



East Cambridgeshire  
District Council

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**Custom and Self-  
Build Housing  
Supplementary  
Planning Document  
(SPD) – Reg 12(a)  
Consultation  
Statement**

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Version 2 – at adoption stage -  
September 2020

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## **1. Introduction**

- 1.1. The Town and Country Planning (Local Planning) (England) Regulations 2012 requires the Council to consult the public and stakeholders before adopting a Supplementary Planning Document (SPD). Regulation 12(a) requires a Statement to be prepared setting out who has been consulted while preparing the SPD; a summary of the main issues raised; and how these issues have been addressed in the final SPD. An earlier version of this report was published alongside the consultation version of the SPD.

## **2. Consultation Undertaken up to and including 17 February 2020**

- 2.1. In preparing the SPD, internal consultation within the Council took place and this resulted in the drafting and refining of the content of the consultation draft SPD. The draft was subsequently considered by Finance and Assets Committee of the Council on 6 February 2020, where it was approved for the purposes of public consultation. The papers for that meeting (including a copy of the draft SPD) were publicly available on the Council's website seven days prior to the meeting taking place.
- 2.2. No external consultation took place on or before 17 February 2020.

## **3. Public consultation, from 18 February to 30 March 2020**

- 3.1. Public consultation started on 18 February 2020 and ended on 30 March 2020. This period was longer than the minimum four week period required by legislation. Some late comments, from one representor, were received and these are included in this report for completeness, and were also considered.
- 3.2. A copy of the draft SPD was made available for public inspection, free of charge:
- On the Council's website at: <http://www.eastcamb.gov.uk/local-development-framework/supplementary-planning-documents>
  - and at the District Council Offices: The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE between the hours of 8.45am to 5pm from Monday to Thursday, and 8.45am – 4.30pm on Friday;
- 3.3. An email was sent out to all consultees (except to one consultee who was sent a letter with the same information). A copy of the email is attached at appendix A. Nearly 480 emails were sent out. These included statutory consultees, local businesses, local organisations, individuals who wish to be informed of planning documents consultations and other stakeholders (see full list at Appendix B). All the comments we received were via email.

## **4. Representations received**

- 4.1. Ten different organisations responded to the SPD consultation during the period. One late submission was received and recorded as such in this report. In total, we received 32 separate comments (plus five late comments). All the comments received are recorded in the table below. The Council has responded to each comment and this is recorded in the Council's Response column. Where changes are proposed to the SPD as a result of these comments, this is clearly shown in the Action Column of the table below. These changes are included in the adopted version of the SPD.
- 4.2. There were some supporting comments for the SPD as drafted and these were welcomed.

## **5. Issues Raised during consultation and how they have been addressed**

- 5.1 A number of issues were raised in the representations received. The main issues raised are summarised below.
- SPD is unlikely to have major impacts on the natural environment.
  - SPD could contain some guidance on creating a safe and physically secure new homes including self-build.
  - Local Plan policies are considerable age and to entrench these in the SPD is questioned.
  - Local Plan Review discontinued, concerned that not only policies but also the evidence that these policies are based on are considerably out-of-date.
  - Some objection to Policy SPD.SB1 as it is lacking reasoned justification and acting beyond legal remit for SPD.
  - Developers should not be required to sell self-build plots below fair market price as suggested in Policy SPD.SB2.
  - Policy SPD.SB2 should contain viability clause and be flexible on phasing of self-build. Two years are too long to be released from self-build clause, it should be six to twelve months.
  - SPD should not be used as a substitute for DPD which is subject to greater examination and should not create new policies that go beyond Local Plan policies.
  - On a very large development, with so many different phasing it is difficult to provide serviced self-build plots prior to 50% of all housing being occupied.
- 5.2 Paragraph 5.1 provides a summary of the comments received in response to the consultation on the SPD. Full comments can be read in the table below. The Council has responded to each of the comments and where it was felt necessary for accuracy or clarity or improvement, the Council has made changes.

Comment ID	Consultee Name	Chapter/ Para. No./ Policy No. Plus Support/ Object/ Observation	Comments	Council's Response	Action
CSB-01	Natural England	General Comments / Observation	<p>While we welcome this opportunity to give our views, the topic this Supplementary Planning Document covers is unlikely to have major impacts on the natural environment. We therefore do not wish to provide specific comments, but advise you to consider the following issues:</p> <p><b>Biodiversity enhancement</b> This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraphs 8, 72, 102, 118, 170, 171, 174 and 175 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the Exeter Residential Design Guide SPD, which advises (amongst other matters) a ratio of one nest/roost box per residential unit.</p> <p><b>Landscape enhancement</b> The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might make a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.</p> <p><b>Protected species</b> Natural England has produced Standing Advice to help local planning authorities assess the impact of particular developments on protected or priority species.</p>	Comments noted. The suggestions raised are more appropriate for other SPDs.	No change to the SPD

			<p>Strategic Environmental Assessment/Habitats Regulations Assessment A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance here. While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.</p>		
CSB-02	<p>Crime Prevention Design Team (Estates ) Cambridgeshire Constabulary</p>	<p>General Comments / Observation</p>	<p>Thank you for the opportunity to comment on the above Supplementary Planning Document – in my role as a designing out crime officer with Cambridgeshire Police and my comments would directly relate to enhancing community safety and reducing vulnerability to crime with this new document. I would ask for consideration that the following be included if possible:</p> <p>Secured by Design (SBD), an official Police security initiative, has now produced guidance for self-build developments which aims to create a safe and physically secure new home which can be achieved by focussing on issues of design and layout around the home supported by the use of effective physically secure products such as correct doors and windows, plus much more. A copy of the guidance can be found at: <a href="https://www.securedbydesign.com/guidance/design-guides">https://www.securedbydesign.com/guidance/design-guides</a></p>	<p>Valid comments - any guidance that will help to deliver more secure self-build homes would be useful.</p>	<p>Add a new paragraph after 3.4.4 to read as below.</p> <p><b>Secured by Design (SBD) have now produced guidance for self-build developments which aims to create a safe and physically secure new home which can be achieved by focussing on issues of design and layout around the home supported by the use of effective physically secure products such as correct doors and windows, plus much more. A copy of the guidance can be found at:</b></p>

