

Shared Assets

Planning for common good land use

How the planning system can support social enterprises to
contribute to sustainable development

November 2016



Shared Assets is a think and do tank that supports people managing land for the common good. At Shared Assets we believe that land is a common resource that should deliver shared benefits for everyone.

We provide practical advice, support and training to landowners and communities who want to manage land as a sustainable and productive asset. We also undertake research, policy and advocacy work to help create an environment where common good models of land management can flourish.

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Executive Summary

Planning should support land-based enterprises to contribute towards sustainable development. These organisations can create jobs, produce the things people need, and improve landscapes and natural capital. However they need the planning system to recognise the value of their approach and to help create a context in which it can flourish. The status quo presents a serious barrier to their ability to produce social, economic and environmental value. This report is an attempt to show how this can change.

Chapters 2 and 3 introduce planners to land-based social enterprises and vice-versa. In [Chapter 2](#) we cover some key planning policy and the different parts of the planning system. In [Chapter 3](#) we attempt to explain land-based social enterprise models to planners, and to highlight why they are valuable.

In [Chapter 4](#) we then identify several key ways in which the planning system could better accommodate common good land use. In particular, we argue that:

- Planning authorities need to write clear policies and guidance - and make these easy to find. In particular this means developing local plans, supporting neighbourhood plans, and providing clear and supportive guidance on sustainable development, business viability, and landworker dwellings.
- Planning authorities should actively support land-based social enterprises by offering free pre-application advice and considering them when making decisions about land use.
- Planning authorities should give social enterprises access to funds from developer contributions, to support them to maintain and develop natural infrastructure.
- Social enterprises need to present clear long-term plans and business models, always framing their case in planning terms.
- Social enterprises and their supporters need to make their voices heard in local planning forums, in particular feeding into neighbourhood plans
- We also consider the following potential changes to national planning policy:
 - Make it easier for landworkers to get permission for Low Impact Developments
 - More support for developments associated with ecological land use. Making ecologically sound land management an essential material consideration
 - Consider the applicant in the planning process. Give preferential treatment to 'not-for-private-profit' applicants.
 - Consider a new set of land use classes based on contributions to natural capital.

The report concludes by highlighting [our strategy](#) for ensuring these recommendations are heard, and for creating a planning environment that supports land-based social enterprise.

1. Introduction

Innovative land-based enterprises, such as the ones we work with, make great contributions to local economies. They create jobs, train people in land-based skills, produce healthy food, provide recreation opportunities, promote health and wellbeing, and much more. However despite the economic, social, and environmental value they produce, their approach is rarely considered in the planning system.

The planning system plays a crucial role in the development of land-based social enterprises. By deciding what can and can't be developed on a site, the planning system can define what activities groups can pursue and what models they can develop.

This briefing outlines our understanding of the issues and strategies we might deploy to help address them. Our aim is to help create an environment where the planning system supports these businesses to contribute to common good land use. This means both making the most of current policy and processes, and identifying ways to improve them. It is primarily focused on the planning system in England, though much of it is relevant UK-wide.

Over the past year, Shared Assets has been speaking to planners, land-based social enterprises, and other experts on the planning system. We have also been analysing existing research and resources. Finally, we hosted a workshop to bring together land-based social entrepreneurs and planning experts to discuss the issues we'd identified and strategies for tackling them.

This briefing draws on this work, and our wider consultancy work and research, to introduce the key issues we identified. It also proposes a range of strategies for enabling social enterprises and planning authorities to work together to make land work for everyone. The briefing aims to be useful to land-based social enterprises, planners, and other stakeholders by:

- Providing simple introductions to the planning system and land-based social enterprises
- Highlighting the value of supporting land-based social enterprise development
- Identifying areas where the planning system could be used to support land-based social enterprise to deliver sustainable development
- Identifying actions various stakeholders can take to improve the situation and highlighting where resources and further work should be directed.

2. Understanding the planning system

This chapter attempts to demystify the planning process to make land-based social enterprises more confident in engaging with it. Land-based social enterprises have several obvious disadvantages when engaging with planning. For example, while a key part of a developer's skill set is negotiating the planning system, a skilled land manager may have little knowledge in this area. Furthermore they may not have the resources to fight their case, be that their time or paying for expert advice. This disadvantage extends beyond individual cases to processes such as neighbourhood planning, where landworkers often lack the time and resources to engage.

