

Evaluation of New Neighbourhoods

Report of the Planning Portfolio Holder

Recommended:

That the outcomes of the Corporate Action Plan project 'Evaluation of New Neighbourhoods' be noted and the actions contained within the Annex to the report be approved.

SUMMARY:

- A Corporate Action Plan project, which evaluated significant allocations of residential development referred to as New Neighbourhoods, has been undertaken. This report summarises the process, the lessons learnt and the actions to take forward.

1 Introduction

- 1.1 Through the Local Plan process the Council has brought forward significant allocations of residential development in the form of new neighbourhoods. These allocations look to provide more than housing numbers but establish new communities and infrastructure. The planning, delivery and implementation of a new residential areas takes a considerable amount of time, resource, experience and the advice of different professionals from both within the Council and external consultees.
- 1.2 As part of the Corporate Plan the Council has evaluated the new development areas in the borough as part of its commitment to ensuring that new residential developments will meet the highest quality standards in the homes they provide and the environment they create.
- 1.3 The purpose of this report is to outline the evaluation process and its outcomes and future actions.

2 Background

- 2.1 The Corporate Action Plan project to evaluate the new development areas in the borough commenced as part of the previous Corporate Plan 2015 – 2019 (Enjoy theme). The Evaluation of New Neighbourhoods Project was carried forward into the current Corporate Plan 2019 – 2024 with the aim of completing the evaluation along with helping to inform the drafting of the next local plan and in the delivery of strategic sites.
- 2.2 The evaluation covered three broad areas. These were:-

- 1) Evaluation of the quality of the built environment of new neighbourhoods;
 - 2) Creating communities through the evaluation of the Community Development Workers (CDW); and
 - 3) To review the process of the implementation of new neighbourhoods.
- 2.3 The Local Government Association undertook a corporate peer challenge in October 2018. The report highlighted the Council's positive track record of housing and infrastructure delivery including the community development worker role; green infrastructure and community buildings.

3 Corporate Objectives and Priorities

- 3.1 The Evaluation of New Neighbourhoods Project was carried forward into the current Corporate Plan 2019 – 2024 under the 'People' section where the objective is "Creating communities that have the infrastructure and accessibility to meet the needs of a changing and growing population. Establishing attractive, sustainable and vibrant communities for people to live, work and enjoy." The aim was to complete the evaluation along with helping to inform the drafting of the next local plan and in the delivery of strategic sites.

4 Consultations/Communications

- 4.1 At the start of this project a cross service review board was established. This allowed officers to review the quality; review the Community Development Worker role and map the full implementation process. The last element helped to identify the stages that need to be undertaken and the experiences of officers in delivering sites. The outcomes of the board were supplemented by two public workshops and an OSCOM sponsored Councillor workshop (held in 2022) that helped officer to understand members experiences.

5 Options

- 5.1 This report summarises the outcomes of the evaluation of the new neighbourhood project. The option to consider is whether to endorse the recommended actions as summarised in section 6 and detailed in the Annex.

6 Option Appraisal

- 6.1 The evaluation of new neighbourhood's project represents an opportunity to learn from several developments which have been delivered over a long period of time. This section summarises the lessons learnt under three broad areas: Assessing the quality of the built environment; Creating communities; and Reviewing the process of implementation of new neighbourhoods.

Quality of the built environment

- 6.2 In assessing the physical form of the development and how developments work on the ground, Officers undertook a desk-top assessment of the Abbotswood new neighbourhood in Romsey using the Building for Life (BfL) guidance in December 2018. The criteria provides a mechanism to identify

and recognise good practice. It does this by promoting basic design principles under the categories of 'integration into neighbourhood; 'creating a place'; and 'street and home'. These have been selected as factors which contribute to the provision of quality new neighbourhoods.

