

# Cambridge City Council

## Planning and Transport Scrutiny Committee

**Date:** Tuesday, 21 March 2023

**Time:** 5.30 pm

**Venue:** Council Chamber, The Guildhall, Market Square, Cambridge, CB2 3QJ

**Contact:** democratic.services@cambridge.gov.uk, tel:01223 457000

### Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest
- 3 Minutes  
Minutes of the previous meeting to follow.
- 4 Public Questions

### Decisions for the Executive Councillor for Planning Policy and Infrastructure

- 5 Updated Planning Compliance Policy (Pages 3 - 40)
- 6 Briefing on Greater Cambridge Partnership Infrastructure Projects (Pages 41 - 52)
- 7 To Note Record of Urgent Decision Taken by the Executive Councillor for Planning Policy and Infrastructure
- 7a \*\*\*ROD Cambridgeshire and Peterborough Combined Authority Bus Strategy Consultation Response (Pages 53 - 58)
- 7b \*\*\*ROD: Levelling-up and Regeneration Bill: reforms to national planning policy (Pages 59 - 86)
- 7c \*\*\*ROD: Huntingdonshire Sustainability Appraisal Scoping Report consultation response  
Record of Decision and associated document to follow.

**Planning and Transport Scrutiny Committee Members:** S. Smith (Chair), D. Baigent (Vice-Chair), Bick, S. Davies, Herbert, Porrer, Scutt, Smart and Swift

**Alternates:** Copley, Gawthrope Wood, Lee, Page-Croft and Pounds

**Executive Councillors:** Thornburrow (Executive Councillor for Planning Policy and Infrastructure)

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## Greater Cambridge Shared Planning Service Compliance Policy



### To:

Councillor Katie Thornburrow, Executive Councillor for Planning Policy and Infrastructure  
Planning and Transport Scrutiny, 21 March 2023

### Report by:

Stephen Kelly, Joint Director for Planning and Economic Development  
[Stephen.kelly@greatercambridgeplanning.org](mailto:Stephen.kelly@greatercambridgeplanning.org)

### Wards affected:

All

## KEY DECISION

### 1. Executive Summary

Members will be aware that a review of planning enforcement activities of the Greater Cambridge Shared Planning Service (GCSPS) has been undertaken.

The aim is to create a unified approach to handling planning enforcement by both partner Councils with an emphasis on early intervention and compliance.

The review included combining the enforcement policies of both Cambridge City Council and South Cambridgeshire District Council into one united Compliance Policy for GCSP.

### 2. Recommendations

The Executive Councillor is recommended to:

- i. Adopt the unified Greater Cambridge Shared Planning Compliance Policy.

### 3. Background

Members will be aware that a review of planning enforcement of Greater Cambridge Shared Planning Service (GCSPS) has been undertaken. This

has included a review of processes, use of IT to improve workflow and an update of the website, including updated guidance and a video, along with a unified GCSP Compliance Policy.

Enforcement is discretionary and National Guidance provides that Councils should enforce planning law in a proportionate manner and where it is expedient to do so.

Councils are obliged to provide a register of Enforcement Action and keep this up to date. Previously, separate registers were published on the respective websites of each Council and in different formats. This information is now published via the Public Access system, which is automated.

Government guidance also states that Councils should consider publishing a local compliance policy to manage enforcement proactively, in a way that is appropriate to their area.

This policy sets out how we will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development, and act, where appropriate. Previously each Council had its own compliance plan, these have now been amalgamated into a single document.

The new document sets out:

- what is and what is not a breach of planning control,
- the responsibilities of the owner, occupier and users of a development in the event of a breach of control,
- the priorities and response times in dealing with complaints and breaches,
- possible outcomes in terms of investigations,
- the powers available to the Councils to take action where required.

A formal consultation process was followed, as outlined in section 5.

The Compliance Policy has been reported to the Planning Committee of each Council following the agreement of the relevant Cabinet/Portfolio Holder.

## **4. Implications**

### **a) Financial Implications**

None – this is an update of the existing policy into a unified one for GCSP.

### **b) Staffing Implications**

None – this is an update of the existing policy into a unified one for GCSP.

**c) Equality and Poverty Implications**

None – this is an update of the existing policy into a unified one for GCSP.

**d) Net Zero Carbon, Climate Change and Environmental Implications**

None – this is an update of the existing policy into a unified one for GCSP.

**e) Procurement Implications**

None – this is an update of the existing policy into a unified one for GCSP.

**f) Community Safety Implications**

None – this is an update of the existing policy into a unified one for GCSP.

**5. Consultation and communication considerations**

A public consultation process was held for 6 weeks starting 9 December 2022 until 20 January 2023. This was published on the website and circulated to all members and other interested parties.

A total of 9 responses were received, 5 online and 4 via email, these were reviewed, and the Policy was updated, as necessary.

**6. Background papers**

Background papers used in the preparation of this report:

**N/A**

**7. Appendices**

Appendix A: Greater Cambridge Shared Planning Compliance Policy Feb 2023 V1.2a

Appendix B EqlA form template 210607 CCC Compliance Feb 2023 v1.1

**8. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

Heather Jones

Assistant Director Planning and Building Quality, Telephone: (07712) 239246

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<b>Report to:</b>	Planning and Transport Scrutiny Committee 21st March, 2023
<b>Lead Cabinet Member:</b>	Cllr Katie Thornburrow
<b>Lead Officer:</b>	Stephen Kelly

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## Greater Cambridge Shared Planning Service Compliance Policy

### Executive Summary

1. Members will be aware that a review of planning enforcement activities of the Greater Cambridge Shared Planning Service (GCSPS) has been undertaken.

The aim is to create a unified approach to handling planning enforcement by both partner Councils with an emphasis on early intervention and compliance.

The objectives are to create an effective and efficient planning compliance service which is valued by Members, communities and the public, with clear performance indicators for responses and resolution of issues.

The review included combining the enforcement policies of both Cambridge City Council and South Cambridgeshire District Council into one united Compliance Policy for GCSP.

### Key Decision

2. Yes

### Recommendations

3. It is recommended that Cambridge City Council adopt the unified Greater Cambridge Shared Planning Compliance Policy.

## **Reasons for Recommendations**

4. To provide an updated policy for planning compliance matters within the Greater Cambridge Shared Planning Service.

## **Details**

5. Members will be aware that a review of planning enforcement of Greater Cambridge Shared Planning Service (GCSPS) has been undertaken. This has included a review of processes, use of IT to improve workflow and an update of the website, including updated guidance and a video, along with a unified GCSP Compliance Policy.

Enforcement is discretionary and National Guidance provides that Councils should enforce planning law in a proportionate manner and where it is expedient to do so.

## **Activities**

### **IT**

The Uniform IT system has been introduced for GCSP for a number of years and in the last 12 months the team have adopted the enforcement module. The use of this module enables improved reporting mechanisms for all stakeholders, including the use of automated replies, update reminders and related features. The team are also trialling mobile access to the system.

### **Website**

The aim has been to improve access to planning compliance information, alongside the general review of the “customer journey” seeking to ensure the public are more easily able to navigate and find the information they require. The target is to enable 80% of interactions to be self-service.

Cambridge City residents and South Cambridgeshire residents previously used different methods to submit complaints about planning issues, these have now been aligned with an online form. Planning Compliance information and advice sits within the GCSPS website which enables complaints to be submitted via an e-form, including the ability to upload multiple documents and photographs.

Providing clarity on the issues that can be dealt with by the compliance team, will also help other services, history indicates complaints are often initially directed to the wrong service, e.g., environmental health and vice versa. An explanatory video has been included on the website for further information and to be more accessible, using other forms of communication. The e-form used for complaints links directly into the back-office system and prevents matters being lost or misdirected, thereby improving efficiency.



## **Internal processes and procedures**

Accompanying the website and IT improvements there has been a review of internal processes and procedures to become more effective. This will include the use of case studies for training and dissemination and monthly reports to the respective Planning Committees. The GCSP aims to adopt a Quality Management System (QMS) in 2023 and discussions are now underway to include Compliance as inscope.

## **Enforcement Register**

Councils are obliged to provide a register of Enforcement Action and keep this up to date. Previously separate registers were published on the respective websites of each Council in different formats. This information is now published via the Public Access system, which is automated.

## **Compliance Policy**

Government guidance is also that Councils should consider publishing a local compliance policy to manage enforcement proactively, in a way that is appropriate to their area.

This sets out how we will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development, and act where appropriate. Previously each Council had its own compliance plan, these have now been amalgamated into a single document.

The new document sets out:

- what is and what is not a breach of planning control,
- the responsibilities of the owner, occupier and users of a development in the event of a breach of control,
- the priorities and response times in dealing with complaints and breaches,
- possible outcomes in terms of investigations,
- the powers available to the Councils to take action where required.

Attention is drawn to the targets included within the policy.

A formal consultation process was followed, as outlined in section 8.

The Compliance Policy has been reported to the Planning Committee of each Council following the agreement of the relevant Cabinet/Portfolio Holder.

## **Options**

6. There are two options.

- To remain with the status quo of different enforcement/compliance policies for each Council.

- To adopt a single unified compliance policy for the Greater Cambridge Shared Planning Service

### **Retain Existing Planning Enforcement Manual**

The Council could retain and operate under its existing planning enforcement manual. However, this was last published in 2001, over 20 years ago. Whilst the fundamentals of planning enforcement have remained broadly similar under the Planning Acts, the service has moved on significantly since this time, particularly given it is now operating as a shared service.

### **Unified Planning Compliance Policy for the GCSPS**

This provides an opportunity to align the compliance service across both Councils. This will enable the service to operate under a consistent set of parameters in terms of investigating breaches of planning control. As a result, it provides clarity for staff, residents and Members across both Councils as to how the shared planning service manages compliance investigations. In terms of public perception, there is also an opportunity to promote a “compliance” approach, with enforcement action often being the last resort to resolve breaches of planning control.