					<a href="https://www.securedbydesign.com/guidance/design-guides">https://www.securedbydesign.com/guidance/design-guides</a>
CSB-03	Witcham Parish Council	General Comments / Observation	The above consultation documents were considered at our meeting on Wednesday. Witcham Parish Council had no comments to make.	Comments noted	No Change to the SPD
CBS-04	Persimmon Homes Ltd.	General Comments / Observation	<p>The National Planning Policy Framework (NPPF) states at paragraph 33 that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and then should be updated as necessary. The East Cambridgeshire Local Plan Review, which was intended to update the existing 2015 Local Plan, was abandoned by the Council in February 2019. There appears to be no current intention to progress a new local plan.</p> <p>It is particularly concerning that the effect of the Draft SPD is to ensure the stricter application of Policy HOU 1 of the 2015 plan, which is now of a considerable age. The housing needs evidence which sits behind that policy is even more dated and Persimmon would question whether entrenching such a policy through an SPD is appropriate.</p>	Comments noted. An SPD must conform to a Local Plan, and this SPD has been drafted to do so.	No Change to the SPD
CBS-05	Persimmon Homes Ltd.	General Comments / Observation	That said, it appears to be the intention of Policy HOU 1 that the requirement to provide self-build within qualifying developments was to be applied flexibly as confirmed in paragraph 4.2.6 of the supporting text which states that the final mix of housing/types will be subject to negotiation with the applicant. This is also enshrined within the final clause of the policy itself. The new additions to the policy via the proposed SPD are extremely rigid and appear to provide little room for negotiation which will obstruct effective housing delivery.	Policy HOU 1 makes it clear that developments of 100 or more dwellings will be expected to provide a minimum of 5% self build properties. The SPD simply provides greater clarity and guidance to implement the policy effectively.	No Change to the SPD
CBS-06	Persimmon	SB1 / Object	Having made those general observations, the SPD as drafted is fundamentally deficient as it does not comply with Regulation 8 of	Disagree. Clause A provides the clarity	No Change to the SPD

	Homes Ltd.		<p>The Town and Country Planning (Local Planning) (England) Regulations 2012. Among other things, Regulation 8 states that SPDs must contain a reasoned justification of the policies contained within them. Policy SPD.SB1 is supported not by reasoned justification. The provisions explained therein are simply described as necessary following the experience of implementing Policy HOU 1. Policy SPD.SBD1 Clause A) places an onus on the applicant to demonstrate “beyond all reasonable doubt” that a property (or plot) will meet the full legal definition of “custom and self-build” as contained in the Self-Build and Custom Housebuilding Act 2015 (as amended). The SPD is silent on the form of evidence the Council will accept whilst introducing a presumption that where there is any ambiguity, the plots or properties concerned will be assumed not to meet the legal definition thereby giving rise to a potential reason for refusal in its own right and one which is not foreshadowed by Policy HOU 1.</p> <p>The passage of the Self-Build and Custom Housebuilding Act (2015) into law preceded the adoption of the 2015 Local Plan by less than a month. It is therefore extremely improbable that where Policy HOU 1 refers to “self-build properties” that it is referring to the definition of Self Build and Custom Housing in the 2015 Act. The Draft SPD itself at paragraph 2.2.1 concedes that the existing development plan does not contain “a specific custom and self-build policy.”</p> <p>For these reasons Policy SPD.SBD1 Clause A) as well as lacking a reasoned justification is acting beyond the legal remit of a supplementary planning document. Clause A should therefore be removed. Persimmon <b>strongly objects</b> to Policy SPD.SBD1.</p>	<p>needed due to the publication of the Act, and to avoid any misunderstanding that the Local Plan is referring to some other type of ‘self build’. By aligning to the Act, all doubt on definitions are removed. There is ample reasoned justification for the policy.</p>	
CBS-07	Persimmon on Homes Ltd.	SB2 / Support	<p>Policy SPD.SB2 seeks to create a fall-back position for unsold self and custom build plots whereby such plots would revert to alternative forms of housing if not taken up after a particular period. Whilst Persimmon is generally supportive of such an approach, the period and form of marketing required needs to be realistic.</p>	<p>Support noted. The approach is concerned realistic.</p>	<p>No Change to the SPD</p>
CBS-08	Persimmon on Homes Ltd.	SB2 / Objection	<p>Policy SPD.SB2 begins by stating that all self-build plots will need to be serviced prior to 50% of all homes on the site being occupied. At minimum, this clause should be suitably caveated stating that it is subject to viability and phasing requirements of the individual site.</p>	<p>SPD.SB2 is, like all other policy, an expectation. But, as is often the case, there could be conflict between</p>	<p>No Change to the SPD</p>