- 6.3 Whilst recognising that each development is different, Abbotswood provided a good benchmark for comparison with East Anton (Augusta Park) and Picket Twenty because of the similar age of the developments. These were established against comparable planning policies and practices of that time and were all constructed by volume house builders.
- 6.4 In summary, Abbotswood performed well against each of the categories in the BfL guide. It afforded residents opportunities to be active and interact with one another in terms of the quantity and quality of public open space; ability to enjoy the natural environment; and the ease with which to travel through the site via the network of paths and cycleways.
- 6.5 Where Abbotswood did not perform as well as anticipated was against the 'creating a place' category. Making sense of the site and navigation is challenging due to the lack of character areas to help distinguish the transition through the site. For example street corners on the main route tended to look more like the kind of corners to be expected in a quieter street resulting in a confusing hierarchy of streets.
- 6.6 In March 2019, the Council hosted a workshop with Abbotswood residents to test some of the principles in the BfL guidance. The purpose of the workshop was for residents to identify what they liked about living on Abbotswood and what they thought could be done better if the area was being designed now. In general, residents enjoyed living on Abbotwood. They enjoyed the quantity and variety of public open spaces that have been provided including the Area of Nature Conservation, as well as the footpath and cycle linkages to and from the estate towards Romsey town centre. Residents also appreciated the provision of a local centre for everyday needs but were disappointed that a pub operator had not come forward. Residents also found the issue of parking, particularly the poor use of parking courts, and parking on pavements a key concern. Much of this they saw as linked to poor location and design of parking courts, insufficient parking for each property and how people chose to use their garages.
- 6.7 Comparable experiences were also raised during the East Anton public workshop in 2022 in that there was support for the number and scale of open space and recreation facilities on-site along with frustration that certain commercial facilities were not coming forward. Both sets of residents raised their frustration with the private maintenance companies responsible for those areas or infrastructure, such as roads, which had not been transferred to the Council.
- 6.8 The Council has success in bringing forward new communities with the BfL assessment and the practical experiences provide valuable insights. These can help inform both the negotiation and implementation stage of the planning process. Inevitably there will be legacy issues which are as a result of the

evidence and national planning guidance at that time of negotiation. These along with the change in requirements and design principles will likely alter over the course of delivering a new neighbourhood. However, lessons can still be learnt and changes made to Council practice and future local plan policies. These have been included within the actions in the Annex.

Creating Communities

- 6.9 To successfully create a community more is needed than physical infrastructure. The Council introduced the Community Development Worker role to work with new communities to bring residents together and to integrate new residents within the wider community. It is unusual for Councils to have such a post and as part of this project officers evaluated their role in creating communities.
- 6.10 Community Development Workers (CDW) are a temporary role funded through developer contributions. The length of their contract is aligned with the duration of the construction of the development. They support the creation of the community association to take over the role of community activities and managing any community hall being delivered as part of the scheme. This helps enable local people to play a leading role in establishing a programme of community activities.
- 6.11 Developers also value CDWs. Often they are the first port of call for enquiries and liaise between residents, developers and other statutory bodies, saving them time and money. Over time, developers have seen how a CDW can add value in creating the community. This was demonstrated by Persimmon who as part of the Picket Twenty Extension offered to pay the contribution for the CDW up front.
- 6.12 The evaluation has helped to reinforce the justification for continuing to seek the provision of CDW. It is proposed that as part of the forthcoming Infrastructure and Developer Contributions Supplementary Planning Document that this post continues to be sought from future significant residential development.

Review the process of implementation of new neighbourhoods

- 6.13 The delivery and implementation of a new neighbourhood takes a considerable amount of time, resource, experience and advice of different professionals from both within the Council and external consultees e.g. Hampshire County Council. Broadly the evaluation fell into three areas – process, monitoring and delivery.

Involvement in the planning process

- 6.14 The planning process is a complex one. There are milestones in bringing sites forward however the time taken, complexity and requirements vary from site to site. Mapping this process has identified the stages where relevant services around the Council ‘plug into’ that process. The purpose of this is to identify at what stage the relevant professional elements of the Council are

involved in negotiations with developers. Ideally this is at the earliest possible stages so that all parties, and particularly developers, understand the various requirements of the Council in delivering new development.