## **Implications**

7. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

There are no significant implications.

## **Consultation responses**

8. A public consultation process was held for 6 weeks starting 9 December 2022 until 20 January 2023. This was published on the website and circulated to all members and other interested parties.

A total of 9 responses were received, 5 online and 4 via email, and these are summarised below:

<b>Code</b>	<b>Representation Theme</b>	<b>Comment</b>
200001	There should be a paragraph stating that any works should not remove any disabled access feature or make disabled	Noted and comment as follows. The compliance team deals with breaches of planning control. Where it is determined that a breach is not expedient to pursue, the compliance

	access worse. Part M of the Building Regulations explains this.	team will consider the impact of that development and any effects it may have on the points raised, however when determining expediency, the team are considering if development would likely be acceptable if an application were made, and these considerations would take into account such matters.
200002	<p>- In general, the paper reads as if there is a desire to mitigate and work with applicants where there are breaches</p> <p>(a) It would be helpful to discourage retrospective applications for planning breaches if possible</p> <p>(b) 6.1 &amp; 6.2 - could these paragraphs state that although complainants should be identifiable, their identity will not be disclosed to third parties without their explicit consent. This is stated in 10.2 but readers of the policy may be put off by the statements in 6.1 &amp; 6.2.</p> <p>(c) 6.13 - The list of criminal offences is helpful</p>	<p>Noted and comments as follows.</p> <p>(a) Any person or interested party has the right to make a retrospective planning application to attempt to regularise a breach of planning control. Some breaches of planning control may well be acceptable on its planning merits when tested against local and national planning policies. In these instances, the Council will invite a retrospective planning application to regularise the breach of planning control. Where development is deemed to be unacceptable then the compliance team do not usually invite retrospective applications in these instances. The Council cannot stop retrospective applications being submitted and has to determine such applications accordingly.</p> <p>(b) Section 6.1 updated to include reference to section 10.2</p> <p>(c) Noted and thank you.</p>
200003	<p>This document doesn't give Northstowe TC confidence that developers will stick to, and be held accountable for, their planning obligations.</p> <p>(a) 'High priority cases' processes (s5.2): this suggests that such cases are to be investigated 'immediately', but in practice five working days could pass before any action is instigated. This would not provide for</p>	<p>Noted and comments as follows.</p> <p>(a) High priority cases will be investigated within the five working days as advised. This involves the setting up of a case and visiting a site. In practice such reports will be looked at and the investigation started the same day as the report is made, however there may be instances where prescribing a shorter timeframe could result in the Council being unable to meet its own targets and therefore a realistic target must be set in the policy as a result.</p>

	<p>effective planning enforcement.</p> <p>(b) The procedures for breach of planning control (s3.1-3.3) include '[...] Any action taken against a breach is at the discretion of the LPA, there is no duty to act.', showing insufficient willingness to act on breaches and provides insufficient 'teeth' for effective planning enforcement</p>	<p>(b) The investigation of breaches of planning control is a discretionary matter for Local Planning Authorities to determine what they will do when a breach is identified. The Council must determine the seriousness of a reported breach of planning control and act accordingly. The Council should not take formal enforcement action as a default approach to breaches of planning control and expediency of taking any action must be determined using local and national planning policy frameworks. Formal action is the last resort for any LPA when all other options to resolve a breach of planning control that is not acceptable have been exhausted. There is a right of appeal against any formal enforcement action the Council takes against unauthorised development and as such the Council must be able to demonstrate that it was correct in making the decision to act. Effective planning enforcement is determined on the success of formal enforcement action and not on acting on every breach that is reported.</p>
200004	<p>Please add a section to the compliance policy to explain how the Council will control development when the discretion in 6.9 has been applied and has created a precedent. Chesterton Fen: sites with no planning permission, apparently no controls on safe spacing between caravans, and apparently no standards for sewage arrangements or approved SCDC bin provision. This appears to have been considered too difficult to enforce against in the past,</p>	<p>Noted and comment as follows. Each breach of planning control is investigated and considered on its own merits. Other breaches of planning control on adjacent sites or areas within the district do not necessarily mean that no action will be taken, and it will be a matter of fact and degree in each individual case for the Council to consider. There are other matters in the comment which are not wholly planning matters and relate to other Council services such as Waste Services, Building Control, and Licencing. The compliance team works closely with these other departments when considering</p>

	and the result is what appears to be a free-for-all. Enforcement has concentrated on 'easy targets', rather than the most unsanitary sites or most flagrant offenders.	breaches of planning control and what action the Council will take in relation to those breaches taking on board the comments from those teams. Some breaches of planning control can take disproportionate amounts of time to resolve to conclusion and as a result easy and simple cases appear to be dealt with in quick timeframes which may give the appearance of 'easy targets' being the only action the Council takes; however, some breaches are much easier to resolve than others.
200005	Wanting to know about any regulations for directional signage along the river.	N/A This is a service request and has been referred on to the appropriate section.
Email 1	Is this regarding Mill Road Bridge or Congestion Charge. Could you please send details of how to comment and who to comment to in each case?	N/A This is a service request and has been referred on to the appropriate section.
Email 2	Sawston Parish Council discussed this at our meeting last night and have asked me to let you know they support the draft policy as it is.	Noted and thank you.
Email 3	We have three issues to raise: (a) Section 6.7 – “Even where a breach of planning control has taken place, the Council is not automatically required to act”. • Would the council be required to justify non-action? • Could the council’s decision to take no action be questioned? (b) Section 6.8 – “The	Noted and comments as follows. (a) If the Council determines that it is not expedient to take enforcement action against a breach of planning control then as per paragraph 3.3 of the Compliance Policy the Council will explain its decision to not act as a result, providing clear reasons why the decision has been made. (b) There is no appeals process against the Councils decision not to take action against a breach of planning control. Decisions are made based on a Compliance Officer recommendation to the

	<p>objective of the Councils compliance team is to resolve the harm that arises”.</p> <ul style="list-style-type: none"> <li>• Can “harm” be defined for the purposes of this draft policy?</li> </ul> <p>(c) Sections 6.11 &amp; 6.12</p> <ul style="list-style-type: none"> <li>• Could the breach (ie, building works, etc) continue during the appeal period. Furthermore, could any use or enjoyment of the allegedly contravening works continue in that period?</li> </ul>	<p>Principal Compliance Manager who considers the reasons that have been provided. Justification for not taking action will include the planning merits of the development undertaken and include specialist advice where needed such as matters relating to Listed Buildings, Conservation Areas, or works to trees. If someone is not satisfied with the outcome of an investigation then there is a Council complaints procedure where a complaint can be made, and that complaint will be considered by a senior officer who will review the matter. Following that a complaint can be made to the Local Government Ombudsman (LGO) for consideration, however it should be noted the LGO will only consider matters relating to process or maladministration, and they are unable to change or override any Council decision not to take enforcement action as it is a discretionary power for the Council to make such decisions.</p> <p>(c) The submission of an appeal stops the effect of an enforcement notice and its requirements until the appeal has been determined. If an appeal is dismissed, then the requirements of the enforcement notice and any timeframes for compliance within the notice start from the date the appeal is determined. Any development taking place, or any uses can continue until the appeal is determined, and any additional work carried out is at the risk of the developer. Harm in respect of planning enforcement action would normally occur when the breach in question results in an unacceptable departure from relevant planning policies that would have justified refusing planning permission if it had been the subject of a planning application. If there is no harm</p>
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		caused by the failure to comply with planning control or it is insignificant, enforcement action is generally not justified.
Email 4	I just clicked on the link, and it took me to what I presume is the existing policy. Can I find a comparison of the existing, versus proposed compliance policy?	This was noted after the consultation period closed.

## Background Papers

N/A

## Appendices

Appendix A: Greater Cambridge Shared Planning Compliance Policy Feb 2023 V1.2a

Appendix B EqlA form template 210607 CCC Compliance Feb 2023 v1.1

## Report Author:

Heather Jones  
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# **GREATER CAMBRIDGE SHARED PLANNING SERVICE**

## **JOINT PLANNING COMPLIANCE POLICY**

### **CAMBRIDGE CITY COUNCIL AND SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

**DATE PUBLISHED:**

**MARCH 2023**

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## 1 INTRODUCTION

**1.1** Planning plays an important role in managing development to ensure a high-quality environment, facilitating a better pattern of land use, and securing the efficient use of resources. These outcomes support several objectives of both Cambridge City Council and South Cambridgeshire District Council, a partnership forming the Greater Cambridge Shared Planning service (GCSP).

**1.2** The planning regime can only achieve these objectives if it operates an effective planning compliance service. As part of our commitment to the delivery of an efficient and effective planning compliance regime, GCSP has drafted this policy.

**1.3** This policy has been formulated to allow consistent and effective management of the rising demand for investigations, and to help everyone understand the basis upon which decisions surrounding planning compliance and any subsequent action taken are made.

**1.4** This policy also sets out how the service will prioritise and respond to planning breaches, and contains information for all those involved in, or affected by the compliance process. The policy is available for officers and members involved in the decision-making process and will allow resources to be more clearly focused on corporate priorities.

**1.5** Government guidance encourages Councils to publish a local planning compliance policy and set out how they are going to manage this proactively, in a way that is appropriate for their area.

## 2 LEGISLATION AND GUIDANCE

**2.1** The Town & Country Planning Act 1990 as amended (parts VII and VIII) and the Planning (Listed Building and Conservation Areas) Act 1990, provide the principal legislative basis for planning compliance.