The planning system can seem opaque and obstructive to outsiders but it's important to get beyond this. The planning system plays a crucial and valuable role, and while reforms are needed, it's crucial to work with it in the meantime. Planning policy is an extremely complex area, and we are not planners. Thus this is only designed to be a very simple introduction based on what we have found useful as we have learned more.

2.1 How planning works

This section briefly introduces some key areas of planning policy and practice. It is necessarily quite high level since there is a lot to cover - more resources are linked to for further information. As we will discuss later in this report, each of these areas represent potential targets for Shared Assets and other groups seeking to make life easier for land-based social enterprises.

The application process

The first step is to submit an application to the Local Planning Authority (LPA). This is generally your local council.. After this has been checked for completeness, relevant stakeholders and experts are consulted to get their views. This may include publicising the development on site or in local newspapers.

Next there is a site visit from the planning case officer, who will gather key information needed to make a decision, and advise the applicant to make necessary amendments to their application. When a final version has been agreed, the planning case officer will make a recommendation to the LPA.

If the decision is not considered at all contentious it can be approved by the principal planning officer. If not, or if it is of strategic importance, it will go to the relevant planning committee. Generally the people making the decision at this stage will be elected officials - local councillors - rather than planning professionals. Decisions will be made at public committee meetings.

If the applicant is unhappy with the decision, they can appeal within 6 months of the decision. Appeals go to the Planning Inspectorate, a national body made up of professional planners.

National and devolved policy

Planning decisions are ultimately dependent on national policies. Whatever one thinks of the policy and the way it is applied, it is crucial to recognise that any arguments made in the planning system must draw on the priorities set out in planning documents like the ones below.

The National Planning Policy Framework (NPPF): The NPPF sets out the government’s planning policy for England, consolidating most previous guidance. It is meant to provide a flexible framework within which local areas can make their own plans. It describes the purpose of the planning system as “to contribute to the achievement of sustainable development”, later defined as “living within the planet’s environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.” There is even directly supportive policy within it, for example promoting “mixed use developments... such as for wildlife, recreation... or food production,” or supporting “transition to a low carbon future”.

This sounds like it should support the models of land use we consider to be ‘common good’. However many people think that other considerations, such as promoting economic growth or building more housing, take precedence over environmental considerations in practice.

The Town and Country Planning Act: This legislation is important because it introduces ‘Use Classes’, which divide land into categories of what it can be used for. Each use class confers certain ‘permitted development rights’ that allows certain developments without full planning permission. Any change of use, or changes outside the permitted developments will require a full planning application. Scotland and Northern Ireland have their own versions of this act.

Devolved policy: Each of the devolved administrations has different planning rules. Some of these differences provide means of helping common good land use. This briefing focuses mainly on English planning law, though much of what it says is relevant to the other administrations. If you are in a devolved administration it is crucial to look at the policy for each - see [Scotland](#), [Wales](#) and [Northern Ireland](#). In England there is generally nothing that sits between the National Planning Policy Framework and local authority plans and policies.

While there is probably learning to be had from all the devolved assemblies, we have been particularly interested in planning policy in Wales. This is because [policy on rural enterprise dwellings and One Planet Developments](#) seem to make it easier to build dwellings for landworkers. As we discuss later in the report this could be of great benefit to land-based social enterprises.

Special planning policy: Certain statutorily designated areas are subject to special planning policies, which guide what developments are allowed within them. These include National Parks, Areas of Outstanding Natural Beauty, Sites of Special Scientific Interest, and Green Belts.

How are local planning decisions made?

Local policy is important to understand as they set the framework for local development, and thus may provide support for applications. Accordingly, influencing local planning policy might be a key way to supporting land-based social enterprise. The plans below are collectively known as the 'statutory development plan' for each area, and form the basis of planning decisions.

Local plans: are designed to enable local areas to decide their own priorities. They must be consistent with key national planning policy, especially the NPPF. Not all areas have a local plan yet, but where they exist it is crucial to understand and work within them. They may include policy that is supportive of land-based social enterprise. If an LPA does not have a local plan, they must base their decisions on the NPPF.

Neighbourhood plans: only exist in England - they are designed to allow neighbourhood forums and parish councils to establish planning policy for their area. They were introduced as part of [the Localism Act 2011](#). Communities can play a large role in shaping neighbourhood plans, though they must be consistent with national and local planning policy. After they have been proposed, the plans must be approved in local referendums.

London also has its own plan, [The London Plan](#), prepared by the Mayor of London.

