corridors.⁹</p>	<p>Local assessment and the District Council to identify any specific local plan open space designations.</p>	<p>remaining and/or surrounding land.</p> <p>The initial element is a ‘yes’ or ‘no’ answer.</p> <p>Paragraph 74 of the NPPF sets out that: <i>Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:</i></p> <ul style="list-style-type: none"> ● <i>an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or</i> ● <i>the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</i> ● <i>the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.</i> <p>There will be a need to look at what opportunities a potential site might provide for increasing either the quantity of open space or providing links to, and improving the quality of, existing open space – which could provide wider benefits to existing residents. Understanding how existing open space is or isn’t used is important and this is often where local knowledge can be really useful in making this assessment. If a site is capable of providing new open space it is important to think about who will own and manage that space once the development has been completed, and what the costs of doing so will be in the longer term. This is why in some cases it may be better to look at getting improvements to existing space. This has the added benefits of being able to maximise the development opportunities on a site and can also help to bring existing and new residents together because they are all using the same open space.</p>
<p>Would development of the area impact on designated heritage assets (Listed Buildings,</p>	<p>The District Council</p>	<p>The location of the development, the level of screening on the boundaries of a site and the type and status of the heritage asset will influence how you assess this.</p> <p>Paragraph 132 of the NPPF sets out that: <i>‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of</i></p>

⁹ Green corridors are strips of land that provide sufficient habitat to support wildlife, often within an urban environment, thus allowing the movement of wildlife along it. Common green corridors include railway embankments, river banks and roadside grass verges.

<p>Conservation Areas, Historic Parks and Gardens, Scheduled Monuments, Areas of Archaeological Importance).</p>		<p><i>the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'</i></p> <p>The example of assessing a site that is set out below shows how Redbourn Parish Council looked at this criterion.</p> <p>More detailed information on individual heritage assets can be viewed at https://historicengland.org.uk/listing/the-list/</p>
<p>Does the site include, or lie next to a non-designated heritage asset (Locally Listed Building, areas of archaeological interest)</p>	<p>The District Council</p>	<p>This is initially a 'yes' or 'no' answer. Further analysis then should be undertaken. In doing so it is important to note that non-designated heritage assets relate to assets identified by the local planning authority (including local listing). They do not have the same level of 'protection' as, for example, Listed Buildings. Paragraph 135 of the NPPF sets out that:</p> <p><i>'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'</i></p> <p>Further guidance on Non-Heritage Assets can be viewed at http://planningguidance.communities.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/what-are-non-designated-heritage-assets-and-how-important-are-they/</p>
<p>What is the accessibility or potential accessibility of the site?</p>	<p>Local assessment.</p>	<p>This criterion looks at how readily a site can be accessed by people using a range of different transport modes or, in the case of housing sites in particular, whether the site lies within walking or cycling distance to local facilities or to a bus stop or railway station which would provide for access to facilities. This is so that new residents are able to access the services and facilities they need by, wherever possible, means other than a car. However, it is important to recognise that, as set out in the NPPF (paragraph 29), different policies and measures will be required in different communities</p>

		<p>and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.</p> <p>Paragraph 3.10.3 of the Department for Transport document LTN 1/04 'Policy, Planning and Design for Walking and Cycling sets out that <i>'There are limits to the distances generally considered acceptable for utility walking and cycling. The mean average length for walking journeys is approximately 1 km (0.6 miles) and for cycling, it is 4 km (2.4 miles), although journeys of up to three times these distances are not uncommon for regular commuters. The distances people are prepared to walk or cycle depend on their fitness and physical ability, journey purpose, settlement size, and walking/cycling conditions. Useful guidance on desirable, acceptable and preferred maximum walking distances for different purposes is included in Tables 3.2 and 3.3 of Providing for Journeys on Foot, IHT 2000.</i> Based on this approach walking and cycling distances to facilities, bus stops and train stations are regularly used as a proxy for 'good accessibility' and can therefore be considered a reasonable basis for assessing a site as follows:</p> <p>Walking distance to a bus stop: > 400m Walking distance to a railway station: > 1 km Cycling distance to a railway station: > 4km Walking distance to local facilities: > 1km Cycling distances to local facilities: > 4km</p> <p>When undertaking an assessment of accessibility it is important to use the distance by actual walking/cycling routes not as the 'crow flies'. Furthermore, the frequency of bus services need to be factored in when considering 'walking distance to a bus stop' accessibility (recognising that, for example, in rural areas, the level of service is likely to be lower than for larger urban areas), or whether a 'flexible' bus service¹⁰ operates in the area.</p>
<p>Is there a suitable access to the site or one capable of being provided.</p>	<p>Local assessment although further technical advice may be needed.</p>	<p>An initial assessment can be undertaken to look at the location of an access and the considerations that would be relevant regarding highway safety. The sorts of things that need to be considered include:</p> <ul style="list-style-type: none"> • Would the site be capable of providing an access wide enough to allow for two-way traffic, together with footway provision.