**2.2** The National Planning Policy Framework (NPPF), Planning Practice Guidance and case law is clear that the use of powers to enforce compliance is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. In determining whether to take action, the Local Planning Authority (LPA) would also expect to consider all material planning considerations, including the policies in the adopted local “development” plan for the area, and any associated supplementary planning guidance.

Effective enforcement is important to:

- tackle breaches of planning control which have an unacceptable impact on the amenity of the area or are otherwise seriously contrary to planning policy
- maintain the integrity of the decision-making process
- help ensure that public acceptance of the decision-making process is maintained.

**2.3** The powers available to Local Planning Authorities are outlined in **Appendix A** of this document.

### 3 BREACH OF PLANNING CONTROL

**3.1** A breach of planning control is not a criminal offence, except in limited cases such as unauthorised work to a listed building, tree works and advertisements. Any action taken against a breach is at the discretion of the LPA, there is no duty to act.

**3.2** When a breach is identified that cannot be resolved informally, councils are required to make a judgement as to whether it is appropriate (expedient) to take formal action. This is done through consideration of Local and National Planning Policies, the level of harm caused by the breach, the “fall-back” position (how the breach compares to what would have been allowed anyway, e.g. under permitted development) or whether the breach would set a precedent for further development.

**3.3** Where action is not taken, this decision must be transparent and consistent. It is important to strike a balance between protecting the amenity and other interests and enabling acceptable development to take place, even if initially unauthorised.

**3.4** Where action is taken, this must be prompt and effective and commensurate with the breach to which it relates to. The system is designed to mitigate harm rather than to punish contraveners.

**3.5** What is considered a breach of planning control:

- Development such as building work or alterations has been carried out without planning permission where it was required – details of all planning permissions, the approved plans and the conditions which apply to them can be found online on the GCSP Public Access database.
- The conditions that were attached to the granting of the planning permission have not been complied with.
- Work or demolition has occurred to a listed building or a building in a conservation area without the necessary permissions and/or

consents.

- Unauthorised work has been undertaken to a tree or trees protected by a Tree Preservation Order (TPO).
- Unauthorised works to a tree or trees in a conservation area, or work to any rural agricultural hedgerow has been carried out without consent.
- Engineering operations, such as the significant raising or lowering of ground levels or land, or the formation of earth bunds has been undertaken without permission.
- The use of land or a building has changed without the appropriate permissions, such as short-term visitor accommodation.
- Unauthorised display of an advertisement such as a sign.
- The land is in such a condition that it is adversely impacting on the wider area.
- Development has occurred in an area which is subject to an Article 4 Direction that restricts permitted development rights. Further details are available on the Planning Portal website.

### 3.5 What is *not* considered a breach of planning control:

The following lists examples where a breach has either *not* occurred or is outside the timescale for action:

- Building work or extensions that don't require planning permission. National Legislation allows for a range of building works which can be undertaken without formal planning permission – this is known as Permitted Development. More information on whether planning permission is required can be found on the Planning Portal website.
- Changes in the use of land or buildings which are permitted or not so significant that they comprise a material change of use.
- The display of advertisements which do not require consent - the regulations relating to advertisements allow the advertiser to display certain types of advertisements without the need for any consent.
- Where the development has been carried out some time ago and the lapse in time means that the breach of planning is immune from action.

- Issues relating to waste disposal, burning, including bonfires and tipping which are the responsibility of Environmental Health at either South Cambridgeshire District Council or Cambridge City Council.
- Issues relating to the adopted highway (including advertisements displayed within the Highway or on street furniture, or illegally parked cars) – these should be referred to Cambridgeshire County Council which is the Highways Authority.
- Problems relating to noise and disturbance; smell nuisance and light pollution which are investigated by Environmental Health at either South Cambridgeshire District Council or Cambridge City Council.
- If buildings or extensions have been constructed inadequately or there are concerns regarding potentially dangerous structures, this should be reported to the 3C Shared Services Building Control team.
- Problems relating to covenants or other legal restrictions on a specific piece of land or building are civil and/or legal matters.
- Neighbour disputes concerning antisocial behaviour are a police matter.
- Boundary or land ownership disputes are civil matters.
- Work to trees that are **not** covered by a tree protection order or are **not** in a conservation area.
- Suspected future breaches (things you believe *might* happen).
- Trade or competition complaints.
- Some works undertaken by Councils and Statutory Undertakers under permitted development. Details are provided in the GPDO.

## 4 THE ROLE OF THE OWNER, OCCUPIER, USER OF LAND AND/OR BUILDINGS

**4.1** GCSP recognise that some breaches of planning control may not be intentional. All those who are responsible and involved in any alleged or identified breach of planning control are nevertheless expected to engage constructively with the compliance team to resolve issues at the earliest opportunity. Failure to engage

early with the compliance team on notification of a potential breach of planning is likely to reduce opportunities for agreeing informal resolution of the breach. Where it appears that the breach could be made acceptable and the person responsible for the breach is engaging constructively with the compliance team, a retrospective planning application will be invited with the expectation that this course of action is taken quickly and as soon as practicable. If a planning application has been submitted but is not yet valid (e.g., because of a lack of information) the applicant will be expected to provide this information without delay as this will not normally be used as a reason to delay formal action.

**4.2** In cases where it is believed that an alleged breach is lawful for various reasons, including the passage of time, the onus will be on the perpetrator to provide the compliance team with sufficient evidence to demonstrate this is the case, the burden of proof is on the perpetrator.

**4.3** Owners and occupiers of Listed Buildings will be expected to maintain these in good order and to ensure the necessary consents are obtained before undertaking any works to them.

**4.4** Owners and occupiers of land will be expected to check the status of any tree before undertaking any works to it. Ignorance of the existence of a Tree Preservation Order, or the location within a Conservation Area will not be treated as a legitimate excuse for having contravened planning controls.

## 5 SERVICE STANDARDS AND PRIORITIES

**5.1** Officers receive a high number of complaints relating to allegations of breaches of planning control. It is appreciated when a breach of planning control occurs, people may suffer and want the matter dealt with swiftly. It is important that those breaches of planning control considered more serious than others are dealt with more urgently.

**5.2** GCSP aim is to carry out an initial site visit, if required and considered urgent, within 5 working days of notification of a potential breach. When an investigation is considered necessary, cases will be dealt with on a priority basis as follows:

- **High priority cases** are for work which is irreversible or irreplaceable and these will be immediately investigated within 5 working days of receipt—examples include damage or loss of Listed Buildings or protected trees.
- **Medium priority cases** are for activities have or can cause harm, such as adverse effects on conservation areas or breaches of conditions. Our aim is to instigate the investigation and assess whether there is a breach of planning control within 10 working days, this may include a site visit.

- **Low priority cases** are for a development which may cause some harm but could be made acceptable by way of implementing conditions or simple correction action. Our aim is to instigate the investigation and assess whether there is a breach of planning control within 20 working days, this may include a site visit.

**5.3** In every case, GCSP will try to achieve an outcome at the earliest possible stage. However, it must be remembered that officers can only operate within powers of the relevant legislation and will need to prioritise activities.

**5.4** All live enforcement cases will be reviewed monthly by the team.

**5.5** In accordance with national guidance, where it is considered possible to do so, having regard to planning policies and the assessment of potential impacts, the service will provide an opportunity to resolve planning enforcement enquiries through an agreed set of actions, without resorting to further formal action. This will require action by the property owner once an investigation has begun. If there is clear evidence that an unauthorised use or development is causing serious harm and corrective action is considered necessary to address the harm, or to prevent further irreversible harm, the Council will seek to use formal enforcement measures more promptly.

**5.6** Reports will be provided monthly to the Planning Committee of each Council setting out all new complaints received and current complaints under investigation in their respective areas and a list of those cases closed and the outcome of the investigation.

## 6 INVESTIGATING A COMPLAINT

**6.1** Anyone who believes that a breach of planning control has occurred can notify the planning compliance team online. To avoid vexatious complaints and allow the Council to engage with the complainant, any complainant must be prepared to identify themselves. Anonymous complaints about a third party will not be investigated. If a member of the public wishes to be anonymous then they may ask either their local Ward Councillor or Parish Council to submit the online form on their behalf. GCSP will not disclose complainant details to third parties without consent, as detailed in section 10.2.

Before you make a complaint, you are encouraged to check the shared planning service website to consider whether there is planning permission already for the development, or to review the conditions. Planning compliance operates to protect the public interest and it is therefore helpful if you can be clear in your submission why you believe there is a breach of control and what impact the breach has on you and the locality. The decision to act needs to consider the effect on matters of public



interest rather than private or personal interests. It is therefore helpful if a complainant can provide as much information as possible, including photographs, which are easy to upload on the e-form.

**6.2** In some cases, it may be necessary to rely on evidence from complainants to take the necessary action. Those persons will need to consider whether they are willing to actively assist GCSP by providing information in the first instance and potentially acting as a witness at an appeal or in Court. The compliance team officers will explain what may be required in these cases.

**6.3** When a complaint is received through an e-form on the GCSP website it will be automatically entered into GCSP database records, and an acknowledgement sent. As indicated above the complaint will be prioritised according to its nature. Once recorded, complainants will be provided with the details of the officer assigned to deal with their complaint. The investigation of cases may require repeat site visits, consultation with relevant bodies and negotiation. When these occur, officers will keep original complainants informed of progress and indicate arrangements for this in the initial response letter.

**6.4** The Local Planning Authority has legal authority, through the Town and Country Planning Act to enter land and buildings in order to carry out investigation of an alleged breach of planning control. Whilst seeking cooperation of landowners and property owners to carry out an investigation, if required, the Council can seek the authority of the courts to secure access properties and land. Whilst on site visits officers will have regard to the Equalities Act 2010, Human Rights Act 1998 (HRA), the Regulation of Investigatory Powers Act 2000 (RIPA) and the Police and Criminal Evidence Act 1984 (PACE) and any Act/s that amend or revoke this legislation or become relevant.