Material considerations: Material considerations are things that must be taken into account when planning decisions are made. They are generally about the way in which the land is used and the impacts its use will have. This is obviously crucial as it defines the scope of positive results from the development that applications can highlight, or negative impacts where applications should show plans to minimise them. As we will discuss later, influencing what is considered a material consideration could be a key way to support common good land use. It is up to the decision maker in the LPA to decide how much weight to give to various material considerations in any given case. Their decision can only be based on material considerations.

Local Planning Authorities (LPAs): are the part of Local Authorities responsible for making planning decisions in that area. You can find your LPA [here](#).

LPAs publish additional guidance (often called supplementary planning documents or SPDs) to inform planning applications and decisions. In some cases this might explicitly support land-based social enterprise, whilst in others it might provide guidance that can help applications. As discussed later, pushing for clearer and more supportive guidance might be a key strategy for promoting land-based social enterprise.

2.2 Reconciling with the current system

Some aspects of the planning system can seem particularly counter-intuitive and frustrating for land-based businesses. However there is often a good reason for them, and understanding and accepting them enables the applicants to adjust their case to fit them. The following are some key things applicants need to recognise when engaging with the planning system.

It is important to use 'planning arguments', not just what you find most convincing

In our interviews with planners a common theme was that land-based groups often fail to frame their arguments in a way that relates to planners and the planning system (as outlined above). Remember the planning system can only take “material considerations” into account. In general these will focus on the way in which the land is used. In particular it is crucial for groups to make their long-term plan clear, and highlight how it takes into account relevant policy and priorities. This is a key reason why professional planning guidance can be useful for new groups. It is not intuitive to frame arguments in planning terms and most will need support to do so.

Planning policy doesn't care that your organisation is great

Many organisations feel there is a clear difference between applications from land-based social enterprises and those from for-private-profit applicants. This feels intuitively reasonable given that the goal of development for social enterprises is generally to increase the amount of social and environmental value they can create. However, this is not how the planning system currently works. Neither does it care about the ownership model of the land for the most part. For the planning system, land held in trust by a community organisation is no different from privately owned land. Applications and evidence must focus on the development itself rather than the applicant.

There are good reasons for planning to have strong barriers to development

Another common frustration is the feeling that planning processes are set up to frustrate innovative land management. People find it hard to understand why their projects are not supported, given their obvious social and environmental value. Whilst this frustration is understandable, it's important to recognise that the planning system needs to prioritise and balance many competing demands.

The same processes that makes development hard for certain social enterprises may also stop developments those social enterprises would oppose. For example, where restrictions on [permitted developments rights](#) have been relaxed, we have often seen people take advantage of them to the detriment of society. One recent example is around allowing change of use from office to residential. This was seen as a way of tackling the housing crisis, but actually served in some cases to [remove necessary work spaces](#). It is also crucial to acknowledge that social enterprises can also cause damage to landscapes and environmental assets.

Thus while the planning system could benefit from reforms, businesses need to understand why certain constraints exist and adapt to work within them wherever possible. Simply protesting the current system, or getting frustrated and giving up, is not going to solve any problems.

2.3 Further guidance

As mentioned earlier we are not professional planners or experts in all the many intricacies of the planning system. Many organisations will need to access professional support at some point in the process. At the end of this report, we have provided a list of helpful guidance and support.

3. Understanding land-based social enterprises

We think it's crucial for planners to understand the [models of common good land use](#) that we are talking about. There is no reason these models can't be supported, even within the current policy framework.

3.1 Land-based social enterprises

Land-based social enterprises are organisations that use land to create social and environmental value, whilst also generating income through trade or delivering services. This could be anything from farms, to woodlands or parks. Not all of these organisations will call themselves 'social enterprises' and there is also good work being done by both charities and more traditional SMEs. Social enterprise models can help achieve common good land use by focusing on a triple bottom line of social, environmental and economic value. Moreover, because they aim to support people's livelihoods by providing jobs, they are well placed to deliver high quality land-management in the long term.

Land-based social enterprises vary widely. However, they have several key strengths that we think means the planning system should support their approach:

- **They produce diversified value from land use.** For example, they might grow food, but also run training programmes and health and wellbeing activities. They might produce timber, but also host local craftspeople, invite visits from schools, and run a mountain bike track. This not only creates more social and environmental value, but also makes projects more likely to be sustainable. This kind of 'mixed use' and 'multiple benefit' land use is explicitly supported in the NPPF. As discussed later we think it's one of the key things planning should be supporting land-based social enterprises to deliver.
- **They contribute to sustainable local economic development.** Social enterprises often provide quality jobs, support other local groups, trade with other local organisations, and

attract new investment. All of these actions multiply benefits to communities by creating virtuous cycles that keep money circulating locally and further enrich local areas.