¹⁰ This is, for example, where a service operates on a 'demand responsive' basis, which means the route is not fixed and the bus will divert to particular stops by prior booking from passengers.

		<ul style="list-style-type: none"> • Would the site be able to provide adequate sight lines to allow for vehicles to access the public highway safely (sight lines distances and how far back into the access they need to go will depend on the number of vehicles that the site is likely to generate and also the legal speed limit on that particular stretch of road) • Can the sight lines be provided so that they are free from obstruction. A common issue is that sight lines may require the removal of trees and/or hedges. You will need to consider, if this is the case, whether the trees and/or hedge have protection, or are important features. If so, could replanting behind the sight lines overcome this issue. • Can the sightlines be accommodated wholly within the land controlled by the landowner. If not then there may be issues as development should not rely on third party land. It should be noted that land which is under the control of the highway authority is not classified as third party land. <p>Further information can be found in Hertfordshire County Council's 'Roads in Hertfordshire – Highway Design Guide'.</p> <p>One aspect for consideration is whether the site has direct access onto a public highway or whether it relies on access across third party land. If it is the latter then it may be difficult to guarantee that permission to use third party land will be granted and therefore the site may not be deliverable.</p>
<p>Would the development of the site lead to traffic congestion?</p>	<p>Local assessment but some further technical support may be needed.</p>	<p>Local knowledge can provide a useful starting point to assessing a potential site in respect of traffic congestion. In most cases the key time periods when roads are most used are in the morning peak from 8:00am – 9:00am and then the afternoon peak from 4:00pm – 6:00pm. Whilst all new development will lead to some increase in traffic movements during these key periods it does not mean that the development would lead to traffic congestion.</p> <p>The NPPF at paragraph 32 sets out that '<i>Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.</i>'</p> <p>An assessment of how much additional traffic a site will generate is based on what is known as trip rates. Trip rates show the number of traffic/people movements in and out of a development. You may feel that you need to have some empirical data to help with the assessment. You can look at doing your own assessment by using an existing housing development in your area and counting the number of cars that move in and out of the development during those peak periods. You then take the number of movements out and the number of movements in and divide it by the number of</p>

		homes that were being surveyed. It is always useful to know what the mix of house sizes are that you have surveyed as different house sizes will normally result in different trip rates and the site should be 'contained' i.e. not having a through route within it. This will give you a reasonable proxy to apply to the development site that you are looking at. In conducting the survey you should avoid school holidays and weekends and it is generally recommended to pick a Tuesday, Wednesday or Thursday.
Is the site located within a Health and Safety Executive consultation zone Are there any physical site constraints e.g. gas or oil pipelines, power lines.	The District Council may be able to provide details of the location of pipelines or installations, otherwise contact the Health and Safety Executive.	<p>This is a 'yes' or 'no' answer.</p> <p>The Health and Safety Executive gives advice as to whether the proximity of a proposed development site to a pipeline or major hazard installation would preclude development. See http://www.hse.gov.uk/landuseplanning/methodology.pdf . If the answer is 'yes' then further technical advice should be sought from the Health and Safety Executive.</p> <p>There are no specific restrictions on developing under or near high voltage electricity lines and sub-stations. There are however, specific requirements with respect to minimum clearance heights which are set out in Table 1 of the National Grid publication 'Development near overhead lines which can be viewed at http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/</p> <p>In addition the National Grid has published 'A sense of place' which provides best practice guidance in how to plan for housing on sites which are crossed by high voltage electricity lines. This can be viewed at http://www2.nationalgrid.com/UK/Services/Land-and-Development/A-sense-of-place/</p>
Does the site lie within an Air Quality Management Area or in an area at risk of poor air quality?	The District Council	<p>This is a 'yes' or 'no' answer.</p> <p>The Glossary at Annex 2 of the NPPF defines Air Quality Management Areas as those areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.</p> <p>Paragraph 124 of the NPPF sets out that: <i>'Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.'</i></p>
Is there any contamination on the site?	The District Council.	<p>This is a 'yes' or 'no' answer.</p> <p>Contaminated land is defined legally as land where substances could cause:</p> <ul style="list-style-type: none"> • significant harm to people or protected species