- 6.15 A clear evidence base and justification is required in order to secure infrastructure and other obligations. To seek contributions or works which go beyond making the development acceptable in planning terms would be contrary to legislation (see section 9). The Council's Infrastructure and Developer Contributions Supplementary Planning Document is being reviewed and this would form one of the tools in seeking such contributions/works.
- 6.16 There is a strong commitment to joint working across the Council to deliver successful new neighbourhoods through the project implementation groups which have been set up. The delivery of new neighbourhoods is an iterative process and continuous dialogue is required. However, as the delivery of developments of this scale take a long period there may inevitably be a change of officers involved. On occasion this can create a gap in understanding between what was expected versus what is being delivered especially given that circumstances and requirements may change. The benefit of individual services developing procedure notes and resource requirements will also help support the delivery of large developments.
- 6.17 An important element of the planning process is the completion of the necessary legal agreements particularly the S106 agreement. Whilst each agreement may differ in terms of content and requirements the review has recognised the merit in developing clauses and templates to be used in S106 agreements. This includes the specifications for infrastructure delivery that are annexed to the agreement.

Monitoring of Section 106 agreements

- 6.18 When drafting S106 agreements the number of dwellings completed is often used as a trigger to implement a particular obligation. Many legal agreements contain clauses which require the developers to provide monitoring updates on dwelling completion rates and significant milestones in delivery. This is used to not only ensure that infrastructure requirements are being delivered but also as a useful tool to help guide work programmes and supporting evidence for housing land supply calculations.
- 6.19 An issue that was highlighted through the review was the effectiveness of monitoring S106 agreements. This was in terms of the trigger point for payment and later use of contributions and ensuring compliance with the obligations contained within the S106.
- 6.20 The introduction of the Exacom computer monitoring system provides a clearer mechanism to monitor developer contributions and obligations for all Services. It is also a useful tool to help the Council produce the Infrastructure Funding Statement, a summary of all financial and non-financial developer contributions that have been secured over the course of a given financial year.

Delivery of Infrastructure and Local Facilities

- 6.21 Through the Council's work with developers, there has been successful delivery of local centres in Test Valley's new neighbourhoods. A range of facilities, both commercial and community, have been delivered that meet the needs of the new developments they are intended to serve as well as helping to support existing adjoining communities. Resident events held in Abbotswood in 2019 and East Anton in 2022 provide a picture of the successes and frustrations with the infrastructure and facilities. These exercises help with identifying where improvements can be made and lessons learnt.
- 6.22 The review recognised that on occasion there is delay with assets being transferred to the Council. This is as a result of the works (i.e. construction of facilities, planting etc) not being to an acceptable standard that complies with the S106 and other conditions. This results in additional workload pressure on officers from several services to resolve these issues. The Council's approach of co-operating with the developers and their contractors to resolve issues does have its benefits however the review has identified several areas of improvement.
- 6.23 There is the need to consider other courses of action to remedy any issues at an earlier stage. To help do this, and to complement the Exacom system, it is proposed to create a 'S106 compliance' post. This role will sit within the Planning Enforcement team within the Planning & Building Service and have the task of proactively monitoring, checking and helping to enforce legal agreements.
- 6.24 There is also the need to have clearer specifications of works within the S106. Given the time span between agreeing the S106 and delivering works it is important to have a degree of flexibility with the details of particular infrastructure because the requirements may change e.g. internal details of community halls. However, not having sufficient detail causes delay with delivery as the specifics are negotiated between the relevant parties. Therefore, it is proposed that processes are established to more effectively set out and confirm the requirements with developers at an earlier stage.
- 6.25 This issue is connected with the need to protect the Council's interests where ongoing liabilities are transferred to the Council upon adoption of assets. This is secured through appropriate checks prior to transfer and agreeing commuted sums to cover future maintenance costs.
- 6.26 Between allocating the site, negotiation of the S106 and detailed applications for the local centres there may be a significant lag time. In some cases this may be over 10 years. When listing the local centre requirements within policies and S106 it was based on the available evidence at the time of the grant of planning permission and from the Council's successful delivery of the local centre at Valley Park. During this period the requirements from statutory

consultees and the market may change to such an extent that what was originally sought is no longer required or deliverable and as such alternative uses are applied for. This is often frustrating to communities who may have purchased their property expecting (based on the sale particulars of the developer) that certain facilities to be delivered.