- **They are innovative and provide new models.** Many traditional land-based businesses struggle to survive financially, and do little to improve the environment or society. Social enterprise models offer new approaches that are truly productive, both in securing finance and helping make land work for everyone.
- **Their default approach to land management is environmentally friendly.** The planning system is concerned about the impacts of land use on the environment and on surrounding sites. Many land-based social enterprises will take an ecological approach to land use as a core central tenet of their businesses, welcoming restrictions that the planning system may need to enforce on other types of land users.

[See our website](#) for more examples of these models.

3.2 Land-based social enterprises and the planning system

While land-based social entrepreneurs are amazingly resourceful, and often find ways to overcome massive hurdles, there are a few key reasons they can struggle with planning:

- **Inequality of resources compared to other developers.** In general these organisations lack the time and other resources needed to engage with the planning system.
- **They are focused on their sites.** A chance to negotiate the planning system is not the reason people decide to get involved in these projects. They can lack interest in and experience with the planning system. Moreover since most people only ever set up one project and then focus on that, the sector loses this knowledge once the process is over.
- **The non-traditional models they employ are hard for the planning system to understand.** This is especially a problem when it comes to things like viability assessments, and projects moving outside traditional land-based use classes.
- **Lots of the best things about their projects are not ‘material considerations’.** In particular the planning system can fail to recognise the social and environmental value they are likely to produce.

There are also a number of common areas where many land based social enterprises need to interact with the planning system. Many of the recommendations in the following chapter are about facilitating these:

- **Getting access to land.** Simply being able to buy or otherwise access land is the main barrier to most prospective projects. This is in no small part due to a planning system which fails to capture uplifts in land values, and thus supports extremely high land prices.
- **Living on the land.** The ability to live on the land goes a long way to making sustainable land-based livelihoods possible. Small land-based businesses are more successful and can deliver more value when the workers are able to live close to their place of work. This

allows them to cut commuting and rental / mortgage costs and removes the need for two pieces of land on which to work and live. Accordingly it is an important factor in determining an enterprise's viability. It allows money to be unlocked for investment in the business, makes it easier to maintain infrastructure, systems, and site security, eliminates the need to commute (with corresponding environmental benefits including CO2 reductions), and improves family life and work/ life balance.

- **Developing diverse business models:** Whether new models are based on agricultural land, woodlands or other types of land, their activities are not generally limited to traditional land management. For example, a woodland enterprise is unlikely to rely on forestry alone. Instead it will pursue a more diverse set of activities to maximise both income and the social, environmental and economic value it can produce. Planning needs to be more supportive of developments aimed at diversifying income. Such developments might include building toilet facilities, building a classroom for school visits, building new roads or car parks to accommodate visitors, or building new access tracks for recreation activities. In the woodland social enterprise example, the planning system may see these as “beyond forestry”, but they are in fact essential.
- **Being recognised for the social and environmental value they produce.** Land-based social enterprises often make essential contributions to natural capital and environmental infrastructure, such as sustainable drainage systems, tree planting with flood remediation impacts, and increasing biodiversity. The planning system could do more to recognise this when reviewing applications, and to help them get compensated for this.

3.3 What land-based social enterprises look like

Example 1: Ecological Land Coop (ELC)

ELC aim to set up clusters of affordable agricultural smallholdings. They raise capital to buy greenfield land through community share offers and other means. They then buy this land, get planning permission for agricultural dwellings, and then rent or sell them to smallholders. They also set up restrictive Section 106 agreements that ensure the land is kept in agro-ecological use in the long term.

Example 2: Hill Holt Wood

Hill Holt Wood is a woodland social enterprise. It provides an extremely wide range of services, from woodland management, to adult and young people's education, to hosting a sustainable architectural practice. These developments have been supported by a supportive Local Planning Authority that recognises the social value being produced.

Example 3: Lammas

Lammas aims to establish a flourishing network of low-impact projects working together to promote the principles of sustainability, biodiversity and environmentally conscious living. They have taken advantage of One Planet Development rules in Wales to set up ecological smallholdings. They started with one site in Pembrokeshire and now support others to set up similar sites.