		<ul style="list-style-type: none"> • significant pollution of surface waters or groundwater <p>This definition refers to contamination caused by past uses of sites such as:</p> <ul style="list-style-type: none"> • former factories • mines • steelworks • refineries • landfills <p>An overview can be viewed at https://www.gov.uk/contaminated-land/overview</p> <p>Paragraph 120 of the NPPF sets out that ‘Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.’ If a site that you are assessing is affected by contaminated land then it does not mean that it cannot necessarily come forward for development so long as the contamination can be addressed. However, it is important to consider that this means there will be costs involved which may impact on whether it would be financially worthwhile developing the site, or may mean that infrastructure provision and/or the delivery of affordable housing may be affected for viability reasons.</p>
<p>Are there any wider benefits that the site might bring to the community and help meet the objectives of the Plan.</p>	<p>Local assessment.</p>	<p>This could include local infrastructure improvements such as:</p> <ul style="list-style-type: none"> • improvements to footpath/cycle links which provides for greater connectivity for both new and existing residents; • family housing may provide opportunities to support a local school which has seen reductions in pupil numbers; • support for existing shops and businesses • provision of commercial floorspace to support local employment needs • provision of new facilities that can also be used by the existing community

The Council’s on-line Local Information Service (<http://gis.stalbans.gov.uk/wmlcustomerservice/>) provides area specific information for the following:

- Ancient Monuments
- Archaeological Sites for Local Preservation
- Archaeological Sites Subject to recording conditions

- Conservation Areas
- Green Belt
- Historic Parks
- Landscape Conservation Areas
- Landscape Development Areas
- Listed Buildings
- Locally Listed Buildings
- Sites of Special Scientific Interest
- Tree Preservation Orders

Further information can also be found from the following sources:

- Transport and Highways – Hertfordshire County Council e.g. ‘Hertfordshire’s Traffic and Transport Data Report’¹¹
- Assessing impacts on Heritage Assets – Historic England¹²
- Landscape and Biodiversity impacts – Natural England¹³

In all cases if you feel that you may need some further technical support or advice then you should contact the Council’s Neighbourhood Planning officer in the first instance to see what opportunities may exist for being provided with more site specific assistance and advice.

How do we go about applying these to individual sites?

We have provided some examples of how different Neighbourhood Areas have gone about undertaking individual site assessments. The examples have been provided based on different levels of housing development that was being tested. Qualifying bodies, for the main part, tend to take two approaches to ‘scoring’ sites. This either involves using a ‘traffic light’ system or by providing numeric scoring. Either way is acceptable and we have provided examples of both approaches. Other approaches may be acceptable. Whatever approach is taken it is vital that individual sites are assessed in a consistent, open and transparent way and that the assessment is presented in such a way that anyone is able to clearly understand why sites have

¹¹ <http://www.hertfordshire.gov.uk/services/transtreets/hertscounttravsurv/factsheetstrafandacc/>

¹² <https://historicengland.org.uk/advice/planning/decision-taking/>

¹³ <https://www.gov.uk/government/organisations/natural-england>

or have not been included. When presenting the results of the assessment it is important to acknowledge that it has been undertaken based on local judgement and knowledge.

The first site assessment, which is set out below, is an example taken from work undertaken by Redbourn Parish Council within the St Albans City and District Council area. It is important to be aware that the Redbourn Neighbourhood Plan has not yet been tested through Examination and Referendum. Nevertheless, it provides a helpful, locally based example. Further examples include those undertaken by Henley and Harpsden¹⁴, and Lymstone¹⁵