**6.5** An investigating officer may, where they consider an offence has occurred, seek to gather evidence around the alleged breach of planning by way of an interview with an alleged contravener 'under caution' where appropriate.

**6.6** Following an investigation, it will be determined whether a breach of planning control has occurred. If no breach of planning control is found to have taken place, then the complainants and any relevant parties will be informed, and the case closed.

**6.7** If the investigation finds that a breach of planning control has taken place the complainant and those subject to the complaint will be informed, along with details of the measures that the Council requires to be taken to remedy the breach. The decision to take enforcement action is discretionary. Even where a breach of planning control has taken place, the Council is not automatically required to act. National Planning Practice Guidance is clear that local planning authorities should act proportionately in responding to suspected breaches of planning control.

**6.8** The objective of the Councils compliance team is to resolve the harm that arises. Legislation prescribes a range of enforcement options available to a Local Planning Authority (see appendix A). The most expedient mechanism to resolve a breach of planning will not always be through the use of statutory notices –

particularly where the property/landowner engages constructively to seek to address the planning harm identified. This may include seeking retrospective planning permission so that conditions controlling the use can be applied where required to address the unacceptable impacts of the development or seeking to clarify and determine the lawfulness of the development where a range of activity has taken place on land.

**6.9** The decision to take formal enforcement action is discretionary and will be made on a case-by-case basis bearing in mind the need to take a proportionate approach as set out in the NPPF. This decision will only be taken after careful consideration of the relevant facts, the planning merits of the case, including reference to the planning policies which apply at local and national level, and Equalities and Human Rights legislation where appropriate and relevant. GCSP must also be able to justify taking formal action and be sure that the steps specified in the notice and the period for compliance with each step is reasonable. Where it is felt that formal action should not be taken the case will be closed and all those involved informed. If formal action is required, the appropriate notice(s) will be served and again those involved will be informed. The various forms of notices which form the toolkit for action by the Councils are set out in Appendix A.

**6.10** Dealing with enforcement cases can take be a lengthy and complex process. The different types of enforcement cases vary considerably in complexity, and therefore the process itself can take considerable time. In addition, if a person chooses to appeal against formal enforcement action this will lengthen the time taken to resolve the case.

**6.11** If the investigation indicates that a breach of control has occurred that justifies enforcement action, an Enforcement Notice will be served. The Notice takes 28 days to come into effect during which time the person involved can appeal against it to the Secretary of State. An Enforcement Notice may be quashed or revised by the planning inspector appointed by the Secretary of State.

**6.12** Where an appeal is lodged the Council can take no further action until the appeal has been decided. It is not unusual for the appeal process to take several months. An Enforcement Notice specifies the time period needed for compliance. This period will take account of the steps required to comply with the Notice and will set a reasonable period for their completion. If a person does not comply with a notice, they may be prosecuted with the possibility of being fined by the Courts.

**6.13** Contrary to popular belief a breach of planning control is not automatically a criminal matter (until there is a failure to comply with a formal notice). However, in the following cases a criminal offence is committed once a breach is established:

- Unauthorised works to a Listed Building. This is an offence under Section 9 of the Planning (Listed Building and Conservation Areas) Act 1990. There is no time limit upon the council within which to pursue Listed Building compliance action and/or prosecution.
- Display of an advertisement without the necessary consent: This is an offence under section 224 (3) of the Town and Country Planning Act (1990)

- Fly Posting – the displaying of an advert without the landowners' consent. Flyposting is an offence under section 224(3) of the Town and Country Planning Act 1990.
- Unauthorised works to a tree the subject of a Tree Preservation Order (TPO). Under section 210 of the Act, it is an offence to cut down, uproot, or willfully destroy a protected tree, or willfully damage, top or lop a protected tree in such a manner as to be likely to destroy it.
- Unauthorised works to trees in Conservation Areas: Most established trees (except fruit trees) in Conservation Areas are protected, under sections 211 and 212 of the Act.
- Unauthorised works to Hedgerows. It may be an offence under section 97 of the Environment Act 1995 and section 5 of the Hedgerows Regulations 1997, to remove hedgerows without the Council's consent.
- Failing to obtain planning permission for demolition of unlisted buildings in conservation areas. This is an offence under section 196D of The Town and Country Planning Act 1990.

**6.14** The Councils, as enforcing authorities will use discretion in deciding whether to prosecute offences. Prosecution will be pursued when it is in the public interest and in accordance with the Crown Prosecutor's guide. The principal aim is to remedy the harm caused by the breach. The relevant factors will include:

- the seriousness of the breach,
- the likelihood of securing a conviction,
- whether the works to comply would be straightforward,
- the costs of direct action and the likelihood of the recovering those costs,
- the likelihood of the breach being quickly re-established if direct action is taken.

Where appropriate the Councils could consider seeking a Confiscation Order under the Proceeds of Crime Act 2002. The Act allows the Councils to recover assets that have been accrued through criminal activity this can include breaches of planning control that give rise to a criminal offence, such as non-compliance with an enforcement notice.

**6.15** In the case of vexatious complainants, these will be referred to each Partner Council's respective complaints procedures. This is for recurring complaints with excessive related work / costs arising from such.

## 7 WHAT IF THE COMPLAINT IS AGAINST A PERSON

**7.1** If the compliance team contact a person about an alleged breach of planning control, the person is entitled to know what the allegation is (but not who made it) so their side of the matter can be explained.

**7.2** If the person contacted is not involved in the alleged breach of planning control, or if the complaint is unfounded, no action will be taken. If the person is involved the compliance team will advise of the details of the breach and how it can be put right.

**7.3** The compliance team will seek the cooperation of the person involved to correct the breach. This may be by either removing or modifying the unauthorised development or by ceasing the unauthorised works/use within a reasonable period of time, usually 28 days.

**7.4** In some circumstances the submission of a retrospective planning application may be invited, if it is considered the situation may allow planning permission to be granted.

**7.5** If the potential for enforcement action may impact a business, GCSP will ask the partner Councils to help identify alternative premises to minimise the possible impact on the business. This does not mean formal action will be delayed or not take place.

**7.6** If an Enforcement Notice is issued it will give the precise details of the breach, the reasons for the action, the steps required to overcome the problem and the period for compliance. Those receiving a formal notice are advised to respond promptly to any correspondence received and stop the work or activities which are the subject of the notice.

**7.7** A notice may be appealed against, and this is dealt with by the Planning Inspectorate (PINS). There is more information about the appeal process and how to submit an online enforcement appeal on the GOV.uk appeals page.

## 8 ENFORCEMENT REGISTER

**8.1** It is a statutory requirement that a district planning authority maintains a register of notices that is available for inspection by members of the public. The register has been made available via our Public Access System from November 2022.

[Simple Search \(greatercambridgeplanning.org\)](https://greatercambridgeplanning.org)

## 9 DELEGATED POWERS

**9.1** The Council has delegated responsibility for most decisions on whether to take enforcement action, and prosecution for breaches of enforcement cases to the Joint Director of Planning. In turn, and in accordance with a scheme of officer delegation, the Joint Director has delegated decision making on certain types of enforcement decisions, to senior officers in the Shared Planning Service. This allows planning compliance matters to be investigated efficiently, and for formal action to be taken quickly in urgent cases.

## 10 INFORMATION SHARING

**10.1** The planning enforcement service routinely shares information with other services within the Councils to investigate alleged breaches more effectively, and to assist in fulfilling other functions. Complainants' identities will not be divulged to staff outside the planning department without consent.

**10.2** It is important that members of the public feel confident about reporting breaches of planning control to GCSP. With that in mind, GCSP will not disclose complainant details to third parties without consent. The identity of a person making a complaint will be kept confidential unless the Council is required by law to release the information. If a case proceeds to formal action, evidence from the complainant may be needed as part of the case. In such cases, GCSP will usually ask the complainant to make a statement.

## APPENDIX A: POTENTIAL OUTCOMES OF AN INVESTIGATION

Where an investigation identifies that a breach of planning control has occurred, the Town and Country Planning Act provides for a range of measures that can be taken by the Council. Potential outcomes from an enforcement investigation comprise the following.

### Planning Contravention Notice

This notice seeks information about the development.

A Planning Contravention Notice (PCN) can be used as part of the investigation where it appears there may have been a breach of planning control, to obtain information about the possible breach and those parties responsible. A PCN may also invite the person responsible to meet an officer to discuss the case. It is a legal requirement to provide the requested information. The Service will usually issue a PCN where cooperation has not been forthcoming from those subjects of a compliance enquiry and where it is necessary to obtain relevant information.

### Retrospective planning application

An application submitted for works already completed or part completed.

### Temporary Stop Notice

These can be used when the local planning authority considers it important for works on a site in breach of planning regulations to cease immediately. TSN are valid for a period of 28 days and are intended to allow for the Council to continue investigation of a breach and where necessary prepare appropriate notices (if assessed to be necessary). They are a temporary measure and may be served before an

enforcement notice and again where it is necessary to immediately take action.

### **Breach of Condition Notice**

These are used when conditions attached to a planning permission have not been complied with. These notices may be used where it is necessary to stop a breach restricted by a condition quickly. This may be, for example, because it is causing serious environmental harm or detriment to amenity or public safety. A Breach of Condition Notice may be served in conjunction with an Enforcement Notice, it should be noted there is no right of appeal to the Secretary of State.

### **Enforcement Notice**

Enforcement Notices are used when the Local Planning Authority is satisfied there has been a breach of planning control that justifies the issuing of such a Notice. A Notice sets out the required steps to rectify the breach.

### **Notice under Section 215 of the Town and Country Planning Act**

This Notice may be issued by the local planning authority where it appears to them the condition of a specified area of land is having an adverse effect upon the amenity of an area. The Notice can require a broad range of remedial works to be undertaken by a fixed deadline. Appeals against this Notice may be made to the Magistrates' Court.