Example 4: Urban example

Hill Holt Wood is a woodland social enterprise. It provides education and training to 14-19 year olds, adult education courses in the woodland, and a rolling 12 month internship for architecture graduates. It also offers sessions on woodcarving, storytelling, and nature trails. The site can be rented for conferences and team building sessions.

4. Supporting land-based social enterprise in the planning system

The aim of the planning system is to support sustainable development. We think that land-based social enterprise projects can help to achieve that goal by contributing to local economic development as well as creating social and environmental value. This chapter explores ways that various different stakeholders can support this through the planning system.

4.1 Actions for Local Planning Authorities

Paragraph 160 of the NPPF calls on local planning authorities to: “work closely with the business community to understand their changing needs and identify and address barriers to investment, including a lack of housing, infrastructure or viability”. This report is an attempt to illustrate the needs of the land-based social enterprise community, and this section explores how local planning authorities can help meet them.

Produce clear policies and guidance

Land-based groups have told us that they have often found LPA policies and guidance to be hard to find, difficult to understand, or missing entirely. The following are some strategies for improving the situation:

- **Write policies and guidance in consistent formats and make them easy to find.** Where possible, a single template should be used for all council websites, and policies and guidance should be easily accessible in one place on the council’s website. Version control should be carefully managed to avoiding conflicting policies.
- **Put in place a local plan.** Many authorities are still to implement a local plan, making it hard for groups seeking to engage with them.
- Where they are not clearly covered in the local plan, **key issues should be explained with [supplementary planning guidance](#).** In particular for the following:
 - **Sustainable development:** There is no simple answer to the question of how to encourage diversification whilst restricting undesirable change of use. However, there needs to be a recognition that land use is changing, and that more diverse and potentially more people-intensive uses are both likely and desirable. Guidance should be developed at a local level on what constitutes ‘sustainable development’ and accordingly what trade offs may or may not be acceptable in the local context. This should provide a framework for decision making and balancing trade-offs, rather than simply a set of generic rules.
 - **Business viability:** Social enterprise plans are often unfairly rejected on the grounds that they are not viable businesses, in large part because they use unfamiliar models. More explicit and sympathetic definitions are needed. Viability must consider the diverse business models of modern land-based rural enterprises and indeed the lifestyle expectations of the applicants who may be very comfortable with a near-subsistence income level.. This might include, for example, recognising the reduced or non-existent utility costs for off-grid living.
 - **Landworker dwellings:** It is crucial that rural land-based social enterprises can develop sustainable agricultural dwellings on or near the land they work. Current guidance is often non-existent or caught up in the same confusion around viability discussed above. Indeed even where planning authorities recognise the viability of the project, they might for that reason reject the need to live on-site. The process of applying for permission for an agricultural dwelling could be made easier by the issuance of guidance by local authorities, and consistent application of it. Some local authorities have already published such guidance, as has [the Welsh Government](#).

Increase opportunities for free pre-application advice

The application process can be a major barrier to new rural enterprises, taking up time, energy, and resources, and ultimately inhibiting the growth of new businesses. Free pre-application consultations could greatly improve the engagement of social enterprises with the planning

system, and save the authority considerable time and resources moving forward. Free one hour consultations should be offered as far as possible, and especially where certain qualifiers exist, for example if the applicant is a not-for-profit group or if no local plan has yet been published.

Look for innovative ways to overcome problems (e.g. by using conditions attached to the planning permission, such as “Section 106 agreements”)

When suggestions like some of the above are made, they are often rejected because they risk negative outcomes. We don't deny these outcomes are possible, however we think that planning authorities should look for ways of avoiding them rather than rejecting out of hand.

One example here is the risk that landworker dwellings will turn into normal houses with big gardens if the landworker stops working the land or sells the property. This is indeed a serious risk, however it is one that can be ameliorated. [Ecological Land Coop](#) for example accept Section 106 agreements that require the inhabitants of the dwelling to be directly involved in working the land. In another example, a woodland social entrepreneur was given permission for their dwelling, with a '[silvicultural tie](#)', requiring the inhabitant to run a woodland business. This approach does put serious restrictions on the inhabitant, but many would welcome this to get access to land.