				delivering all policies and conflict with viability. These matters should be discussed at application stage. It would not be appropriate to add 'subject to viability' to the start of every planning policy.	
CBS-09	Persimm on Homes Ltd.	SB2 / Observation	Policy SPD.SB2 goes on to state that the plots should be marketed for sale at fair market price or lower to individuals on the open market. The Council is explicit elsewhere in the document that it will not accept custom and self-build plots as contributing to the affordable housing requirements for a site. As such, it is not clear in what scenario plots would be marketed for sale at price lower than market value. The phrase "or lower" should be removed from the policy for the avoidance of doubt as it would not be reasonable to ask the developer to market the plots below market value.	Valid comments. Developers should not be expected to sell plots below fair market price.	Change to the SPD.SB2 as follows;  "the plots will be marketed for sale (at a fair market price <del>or lower</del> ) to individuals on the open market and (via the Council) the Self Build Register"
CBS-10	Persimm on Homes Ltd.	SB2/ Object	Persimmon <b>strongly objects</b> to the last limb of Policy SPD.SB2. This states that if there is no market interest in self-build plots, they would only be released for alternative development two years after occupation of 50% of all homes or the sale of all other dwellings within the site, whichever is the latest. The practical effects of this approach will cause significant operational challenges for developers and adversely affect the amenity of future residents. Substantial portions of the sites could remain undeveloped for years after most residents have already moved in. If the plots come on stream for their intended use later on in the intended marketing period, construction could continue for a substantially longer period given that self-build plots are much slower to deliver. The result would be that sites would take much longer to complete construction activities and future residents would have to tolerate construction traffic, noise, and the general disturbance associated	Partially agree the challenges presented, but the general clause remains valid. Some adjustment is proposed.  Ultimately, the onus is on the developer to (a) locate the plots in a suitable place and (b) market the plots in a positive manner, to deliver	Amend SPD.SB2 as follows:  "If after <del>(whichever is the latest of):</del>  (a) 2 years from the occupation of 50% of all homes; or (b) <b>3 months from the sale occupation of all other dwellings (i.e. all dwellings except the custom and self-build dwellings)</b> within the site,



			with construction for much longer than would ordinarily have been the case.	the national policy requirement for these types of homes. If it does so, and sales agreed, the challenges presented will not arise.	contracts for the sale of any plots have not been exchanged..."
CBS-11	Persimm on Homes Ltd.	SB2 / Observation	Persimmon recognises that once obligated then genuine attempts should be made to dispose of self-build plots for their intended purpose. But it is generally our experience that providing such plots as part of large-scale housing developments is undesirable to the market. We have found in other areas of the country that where local authorities have required the provision of self-build plots through strategic housing sites, there is typically the option to revert to standard housing after a period of marketing which is usually about six months. We would submit that this is more than enough time to test potential uptake and that Policy SPD.SB2 should be redrafted on that basis.	The Council wants to give self-build housing every possible chance of success. For example, generating finance for this type of build will take longer to raise and therefore 2 years is considered to be an acceptable limit. '6 months' to 'test potential uptake' is not satisfactory. Of course, if the developer places great importance on marketing the plots, at a fair price, then it is unlikely the clause will need to be enacted.	No Change to the SPD (other than listed above).
CBS-12	Persimm on Homes Ltd.	SB2 / Observation	We are particularly concerned that Policy SPD.SB2 as currently drafted requires the frontloading of self-build plots and then requires developers to hold these serviced plots on their books for an unnecessarily long period, potentially until the sale of all other homes	Developers are aware of this requirement on strategic sites and	No Change to the SPD (other than changes above)

			on the development complete. Depending on site infrastructure requirements and phasing, this could create significant cash flow impacts and potential viability implications introducing a burden on new development which has not been fully considered or tested via an examination process.	therefore they should be able to plan and phase self-build plots in their overall scheme. Policy SPD SB2 provides guidance on Policy HOU1 which has been through the Local Plan process and has been fully tested. See also other comments.	
CBS-13	Persimm on Homes Ltd.	SB2 / Object	Persimmon <b>strongly objects</b> to the Draft SPD as a whole as it is currently drafted.	See Council's responses above.	No further change to the SPD
CBS-14	Historic England	General comments / Observation	<p>Thank you for your e-mail inviting Historic England to respond to the Supplementary Planning Documents on Custom and Self Build Housing and The Natural Environment.</p> <p>Unfortunately, due to our capacity, we regret that we are unable to comment specifically at this time.</p> <p>We do however recommend that the advice of your local authority conservation and archaeological staff is sought as they are best placed to advise on local historic environment issues and priorities, including access to data, indicate how historic assets may be impacted upon by the Supplementary Planning Documents, the design of any required mitigation measures and opportunities for securing wider benefits for the future conservation and management of the historic environment. If you have specific questions relating to the historic environment that cannot be answered by your local conservation and archaeological specialists, please contact Historic England's regional Development Advice Team.</p> <p>Although we have not been able to provide a substantive response at this stage, this does not mean that we are not interested in further iterations of the document. Please note that we may still advise on, and potentially object to, any specific development proposal(s) which</p>	Comments noted	No Change to the SPD

