

Reviewing the Plan for Solihull's Future, Solihull Local Plan Review

Statement of Community Involvement - Draft July 2019

Summary:

- The KDBH Neighbourhood Forum is ideally placed to provide 'on-the-ground' feedback across the whole range of Council planning-related services covered by this consultation.
- The NF strongly supports the Council's ambitious intent in modernising its SCI, not least to reflect the latest NPPF standards. Currently, however, there is a clear mismatch between the laudable aspirations set out in the introduction and the detail of processes that follow.
- The most important thing the Council needs to do is to clearly articulate, in practical terms, what it means by 'engagement', 'collaboration', 'early involvement' etc. and to ensure that this is then reflected consistently in the detail of supporting processes.
- The Council can take pride in areas where individuals are making a real difference to community involvement/engagement, to the benefit of the Council and communities alike. In our experience, however, this culture is yet to be consistently applied across all areas of planning.
- A lack of transparency, and of early, proactive community involvement, in planning activities with the highest profile - the Draft Local Plan and planning applications - is giving rise to a level of distrust in the Council and disillusionment in the efficacy of the planning process. These, above all, are the areas to focus on in the drive to secure more effective community involvement.

1. Context: Knowle Dorridge and Bentley Heath Neighbourhood Area

- For Solihull Council, the Knowle, Dorridge and Bentley Heath Area, covering a population of nearly 20,000, represents one of the most highly engaged communities within the Borough. Residents are very keen to be kept informed of developments affecting the community and to understand what these mean for them. They are also forthcoming, and forthright, in expressing their views.
- Over the past 5 years, the Knowle, Dorridge and Bentley Heath (KDBH) Neighbourhood Forum (NF) has gained experience across the whole range of Solihull Council planning services covered in this consultation, including:
 - a. initial definition/approval of the Neighbourhood Area and Neighbourhood Forum
 - b. policy planning to create Neighbourhood Plan
 - c. representing the voice of the community in Draft Local Plan consultations
 - d. review of planning applications relating to the KDBH Area
 - e. application of Neighbourhood CIL.

- The NF is therefore well placed to provide very relevant feedback with regard to this consultation. In sharing our experience, our intent is to both highlight the positive effects in areas where the Council has strengths, while also explaining the detrimental impact in areas where the Council currently falls short on its aspirations for community involvement.

2. What is Understood by ‘Community Involvement’?

- The draft SCI document aspires to achieve a high level of community involvement, eg. in references to ‘actively engaged’, ‘meaningful engagement’, ‘collaboration with residents’ and ‘fully involved’. This echoes the National Planning Policy Framework (NPPF) (February 2019) goal for early, meaningful engagement and collaboration with residents, organisations and businesses.
- The NF (and probably most readers) would interpret this as a desire to move beyond the traditional ‘consultation’ approach towards more active participation from those affected by planning changes, and earlier in the planning process. The NF applauds and strongly supports such a move that, we believe, will enable the process overall to become more effective and efficient (albeit it may take longer in the initial stages). It also helps avoid the risk of creating a perception, often felt in the more traditional consultation process, that a direction has already been set and decisions have already been taken that in reality leave little real room for manoeuvre due to the time and cost of re-work.
- The NF comments below should be read in this context. We do recognise, however, that a change from consultation to participation will be particularly difficult for some of those long used to operating a more traditional consultative process.
- If a step change away from the traditional consultation process is not what the Council intends, then they should carefully review the draft document prior to publication to ensure that readers have a clear understanding of what realistically can and cannot be achieved. The Council must make it clear what it means by Community Involvement, for example by clearly defining in practical terms what participation, collaboration, consultation or information means, and when these will apply. This is important to set expectations and avoid disappointment and, potentially, failure to meet the NPPF expectations of early active engagement of residents and businesses.
- There appears to be a mismatch between the ambitions set out in the introductory section of this draft SCI, focusing on active engagement, and subsequent more detail description of processes where the focus appears to be on more traditional forms of consultation.

3. Experience of Solihull Council Community Involvement - KDBH NF Feedback:

Over the past 5 years, the KDBH NF experience of working across Council teams dealing with different aspects of planning has been mixed. In many cases, the variance comes down to individuals, suggesting that there is still work to be done to ensure that a culture of viewing early community involvement as a positive advantage is consistently applied. In some cases, it would seem that this is particularly so for more senior personnel who are perhaps more accustomed to traditional ways of working where the 'Authority knows best' and community involvement is an 'interference'.

Community Involvement: Council Strengths

The NF fully recognises, and is very grateful for, the contribution and support that it has received from a number of individuals within the Council planning teams. In particular, we note Emma Tinsley-Evans, whose involvement as our NP Council liaison officer was outstanding and instrumental to the Plan's success. Emma provides a model for the type of community engagement that the Council aspires to in this document.

More recently, the NF is enjoying developing its engagement in other planning-related areas, particularly with Kim Allen (re. planning applications); Kath Hemmings (re. East Locality Plan); and Sheron French / Ellie Dukes (re. Neighbourhood CIL). All have been proactive and positive in engaging with members of the NF team, albeit we don't necessarily always agree on everything.