Consider land-based social enterprise in broader planning decisions

Another way the planning system can support land-based social enterprise is to take the sector's needs into account when making decisions. In particular they should:

- **Create spaces that work for land-based social enterprise.** This means future-proofing new developments so that they enable community and social enterprise management and land-based projects. This might for example mean designing urban developments to incorporate food growing space.
- **Take landworkers into account in land use decisions.** There are many planning decisions that impact potential land-based social entrepreneurs and landworkers in general. For example the distribution of affordable housing, and the design of rural public transport, should consider where more landworkers are needed.
- **Use Section 106 agreements and planning conditions to require ecologically sound land management** and thus safeguard against future weakening of management practices

Give land-based social enterprises access to developer contributions

Land-based businesses often make vital contributions to the green infrastructure needed to support communities. However, they are rarely able to access funds gathered from other developers in their area (“developer contributions”) that the LPA collects.e. There are two main sources of these contributions. First, the [Community Infrastructure Levy](#) (CIL) is a charge on developments that is gathered into a fund to support infrastructure development and

management. Second, [Section 106 agreements](#), which are negotiated to mitigate the impacts of particular developments.

Land-based social enterprises need to be supported to both manage and make capital improvements to natural infrastructure. The following are some ways this could be supported:

- Regulation 123 lists should explicitly recognise the need for CIL funds to be used to maintain and develop green infrastructure
- Since Neighbourhood Plan Forums will receive 25% of CIL, they may be another way to access funding from developer contributions.
- Negotiations around Section 106 and biodiversity offsetting contributions should consider local land-based organisations as recipients of funds

4.2 Actions for land-based social enterprises

It is important not to put all the emphasis on how the planning system needs to accommodate land-based social enterprise. We also recognise that much of the current system is there for good reason, and that land-based social enterprises need to learn how best to operate within it. This section considers some ways in which they can do that.

Understand key policy and practice and put all arguments in planning terms

Most people are not interested in reading planning policy, however it is essential for making a strong case in the planning system. Without an understanding of the policy and practices it is difficult to frame applications and collect the evidence needed to be successful.

One key message that came out of all our discussions with planners was that arguments made in the planning process must be ‘planning arguments’. And that people often don’t realise that these are not the same as arguments you might make to secure funding, or otherwise win support for a project. For example, it might be clear that new economic and ecologically focused models of land use are needed, but this is not important in a planning decision. The case for a project needs to be reframed according to what is a consideration in planning, for example focusing on things like [climate change](#), [the diversification of agriculture](#), local jobs, and anything else that is explicitly covered in planning policy.

To give an example, a social entrepreneur seeking to develop a rural dwelling might draw on the ‘planning argument’ that it will minimise journey times, thus reducing greenhouse gas emissions (NPPF, Points 30 and 37).

This report aims to help groups understand planning better, and there are also some great resources available elsewhere (see further reading). As discussed later in the report, Shared Assets also plans to do more in this area, and we would appreciate any [feedback](#) on what would

be most helpful. [Planning Aid](#) offer free professional planning support, though there are restrictions on who is eligible for this support.

Present clear long term plans and business models

Another common message from planners is that land-based social enterprises need to produce clear, long term management plans and business models. This is especially true if the models they are proposing are likely to be unfamiliar to planners. As with increasing knowledge of the planning system, this may be easier said than done. Again land-based social enterprises need support to do this, and making this easier is another key goal of Shared Assets, for example by collecting examples of successful projects.

Feed into neighbourhood and local Plans

The process of developing neighbourhood and local plans is supposed to engage communities and civil society. Some areas have failed to do much of this, however where common good land users have inputted it has lead to valuable outcomes. neighbourhood plans in particular are written and approved by local residents, and it is crucial that common good land users make their voices heard. For example, people can highlight and evidence the undersupply of land for particular sectors like farming or woodland management. This will help make the case that plans should promote new projects in those areas. In some areas neighbourhood plans have [explicitly promoted](#) things like community food growing.

4.3 Potential changes to national policy

National policy imposes constraints on the powers of local planning authorities can limit the ability of communities to shape their own area through the planning system. For example extension of permitted development rights (covering what can be developed without planning permission), can serve to take control away from local areas, often with damaging consequences. Furthermore, to aid simplicity and consistency, many people argue that changes to the planning system should be avoided where possible.

