



Document Reference
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East Cambridgeshire
District Council

Policy LP5 – Community-led Development

November 2017

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1. Introduction and Policy Context

Introduction

- 1.1 East Cambridgeshire District Council is reviewing its Local Plan, which was last adopted in April 2015. The new Local Plan, which is hoped to be adopted in 2018, will provide a framework for development in the district until 2036 and beyond.
- 1.2 This Evidence Report (which is one of a collection) provides background information and justification for policy LP5 (of the Proposed Submission Local Plan, November 2017), which relates to community-led development in East Cambridgeshire.

National policy

- 1.3 The National Planning Policy Framework (NPPF) was published in March 2012 and the National Planning Practice Guidance (NPPG) was introduced in 2014 which offers 'live' government guidance.
- 1.4 Both the NPPF and NPPG have no specific guidance on community-led development. This concept is not common nationally, especially in Local Plans, which is possibly why national policy is silent on the matter. However, there has been Ministerial support expressed for community-led development, including:
 - Minister for Housing and Local Government (2010)
<http://webarchive.nationalarchives.gov.uk/20120919132719/http://www.communities.gov.uk/speeches/corporate/1626687>
 - Housing and Planning Minister (2016):
<http://www.communitylandtrusts.org.uk/article/2016/10/14/new-housing-and-planning-minister-pays-a-visit-to-cornwall-clt>
 - CLG funding press release (2016): <https://www.gov.uk/government/news/60-million-boost-for-communities-affected-by-second-homeownership>

2 East Cambridgeshire Context in Relation to Policy LP5

- 2.1 East Cambridgeshire District Council has a vision to deliver affordable and sustainable development, with communities playing a greater part in delivering growth. It is a corporate priority to help make this happen. The Council sees Community Land Trust (CLT) schemes as a great way of helping local residents get affordable homes as well as the infrastructure which is often missing in our more rural areas. CLTs are the product of collaboration between developers, landowners and communities – with each project creating lasting benefits for towns and villages for generations to come.
- 2.2 The Combined Authority for Cambridgeshire-Peterborough is also a strong supporter of CLT development, with it referred to in both the Devolution Deal and in the Mayor's '100 day commitments'.

3 Local Plan Policy: Preliminary Draft

- 3.1 The Preliminary Draft Local Plan (February 2016) contained a policy entitled "Community-led Development". This included a policy supporting community-led-development, plus also some text stating the Council was exploring options to allocate specific sites (or parts of

sites) for community-led development. A number of representations were made on the policy, and in summary the key issues raised for the policy were:

Policy:

- Considerable support for this policy particularly in the villages where it can provide housing for local people and community facilities.
- Do not fully understand how this policy would work in practice, requires SPD.
- Concern that this policy allows development outside village envelope and this should only be permitted in exceptional circumstance to protect the countryside.
- Provision should be made to protect designated and undesignated heritage assets.
- An appropriate mechanism for community supported growth should be through the Neighbourhood Development Plans.
- A community-led development could provide a solution to the unmet need for affordable housing and could be provided in the Green Belt.
- There should not be too much reliance on community-led development.

Suggestion around allocating specific sites:

- Concern that the policy would affect viability of a scheme (taking account of other policy requirements) and leaving land vacant for 10 years would not be in any ones interest.
- Policy should not be too prescriptive in terms of setting a quantum and is inconsistent with Para 174 of the NPPF titled 'ensuring viability and deliverability'.
- Provision of / allowance for community-led development as part of residential development proposals must be considered alongside other requirements, including that for affordable housing.

- 3.2 In response to the comments received at the Preliminary Draft stage, together with further consideration of existing or new evidence, the policy has been amended (or not) for the Further Draft in the following ways.
- 3.3 The fourth bullet point was amended to now include a requirement for the 'scale' of development to be appropriate to the settlement.
- 3.4 However, the suggestion that the same bullet should refer to "designated and undesignated historic assets" has not been taken forward, as adequate protection for these assets are given by Policy LP27 and need not be repeated here.
- 3.5 The policy has also dropped the requirement, as was in the fifth bullet point, for community-led development sites to 'seek to deliver Starter Homes and plots for self-build'. These issues are adequately dealt with in Policy LP6 and need not be repeated in LP5.
- 3.6 The current similar policy in the adopted Local Plan (2015) has the benefit of an SPD. An updated SPD will be prepared on adoption of the revised Local Plan.
- 3.7 Whilst neighbourhood planning could be used as a tool to deliver community-led development, this policy is necessary in the Local Plan to provide strategic policy guidance (including to future Neighbourhood Plans).
- 3.8 Community-led development within the Green Belt is not appropriate, and the policy (last bullet) makes that clear.
- 3.9 In respect of the suggestion made by the Council at the Preliminary Draft stage to possibly allocate sites, or part of sites, for community-led development, this suggestion was not taken forward in the Further Draft Local Plan. This is because of concerns over viability of

such a requirement imposed on landowners, and the potential stalling of development coming forward. That said, there is nothing preventing community-led development coming forward on sites allocated for housing.

