

*SO NEAR BUT YET SO FAR*  
*Neighbourhood Plans and*  
*Community Land Trusts*

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*Jeff Bishop*  
*Place Studio*



## ***WHY THE LINK?***

- **Many Neighbourhood Plan (NP) groups start with the aim of delivering affordable housing via their plan**
- **There is a general belief that this is more likely through a NP than through a Local Plan**
- **Some communities, aware of Community Land Trusts (CLTs), think that their NP can help by having a policy about using a CLT for delivering affordable housing**
  
- ***Are the last two points true?***
- ***Not quite ..... there is some bad news and some rather better news ....***
- ***.... but no miracle answers***

## ***ALLOCATING SITES IN NEIGHBOURHOOD PLANS***

- **• NPs can allocate sites for housing**
- **• This is a challenging task, so the number of NPs allocating sites has dropped off since the bullish start**
- **• But there is now specific grant aid (up to £8,000) for groups advancing plans that intend to allocate**
- **• And the recent NPPF presses authorities to deliver 10% of their housing through sites of less than 1 hectare**
- **• Authorities will struggle to find so many small sites, which puts things back in NP territory**
- **• *(We are working on a collaborative process between an authority and its NP groups to tackle this)***

***This is a major opportunity for NP groups***

## ***ALLOCATING SITES FOR A CLT***

- **BUT .... a NP cannot allocate a site just for a CLT!**
- **Land use plans can decide what type, mix, design of development goes on a site – the built *outcome***
- **Plans cannot usually dictate how that development will be delivered – the *process* to produce that outcome**
- **The process is deemed to be a decision for the ‘developer’ of any site**
  
- **A few attempts have been made to get over this in NPs, and mentions have slipped through examination**
- **The best known example is from the Winslow NP**
- **Their made plan contains a policy as follows:**

## ***WINSLOW NDP: POLICY 4***

***“The Neighbourhood Plan requires a minimum of 20% of the total number of affordable homes on each housing site to be delivered and controlled by a Winslow Community Land Trust, or equivalent body, for which an appropriate lettings policy will be agreed between the Trust and the District Council.”***

- **Is this policy actually deliverable?**
- **Yes and no – so first the sort of good news.....**

## ***THE SORT OF GOOD NEWS***

**This would probably be better and could be done:**

***“The Neighbourhood Plan requires affordable homes on each housing site to be delivered and controlled by the .....Community Land Trust.”***

- **But note that this mentions ‘the’ CLT**
- **So now the problems with it (and some answers)**

## ***PROBLEM 1***

- **Success with the policy depends on having a CLT in place**
- **If not, a developer could argue that involving a CLT is impossible in a reasonable timescale so they must use a HA (*we think they'd win!*)**
- **Even with a CLT in place a developer with an established link to a HA could argue that this link should take precedence (*we think they'd win!*)**

## ***ANSWER 1***

- **If you can get a CLT in place, it can be a real benefit to a developer to work with the CLT rather than a HA**
- **A CLT is local, has a specific focus and can ease lots of things at that level and at authority level**
- **A CLT can probably act more quickly and time is money!**



## ***PROBLEM 2***

- **Winslow's NP allocates sites for over 400 houses, so perhaps 28 CLT properties, but most NPs involve sites of around 1 or 2 hectares, so perhaps just 2-4 CLT properties with this type of policy: probably not worth the bother to do a CLT for that**

## ***ANSWER 2***

- **There is no reason why a CLT cannot deliver all of the affordable element on a site (not just 20%)**
- **Which then makes a CLT worth it on small, but not very small, sites (maybe 20 CLT properties on a 2 hectare site)**

## ***PROBLEM 3***

- **The moment any site is allocated, it gains potential value and hugely, yet a CLT depends heavily on land at nil or reduced value**

## ***ANSWER 3A***

- **There is almost nothing that can be done about this if policies such as the one quoted earlier are not in place – it is almost too late**

## ***ANSWER 3B***

- **Some landowners do not put their land forward for development, because they assume that a standard developer will damage their community and place**
- **If local networking finds one of these, they may be persuaded to support a CLT development because it can provide affordable housing for local people in perpetuity**
- **What can then be put in place is a legal agreement between CLT and landowner to deliver what all parties want**
- **That can go in your NP (to show deliverability) but it cannot be a policy – the two work in parallel**

## ***ANOTHER APPROACH***

- **Someone once said to us: “*How about including a site in our NP for a CLT as an exceptions site?*”**
- **Rather obviously, you cannot have an exception to a plan that has not yet been made!**
- **But that’s not quite the end of the story because, if your area’s Local Plan already has a policy in it about exception sites (most do), your NP can refer to this and use it**
- **This, of course, tackles the land value question because exception sites have no real value**
- **And a development could still include a small proportion of market housing, giving the owner some income**
- **The NP group in Ashton Hayes did this, as follows:**

# ***ASHTON HAYES NDP: POLICY H1***

***“Residential development that is proposed in accordance with the Rural Exception Sites policy of Cheshire West and Chester Local Plan (Part One) is supported in the following circumstances.***

***Where it clearly meets the properly evidenced eligible need of the plan area at the appropriate time of the need.***

***An element of market housing, as permitted by the Local Plan, will be supported where a significant proportion of the market housing will be appropriate for the needs of the elderly, as defined in the plan area***

***Proposed schemes should be led by the community either through a community development organisation (e.g. community land trust) or with the applicant working in partnership with the community, where it can be agreed.”***

## ***AND NOW .... AN OFF THE WALL IDEA!***

- NP groups almost always ask us what their NP can do about provision for local people to downsize locally
- Downsizing can release family homes onto the market that would otherwise not be available because people stay rather than move out of their loved community and place
- Could a CLT be set up specifically with a group wishing to downsize locally to develop smaller properties and hence release local family homes?
- That could not be an exception site but there's no need to be because such a group could afford to offer a decent if not the best value for land
- But that does raise questions about future sales etc.

## ***FINAL COMMENTS***

- This has not been wonderfully positive; NPs are not (as yet) 'the answer' to advancing the cause of CLTs
- I have tried to be very realistic ... so *please don't shoot the messenger!*
- I have moaned for years about the lunatic way in which land with an agricultural value of £5,000 becomes worth £500,000 at the stroke of a planner's pen
- And that is just one facet of our appalling recent record nationally and locally on affordability
- CLTs are for me and my colleagues a key part of the way forward, so please be canny and tactical and try to move what I've described from possible to reality!

## ***THANKS .... AND A REQUEST***

- **Jo Lavis, Vice-chair of East Midlands Community-Led Housing and a Board member of the National Community Land Trust Network, is producing a guide for planners about how best issues around Community-led Housing - including CLTs – can be included in Local Plans and Neighbourhood Plans**
- **Her immediate task is to find examples of Local Plan and Neighbourhood Plan policies that support the delivery of Community-led Housing**
- **If you know of any (and how they are working), please contact Jo at: [Jo.Lavis64@gmail.com](mailto:Jo.Lavis64@gmail.com)**

**Place Studio: [www.placestudio.com](http://www.placestudio.com)**

**Jeff Bishop: [jeff@placestudio.com](mailto:jeff@placestudio.com)**