			may subsequently arise from this or later versions of the documents subject to the consultation.		
CSB-15	Huntingdonshire District Council	General comments / Observation	Huntingdonshire District Council are pleased to note that both SPDs take a very proactive stance to support the natural environment and encourage custom and self-build housing. Huntingdonshire look forward to working with East Cambridgeshire on any cross boundary projects that may arise.	Comments noted	No Change to the SPD
CSB-16	Reach Parish Council	General comments / Support	Both supplementary planning documents, approach to the natural environment and, the Custom and Self-build housing SPD, were discussed at the Reach Parish Council meeting on the 4 <sup>th</sup> March 2020. The outcome of these discussions were that the council is in support and endorses both documents.	Support noted	No Change to the SPD
CSB-17	Gladman Developments Ltd.	General comments / Observation	Gladman take the opportunity to remind the Council that SPDs cannot be used as a fast track mechanism to set policies and should not be made with the aim of avoiding the need for examination or reinventing existing planning policy which should be examined. SPDs are not subject to the same degree of examination and consultation as policies contained in Local Plans and therefore should only provide additional guidance to those bringing forward development proposals across the District. The NPPF 2019 confirms this where it defines SPDs as: “documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary Planning Documents are capable of being a material planning consideration in planning decisions, but are not part of the development plan.” The role of the SPDs should therefore be to provide guidance on existing planning policy contained in the adopted Development Plan. It is important to note that this does not present an opportunity to reinvent the existing planning policies contained in the local plan.	Comments noted, and the Council is satisfied that the comments raised have been addressed appropriately.	No Change to the SPD
CSB-18	Gladman Developments Ltd.	General comments / Observation	Whilst the 2015 Local Plan does not contain a policy solely dedicated to custom and self build housing, Policy HOU1: Housing Mix includes reference to this type of housing provision. This policy states <i>“Developments of 100 or more dwellings will be expected to provide a minimum of 5% self build properties. The inclusion of self build</i>	Comments noted. This is the purpose of the SPD, and it does not set policy	No Change to the SPD

			<i>properties in smaller sites will also be encouraged.</i> ” As such the draft SPD should be seeking to provide additional guidance to ensure the effective delivery of this policy rather than setting new policy.	which contradicts the Local Plan.	
CSB-19	Gladman Developments Ltd.	General comments / Observation	Gladman raise some concern over whether this SPD is providing more than just additional guidance and is in fact seeking to create policy which should be the subject of testing through a Local Plan examination. Whilst Gladman support some of the clarity that this document would provide we would question whether the type of detail being provided should actually come through a review of the policy, or an additional policy through a review of the Local Plan. Gladman believe the Council should give further consideration in regard to the scope of this SPD and whether this is just guidance or in fact new policy.	The SPD provides clarity as to how Policy HOU 1 will be implemented and does not impose any additional burden on the developer.	No Change to the SPD
CSB-20	Gladman Developments Ltd.	Para 2.2.4 / Observation	Whilst the policy is clear in the Local Plan that developments over 100 dwellings must provide a minimum 5% self build properties, following experiences since adopting the plan the Council is proposing additional policy guidance through this SPD. Notwithstanding the above concerns regarding the overall scope of this SPD Gladman are supportive of the recognition set out at paragraph 2.2.4 that there may be instances that the plots set aside for self build do not come forward and therefore the best overall outcome is for them to come forward for alternative development ( market housing).	Comments noted	No Change to the SPD
CSB-21	Gladman Developments Ltd.	SB2 / Observation	With regards to self build policies within Local Plans, Gladman would in general recommend a policy mechanism enabling the plots to revert back to market housing as part of the wider scheme if they are not brought forward within a given timeframe. Gladman would suggest 12 months, because if there is the demand for self build custom build housing the plots are likely to be brought forwards relatively quickly. Whilst Gladman support the inclusion of such a mechanism as identified in this draft SPD, Gladman believe that 2 years for the occupation of 50% of all homes is too long a period which could sterilise these plots for a considerable length of time frustrating the provision of housing for the wider local population.	The Council wants to give self-build housing every possible chance of success. For example, generating finance for this type of build will take longer to raise. 2 years is considered to be acceptable limit. See also other comments earlier,	No Change to the SPD

				in reply to similar points.	
CSB-22	Gladman Developments Ltd.	Para. 2.2.6 / Observation	Gladman note the text within paragraph 2.2.6 of the consultation document which states " <i>Also when selling the self build plots, evidence will be required that these were marketed at a fair price or lower and for a sufficient length of time before the Council would consider lifting self build conditions on the plots.</i> " Gladman query why reference is made to marketing these plots at a lower price and the evidence base justification for this. The provision of self build plots on a scheme will have an impact on viability and this could potentially impact upon this. It is unclear whether the Council have taken viability considerations into account.	Valid comments in respect of 'or lower'. See earlier comments making a similar point.  The issue of viability was addressed in formulating the Local Plan. This SPD does not introduce any new burden.	Change to the second part of paragraph 2.2.6 as follows by removing 'or lower' (see earlier for the change made to a similar point);
CSB-23	Gladman Developments Ltd.	General Comments / Observation	Whilst Gladman note that the SPD refers to the level of demand being established by reference to the number of entries added to the authority's register. Whilst this may be the case, it is critical that the self build register is kept up to date and is an accurate reflection of demand within an area. Gladman would raise a degree of caution with relying too heavily upon this as a definitive source of true demand.	Comments noted. As required by legislation, the self-Build register is kept up to date and details published annually in our AMR.	No Change to the SPD
CSB-24	Pigeon Investment Management	General Comments / Observation	Pigeon welcome the Council's intentions in seeking to provide additional guidance in respect of custom and self-build housing to assist those seeking to bring such schemes forward in accordance with Local Plan Policy HOU1. Pigeon is actively involved in bringing forward plots for self and custom build housing as an integrated part of a number of its schemes across the East of England and consider that, in the right circumstances such provision can make a valuable contribution towards meeting housing needs.	Comments noted	No Change to the SPD
CSB-25	Pigeon Investment	SB1 / Observation	SPD.SB1 (interpretation of HOU1) – Pigeon welcome clarification that references to self-build housing within the Policy also encompasses custom build housing in accordance with the definition in the Self-Build and Custom Housebuilding Act 2015.	Comments noted. Clarity is required to resolve the potential conflict	Change to criterion C of policy SPD.SB1 as below;