4 Local Plan Policy: Further Draft

- 4.1 The wording of the policy and the supporting text in the Further Draft version of the Local Plan was amended in response to comments received at the Preliminary Draft stage, as set out above. The Further Draft was published for consultation in January and February 2017.
- 4.2 Various comments were received during the Further Draft consultation, either supporting the policy or expressing concern over certain aspects of the policy. In summary, the key issues raised for the policy were:
- Various concerns that the title of the section, and wording within the section, is too vague/unclear;
 - Various detailed suggestions to improve the accuracy of the section, particularly in relation to Community Land Trusts; the number of dwellings and development on allocated and unallocated sites;
 - Various site specific comments, particularly in relation to land at Kennett;
 - Various detailed suggestions for: re-wording of a number of policy criteria; inclusion of reference to heritage assets;
 - Concerns that the policy is not strict enough in relation to: affordable housing requirements; community support and financial transparency.
- 4.3 In response to comments received at the Further Draft stage, together with further consideration of existing or new evidence, the policy has been amended for the Proposed Submission version in a number of ways.
- 4.4 Paragraph 4.2.3 has been simplified, and removed reference to specific CLTs. This is because the text will inevitably become quickly dated, and potentially misleading. However, additional text on the benefits of such schemes has been added.
- 4.5 Paragraph 4.2.5 has also been updated to refer to the explicit support of the Combined Authority / Mayor for CLT development.
- 4.6 The title of the policy has been amended, the reference to 'self build' has been removed, as this is addressed within Policy LP6: Meeting Housing Needs. The title of the section has also been amended, to read 'Community-led Development' to better reflect the content of the section.
- 4.7 The Policy itself has been amended in a number of ways.
- 4.8 The second paragraph amended to use the national policy phrase of a 'presumption in favour' rather than just 'support'. Also paragraph amended to make it clear all criteria must be met.
- 4.9 First bullet point split into two (with the second half now forming the third bullet). First bullet also has removed the requirement for the scheme to be '*initiated by*' the CLT, because there could be perfectly good schemes whereby it is initiated by a third party, with the CLT coming on board shortly thereafter.
- 4.10 New second and fourth bullet points clarify that the CLT must be *involved in* (2nd bullet) and *support* (4th bullet) the whole scheme, not just any element which it might have a long term interest. The previous bullet point relating to 'evidence of need' is deleted. The rationale for this is that if the CLT supports the whole scheme, and the other bullet points are also met, it appears unnecessary (and onerous) for the District Council to insist on a demonstration of 'need' for the proposal. If the bullet point was retained, the District Council is unlikely to ever refuse a scheme which met all other criteria but did not demonstrate a 'need'.

- 4.11 The previous fourth bullet point has had removed '*and scale of development*', because it is considered that future decision makers may be unduly dismissive of genuine community led development coming forward which appeared quite large compared with the settlement in which it was located. There may be instances where a relatively large scale scheme could come forward, compared with the size of the 'host' settlement, but if all the other criteria are met, then it does not appear appropriate to simply refuse something on the basis of a scale.
- 4.12 Fifth bullet point emphasises the need for 'above and beyond' level of community facilities, compared with an ordinary planning application for an allocated site.
- 4.13 Seventh bullet point adds in the ability for the CLT (or similar) to take control of the affordable housing, and, if it does so, that such homes should remain affordable in perpetuity. This will ensure greater protection of such homes as affordable homes, than might be the case if such homes were dealt with as affordable homes on a normal (non CLT) site basis.
- 4.14 Other bullet points tweaked slightly, to ensure any doubt in interpretation is removed.
- 4.15 New paragraph added at the end to clarify that all bullet points must be met, and if they cannot, then the policy is not relevant to decision makers, and wider policies would be used to determine the proposal.
- 4.16 The net outcome of the amendments is that it tightens up the fact that the CLT (or similar) must have a direct say over a whole scheme. However, the policy retains flexibility, acknowledging that not all schemes, and not all CLTs, will be the same.
- 4.17 No changes have been made in respect of site specific comments, as these are addressed within Section 7.

5 Alternative Reasonable Options

- 5.1 The following alternative options have been considered for this policy. (Option 1 is the preferred policy approach which has been included in the Proposed Submission Local Plan.)
- 5.2 **Option 2:** Restricting Community-led development to within development boundaries. This is rejected, as it provides no greater flexibility for delivering community-led development than any other form of market-led development.
- 5.3 **Option 3:** No policy, and rely on national policy for this subject area. This is rejected, as community-led development is a clear corporate priority in need of a clear policy position in the Local Plan.
- 5.4 The preferred policy emerges as the most appropriate in that it provides flexibility when it comes to selecting sites for community-led development and is not restricted by the development boundary. This policy will encourage communities to be more involved in the development process. Options 2 and 3 would deliver fewer, if any, community-led developments.

6 Conclusion

- 6.1 This Evidence Report demonstrates the rationale for the policy as contained in the Proposed Submission Draft Local Plan (November 2017). It is hoped this helps demonstrate how we have responded to comments received during the consultation stages, as well as how the latest evidence and national guidance has been taken into account.