- 6.27 The S106 agreements set out the range of uses secured and the measures required to be satisfied to cascade down to an alternative residential use to be brought forward should evidence be demonstrated that the original uses are no longer required. This is completed via a marketing strategy the structure of which is agreed with the Council in advance. The marketing strategy is based on evidence of commercial demand and marketing. The review identified the desire to push for the delivery of the permitted uses and widen the scope of potential alternative uses. There has to be a degree of reasonableness for how long the uses are marketed before alternatives are considered. There are also limits on what restrictions the Council can include within the S106 to require developers to explore alternative options for that land which is safeguarded for a particular use. Legal agreements need to be reasonable and if they are too restrictive or flexible, developers are unlikely to be willing to enter into it. However, there is merit in investigating what measures can be incorporated into future S106.
- 6.28 The securing of a specified mix of uses with more detailed arrangements for marketing and a stepped approach for alternative uses is something that could be explored further to ensure that flexibility in the event of changes in the market. However this is likely to receive push back from developers because of restricting their ability to secure the best value from the site. Even with such arrangements in place given the time period between negotiation of the S106 and implementation and the change in requirements there still may be occasions where sites identified for community/commercial facilities are developed for alternative uses. There is also opportunity to explore the introduction of clauses in S106 agreement which allow for either a financial contribution to be triggered as an alternative to land being safeguarded for a particular use. This option would be attractive for those uses where some type of provision may be required however the providers are uncertain about the form that this should take, especially given the timeframe between agreeing the S106 agreement and implementation.
- 6.29 Sharing information with members through the early stages of the planning application process helps in gaining an understanding of the process, complexity and parameters in which the authority is working. Raising awareness via briefing sessions is vital for members to gain an understanding of this. Members were positive at the workshop about the willingness to have a greater level of involvement during the early stages of the planning process. For example the bi-monthly Whitenap members board also provides a good forum for officers to update local members on a without prejudice basis. This process aids with the communication and understanding and is proposed to be repeated for future strategic applications.

- 6.30 Throughout the evaluation it was recognised that it would be important to monitor and review the lessons learnt and to record any further action which would help secure even better new neighbourhoods for our communities.

7 Risk Management

- 7.1 An evaluation of the risks indicate that the existing controls in place or those which are proposed to be introduced limit the risks that may arise when delivering a new neighbourhood.

8 Resource Implications

- 8.1 The actions identified from the project are predominantly linked to improving our existing ways of working and can therefore be met from within existing budgets. There are existing internal implementation groups with representatives from various services. It is this group which will monitor progress against the actions in the Annex.
- 8.2 Further work is required on the budget implications for the creation of the S106 compliance officer post.

9 Legal Implications

- 9.1 Planning obligations can be secured through Section 106 of the Town and Country Planning Act 1990. When seeking planning obligations it is necessary to be in compliance with the three tests contained within Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). These tests are to ensure that obligations are only sought to make a development acceptable in planning terms; are directly related to the development; and are fair and reasonably related in scale and kind to the development.

10 Other Issues

- 10.1 Sustainability and Addressing a Changing Climate – the outcome of the project will help to continue to secure sustainable new neighbourhoods within the borough.
- 10.2 Property Issues – part of the lessons learnt relate to where built assets (such as sports pavilions) are transferred over to the Council.
- 10.3 Wards/Communities Affected – the lessons arising from the project can help communities across the borough.

11 Conclusion and reasons for recommendation

- 11.1 Through the Local Plan process the Council has brought forward significant allocations of residential development in the form of new neighbourhoods. As part of the Corporate Plan the Council has evaluated the new development areas in the borough as part of its commitment to ensuring that new residential developments will meet the highest quality standards in the homes they provide and the environment they create. The evaluation has identified a series of actions which will help improve the process of delivering the Borough's future new neighbourhoods.

Background Papers (Local Government Act 1972 Section 100D)

None

Confidentiality

It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.

No of Annexes:	1	File Ref:	N/A
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(Portfolio: Planning) Councillor P Bundy

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