	Management		<p>With regard to Criteria C, it is considered that the suggestion that self and custom build housing plots would not contribute to the affordable housing requirement under any circumstances is not consistent with the text at Section 2.3. Moreover, it is unreasonable in that it provides no flexibility to allow this in the exceptional circumstances where such housing could legitimately be secured as affordable housing such as those instances outlined at 2.3.1. It is considered that Criteria C should be amended to align with the text in Section 2.3 and enable self-build and custom build housing to count towards the affordable housing requirement where it can be demonstrated to the Council's satisfaction that it would genuinely be affordable housing (meeting the criteria at paragraph 2.3.1). Such safeguards would be secured through a s106 Agreement as with any affordable housing requirement.</p>	<p>between criterion c of policy SPD.SB1 and section 2.3, though the principle of a self build home not being affordable housing remains extremely likely in most instances.</p>	<p>'A plot, forming part of a wider scheme, which is put forward by a developer as a self-build or custom housebuilding plot <del>does not</del> <b>is unlikely to</b> constitute an 'affordable dwelling'... and would require specific legal agreements confirming the delivery of such units (<b>see section 2.3 for commentary on this matter</b>).'</p>
CSB-26	Pigeon Investment Management	SB2 / Objection	<p>Policy SPD.SB2 (Making Plots available and fall-back position for unsold plots) – Firstly, it is currently unclear from the wording of the policy whether this would apply to all self-build developments or is intended to specifically apply to developments of 100 dwellings or more.</p> <p>Additional wording should therefore be provided to aid interpretation of the Policy and its application.</p> <p>The first part of the Policy seeks to ensure that self-build plots are fully serviced prior to 50% of all homes being occupied. Whilst this is perfectly reasonable in the context of smaller developments, it may in some instances be more challenging, particularly for very large developments which are subject to phasing schemes and where the self-build plots might be located where they would ordinarily fit with a later phase of construction. It is suggested that some flexibility is</p>	<p>The policy SPD.SB2 is clear as stated in first paragraph this applies to plots provided in line with Policy HOU1. Phasing of self-build plots on a larger sites should be discussed at application stage and any unusual circumstances of the scheme can be</p>	<p>No further change to the SPD (but see earlier changes)</p>

			<p>provided to allow for such instances and trigger points are addressed on a scheme by scheme basis.</p> <p>The second part of the policy sets out a 'fall-back' position in instances where there proves to be no demand for the self and custom build plots. As noted above Pigeon welcome the principle of a fall back position. However, it is considered that the two year period for marketing and for exchange of contracts is excessive. The typical marketing requirement for commercial properties for instance is around 12 months. It is considered that this would be a better and more reasonable period.</p>	<p>considered. This would have to be done on a site by site basis. See also commentary on earlier, and similar, representations.</p>	
CSB-27	Pigeon Investment Management	Paragraphs 2.3.1-2.3.2 / Observation	<p>Pigeon welcome the recognition that there may (exceptionally) be limited instances where self and custom build housing plots could legitimately provide genuine affordable housing. As highlighted above. This should be recognised in Policy SPD.SB1 to ensure consistency</p>	<p>Comments noted. See earlier commentary and suggested changes</p>	<p>No further changes to the SPD.</p>
CSB-28	Pigeon Investment Management	Paragraph 2.4.2 / Observation	<p>We would reiterate our comments in relation to SPD.SB2 above with regard to the suggested triggers for the standard s106 clauses.</p>	<p>Comments noted. .</p>	<p>No Change to the SPD</p>
CSB-29	Pigeon Investment Management	Paragraph 3.4.4 / Observation	<p>We would welcome further clarification and examples of plot passports and how these would relate to the Design Guide SPD and any intended design codes.</p>	<p>As stated in paragraph 3.4.4 'plot passport' is provided by the promoter of the site which is specific to the site requirements. It would not be appropriate to provide further guidance in the SPD but happy to discuss during any pre-application advice on any specific site.</p>	<p>No Change to the SPD</p>

CSB-30	Pigeon Investment Management	General Comments / Observation	<p>Pigeon welcome the Council's intentions in seeking to provide additional guidance in respect of custom and self-build housing to assist those seeking to bring such schemes forward. Pigeon fully support the provision of self and custom build housing and consider that it has an important role in helping to meet housing needs. Whilst we are supportive of much of the content of the draft DPD there a number of aspects where we suggest that some amendments or clarifications are made.</p> <p>In particular, it is considered that Policy SPD.SB1 should allow for self and custom build housing to count as affordable housing in the exceptional circumstances where such housing could legitimately be secured as affordable housing. It is also considered that Policy SPD.SB2 should provide additional flexibility in terms of the application of the triggers for provision on larger sites and that a period of around 12 months of marketing would be a more reasonable basis for applying the fall-back position.</p>	Comments are noted and concerns expressed in these comments are addressed in our responses above.	No Change to the SPD
CSB-31	Pigeon Investment Management	General Comments / Observation	<p>Pigeon welcome this consultation and hope that the Council will find the comments of assistance. It is suggested that the Council may wish to consider the benefits of a workshop with Developers before the SPDs are finalised as a mechanism for ensuring the documents draw an appropriate balance in seeking to secure sustainable development which both protects the natural environment and maintains requisite housing delivery including self and custom build housing.</p> <p>I trust that you will find our comments, which have been provided in the interests of facilitating the delivery of sustainable development, of assistance in moving forward towards adoption of these important SPDs. Pigeon are more than happy to give any assistance in clarifying or expanding on any comments made in the above text and attached documents and would be happy to meet with the Council if this was of assistance.</p>	Comments noted. The Council has no plans to hold Developers Workshop before adopting this SPD, especially with the difficulties of holding events at the present time.	No Change to the SPD
CSB-32	John Armour	General Comments / Observation	I have nothing to add here. The conditions and rules applying seem to cover most eventualities. It is good to see some of the definitions being spelled out with examples (not limiting of course).	Comments noted.	No Change to the SPD
CSB-33	Little Thetford	General Comments / Objection	The very first paragraph (1.1.1) states that the purpose of the SPD is to provide guidance for those seeking to build custom and self-build housing in East Cambs. Whilst 1.1.3 refers to general Planning	Paragraph 1.1.1 rightly states the purpose of the	No Change to the SPD