Sustainability theme/Objectives	Assessment Criteria	Site address
		Site size: 0.9ha Dwelling yield: 22-27 dwellings
1: Environment To preserve and enhance the natural beauty of Redbourn in terms of its geology, landform, soils, biodiversity, water systems and climate.	Will the site impact on areas of environmental sensitivity e.g. Sites of Special Scientific Interest, Biodiversity Action Plan areas, local/county wildlife sites, ancient woodlands?	No
	Is the site wholly located in the floodplain (more than 50% in Flood Zone 3)? Is the site under threat from surface water flooding?	High risk of surface water flooding on the boundary of the site along..... Some low risk of surface water flooding on the southern part of the site. This is not considered sufficiently significant to not be capable of mitigation.
	Would development result in the best and most versatile agricultural land? Is this land clearly suitable for farming?	Grade 3. The land is currently farmed.
2: Environment To protect the landscape and townscape setting of Redbourn village by focussing development in or around the village and on	Does this site stand alone in open countryside or is it adjacent to/within main settlement?	The site does extend the settlement further to the west. However, further development to the west would be prevented by the presence of the motorway, this being a strong defensible boundary. The site does open up the potential for significant development immediately to the north (south-west of Redbourn) which would represent a

¹⁴ <http://www.henleytowncouncil.gov.uk/controls/DownloadDocument.ashx?docID=uc2496IMJGDJCSGHNP2719wKox&aID=2604>

¹⁵ <http://www.lympstone.org/wp-content/uploads//2013/09/Appendix-H-Site-Sustainability-Assessments.pdf>

previously developed land.		more significant extension of the settlement westwards.
	Would development have a detrimental impact on the landscape?	No. There is some visibility of the site from the west but this is limited, in particular by the presence of the M1 motorway.
	Is the site greenfield or previously developed land?	Greenfield
	Would development conflict with neighbouring uses?	No
3: Environment To protect the identity and local heritage of Redbourn.	Does the site impact on a Conservation Area, listed building(s) and/or Scheduled Ancient Monument?	Grade I listed church is adjacent to the site so development could potentially affect its setting. However, the church is very well screened on its western side by a mature treebelt, making it not visible from the west. This would mean that a well-designed development would be likely to have limited impact on the setting of the church. Part of site is within Conservation Area so development would have to preserve its setting.
4: Social To ensure that housing addresses the needs of the existing community of Redbourn	Is the site capable (by virtue of size) to accommodate the housing needs of all identified groups? Is the site large enough to provide for affordable housing needs (i.e. the site is capable of delivering 25 or more dwellings / on a site of 1 hectare or more) on site?	The site is on the threshold of being able to provide affordable housing on site (this being 25 dwellings). However, there would no guarantee that a scheme would be brought forward that would be above the threshold. The site has relatively limited potential to provide for a wider range of Redbourn's other housing needs.
5: Social To ensure that the community has adequate, access to the key services it needs, including health facilities, convenience shops and schools.	Is the site capable of providing safe and/or improved linkages to the village centre?	There is safe footway access all the way to the centre of the village. The site cannot improve access to the village centre.
	Is the site within a desirable or acceptable walking distance of the village centre?	The site is well outside the preferred walking distance of the High Street, being approximately 1.5km away. There is footway access directly into the centre of the village.
6: Social	Would the site be potentially subject to	The site is adjacent to the M1 motorway so there would be

To ensure that the community has a high quality and healthy lifestyle.	unacceptable noise or air pollution from neighbouring uses or would there be any hazards to a high quality and healthy lifestyle?	noise pollution that would require mitigation through the use of screening.
7: Social To ensure the provision of a range of community facilities that provide for the needs of the community.	Does the site create the opportunity to provide new community infrastructure and/or green open space in an accessible location for the wider community?	The site would create the potential to extend the cemetery to address burial needs.
	Is the site capable of providing safe and improved linkages to community facilities/centre of the village?	The site is relatively distant from the community facilities in the High Street and also to the Park Centre.
8: Economic To maximise the potential of existing employment/employers and support the need for new employment opportunities, particularly start-ups.	Will development of the site result in the loss of commercial business premises? If so, will there be significant job losses?	No
	Will the development provide an opportunity to deliver start-up space on site?	No
	Will the development provide new employment to serve local needs?	No
9: Social To improve safe and sustainable movement around the parish and to the village by a range of modes.	Can the site be accessed by vehicular traffic?	Yes, offWhilst this is a narrow lane, the exit point would quickly feed traffic on to, which is a larger road. However, this short stretch of would need widening which may require third party land.
	Will the site impact on any existing footpaths or other public rights of way (PROW)?	Footpaths .. and .. cut through the site. They would have to be diverted around the boundary of any development. This would result in some loss of views from the footpath although the screening of the Grade I listed church by the mature treebelt means that this cannot be seen in any event.
	Is the site on a safe cycling route into the village or does it create the opportunity to deliver a new cycle route?	The site is on the edge of the settlement but is still not far from the centre for cycle journeys. The journey would be reasonably safe and easy, albeit not on dedicated cycle paths.
	Does a site, by virtue of its location and scale, have a severe impact on the existing highway network?	The scale of development would be unlikely to have a severe detrimental impact.