For these reasons we accept that changes to national policy should not be made lightly. However we do think that national policy could do more to recognise and support the value of the kinds of models used by land-based social enterprises. When the NPPF or any other national policy is reviewed, we think the following considerations are important:

Make it easier for landworkers to get permission for Low Impact Developments

As discussed in Chapter 3, permission to develop landworkers' dwellings is often crucial to the success of land-based social enterprises. Planning policy already provides some means of securing landworker dwellings, however it is extremely difficult for new entrants to food production or forestry to secure permission for dwellings. [Low Impact Developments](#) (LIDs) could represent a valid solution for land-based social enterprise workers to live on the land without

damaging it, while providing social benefits and remaining financially viable. Unfortunately there is no specific policy for LIDs in place in England. An interesting example of such a policy has been put in place in Wales as part of its sustainable development scheme. The One Planet Development planning policy was specifically created for “development[s] that through [their] low impact either enhance or do not significantly diminish environmental quality”. Examples of LIDs include: [Steward Community Woodlands](#), [Tinkers Bubble](#), [Hockerton Housing Project](#).

Support developments associated with ecological land use

Different land-based activities can have vastly different contributions to natural capital, yet the planning system normally fails to distinguish between them. In the interests of supporting sustainable rural development, the planning system should take into account impacts on soil, biodiversity, carbon emissions and water retention. (See also [blog by Daniel Scharf on this issue](#)). Section 11 of the NPPF (“Conserving and enhancing the natural environment”) talks about protecting and enhancing soils, ecosystem services, biodiversity, minimising pollution, protecting quality agricultural land, and enhancing green infrastructure. However it neither sufficiently accounts for the damage to land caused by many mainstream approaches to land management, nor for the benefits of more ecologically friendly forms of land management.

- Ecologically sound land management should always be taken into account as a material consideration

Allow for consideration of the applicant and ownership structures

Any changes in this area would be difficult and would require a major shift to the way planning decisions are made. However changes such as the following are worth exploring as they could greatly contribute to common good land use. To prevent exploitation of this, only applicants with restrictions on their ability to generate private profits (demonstrated through their legal form) should be given preferential treatment.

- **Capturing or controlling uprisers in land value.** Planning policy currently fails to recognise the value of capturing uprisers in land value caused by securing planning permission. This allows landowners to make huge unearned gains, especially when securing planning permission for residential development. It also encourages land banking, and speculation in the land market. Planning should support developments where there are mechanisms for restricting uplifts in value (e.g. restrictive Section 106 agreements or planning conditions), or capturing them for the community (e.g. Community Land Trusts).
- **Preferential treatment for bids from community and social enterprise projects.** As discussed earlier, it is important to recognise that socially-focused projects can still cause damage to the environment and landscapes. However given the disadvantages these groups face, and their potential value to society, we think they are worthy of preferential treatment. This could be small things like access to free advice from LPAs or larger changes such as dedicated social enterprise use classes (see below).

Introduce a new set of use classes for land-based activities

To deliver social value whilst remaining financially sustainable, land-based social enterprises have developed innovative new models of land management. Meanwhile we now have greater evidence of the environmental costs of some forms of industrial land management. The existing set of use classes has not caught up to this yet, meaning they have become a barrier for innovative projects which rely on diverse land uses and activities, and should be reformed. A new set of land-based use classes could be introduced, informed by evidence of contributions to and reductions from natural capital. These classes could come with development rights that met the needs of projects making the largest contributions.



5. Our strategy for delivering change

Planning needs to support local land-based enterprises to contribute towards sustainable rural development. These organisations can create jobs, improve landscapes and natural capital, and help manage land well even in a time of austerity. However they can only do this if the planning system recognises their needs and helps shape an environment in which they can flourish. The status quo presents a serious barrier to investment in these organisations, and a limit on their ability to produce economic and other value.

This chapter concludes the report by drawing on the areas we have already discussed, to introduce our strategies for improving the experience of land-based social enterprises in the planning system. We have identified a large number of potential areas to address, and we are conscious that our resources and time will limit what we can do. Please [get in touch](#) if you could help us pursue any of these goals, or if we can support you to take them forward.

5.1 Working with Local Planning Authorities and planners

We have discussed some possible changes to national policy, however we also see the planning system as having a crucial role in empowering local decision making. Even within the current national policy framework there is ample room for local areas to back the kinds of models we support. We want local planning to be a vehicle for truly sustainable developments, that realise the visions of communities. As such we want to convince people that supporting land-based social enterprise is one of the best ways to achieve this.