<b>Late Response</b>	Parish Council		Guidance but with no other reference to Self-Build this appears to be the definitive document. It is felt that it does not do this and is therefore Not Fit For Purpose.	SPD whereas paragraph 1.1.3 shows wider context in which SPD has to be considered.	
<b>CSB-34 Late Response</b>	Little Thetford Parish Council	General Comments / Observation	Whilst definitions and their Interpretation are very important the document appears to have lost itself in this detail to the detriment of overarching issues of relevance to Applicants and those whose views will be sought, including Parish Councils.	Not clear from the comments which overarching issues are harmed.	No Change to the SPD
<b>CSB-35 Late Response</b>	Little Thetford Parish Council	Para 2.2.5 / Observations	Considers the thorny issue of the fall-back position for unsold plots. Since some developers would far rather sell the plots outside of the strictures of the self-build programme, they are not incentivised to comply with this provision - rather they could perceive it as a means to go slowly on the marketing and legal aspects to ensure this does not happen. Making it a proviso that Council consent will not be unreasonably withheld will make it almost impossible to challenge any unscrupulous behaviour on the part of developers.	Sufficient safeguards are in place to ensure self-build housing are delivered is not abused such as planning conditions and section 106 agreement.	No Change to the SPD
<b>CSB-36 Late Response</b>	Little Thetford Parish Council	Observation	The SPD also appears to be silent on what happens if somebody buys a plot (in good faith or otherwise) and then seeks to resell it.	Section 2.4 outlines standard conditions and legal clauses that would be included to ensure that the plot is developed as self-build even when plot is resold.	No Change to the SPD
<b>CSB-37 Late Response</b>	Little Thetford Parish Council	Para. 2.3.7 / Observation	Paragraph 2.3.7 refers to the use of commuted funds. Since one of the disadvantages of Self-Build developments is that the local community do not get any CIL payments or similar (as acknowledged in 3.1.2), whilst accepting that the Council has other obligations can a proportion of those payments not be made available for identified Parish Council projects that support those objectives? Paragraph 3.1.2 deals primarily with CIL payments and highlights one of the criteria for gaining exemption to CIL of residence for 3	Apart from the normal information that would be need to be submitted with any planning applications, paragraph 1.4.3 informs applicants	No Change to the SPD

			<p>years. That is one small part of the application process and the penalties for non-compliance with, what some critical of such schemes refer to as, an overly bureaucratic system with financial penalties far in excess of what is appropriate for delay in or failing to submit a form. The SPD would benefit considerably from having a simple time-line template showing what paperwork needs to be submitted at what stage of development (as per the Natural Environment Assessment SPD). That would also assist Parish Council's and others to have a better understanding of the Requirements as well as for monitoring progress.</p>	<p>additional information to be submitted for Custom and Self-Build homes. The SPD is not the appropriate place to set out CIL legislation details, especially as such legislation is prone to regular national changes, and is being proposed to be amended again.</p>	
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Email

## **Draft Supplementary Planning Documents (SPD): Natural Environment and Custom and Self-Build Housing**

Dear Sir/Madam

We are emailing to consult you on the above two supplementary planning documents (SPDs) and with this email, we have enclosed two consultation notices for the SPDs. This will likely be the only consultation on these SPDs. Following consultation, all comments received will be considered and appropriate amendments made. The SPDs are then scheduled to be adopted by the Council later in 2020.

The first draft SPD sets out East Cambridgeshire District Council's approach to the **natural environment**, providing advice on policy requirements relating to it, including issues such as: 'net gain' in biodiversity through development proposals; protection and provision of trees; protection of existing nature sites; and supporting the Council's position in relation to the recently adopted Local Nature Partnership vision to 'double land for nature' by 2050 across Cambridgeshire.

Separately, the **Custom and Self-build housing** SPD provides guidance to large scale developers who are obliged to meet the Local Plan policy to provide self-build plots (i.e. development consisting of more than 100 dwellings should set aside a minimum 5% of plots for self-build purposes). The SPD also provides useful advice for individuals, groups or Community Land Trusts (or similar) that may be interested in providing self-build plots. Parishes that are interested in including self-build plots in their Neighbourhood Plans may also find this SPD useful.

Copies of the draft SPDs are available for public inspection:

- on the Council's website at: <http://www.eastcambs.gov.uk/local-development-framework/supplementary-planning-documents> and
- at reception of the Council Offices: The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE between the hours of 8.45am - 5:00pm from Monday to Thursday, and 8.45am – 4.30pm on Friday.

The consultation period starts on **18 February 2020** and ends on **30 March 2020**. Only comments made during this period can be taken into account. Any comments made after the consultation period may be discarded.

You may submit your comments either by email to [planningpolicy@eastcambs.gov.uk](mailto:planningpolicy@eastcambs.gov.uk) or send your comments via post to: Strategic Planning Team, East Cambridgeshire District Council, The Grange, Nutholt Lane, Ely, Cambs, CB7 4EE.

