



East Cambridgeshire
District Council

East Cambridgeshire Local Plan

Matter 12 – Community led development

East Cambridgeshire District Council

Hearing Statement

September 2018

Matter 12: Community-led development

Relevant Policies-, LP3, LP5, LP31, HAD.H1, STR.H1 and KEN.M1.

Issue 1: Whether the policies relating to community-led development are justified, effective and consistent with national policy?

55. What is the justification to treat community-led development differently to other development that comes forward and to preclude other development models? On what planning basis is there a 'presumption in favour' of community led development? Is this approach consistent with national planning policy?

Justification:

East Cambridgeshire is a national leader in its support and delivery of 'community-led development' especially via one form of such development called 'Community Land Trusts'. Giving communities a greater say and control of their local area is a central theme of Government policy, and that is exactly what this policy is about.

What is a Community Land Trust?

A CLT is a non-profit, community-based organisation run by volunteers to develop housing, workspaces or other assets that may be required to address a need in their local area. The key criteria of a CLT are defined by statute in Section 79 of the Housing and Regeneration Act 2008 which states that:

- A CLT must be established as a not-for-profit organisation with a membership that is open to all who live and work in a community. The members must also own and control the organisation;
- A CLT must be established for the express purpose of furthering the social, economic and environmental interests of a local community;
- The land and property assets of a CLT must be used to provide a benefit to a local community and must be protected in the long-term by a legal asset-lock.

East Cambs Community Housing

East Cambs Community Housing is an umbrella organisation operated by ECDC to provide expert advice and guidance to communities thinking of setting up their own Community Land Trust. The organisation can help CLTs all the way from an initial idea or vision to managing affordable homes and community amenities in perpetuity. It works closely with Local Authorities, awarding bodies such as Homes England and specialist funders, architects, developers, landowners and specialist advisers such as solicitors and accountants to help set-up a CLT, and can facilitate development through its sister company [Palace Green Homes](#).

East Cambs Community Housing has assisted in the creation of ten CLTs in East Cambs so far. One example 'on the ground' project includes the Manor Farm development in Stretham, which will deliver 75 homes to the community, 23 of which will be owned by Stretham & Wilburton CLT and affordable in perpetuity.

Local examples of CLT in East Cambridgeshire can be found via these links:

- [Haddenham Community Land Trust](#)
- [Stretham & Wilburton Community Land Trust](#)
- [Swaffham Prior Community Land Trust](#)
- [Thrift Soham Community Land Trust](#)
- [Witchford Community Land Trust](#)

The most fundamental justification for treating community-led development differently, is that they are different. Unlike any form of development, such development is controlled by the community, for the community. If the development does not have community support, it will not happen.

Consequently, it is right that such community-led development should be given greater flexibility in terms of securing appropriate development sites. That greater flexibility is given in Policy LP5 by allowing, in principle, development envelopes to be breached to accommodate the proposal (albeit there is a significant, but necessary and reasonable, list of criteria to be met in order to take advantage of this relaxation of development envelopes). This flexibility is absolutely necessary to enable community-led development to work, because it enables such promoters to take advantage of lower land values, which in turn can enable the community benefits of the scheme to proceed. If that opportunity is removed, community-led developers are simply left to compete with the market on land prices, and in practice they can't (if they want to also deliver the community benefits of the scheme).

As explained in our evidence report (PS.EVR5, para 1.4) for policy LP5 Community-led Development, the alternative policy approach (option 2) of restricting community-led development to within development boundaries was rejected as it provided no greater flexibility for delivering community-led development than any other form of market-led development.

Strong support for community-led development was expressed during consultation. For example, evidence report PS.EVR.HAD explains at para 3.9 that there was particular support for the Haddenham site (HAD.H1) to be community-led development.

The phrase 'presumption in favour' is used to send a strong signal to potential community-led promoters that this Council genuinely wants you to take an active role in shaping the growth of your community. The Council sees no conflict with national policy in this regard.

In terms of national policy, if there was any doubt as to the ongoing commitment to community-led development, then that was most definitely erased by the Housing Ministers maiden speech on 2 July 2018, when the Secretary of State the Rt Hon James Brokenshire MP (Housing Minister) said¹:

"Design and style matter, and while we in government certainly won't be dictating to local areas what good design looks like, it needs to create a strong sense of belonging.

A sense of identity.

A sense of home and comfort.

¹ See <https://www.gov.uk/government/speeches/policy-exchange-housing-speech>

Somewhere people can identify as their place.

Community-led housing – in all its forms – is an important part of this.

And today I can announce that a new Homes England programme to deliver the Community Housing Fund is being launched today.

This new programme puts communities in the driving seat to deliver housing the mainstream market can't.

Over £100 million is available within the Fund this year and sufficient funds will be made available to Homes England to meet demand and deliver value for money.

This long-awaited measure has the potential to unlock 2,000 new homes that are genuinely tailored to local needs – and affordable in perpetuity.”

The prospectus can be found here:

<https://www.gov.uk/government/collections/community-housing-fund>

Finally, if there is any suggestion that government does not want to see different forms of housing providers to be accommodated differently in the planning system, then that can be quashed by virtue of the legislation requiring specific provision for self-build developments to be provided for, a fact we are reminded of in NPPG (57-023-201760728): ‘relevant authorities must give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area.’

Overall, the Council will most strongly resist any attempt to amend the policy so as to result in greater restrictions on the ability for community-led development to come forward. Corporately, Policy LP5 is probably seen as the most important policy and initiative in the Local Plan. It is entirely justified, effective and consistent with national policy.

56. Is it appropriate to refer within a policy to documents which are not statutory planning documents, such as Supplementary Planning Documents? Is the approach of Policy LP5 consistent with Paragraph 204 of the Framework and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010?

For the first part, please see Matter 5, Q8, response.

For the latter part, the Council sees no conflict with the NPPF or CIL Regulations.

The Council is not entirely clear which part of Policy LP5 there may be a conflict as implied by the question. If it is in relation to criteria ‘e’ (regarding community benefits being ‘above and beyond’), this requirement is consistent because such sites may (indeed likely) be developed outside development envelopes, thus the potential strategic conflict with the Plan which arises from development in such ‘countryside’ locations can, through the use of Policy LP5, be offset by the additional community benefits which this development will provide. That is the point of community-led development – they are not just a housing estate, providing the minimum in terms of infrastructure to pass the CIL tests - they provide facilities for the wider community to enjoy which are lacking the area. The same principles apply in relation to criteria ‘g’ (maximising number of affordable homes),

The policy requirement for retention of affordable dwellings by the community in perpetuity is justified as it will ensure greater protection of such homes than might be the case if such homes were dealt with as affordable homes on a 'normal' site.

57. Is it justified and consistent with national policy that development sites be excluded from within a settlement boundary so that they can be brought forward as community-led development?

Yes. If such sites were allocated and brought within a settlement boundary, there is a risk that they may not be developed as community-led as intended or promoted. A landowner, on seeing his/her land now included in a development envelope, could withdraw from any agreement with the community-led promoter, and simply seek market housing...and consequently deliver a minimum level of community benefits.

The sites allocated in the Local Plan to which the Inspector refers are, as far as the Council is aware, not being objected to by the developer for being outside the development envelope.