Areas for Development

In contrast, there are undoubtedly areas where the NF's engagement with Solihull Council has fallen far short of the type of community involvement aspired to in this draft document. The most significant of these have typically related to consultation on the Draft Local Plan. By way of example, we provide a couple of instances below to demonstrate how failure to meet expectations set, or agreements reached, has led not just to disappointment, but, more significantly, to the NF making decisions that it would not otherwise have made.

- a) **Local Plan: Transport Infrastructure Assessment (TIA).** Following the Council's initial consultation on the Draft Local Plan, it became apparent that the Council did not intend at that time to undertake a TIA (including car parking) to explain the impact of expanding the number of homes in Knowle village by nearly 25%. Residents, on the other hand, strongly believed that this (as well as a landscape assessment) was essential. The study findings would also create an important part of the evidence base underpinning development of Traffic and Transport policies in the Neighbourhood Plan.

Thus, a crowdfunding campaign was undertaken through the NF that raised sufficient money to commission one of these assessments, with the TIA being the higher priority. At the point that the NF was about to commission the work from an independent specialist transport consultant, however, the Council advised the NF that it had now decided to undertake its own TIA. At a joint meeting, it was agreed that the NF and the Council would undertake a TIA for KDBH collaboratively - ie. sharing information and participating jointly. As a result, the NF prioritised available funds to commission a landscape assessment.

In the couple of months following this agreement, NF representatives attended two or three meetings with the Council. These were by way of 'progress update' (ie. as opposed to collaboration / participation), but in the full expectation of sharing the draft findings as soon as available. Today, however, some 18 months after the Council received the first draft of the transport and car parking studies, the NF (despite regular follow up) has been consistently rebuffed from all involvement in, or even consultation on, findings to date. This had a serious material consequence, since the findings would have provided evidence in support of transport policies in the Neighbourhood Plan which, in the absence of this evidence, were simply deleted by the Independent Examiner.

- b) **Local Plan: Development of Concept Masterplans for KDBH.** When development of the Draft Local Plan was delayed, the Council promised to profitably use the extra time to engage with local residents, particularly with Parish Councils and Neighbourhood Forums, regarding development of concept masterplans for proposed allocated sites.

In KDBH, a promising start was made with two meetings on the Hampton Rd sites, followed later by two on the southern part of the Arden Triangle site. However, these only went as far as sharing the initial site assessment baseline work with the NF. Since then, there has been no 'active' or 'meaningful' engagement involving further meetings to discuss development of the masterplans in the light of the baseline evidence. Further engagement has been only in the form of the Council's general public consultation on the housing proposals of the SLP Review, including the masterplans as progressed by the Council and site promoters. Whilst this is welcomed, it does not replace the promised early, active engagement.

4. Other Comments on the Draft SCI

a) How We Will Involve Communities and Stakeholders in Document Production

This section is key to achieving effective engagement. However, the focus appears to be on consultation and by and large reflecting what is required by law.

The section is weak, as it does not explain what is meant by High, Medium and Low levels of engagement. Also, there is no indication of other possible methods of engagement

such as workshops, seminars, briefings, round table discussion of focus groups, design charettes, public meetings, drop in events, exhibitions etc. These active methods of engagement are particularly relevant for Planning Documents which relate to local and neighbourhood proposals, such as Neighbourhood Plans, and documents such as Concept Masterplans. In the context of the aspiration set out in the introduction to the document, and indeed the NPPF, they are essential methods to employ if the national and local community aim of local involvement in plan preparation is to be achieved.

This section needs to be considerably strengthened.

b) Determining Planning Applications

Para 100 ‘The decision on simple straightforward and uncontroversial applications can be delegated to officers.’

In reality, our experience in KDBH is that an increasing number of planning applications that are locally controversial are being delegated to officers. The thresholds for determining which applications can be delegated (eg. in relation to the number of objections received) should be clearly stated to avoid confusion and misunderstandings. The terms of the delegation agreement could be appended to the SCI for clarity. There is also a need for greater transparency on the extent of discretion of the Chairman of the Planning Committee in determining what should and should not go to the Planning Committee in cases where a number of objections have been raised.

Para 114. ‘Occasionally, applicants will want to make changes to the proposals.....’.

Concern has been expressed locally that applicants sometimes gain planning permission following amendments agreed with the Council, but then come back with revisions that move the development close to what they originally proposed and which then go through under delegated powers as ‘minor amendments’. It is important that minor amendments are carefully scrutinised to make sure this does not happen and that confidence in the planning system is not undermined.

In Conclusion

The KDBH NF commends the Council in undertaking this review, recognising the significant changes in the planning and modern communication environments over the last 12 years. In particular, the NF is very conscious of the impact on the Council of austerity and cuts in Local Authority funding. With Council resources being ever more stretched, there is a real opportunity for Councils to work more closely and collaboratively with community groups, particularly in those parts of the Borough that have a high level of community engagement. The Neighbourhood Forum, as a statutory body, and the KDBH Area’s two Residents Associations stand ready to play a more active and participative part in the planning process.