This will mean working with planners, local authorities, and any other stakeholders. We want to improve understanding of land-based social enterprises, the value they can produce, and the ways in which they can be supported in the planning system. This might mean:

- **Developing guidance for planners:** Chapter 3 in this report is a first step in the process, but moving forward we want to produce clear guidance, in planning language, to help planners understand and support land-based social enterprises.
- **Sharing best practice:** While the planning system is not explicitly precedent based, local areas often want to know where things have worked successfully elsewhere. We are already working with a number of groups providing great examples of how the planning system can facilitate innovative projects. We want to help produce material that show what is possible, how to overcome potential risks, and the benefits that can be achieved.
- **Lobbying for developer contributions to go to land-based social enterprises.** We want to build a strong case for funds raised from Section 106, CIL and any other contributions to support land-based social enterprises to maintain and improve natural infrastructure.

5.2 Helping land-based social enterprises negotiate the planning system

As discussed throughout this report, we want to help enterprises make the most out of the current system. These are some of the main ways in which we think we can do this:

- **Building knowledge about the planning system into our support work and training.** We often provide direct support to land-based social enterprises in areas like governance and business and management models. We will also aim to help these groups engage with the planning system wherever relevant.
- **Signposting to guidance and support on engaging with the planning system.** A lot of good materials have already been produced (many of these are linked to at the end of this report). We also want to increase practitioners' use of organisations providing professional support, such as [Planning Aid](#).
- **Supporting success stories to share their learning.** Some social enterprises have already had great success charting innovative paths through planning barriers. However much of the knowledge gained by these groups is lost as they move on after gaining permission. We want to find or develop resources to enable these groups to help others to follow their lead.
- **Producing materials and evidence to support applications.** As well as sharing best practice with local authorities, we also want to provide land-based groups with the evidence they need to convince authorities of the benefits of their applications. This might include statistics, case studies, or even photos and videos. It might also include guidance on reframing arguments in planning terms, and on engaging with the planning system.

5.3 Providing a voice for land-based social enterprises in planning policy

We laid out a wide range of potential options for reforms in Chapter 4. Some may gain more traction and stand up to more scrutiny than others. We are interested in starting discussions on all of them and identifying key priorities for campaigning. Some of the land-based groups we spoke to about planning expressed a desire for us to give them a voice and lobby for planning reform. We want to play this role, whether that is lobbying for good practice or policy change. We cannot do this alone and will actively seek partnerships with organisations involved in advocating for changes to planning policy, and others who share our desire to improve land management.



Further reading and resources

The following are resources that we think readers of this report might find useful.

Websites and advice

- [Planning Aid](#) provides free, independent, professional advice on planning issues. They also provide [resources](#) on various aspects of the planning system.
- [Chapter 7](#) is part of the This Land is Ours campaign. It provides a number of great resources, including the DIY Planning Handbook, and offers free planning advice.
- [The Community Land Advisory Service \(CLAS\)](#) provides a range of resource aimed at helping land-based groups engage with the planning system. In [Scotland](#) and [Wales](#) they also provide free advice.
- [My Community](#) from Locality has a great section on Neighbourhood Planning
- [Sustain](#) are an alliance of food and farming groups. It has released a number of reports about the planning system, including [‘Planning your neighbourhood’](#) (on neighbourhood planning and community food growing), [‘Planning sustainable cities for community food growing’](#), and [‘Good planning for good food’](#).
- [Planning Portal](#) provides well written summaries of key planning legislation and terms.
- [The Planning Advisory Service](#) provides planning guidance for local authorities
- [Ecological Land Cooperative](#) has generated a lot of planning expertise through their own engagement with the planning system, whilst setting up clusters of affordable smallholdings. Some of the resources on their website may be helpful to others.
- [DanthePlan](#) blogs on current issues in the planning system, and in the past has covered key topics for land-based social enterprises
- [Plandemonium](#) by Rob Cowan provides a light hearted but informative take on planning issues with videos and comics

Reports and articles

- Cave, S., Rehfisch, A., Smith, L., and Winter, G. (2013), [‘Comparison of the planning systems in the four UK countries’](#), Inter-Parliamentary Research and Information Network (IPRIN).
- Nichol, L. (2003), [‘Planning legislation and small woodlands’](#), Smallwoods No. 10.
- Sugden, C. (2011) [‘How to get planning permission on non-development land’](#), Permaculture Magazine.
- Swade, K., Simmonds, M., Barker, K., and Walton, M. (2013), [‘Woodland Social Enterprises’](#), Shared Assets.
- White, H and Natelson, S. (2011). [‘Good planning for good food’](#), Sustain.