### **Notice under Section 224 of the Town and Country Planning Act**

This allows local planning authorities to remove and dispose of any display structure – such as an advertisement hoarding – which, in their opinion, is used for the display of illegal advertisements. This provision does not apply to a structure in a building to which the public have no right of access.

### **Planning Enforcement Order**

Where it can be shown that there has been a deliberate attempt to conceal an unauthorised development until the relevant time periods have expired, the Councils may apply to the magistrates' court for a Planning Enforcement Order. This must be done within six months of the date the breach was detected.

### **Stop Notice**

These can be used when the local planning authority considers it important for a breach to cease immediately and where it is considered essential to safeguard amenity or public safety in the neighbourhood. They are issued in conjunction with or following the issue of an Enforcement Notice.

### **Injunction**

A local planning authority can, where they consider it expedient, apply to the High

Court or County Court for an injunction to restrain a breach of planning control.

### **Direct or “Default” Action**

In exceptional circumstances, the Councils have the power to enter the land, undertake the steps necessary to remedy a breach of planning control and attempt to recover the costs.

## **CONSEQUENCES ON FAILURE TO COMPLY**

### **Prosecution**

Prosecutions are normally brought in the Magistrates Court against the failure to comply with one of the notices listed above along with the unauthorised display of advertisements, unauthorised works to a protected tree or unauthorised works to a listed building. In some serious matters cases may be brought in or referred to the Crown Court.

### **POCA**

POCA stands for the Proceeds of Crime Act which was first implemented in 2000. This provides for the Local Authority to seek to recover the financial benefit arising from a person or company's criminal activity. The provisions of the Act can therefore be used by Local Planning Authorities in appropriate circumstances where a criminal offence has been committed and significant financial benefit derived from that offence.

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## Cambridge City Council Equality Impact Assessment (EqIA)

This tool helps the Council ensure that we fulfil legal obligations of the [Public Sector Equality Duty](#) to have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Guidance on how to complete this tool can be found on the Cambridge City Council intranet. For specific questions on the tool email Kate Yerbury, Equality and Anti-Poverty Officer at [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) or phone 01223 457046.

Once you have drafted the EqIA please send this to [equalities@cambridge.gov.uk](mailto:equalities@cambridge.gov.uk) for checking. For advice on consulting on equality impacts, please contact Graham Saint, Strategy Officer, ([graham.saint@cambridge.gov.uk](mailto:graham.saint@cambridge.gov.uk) or 01223 457044).

<b>1. Title of strategy, policy, plan, project, contract or major change to your service</b>
Greater Cambridge Shared Planning Service (GCSP) Compliance Policy

<b>2. Webpage link to full details of the strategy, policy, plan, project, contract or major change to your service (if available)</b>
N/A

**3. What is the objective or purpose of your strategy, policy, plan, project, contract or major change to your service?**

The government expects Local Authorities to ensure that their approach to regulatory activities is transparent and accountable, and that clear service standards are set which establish what those they regulate should expect from them and how they respond to non-compliance. The response to non-compliance is based on risk, the response is determined on a case-by-case basis.

The Compliance Policy applies to Greater Cambridge Shared Planning.

The last review was carried out in 2014 and this is a subsequent review of the policy with minor changes and aligning both Cambridge City Council and South Cambridge District Council.

The policy may affect the way staff work and those working practices are covered in other policies such as Lone Working Policy or Health and Safety Policy.

**4. Responsible service**

**GCSP**

**5. Who will be affected by this strategy, policy, plan, project, contract or major change to your service?**

**(Please tick all that apply)**

- ☒ Residents
- ☒ Visitors
- ☒ Staff

Please state any specific client group or groups (e.g. City Council tenants, tourists, people who work in the city but do not live here):

**Businesses**

**6. What type of strategy, policy, plan, project, contract or major change to your service is this?**

- ☐ New
- ☐ Major change
- ☒ Minor change

**7. Are other departments or partners involved in delivering this strategy, policy, plan, project, contract or major change to your service? (Please tick)**

☐ Yes  
☒ No

If 'Yes' please provide details below:

**8. Has the report on your strategy, policy, plan, project, contract or major change to your service gone to Committee? If so, which one?**

Planning and Transport Committee

**9. What research methods/ evidence have you used in order to identify equality impacts of your strategy, policy, plan, project, contract or major change to your service?**

Complaints from Members of the Public, residents and businesses.

Feedback from Members of the Public, Exec Members, residents and businesses.

Consultation was held for 6 weeks from 9 December 2022 until 20 January 2023.

This was advertised on our website and to all interested parties. Responses (9 no. in total) were reviewed, and the policy updated, where necessary.

## **10. Potential impacts**

For each category below, please explain if the strategy, policy, plan, project, contract or major change to your service could have a positive/ negative impact or no impact. Where an impact has been identified, please explain what it is. Consider impacts on service users, visitors and staff members separately.

**(a) Age - Please also consider any safeguarding issues for children and adults at risk**

The Corporate Safeguarding policy would be followed should at any point during any investigation, Officers are concerned about young people or vulnerable people. We

issue multiple copies of an enforcement notice to recipients so a copy can be forwarded to another party to deal with if the original recipient is unable to be the point of contact due to age or disability. Older people may require letters come in larger font, which we can provide if requested.

#### **(b) Disability**

Officers are required to consider the desirability of the type of enforcement, if any, on a person who is suffering from mental health or ill health. We issue multiple copies of an enforcement notice to recipients so if required, for example due to disability, a copy may be forwarded to another party to deal with. Notices can also be provided in larger sizes if requested. We provide PDF copies which are accessible and able to be read with screen reader software.

#### **(c) Gender reassignment**

The policy is relevant regardless of gender.

#### **(d) Marriage and civil partnership**

Policy is relevant regardless of relationship status.

<b>(e) Pregnancy and maternity</b>
Policy is relevant regardless of status.

<b>(f) Race – Note that the protected characteristic ‘race’ refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.</b>
Account will be taken for the understanding of English and therefore the use of interpretation and translation services may be used where necessary. It is important when taking enforcement action that all parties have a clear understanding of what is required. We have used the council’s translation services to send out breach letters in another language when requested for persons whom do not use English as their first language. However, formal enforcement notices served must stay in English as they are a legal document, these can be translated if requested.

<b>(g) Religion or belief</b>
Officers will aim to take account of people’s religious beliefs where possible, for example if requested not to visit on Friday due to religious preference this is usually honoured if possible.

<b>(h) Sex</b>
None

**(i) Sexual orientation**

Staff are encouraged to believe in the dignity of all people and their right to respect and equality of opportunity. It values the strength that comes with difference and the positive contribution that diversity brings to our communities.

**(j) Other factors that may lead to inequality – in particular, please consider the impact of any changes on:**

- Low-income groups or those experiencing the impacts of poverty
- Groups who have more than one protected characteristic that taken together create overlapping and interdependent systems of discrimination or disadvantage. (Here you are being asked to consider intersectionality, and for more information see: [https://media.ed.ac.uk/media/1\\_159kt25q](https://media.ed.ac.uk/media/1_159kt25q)).

The Policy has a neutral impact on low income groups and those experiencing poverty. Any action taken is considered on a case by case basis, and in line with the guidance and policies.

**11. Action plan – New equality impacts will be identified in different stages throughout the planning and implementation stages of changes to your strategy, policy, plan, project, contract or major change to your service. How will you monitor these going forward? Also, how will you ensure that any potential negative impacts of the changes will be mitigated? (Please include dates where possible for when you will update this EqlA accordingly.)**

None

**12. Do you have any additional comments?**

None

**13. Sign off**

Name and job title of lead officer for this equality impact assessment: Heather Jones, Assistant Director Planning and Building Quality

Names and job titles of other assessment team members and people consulted:  
Compliance team members – John Shuttlewood, Alistair Funge, Tony Wallis, Nick Smith, Neil Langley

Christopher Braybrooke – Planning Compliance Manager

Toby Williams – Interim Development management & Planning Compliance Manager

Date of EqlA sign off: October 2022

Date of next review of the equalities impact assessment: October 2025

Date to be published on Cambridge City Council website: October 2022

**All EqlAs need to be sent to Kate Yerbury, Equality and Anti-Poverty Officer at [Kate.Yerbury@cambridge.gov.uk](mailto:Kate.Yerbury@cambridge.gov.uk).**

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Item

## Update on Greater Cambridge Partnership (GCP) Infrastructure Projects

**To:** Councillor Katie Thornburrow, Executive Councillor for Planning Policy and Infrastructure, Planning and Transport Scrutiny, 21 March 2023

**Report by:** Stephen Kelly, Joint Director for Planning and Economic Development

[Stephen.kelly@greatercambridgeplanning.org](mailto:Stephen.kelly@greatercambridgeplanning.org)

**Wards affected:** All

### 1. Executive Summary

- 1.1 At the 17 January 2023 meeting of Planning and Transport Scrutiny meeting, it was confirmed that an update on the Greater Cambridge Partnership (GCP) main infrastructure access corridor projects would be provided at the 21 March 2023 meeting.
- 1.2 This report focuses on presenting an overview of the projects which the Director for Planning and Economic Development has delegation for, together with a high-level programme for these projects, to enable an opportunity for members to express their views to officers.
- 1.3 The GCP projects covered by the delegation are:
  - (i) Cambourne to Cambridge Rapid Transport Route (C2C) public transport corridor project.
  - (ii) Cambridge South-East Transport Route (CSET) public transport corridor project Phase 2.
  - (iii) Cambridge Eastern Access public transport corridor project.
  - (iv) Waterbeach to Cambridge public transport corridor project.
  - (v) Greater Cambridge Greenways (various routes)

## **2 Recommendations**

2.1 The Executive Councillor is recommended to:

- (i) Note this update report in respect of the GCP projects identified in criteria (i) to (v) of Paragraph 1.3 above.