Please be aware all comments submitted on the SPDs will be made available for public inspection. As part of the process, we will also be producing a Consultation Report which will include a summary of all the comments received and the Council's response to these comments.

If you have any questions or queries regarding the draft SPDs consultation please contact the Strategic Planning Team on (01353) 665555 or email [planningpolicy@eastcambs.gov.uk](mailto:planningpolicy@eastcambs.gov.uk)

Kind Regards,  
Richard Kay  
Strategic Planning Manager

## List of all Consultees

<p>         Anglia Design LLP          Anglian Water Services Limited          Beacon Planning Ltd          BGG Associates Ltd          Bird &amp; Tyler Associates          Bloor Homes          Bovis Homes          Brand Associates          BT Openreach          Camal Architects          Cambridge Past, Present &amp; Future          Cambridgeshire          Cambridgeshire &amp; Peterborough Combined Authority          Cambridgeshire ACRE          Cambridgeshire and Peterborough Clinical Commissioning Group          Cambridgeshire City Council          Cambridgeshire Constabulary          Cambridgeshire County Council          Cambridgeshire Fire and Rescue Services          Cambridgeshire PCT          Cambridhe Housing Group          CAMRA          CAMRA - Campaign for Real Ale          Carter Jonas LLP          Catesby Property          Chatteris Town Council          Chorus Homes          City of Ely Council          CJ Murfitt Limited          Claires Chef Agency          CLT East          Co-Housing Network          Colne Parish Council          Cottenham Parish Council          CPRE Cambridgeshire &amp; Peterborough          Create Buildings LLP          Dalham Parish Council          DC Blayney Associates Ltd          DPDS Consulting          Dudley Developments          Eagle Home Interiors Ltd          Earith Parish Council          EDWARD GITTINS &amp; ASSOCIATES LTD          Huntingdonshire District Council       </p>	<p>         Ely Diocesan Board of Finance          Ely Tool Hire Ltd          Endurance Estates Strategic Land Ltd          Environment Agency          Exning Parish Council          F.J. Pistol Holdings Ltd          Feltwell Parish Council          Fen Ditton Parish Council          Fen Line Users Association          Fenland District council          Flagship Group          Flavia Estates          Fletcher Barton          Forest Heath District and St Edmundsbury Borough Councils          Forest Heath District Council          Foundation East          FP McCann Ltd          Freckenham Parish Council          Freebridge Community Housing          Galliford Try Plc          Gazeley Parish Council          Gladman Development Limited          Graham Handley Architects          Granta Architects          Greater Cambridgeshire Local Nature Partnership          Green &amp; Sons Land &amp; Cattle          Hanson UK          Hastoe Housing Association          HE Group Ltd          Herringswell Parish Council          Highways Agency          Highways England          Hilgay Parish Council          Historic England          Hockwold Parish Council          Home Builders Federation          Home Group          Homes and Communities Agency          Homes England          Hopkins Homes Ltd          Horningsea Parish Council          Howes Percival LLP          HPB Management Ltd          RG&amp;P Ltd       </p>
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Hutchinsons	RLN (UK) Ltd
Iceni Homes	Sanctuary Group
Inland Waterways Association	Savills-Smith Gore
EE	Scotsdale Hill
Isleham Cricket Club	Scott Properties
James Mann Architectural Services	SE Cambs Liberal Democrats
JDR Cable Systems Ltd	Sentry Ltd
Jockey Club Racecourses Limited	Shaping Communities Ltd
Kennett Action Group	ShrimplinBrown Planning and Development
Kennett Community Land Trust	Simon J Wilson Architects
Kentford Parish Council	Soham CLT
Kings Lynn and West Norfolk District Council	Soham Town Council
Laragh Homes	South Cambridgeshire District Council
Lidgate Parish Council	Southery Parish Council
Lines Chartered Sureyors	Sport England
Lovell	Stow-cum-Quy Parish Council
Lyster Grillet & Harding	Straus Environmental
Manea Parish Council	Stretham and Wilburton CLT
Marine Management Organisation	Strutt and Parker
Mepal Parish Council	Sttrutt and Parker LLP
Ministry of Defence	Suffolk County Council
Mobile Operators Association	Sustrans East of England
Moulton Parish Council	Sutton Parish Council
National Grid	Swaffam Prior CLT
National grid	Swaffham Prior Community Land Trust
National Trust	Tetlow King
Natural England	The Coal Authority
Network Rail	The Ely Group of Drainage Boards
Newmarket Town Council	The Lady Frances Hospital Almshouse Charity
NHS England	The Wildlife Trust
NKW Design	The Woodland Trust
Norfolk County Council	Theatres Trust
Ousden Parish Council	Three
Palace Green Homes	Timothy Smith and Jonathan Taylor LLP
Pegasus Planning Group	UK Power Networks
Peter Humphrey Associates	Unex Corporation Ltd
Phase 2 Planning and Development	Universal Garage
Phillips Planning Services Ltd	Verity & Beverley
Pigeon Investment Management	Virgin Media
Places4People	Ward Gethin Archer
Plain View	Waterbeach Parish Council
Plainview Planning Ltd	Welney Parish Council
Planinfo	West Suffolk Councils
Planning Potential Ltd	Westbury Garden Rooms
Pocock and Shaw	Wildlife Trust BCN
Ragilbury Roots Ltd	Willingham Parish Council
Ramblers Association (North)	
Rapleys	
Red Lodge Parish Council	