	Is the site within a desirable or acceptable walking distance from nearest bus stop?	Yes - desirable
Overall Assessment		The site has a number of constraints and issues relating to flooding, the loss of farmland, its distance from the centre of Redbourn, the need to divert PROWs, the potential need for third party land to widen up toand the limited potential to secure a range of housing to address Redbourn's needs. The site does create the potential to extend the cemetery to address burial needs. The site would open up the potential to develop (south-west of Redbourn) and therefore the decision to develop the site should more logically based on a consideration of the two sites in aggregate.

Assessment Key
Strongly Positive
Slightly Positive
Neutral
Slightly Negative
Strongly Negative

As set out in Section on 'How do we know what sites are potentially available for development?' above, it is perfectly reasonable when asking for information from landowners/developers as part of the 'Call for Sites' to ask them to provide information about how many homes they think could be provided on the site. You may then want to 'sense check' this against whether they have taken factors such as site constraints, sensitive boundaries and provision of open space into account (all of which may reduce the available developable area of the site), how it relates to the local character and density of existing development. It will be important when looking at density and character to recognise that the type and size of homes will affect the density and, if you are looking to provide for new homes for young people or those older people wanting to downsize, this may result in development which is of a higher density. This may require you to balance which should be given greater priority – particularly if the number of sites available are limited and there are no other sites in areas of a higher density. Notwithstanding this it is also important to recognise that the way that development is designed can still be appropriate within the context of 'local character' even if its numeric density is higher than the surrounding area. The Council has undertaken an

assessment of design densities on existing sites of different sizes and dwelling mixes across the District. This can be viewed at https://www.stalbans.gov.uk/Images/SP_Housing_SLP_BackgroundNote_ResidentialDensities_Oct2014_tcm15-45179.pdf . In addition CPRE produced some guidance in 2002 showing how taking a different approach to design and housing mix can work in terms of local character and achieve increased densities. Despite the age of the document it helps to illustrate the above point and can be viewed at <http://www.cpre.org.uk/resources/housing-and-planning/housing/item/1949?highlight=WyJkZXNpZ24iLClmZGVzaWduliwiZGVuc2l0eSjd>

In the event that your assessment identifies several sites of the same ranking which would make them equally appropriate for allocation then we would suggest that you look at your overarching Vision and Objectives to identify which site may have a 'better fit' overall. If this still does not help you to differentiate then you do have the option of including each of them within your Neighbourhood Plan as there is nothing to prevent you from identifying land for additional housing over and above your 'at least' target, unless this would put an undue strain on existing services and infrastructure. In addition one site may be available sooner than another and may be easier to or more achievable to deliver than another.

Do we need to do a Strategic Environmental Assessment?

A Strategic Environmental Assessment (SEA) is a formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment. The requirements for doing so are set out in the Environmental Assessment of Plans and Programmes Regulations 2004). This is linked to European legislation but is enshrined in UK law.

In many instances Qualifying Bodies have not had to undertake an SEA as part of their Neighbourhood Plans even though they have been allocating sites but that doesn't mean that you can take this as read. Instances where an SEA has been undertaken include where the sites have been located within an Area of Outstanding Natural Beauty. In other cases it may be that the site(s) are located in close proximity to international designated nature conservation sites known as Special Protection Areas and Special Areas of Conservation. The size of site being proposed can also be a consideration. However, the judgement as to whether or not one is needed is a decision for your local planning authority rather than you. The authority is required to undertake a screening opinion at your request. Whilst the approach can vary between authorities SACDC considers that as long as information can be provided regarding the scale and distribution/location of the sites then it is able to undertake a screening opinion.