## **3 Background**

### **Cambridge City and South Cambs Transport Strategy**

- 3.1 The GCP strategy is driven by the Transport Strategy for Cambridge and South Cambridgeshire (TSCSC) which was adopted by Cambridgeshire County Council (CCC) in 2014 and supports the 2018 Cambridge City and South Cambridgeshire District Local Plans.
- 3.2 The strategy provides a detailed policy framework and programme of schemes for the Greater Cambridge area, consistent with the Cambridgeshire Local Transport Plan 2011-26. It also details the transport infrastructure and services necessary to deliver this growth

### **Legislative Context - Transport and Works Act order**

- 3.3 Most of the GCP public transport corridor projects covered by the delegation will follow the Transport and Works (TWA) order for consent. This is the usual way of authorizing guided transport systems.
- 3.4 As the promoter of these corridor projects, Cambridgeshire County Council (CCC) will apply to the Secretary of State for a Transport and Works Act (TWA) order on behalf of GCP. The Department for Transport's (DfT) Transport Infrastructure Planning Unit (TIPU) processes and issues decisions on applications under the TWA on behalf of the Secretary of State for Transport.
- 3.5 The making of a TWA order does not in itself confer planning permission for any development provided for in the order. However, when applying for an order, the applicant can also request the Secretary of State to deem the grant of planning permission by way of a direction under the Town and Country Planning Act.

- 3.6 CCC is expected to make a request for deemed planning permission with each TWAO order application, and a public inquiry is therefore likely to be part of that process. Based on current advice from the TIPU website, it may take up to six months before a public inquiry opens following formal submission of a TWA application. Once the Inspector's Report is issued, it may take a further six months for issue of the final decision by the Secretary of State.
- 3.7 Whilst GCP engages regularly with Greater Cambridge Shared Planning (GCSP), once a TWA order application is made, both Greater Cambridge councils would have an opportunity to be involved in the formal TWA order process. A local authority response can either be by objection or representation. If an objection is submitted, the local authority becomes a statutory objector with specific rights as part of the order process. If the objection is taken to public inquiry, a Statement of Case would be submitted that sets out the issues that are to be presented.
- 3.8 If the order is made and deemed planning permission granted, the Councils will take responsibility for discharging any planning conditions relevant within their administrative area.

## **4 Considerations - Project Updates**

### **Cambourne to Cambridge Rapid Transport Route (C2C)**

- 4.1 The C2C public transport corridor seeks to provide a bus way link between Cambourne and Grange Road in Cambridge via the new Bourn Airfield development and West Cambridge campus. The route will run predominantly on a new route with some sections on existing roads in Hardwick and West Cambridge. A maintenance and safety track will be provided alongside the off-road sections, enabling provision of an end-to-end pedestrian/cycleway which will run alongside the busway.
- 4.2 A new Travel Hub is also proposed off the A428/A1303 at Scotland Farm, Hardwick. It is proposed to have facilities for car and cycle parking and a building to provide a waiting room and toilet facilities.
- 4.3 The C2C project is currently at the advanced pre-application stage. At the September 2022 meeting of the GCP Executive Board, the findings of the public Environmental Impact Assessment (EIA) Consultation (which took place between May and July 2022) were noted. At that meeting, changes to the preferred route were also approved, together

with a request to CCC to approve the timeframe for submission of a TWA order.

- 4.4 It is anticipated that the details of the draft TWA order submission will be taken to a meeting of CCC's Full Council on 28 March 2023, in order to seek a resolution to submit the application to DfT.
- 4.5 GCP has actively engaged with GCSP officers in respect of the C2C project over the last year. The GCSP Strategic Sites team provides regular input to the pre-application process, through the co-ordination of meetings with technical officers from across the service and the Councils. Engagement has taken place in relation to the EIA Scoping responses, including environmental topic specific workshops. Officers are also engaging with GCP in relation to the draft planning conditions.
- 4.6 The GCSP Planning Policy, Strategic and Economy team has also been involved in strategic level policy discussions with GCP, most notably in relation to Green Belt and Open Space/Recreation policy and assessments.
- 4.7 Key issues relate to the following:
- Green Belt planning policy considerations.
  - Open Space/Recreation policy considerations.
  - Environmental mitigation, based on the effects reported in the Environmental Statement.

Stage	Date
Pre-submission discussions with GCSP	Ongoing
Submission of Final Order	Q1 2023/2024
Public Inquiry (if required)	Q4 2023
Secretary of State Decision	Q2/Q3 2024

**Table:** High Level Project Programme for C2C

## Cambridge South-East Transport Route (CSET) (Phase 2)

- 4.8 Phase 2 of the Cambridge South-East Transport Route (CSET) scheme proposes a new dedicated busway and active travel route from Cambridge Biomedical Campus along the A1307 corridor to Haverhill via Sawston, Stapleford and Great Shelford. The proposals also include a new travel hub near the A11/A1307 junction, with cycling and walking connections to Babraham Research Campus and Granta Park.
- 4.9 The CSET Phase 2 project is currently at the early pre-application stage. The GCP Executive Board agreed the route and approved the submission of a TWA order in July 2021. However, the TWA order process has been delayed due to an application for a retirement care village at Stapleford along a small segment of the agreed route being granted planning permission on appeal in December 2021, following refusal of the planning application by South Cambridgeshire District Council.
- 4.10 The GCP identified as a solution minor deviation of the original route, to avoid the care village. A targeted public consultation on a minor segment of the CSET route at the site of the proposed care village at Stapleford was relaunched in August 2022. It is anticipated that the results of the consultation will be taken back to the GCP Executive Board for approval.
- 4.11 Whilst GCSP officers have had some historic dialogue with GCP in respect of this project, to date this has been limited. The GCSP Strategic Sites team is expecting to engage in more comprehensive pre-application dialogue with GCP later this year, once there is more certainty around the project programme.

Stage	Date
Pre-submission discussions with GCSP	Q1 2023/2024
Submission of Final Order	Q2 2023/2024
Public Inquiry (if required)	Q4 2023/2024
Decision	Q1/Q2 2024/2025

**Table:** High Level Project Programme for CSET (Phase 2)

## Cambridge Eastern Access

- 4.12 The Cambridge Eastern Access corridor provides the main access into the city from the east. It consists of the A1134/A1303 Newmarket Road between Quay Interchange and Elizabeth Way and connects with the main strategic road network at A14 Junction 35. Newmarket Road Park and Ride is located approximately 500m west of the junction with Airport Way and is accessed off the A1303.
- 4.13 Phase 1 of the Eastern Access proposals seek to provide a safer and better route for walking, cycling and public transport, through improvements on Newmarket Road including the provision of improved footways, crossings, segregated cycle tracks, bus lanes and junction improvements.
- 4.14 This phase of the proposals also includes relocating and expanding the Newmarket Road Park and Ride site to a larger site from the existing one (which is on a time limited lease). The existing site forms part of the Cambridge Airport development area, one of the most sustainable strategic scale locations for development, as identified in the emerging Greater Cambridge Local Plan.
- 4.15 The development proposed as part of Cambridge Eastern Access Phase 1 along Newmarket Road falls within existing Highway Land and would be deliverable under Permitted Development rights. This process, along with a screening request to CCC under the EIA Regulations 2017 (and which confirmed that the work is not EIA development) has been the subject of discussion between officers from CCC, GCP and GCSP.
- 4.16 Phase 1 of the Cambridge Eastern Access corridor project is at an advanced pre-application stage. Two previous consultations have taken place. In 2020, GCP consulted on short term improvements to walking, cycling and public transport on Newmarket Road; longer term improvements to public transport around the Cambridge Airport site; and upgrades to the Cambridge to Newmarket railway line. In 2021, a consultation took place on options for improving walking, cycling and public transport on Newmarket Road, and the potential relocation of Newmarket Road Park and Ride.
- 4.17 At the time of writing this report, GCP is undertaking a further consultation on the Phase 1 proposals, which runs until 20 March 2023. The focus of this consultation is on improvements to Newmarket Road to make walking and cycling safer, easier and inclusive for all road users.

Feedback is also being sought on the preferred site for a relocated Park and Ride.

4.18 GCP has actively undertaken pre-application engagement with GCSP officers in respect of the Phase 1 proposals since the autumn of 2022.

4.19 Key issues relate to the following:

- Green Belt planning policy considerations.
- Design issues.
- Impact on existing trees, landscape character and biodiversity.
- Sustainability – carbon emissions impact.
- Interaction with adjacent development, including East Barnwell regeneration and Marleigh.

4.20 Officers are expecting to engage with GCP in further pre-application dialogue as the project advances.

Stage	Date
Pre-submission discussions with GCSP	Ongoing
Submission of detailed designs to CCC	Q3 2023
Confirmation of Permitted Development status	Q4 2023

**Table:** High Level Project Programme for Cambridge Eastern Access (Phase 1)

4.21 Consent for the relocated Park and Ride is anticipated to fall under County Council responsibilities under Regulation 3 of the Town and Country Planning Regulations. A full programme for that process will be developed once the GCP Executive Board has agreed a location for that site.

4.22 Consent for Phase B of Cambridge Eastern Access which comprises a busway from the Park and Ride towards the City Centre will be incorporated into the proposals for the Cambridge Airport site, and is anticipated to be delivered by the developer.

### **Waterbeach to Cambridge**

4.23 The Waterbeach to Cambridge project is considering options for improvements to infrastructure to ensure that planned employment and

housing growth (such as Waterbeach New Town), can be accommodated without increasing levels of traffic in Cambridge.