Witchford CLT	Michael	Rose
Woods Hardwick Ltd	Andrew	Holland
WYG	Aidan and Karen	Walmsley
Advance Land & Planning Ltd	Adrian	Fleet
Advance Planning	Alan	Kirk
Amec Foster Wheeler E&I UK	Alastair	Watson
Andrew Fleet MCIAT	Pamela	Joyce
Armstrong Rigg Planning	Alexa	Pearson
Ashley Parish Council	Christine	Ambrose Smith
Barton Willmore	David	Ambrose Smith
Beacon Planning Ltd	Amy	Wright
BGG Associates Ltd	Andrew	Taylor
Bidwells	Antony	Cornell
Brown & Co	Michael	Anthony
Cambridgeshire County Council	Bridget	
Carter Jonas LLP	Lesley	Audus
Cheffins	Robert	Thomson
Churchgate Property	Ian	Wright
City of Ely Council	Stephen	Butler
CODE Development Planners	Alison	Bye
Construct Reason LTD	Cary	Simpson
Deloitte Real Estate	Conor	O'Brien
Denley Draughting Limited	Phyllis	Rusk
Eclipse Planning Services	Cheryl	Jowett
Education and Skills Funding Agency	Cheryl	Cox
Edward Gittins & Associates	Clare	French
EJW Planning Ltd	Su	Field
Framptons Town Planning Ltd	Catherine	Judkins
Freemantle Developments Limited	Francesca	Wray
Gladman Development Limited	Chris	Hurrell
Haddenham Parish Council	Catherine	George
Historic England	Dale	Ingham
Hollins Strategic Land	David	Porter
Hopkins Homes Ltd	David	
Howes Percival LLP	Charles	Werner
Hutchinsons	David	Watson
Indigo Planning	Dawn	Buck
Infinity Architects	David	Chaplin
JMS Planning & Development Ltd	Diana	Ward
Juniper Real Estate	Diana	Donald
K Garnham Design	Gary	Lindsay
King West	Geoffrey	Reed
Lacy, Scott & Knight	George	Rusk
Manor Investments Ltd	Gareth	Maslen
Martindales Architects Ltd	Graham	Thompson
Mattanna Ltd	Greg	Saberton
MWS Architectural	Geoffrey	Woollard
Navigate Planning Ltd	Hilary	Threadgold
NJL Consulting		
Oxalis Planning Ltd		
Pegasus Group		
Pegasus Planning Group		
Percival and Company		
Peter Brett Associate LLP		
Pigeon Investment Management Ltd		
PlanSurv Ltd		

Pocock & Shaw	Hugo	Upton
PRP	Ian and Birgit	Boylett
Rapleys LLP	Ian	Gilbert
Redrow Homes Ltd	Jacqueline	Jones
Richborough Estates Ltd	P.J	Smith
RPS Consulting	B & V	Roberts
RPS Planning & Development	Aaron	Jacobs
Savills	James	D'Souza
Savills (UK) Ltd	Lesley Jan	Eaton
Simon Pott and Co	Jenny	Sherlock
Strutt and Parker	John	Rees
Strutt and Parker LLP	Jo	Braybrooke
Swann Edwards Architecture	John	Bridges
Sworders	John	Powell
Tetlow King Planning	John	Armour
The Design Partnership (Ely) Ltd	John	San Vicente
The Environmental Partnership	Jonathan	Cook
Third Party Delivery Ltd	John W	Smith
Town Planning Intelligence	Katharine	Cantell
Troy Planning & Design	Karl	Dunn
Turley Associates Ltd	Kevin	Arrowsmith
Unex Corporation Ltd	Laura	Ross
William H Brown	Lauren	Whitworth
Williams Griffiths Architects	Lisa	Stubbs
Wood PLC	Elizabeth	Hunter
Woolley Project Management Limited	Elizabeth	Houghton
WYG	Lorna	Dupre
WYG Planning & Environment	Mark	Inskip
Amy Richardson	Malcolm	Palmer
Andrew Boughton	Mark	Goldsack
Ben Pridgeon	Michael	Murfitt
Marilyn Strand	Edwina	Newbury
David Barker	Niki	Allsop
Ellie Zdyrko	Nigel	Cooper
Margaret Franklin	Mark	Robertson
Ian Smith	Phil	Newell
Jamie Palmer	David	Alberry-King
Jackie Ford	Christopher	Threadgold
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Meghan Bonner	Laura	Wood
Andrew Fleet	Malcolm	Malcolm Roper
Mark Baker	Bob	Joy
Mark McGovern	Rhodri	Pashley
Nina Crabb	Rachel and	
Peter Frampton	John	Rees
Rebecca Sharpe	Roger &	
Sarah Hornbrook	Jennifer	Johnson
SJK Planning	Robert	Boyle
Suzanne Nugent	Robert	Algar
Tony Welland		
Richard Agnew		
Terry Frost		
Alison Glover / Spencer		
Lisa O'Mahony		
Tim Bonavia		
Philip Scott		

Tom	Edwardes	Robin	Threadgold
Anthony	Jolley	Roderick	Smith
Anthony	Weston	Rod	Hart
stygol	Stygol	Rodger	Germany
Trevor	Edwards	Roy	Pallett
Anthony	French	Angus	Runciman
Viva Arts and Community Group		Ruth	Paskins Gordon
Daniel	Pullan	Ryan	Jones
Peter	Landshoff	Sue	Burnsnell
Maureen	Munks	Frank and	
Becky	Lockyer	Shirley	Broadfield
		Stuart	Cooper
		shelagh	Monteith
		Simon	Raffe
		Selina	Boyce
		Stephen	Burgess
		Steve	Plumb
		Susan	Frankland
		All East Cambs Parish Councils	