Further information can be viewed via the following link:

<http://planningguidance.communities.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/eu-obligations/>

Guidance on how to undertake your own Sustainability Appraisal/ Strategic Environmental Assessment can also be viewed at:

<https://levetttherivel.files.wordpress.com/2015/09/diysa.pdf>

A SEA screening toolkit available at:

https://mycommunity.org.uk/wp-content/uploads/2016/09/160602-TOOLKIT_SEA_FINAL_Oct-2016.pdf

If you feel that you need further assistance then there may be a possibility of getting this through Locality's Neighbourhood Planning technical support offer, which provides access to consultants who work with Locality. In addition, there may be a potential of getting some additional financial support from them. At the moment all groups are eligible to apply for total grant funding of up to £9,000 over the three year programme from 2015-18. Groups facing a range of complex issues are able to apply for further support from the programme. This support can come in two forms:

- Technical Support provided by a company called AECOM – there are a range of technical support packages that groups are able to apply for as and when they become needed.
- Groups are also eligible to apply for further grant of up to £6,000 giving a total grant ceiling of £15,000 in the period 2015-18.

The link to the relevant part of the Locality website is:

<http://mycommunity.org.uk/take-action/neighbourhood-planning/support-grants/>

The importance of getting this right is relevant to both yourselves and the Council as demonstrated by the recent High Court decision in relation to the quashing of the Henfield Neighbourhood Plan (see

http://www.ourneighbourhoodplanning.org.uk/news/2016/11/24/Case_law_update_The_first_neighbourhood_plan_to_fail_at_the_High_Court)

What about infrastructure?

The Planning Practice Guidance sets out that:

A qualifying body may wish to consider what infrastructure needs to be provided in their neighbourhood area alongside development such as homes, shops or offices. Infrastructure is needed to support development and ensure that a neighbourhood can grow in a sustainable way.

The following may be important considerations for a qualifying body to consider when addressing infrastructure in a neighbourhood plan:

- *what additional infrastructure may be needed to enable development proposed in a neighbourhood plan to be delivered in a sustainable way*

- *how any additional infrastructure requirements might be delivered*
- *what impact the infrastructure requirements may have on the viability of a proposal in a draft neighbourhood plan and therefore its delivery*
- *what are the likely impacts of proposed site allocation options or policies on physical infrastructure and on the capacity of existing services, which could help shape decisions on the best site choices*

Qualifying bodies should engage infrastructure providers (e.g. utility companies, transport infrastructure providers and local health commissioners) in this process, advised by the local planning authority. Paragraph: 045 Reference ID: 41-045-20140306

A qualifying body should set out in their draft neighbourhood plan the prioritised infrastructure required to address the demands of the development identified in the plan. Paragraph: 046 Reference ID: 41-046-20140306

Do we have to think about deliverability and viability?

You will need to consider whether the site is available now or is likely to become available during the plan period – if there are issues with a site which mean that it is not likely to come forward then there is no point in allocating it in your plan. An assessment can be made using the response and information included in the call for sites pro forma – hence the importance of making sure you ask for this information at the outset. You will need to engage and work with landowners and developers during the preparation of the neighbourhood plan in order to make sure that the land is likely to be available for your proposed use during the plan period. You cannot force a landowner to relinquish their land for the development you have identified.

A site is considered to be deliverable 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 at a particular point in time. In order to establish whether a site is viable, you can consider the following actions:

- Involve businesses, developers and landowners at early stages of evidence gathering to advise the neighbourhood group on viability of sites.
- Review the site using existing viability reports published by the Local Planning Authority. These may be called a CIL viability report, Whole Plan viability report or Affordable Housing Viability report. These reports will often provide an assessment of the viability of different ‘typologies’ of site within the Local Authority Area, e.g. brownfield town centre infill, or greenfield urban extension. These typologies can then be applied to similar sites in the neighbourhood plan assessment to give an indication of whether that site would be viable for development.
- Check with the local planning authority that the proposals for development are appropriate and in conformity with the local plan.

If you don’t know the ownership of the site you can use the Land Registry website to find information about a property and how far its general boundaries extend including the land owner’s details. You can then use this information to contact the landowners.

Drafting the policies:

The Planning Practice Guidance sets out that:

A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared. Paragraph: 042
Reference ID: 41-042-20140306

The Neighbourhood Planning website 'my community' provides a wealth of information on Neighbourhood Plans and has developed a specific resource section focused on how to write planning policies. Whilst this focuses on writing planning policies in their widest sense the principles apply regardless of the planning policy topic. The information can be viewed at:

<https://mycommunity.org.uk/resources/how-to-write-planning-policies/>

In developing policies which allocate sites within your Neighbourhood Plan it will be essential to include information on the site boundary – usually on a map with a red line around the site. In addition you can look at including (as long as you have sufficient evidence to support their inclusion):