- 4.24 The Waterbeach to Cambridge A10 corridor is one of the key radial routes into Cambridge. The corridor provides the main access into the city from the north-east and consists of the single carriageway A10 between Waterbeach and main strategic road network at Junction 33, Milton Interchange on the A14.
- 4.25 The Waterbeach to Cambridge project is currently at the early pre-application stage. At the time of writing this report, the GCP is consulting on the preferred route options for the Waterbeach to Cambridge busway, including active travel provision, and the location for a new Park and Ride at Waterbeach. This consultation will run until 24 March 2023. It is anticipated that the results of the consultation will be taken back to the GCP Executive Board for approval.
- 4.26 The GCSP Strategic Sites team is expecting to provide input into the TWAO pre-application process for the Waterbeach to Cambridge project later this year, once more certainty around the TWA order programme is known. This will include co-ordination on technical input into the Environmental Statement and the draft planning conditions.

Stage	Date
Pre-submission discussions with GCSP	Q4 2023/2024
Submission of Final Order	TBC
Public Inquiry (if required)	TBC
Decision	TBC

**Table:** High Level Project Programme for Waterbeach to Cambridge

## **5 Greater Cambridge Greenways (various routes)**

- 5.1 The Greater Cambridge Greenways is a new network of twelve walking, cycling and equestrian routes that link up towns and villages with Cambridge. They will follow off-road paths, run along streets or provide facilities alongside busier roads. The routes will link up with other Cambridge projects such as the Chisholm Trail.
- 5.2 The Greenways project are at different stages. At the time of writing this report, a public engagement on the Swaffhams and Bottisham



Greenways is underway, relating to design work. In addition, a public poll is live, relating to signage across the Greenways routes.

- 5.3 The majority of the work relating to the Greenways will be permitted development, and not require planning permission. Planning applications that are required will be submitted to CCC with GCSP as a consultee. Notwithstanding this, GCSP officers have been actively involved in dialogue with GCP to provide advice in respect of technical issues. Work is also ongoing to support the underpinning of strategies behind the wider Greenways project.

<b>Stage</b>	<b>Date</b>
Pre-application design review	Q1 and Q2 2023
Delivery	2023 - 2025

**Table:** High Level Project Programme for Greater Cambridge Greenways Project.

## **6 Implications**

### **a) Financial Implications**

- 6.1 The consideration of and support to the Council in responding to these significant infrastructure projects forms part of the existing funding and responsibilities of the Shared Planning Service. In line with best practice and reflecting the complex technical nature of proposals such as this and the level of specialist engagement required, the Shared Planning Service has entered into a PPA with GCP and CCC to programme and, where required, fund specialist resources to support the Councils consideration and response to projects. In addition, the Council would expect to secure expert legal advice to ensure effective representation at any forthcoming TWA order public inquiry. The cost of and need for such advice has been considered in the service's budget insofar as it is possible to do so at this stage. This report raises no implications for the cost of delivery of that response.

### **b) Staffing Implications**

- 6.2 There are no direct staffing implications arising from this report. A number of officers across this Council and South Cambridgeshire District Councils will contribute to the preparation of the Council responses to the formal TWA order applications and will be required to support the

presentation of the Councils case at the examination in due course. This resource has been considered in the programming of other work across the Shared Planning Service and will be monitored on a regular basis.

### **c) Equality and Poverty Implications**

- 6.3 An Equality Impact Assessment (EQIA) has not been undertaken in respect of this report, as it does not relate to a decision for or against any infrastructure proposal – upon which the Council expects equalities and poverty implications to have been assessed by the promoter. Any TWAO or County application itself will include a comprehensive assessment of the schemes impacts and officers will, in forming a response, have regard to the impact of the project on the Councils equalities objectives. The report is accordingly not considered to give rise to any equality or poverty impacts.

### **d) Net Zero Carbon, Climate Change and Environmental Implications**

- 6.4 See above. The effect of the development on the Councils ambitions for Net Zero and Biodiversity will form a key part of the assessment process that will begin formally upon submission of the TWA order. This report is not considered to have any direct environmental implications.

### **e) Community Safety Implications**

- 6.5 None.

## **7 Consultation and communication considerations**

- 6.1 This report relates to matters on the way that the Council responds to proposals for infrastructure.

## **8 Background papers**

- 7.1 Background papers used in the preparation of this report:
- Report to Planning and Transport Scrutiny Committee meeting 17 January 2023 – Officer Briefing on Major Infrastructure Projects Covered by Officer Delegation ([Public Pack](#))[Agenda Document for Planning and Transport Scrutiny Committee, 17/01/2023 17:30 \(cambridge.gov.uk\)](#)

- Report to Planning and Transport Scrutiny Committee meeting 04 October 2022 – Officer Delegations for Infrastructure Projects [Public reports pack 04102022 1730 Planning and Transport Scrutiny Committee.pdf](#)

## **9 Appendices**

(None)

## **10 Inspection of papers**

9.1 To inspect the background papers or if you have a query on the report please contact Philippa Kelly [philippa.kelly@greatercambridgeplanning.org](mailto:philippa.kelly@greatercambridgeplanning.org)

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## Cambridge City Council

### Record of Executive Decision

#### Cambridgeshire and Peterborough Combined Authority Bus Strategy Consultation Response

Decision of: Councillor Katie Thornburrow, Executive Councillor for Planning Policy and Infrastructure

Reference: 2323/URGENCY/P&T/03

Date of decision: 14/02/23

Date Published on website: 24/02/23

Decision Type: Non-Key

Matter for Decision: To agree the response to the Cambridgeshire and Peterborough Combined Authority Bus Strategy Consultation

Why the decision had to be made (and any alternative options): The Combined Authority is consulting on a draft Cambridgeshire and Peterborough Bus Strategy between 12th January and 23rd February 2023.

The Strategy is a short, high-level document, setting out the main principles of how the Combined Authority will achieve its ambition and more than double bus patronage by 2030.

More details of how the Combined Authority will deliver and fund this are set out in its Bus Service Improvement Plan (BSIP), published in 2021 in response to the publication of the National Bus Strategy: Bus Back Better. The Strategy and BSIP will be regularly reviewed to reflect changing circumstances and to push continuous improvement.

The Strategy is a supporting document to the Local Transport and Connectivity Plan (LTCP), reflecting the ambition to reduce traffic and emissions and provide a much more sustainable transport network that benefits everyone. The Councils responded to the draft LTCP consultation in 2022. The LTCP will be developed further in the light of consultation responses and adopted in 2023.

The Strategy includes the following vision: “The vision is for a comprehensive network of bus services across Cambridgeshire and Peterborough that people find convenient, easy to use, reliable and good value for money, that is inclusive and offers a viable alternative to the car.”

The vision is supported by a number of goals, outcomes and attributes, following which, the Strategy sets out four main principles underpinning the approach to delivering the bus service improvements in this Strategy:

1. Achieving a continuous cycle of passenger growth and service improvement
2. Using the best operational model of provision to achieve the necessary step change in the most effective way
3. Partnership
4. Integration

Finally, the Bus Strategy addresses the following topic issues relevant to delivering the Strategy’s vision:

- An integrated, coherent network linking people to the places they want to get to
- Bus services for rural areas
- Getting to places quickly and on time
- Value for money and simple, integrated ticketing
- Delighting customers

The consultation details and the draft Strategy is hosted on [the Combined Authority’s website](#).

Officers have drafted a proposed brief response to the consultation reflecting the high level nature of the Strategy.

Response to the consultation

It is proposed that the response is joint with South Cambridgeshire District Council, which will separately be considering the response.

The proposed response can be found in Appendix 1 of this report.

The proposed consultation response expresses strong support for the content of the Bus Strategy, and also highlights the importance of translating these aims into delivery, noting a limited number of specific points.

#### Alternative options

The alternative options available are:

1. Agree to submit the response in Appendix A, with possible minor amendments
2. Agree an alternative response.

Executive Councillor's decision: To submit the response in Appendix A to the Cambridgeshire and Peterborough Combined Authority Bus Strategy consultation.

Reasons for the decision: The proposed response addresses issues raised by the consultation.

Scrutiny consideration: The Chair and Spokespersons of Planning & Transport Scrutiny Committee were consulted prior to the action being authorised.

Report: Appendix 1 – Draft Response to the Cambridgeshire and Peterborough Combined Authority Bus Strategy Consultation

Conflict of interest: None

Comments: Councillor S Davies note the reference to increasing the size of the bus fleet, if possible, would also like to record the need for evolution of the interior space available within buses, with greater capacity for bulky pushchairs, mobility aids etc - users of these will increasingly come into conflict with each other if the floorplan of buses remains unchanged.

As part of the consultation response the additional text was included 'As part of this it is important to consider the evolution of the interior space of the buses to provide greater capacity for pushchairs, mobility aids etc.'

No further comments were made.

## **Appendix A: Cambridgeshire and Peterborough Combined Authority draft Bus Strategy consultation 2023 – response by Cambridge City Council and South Cambridgeshire District Council**

Cambridge City Council and South Cambridgeshire District Council strongly support the vision, aims, outcomes and attributes included in the draft Bus Strategy, and the ambition to more than double bus patronage by 2030.

On a particular point, we strongly welcome the aim of delighting customers to transform image of bus travel, and note the importance of ongoing bus maintenance to support this. Furthermore, it is important that the use of buses be championed with support provided to encourage those not used to using the bus to do so, including those who may not be confident about that, e.g., some older people. As part of this it is important to consider the evolution of the interior space of the buses to provide greater capacity for pushchairs, mobility aids etc.