- An indication of the level of housing that a site should be aiming to deliver. It is important to make sure that your policy provides some flexibility over the number of homes that the site could deliver. Using the word 'around' is the approach that is normally taken. You won't find favour from Examiners if you use the phrase 'up to' or 'no more than' as this takes away that flexibility. It is important that sites can deliver as many homes as possible and the final numbers will be determined by matters including, the approach to the layout of the site, the mix and size of homes being provided, and landscaping, access and any open space requirements if the site is of sufficient size to require such provision.
- Access arrangements
- A description of what the Neighbourhood Forum is expecting the site to deliver. This can include the type, size and tenure of housing, provision of landscaping (including, if appropriate where the key locations are if it is to address issues such as reducing the impact of development on the wider landscape or on heritage assets, or if it is needed to offset the loss of landscape features through the provision of sight lines), provision of open space.
- Any infrastructure needs such as junction improvements, community facilities, play space or open space
- Phasing of the development

An example of how another Neighbourhood Plan has approached this can be viewed using the following weblink:

http://www.southoxon.gov.uk/ccm/support/dynamic_serve.jsp?ID=525003889&CODE=968CB24998FF81BB543318C7F348050C. This is the Henley and Harpsden 'made' Neighbourhood Plan. It provides a good comprehensive example of a number of overarching housing policies as well as detailed policies in relation to individual site allocations to guide what will be expected from development proposals. The Plan also provides useful examples of a range of other, 'non-housing specific' planning policies.

Some Neighbourhood Plans have developed policies relating to housing mix and affordable housing using separate policies which apply to all sites that come forward. Either approach is appropriate but will need to be determined by your own local circumstances and your evidence.

In addition to the above examples the Colwich Neighbourhood Plan provides examples of policies that have been developed in relation to uses including business, commercial, retail, and community uses as well as design and housing related policies. This can be viewed at:

<http://www.staffordbc.gov.uk/live/Documents/Programme%20Officer/Programme%20Officer%202016/P2-D20-Colwich-Neighbourhood-Plan-%E2%80%93-Submission.pdf>

Some practicalities:

The importance of having a project manager

The feedback that we have had from a number of Qualifying Bodies is that they all consider having a project manager is a key part of the resources needed to take Neighbourhood Plans forward. Having someone whose main role is to oversee the work that needs to be undertaken, what needs to happen when, and planning the project to a realistic timescale which takes into account the resources available is really important. It helps to make sure that you are not being overly optimistic in developing your timetable, so that you don't need to keep going back to the local council and your community with a changed timetable.

One practical tool that you may find useful is a Project Management Task and Gantt chart that has been produced by the Planning Advisory Service. This sets out the key stages in developing a Neighbourhood Plan and allows you to put in your own information to help you manage the process and the likely timescales so that you can tailor it to your own circumstances. This can be viewed at <https://www.local.gov.uk/pas/pas-topics/neighbourhood-plans/plan->

[making-neighbourhood-plan-project-management-tool](#). You may also wish to look at the advice on the Our Neighbourhood Planning website in relation to Project Management via the following link. http://www.ourneighbourhoodplanning.org.uk/storage/resources/documents/How_to_project_plan2.pdf

This includes information from Qualifying Bodies about their own experiences in relation to project management. An example of a Qualifying Body's Project Plan can be viewed at <http://www.maresfieldparish.org.uk/files/general/Maresfield%20Project%20Plan%20300713.pdf>

Setting up a working group to undertake the site selection work

The approach that most Qualifying Bodies take, if they are undertaking site selection work, is to set up a specific working group. The size of the group needs to be large enough so that there is sufficient capacity to both do the work and bring in a range of views, experience and knowledge so that the process has the right level of challenge. It is important that the same group of people are involved in assessing all sites. Too big a group can make it difficult to come to a consensus as to how each site is ranked and can effectively become 'planning by committee'. It also helps to manage the resources in the Qualifying Body so that there is scope for different people to work on different aspects, rather than everyone being needed to working on everything. You will potentially start losing volunteers because they don't feel that they can commit the time being asked of them. This could impact on the ability to deliver the Neighbourhood Plan.

An example of the link between a Neighbourhood Plan Steering Group and Working Group together with an example of Terms of Reference can be viewed at <http://www.maresfieldparish.org.uk/files/general/NDP%20Project%20Brief%20Final.pdf>

Avoiding conflicts of interest

One of the challenges that face Qualifying Bodies is making sure that, in undertaking the site selection work, the people involved do not have an interest in the sites being considered. The reason that it is challenge is because those who are doing the assessing live within the community where the sites are proposed to be allocated. However, it is vital that when selecting the members of the working group that this is taken into account, so that there is no opportunity to challenge the outcome because a member of the group is considered to have either a financial or personal interest in which sites are selected. The main areas to consider are:

- whether the person owns land being promoted, or has a more than passing acquaintance with a landowner
- whether the person may be seen to be adversely affected if a site were to be allocated (e.g. because they live directly next door, or have a more than passing acquaintance with someone who may be seen to be adversely affected).

These are known as ‘pecuniary’ and ‘personal’ interests. It is important that any relevant interests are declared at the outset. Using a reasonable number of people in site assessments is one way of ensuring that such interests are avoided. You might find it useful to look at Cuckfield Parish Council’s Code of Conduct. This sets out a detailed list of activities which the Parish Council considers comprise ‘personal interest’ and pecuniary interest’ matters. This includes business interests that a person may have.¹⁶

There are various sources of information on these matters. Most of it relates to people who are local councillors (including town and parish councillors). However, we would advise that you apply the same principles in undertaking site selection work.

Some weblinks are provided below:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf

We would always recommend that you err on the side of caution. If in doubt then you can seek advice from your town or parish council or ask your local authority.

Use of consultants – making best use of funding

You may have received government funding to help you take forward the development of your Neighbourhood Plan. Your local town or parish council, or local authority may have also identified money that is available. However, the money never goes as far as you might like it to. Therefore, in developing your project plan, looking at the people within your community (and their skills) who may be able to help, and what information and advice you can access for free (for example from your local council) should help you to narrow down what work you may need to commission.

If you do decide to commission work:

- be clear about what it is that you want delivered when you develop the brief for the work
- be clear about how you want them to work with you e.g meetings to be attended (as these cost)
- be clear about deadlines
- provide a named contact who will oversee the work.

A useful starting point for finding a suitable consultant is through the Royal Town Planning Institute’s website <https://www.rtpiconsultants.co.uk/>

¹⁶ http://www.cuckfield.gov.uk/Cuckfield-PC/code_of_conduct-12155.aspx

It is important to ensure that before appointing a consultant that you have checked that they are not working for another client within your Neighbourhood Plan area to avoid any conflict of interest. You may also want to ask them if they are working elsewhere in the local planning authority area. Above all, if in doubt speak to your local authority for advice.

Make sure you tell the story

Keep a careful record of how you have assessed the sites, why the sites have been rejected, shortlisted or become preferred sites for allocation. This will help you communicate your conclusions to local people, site owners, promoters and other stakeholders. You may want to present the information on the website, at exhibitions and through newsletters.

Other sources of information and support:

Useful websites

<http://www.ourneighbourhoodplanning.org.uk/resources/documents/29> This has lots of useful resources for Neighbourhood Planning and case studies

<http://mycommunity.org.uk/programme/neighbourhood-planning/> Up to date information on grants and support, resources kit

Tools, Guidance and Legislation

DCLG - Neighbourhood planning bulletins <https://www.gov.uk/government/collections/notes-on-neighbourhood-planning>

DCLG - General guidance (May 2014) <https://www.gov.uk/government/policies/giving-communities-more-power-in-planning-local-development/supporting-pages/neighbourhood-planning>

DCLG – FAQs on funding (October 2014) <https://www.gov.uk/government/publications/neighbourhood-planning-funding-frequently-asked-questions>

DCLG - Planning Policy Guidance (PPG) <http://planningguidance.communities.gov.uk/blog/guidance/neighbourhood-planning/>

DCLG -National Planning Policy Framework (NPPF)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

PAS – Legal compliance check list (March 2015)

<https://www.local.gov.uk/pas/pas-topics/local-plans/local-plan-checklist>

Reference list of Neighbourhood Planning documents

West Hoathly: Housing Needs Survey

Cuckfield: Housing Needs Survey

Marton: Housing Needs Survey

Henley and Harpsden: Housing Site Assessment and 'made' Neighbourhood Plan

Lympstone: Site Sustainability Assessments

Colwich: 'made' Neighbourhood Plan

Maresfield: Neighbourhood Plan Project Plan and Neighbourhood Plan Terms of Reference

Cuckfield Parish Council: Code of Conduct