We also particularly support Principle 4 ‘Integration’ on page 12 which recognises the need for greater integration of bus services in areas like Greater Cambridge especially between bus and train & P&R and rural services (both in terms of services and ticketing), and the principle of on demand/demand responsive services in lower-density areas which should be further evaluated (e.g. the potential expansion of the ‘TING’ service launched in rural West Huntingdonshire to other communities across Cambridgeshire). There are also ‘dial-a-ride’ services within Cambridge which could be extended within and beyond Cambridge and be made more efficient through economies of scale. Rural travel hubs such as Whittlesford are also key to this connectivity. Furthermore, where dedicated staff buses are provided by the various campuses eg Granta and Wellcome, consideration should be given as to how best to integrate these services with other rural services for the benefit of employees and local people. Also, the GCP plans for hourly bus services in villages where they do not exist will be key benefits for our communities and the bus strategy should be mindful of this.



We would like to highlight the importance of translating these aims into delivery, including but not limited to the following points:

- As highlighted in the Greater Cambridge Partnership Making Connections consultation, the bus fleet will need to increase very substantively to support the vision and aims.
- As highlighted in our response to the draft Local Transport and Connectivity Plan in 2022:
  - we note the importance of significantly increasing bus depot provision in the Greater Cambridge area to support the proposed increases in bus services. The location of new depots and their potential impacts will require thorough consideration, which will require early engagement with the Local Planning Authorities.
  - We also strongly suggest that to support the shift towards electric vehicles, the Combined Authority commits to working with government and relevant partners to accelerate delivery of new grid capacity to underpin decarbonisation of both private and public transport across the area.

We would recommend that exploration of bus franchising should draw on any lessons learned from others' transport franchising experiences, such as the UK government's rail franchising activities in recent decades.

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## Cambridge City Council

### Record of Executive Decision

#### **Response to Government Consultation: Levelling-up and Regeneration Bill: reforms to national planning policy**

Decision of: Councillor Katie Thornburrow, Executive Councillor for Planning Policy and Infrastructure

Reference: 23/URGENCY/P&T/04

Date of decision: 19/02/23

Date Published on website: 07/03/23

Decision Type: Non-Key

Matter for Decision: To agree the response to the Government Consultation: Levelling-up and Regeneration Bill: reforms to national planning policy

Why the decision had to be made (and any alternative options): The Department for Levelling Up, Housing, and Communities (DLUHC) is seeking views on how they might develop new and revise current national planning policy to support their wider objectives. Collation of feedback is via an open consultation on the changes to the text revisions of the current National Planning Policy Framework (NPPF) with these revisions seeking quick amendment to these sections. However, the consultation also discusses the potential scope of a future consultation on the NPPF, proposes other policy and legislation and includes policy and legislation related to other primary legislation and topics.

Many of the proposals link to national policy changes coming through the content Levelling Up and Regeneration Bill (LURB) which is likely to gain royal assent spring 2023.

Consultation closes on 2 March 2023 and further information can be viewed on the DLUHC webpage for the consultation document:

HYPERLINK- <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>

## **Response to the consultation**

Feedback is requested via submission of written responses to 58 questions included within the document; the councils' response is set out in Appendix 1 with responses proposed for many of the questions but not all. Within the draft response many of the proposals, such as changes to 5-year housing land supply requirements, revisions to the opening chapters and specific changes to paragraph text of the framework are supported. However, the draft response also expresses concerns around some areas such as the transitionary arrangements for plan making and the approach to national development management policies.

Note that the response is proposed to be joint by Cambridge City Council and South Cambridgeshire District Council, subject to each council's individual decision sign of process.

### **Alternative options**

The alternative options available are:

- Agree to submit the response in Appendix 1, with possible minor amendments
- Agree an alternative on no response.

The Council could choose to not respond to consultation, but if no response is made by GCSP, DLUHC would not be made aware of the Council's views on the proposed changes to the NPPF being consulted on through the consultation.

Executive Councillor's decision: Approved the response to the consultation on Levelling-up and Regeneration Bill: reforms to national planning policy as set out in Appendix 1.

Delegated authority is given to the Joint Director for Planning and Economic Development to agree any minor amendments to the response in order to finalise the joint response.

Reasons for the decision: The proposed response addresses issues raised by the consultation.

Scrutiny consideration: The Chair and Spokespersons of Planning & Transport Scrutiny Committee were consulted prior to the action being authorised.

Report: Appendix 1 – Council's Response to Government Consultation: Levelling-up and Regeneration Bill: reforms to national planning policy

Conflict of interest: None

Comments: Councillor S Davies made the following comments in response: This seems like a solid piece of work. I have a couple of observations:

Q48: given the risk this poses; I felt the response could be even more strongly worded

Q53: surprised to see n/a. Given my interests, you won't be surprised to hear that I believe better (and better funded) community engagement (including but not limited to formal consultation and Neighbourhood Plans) is key to delivering Mission 9 'Pride in Place'. Many long-term residents in Cambridge are feeling increasingly detached/alienated from 'their' place as the discussion around changes to, for example, the Beehive and the Grafton Centre, demonstrates. This is something which the planning regime can and should be addressing. A useful specific change would be requiring improvements to the public visibility of planning applications, moving beyond the laminated A4 sheet on the lamp post to something more legible, such as the format used by the City of Vancouver.

**Response to comments:** In response to Cllr. Davies' point, the response to Q.48 was strengthened. Cllr. Davies' points highlighting the importance of community engagement were integrated into the Council's

response to Q.53. It was felt by the Lead Member that Cllr. Davies' suggestion to improving the advertising of applications would be more appropriately dealt with under the next review of the Statement of Community Involvement rather than this consultation.

## Appendix 1

### LURB- Open consultation on the proposed approach to updating to the National Planning Policy Framework

The Department for Levelling Up, Housing, and Communities is seeking views on how they might develop new and revise current national planning policy to support their wider objectives.

**Duration:** closes at 11.45pm on 2 March 2023

### Response by South Cambridgeshire District Council and Cambridge City Council

Question number & wording	GCSPS Response
<b>Q1.</b> Do you agree that local planning authorities should not have to continually demonstrate a deliverable 5-year housing land supply (5YHLS) as long as the housing requirement set out in its strategic policies is less than 5 years old?	Yes. Whilst securing delivery of homes that are needed is important, the current test has many negative consequences. The five-year supply requirements have potential to undermine strategic planning and have detrimental impacts upon Greater Cambridge's built environment. They also lead to annual requirement for costly evidence, and uncertainty to local communities. The Councils support the greater certainty that would be provided by this approach.
<b>Q2.</b> Do you agree that buffers should not be required as part of 5YHLS calculations (this includes the 20% buffer as applied by the Housing Delivery Test)?	Yes. A buffer can help ensure delivery of identified needs, but the need for it and the scale of it can depend on local circumstances. The various percentages adds unnecessary complexity, and the need for any form of buffer should be capable of being considered through the plan making process.
<b>Q3.</b> Should an oversupply of homes early in a plan period be taken into consideration when calculating a 5YHLS later on or is there an alternative approach that is preferable?	Yes. Strategic planning may lead to situations where delivery is higher in the early or later part of a plan period reflecting a chosen development strategy, and the system should be capable of acknowledging that rather than punishing areas which do not have a smooth development trajectory.

Question number & wording	GCSPS Response
<b>Q4.</b> What should any planning guidance dealing with oversupply and undersupply say?	No response.
<b>Q5.</b> Do you have any views about the potential changes to paragraph 14 of the existing Framework and increasing the protection given to neighbourhood plans?	Expanding protection given to Neighbourhood Plans is supported so long as it remains clear that these Plans must help deliver the strategic policies of adopted Local Plans. Such changes may also encourage further neighbourhood plan take up, therefore the government should continue to provide funding to local authorities to support their preparation and adoption.
<b>Q6.</b> Do you agree that the opening chapters of the Framework should be revised to be clearer about the importance of planning for the homes and other development our communities need?	Yes. The changes to paragraphs 1 and 7 emphasise the importance of meeting needs whilst considering sustainability implications. These changes are therefore supported.
<b>Q7.</b> What are your views on the implications these changes may have on plan-making and housing supply?	<p>It is acknowledged that the aim of these changes is to encourage plan making, by enabling greater local consideration of whether it is sustainable to plan for the standard method or whether an alternative figure is more appropriate.</p> <p>The proposed changes emphasises that the standard method is a starting point, which is then followed by a process of considering whether the need identified can be delivered sustainably. The NPPF could be clearer that there are two stages to this. First is identifying what the needs are. The second is consideration of whether those need can be met sustainably.</p>



Question number & wording	GCSPS Response
<p><b>Q8.</b> Do you agree that policy and guidance should be clearer on what may constitute an exceptional circumstance for the use of an alternative approach for assessing local housing needs? Are there other issues we should consider alongside those set out above?</p>	<p>Yes, more guidance would be welcome.</p> <p>The guidance should also acknowledge clearly that there may be areas where need is higher than the standard method 'advisory starting point'. It is noted that in paragraph 11 of the consultation it is intended that this is made clearer in future guidance.</p>
<p><b>Q9.</b> Do you agree that national policy should make clear that Green Belt does not need to be reviewed or altered when making plans, that building at densities significantly out of character with an existing area may be considered in assessing whether housing need can be met, and that past over-supply may be taken into account?</p>	<p>The threat of green belt release being imposed on authorities despite them properly exploring need and the sustainability implications of meeting need and determining the right approach locally, should rightly be removed if plan making is to be encouraged.</p> <p>The 'building at densities significantly out of character' is an interesting addition, but capable of wide interpretation. Further guidance should be provided.</p> <p>There are a range of issues that should be capable of being considered when determining if it is appropriate to plan for the full level of need, and it is not entirely clear why only the three issues highlighted in the consultation have been drawn out. For example, a key issue is infrastructure availability. If identified needs cannot be supported by appropriate infrastructure delivered when it is needed to make development sustainable then then LPAs should be able to plan for less.</p>

Question number & wording	GCSPS Response
<p><b>Q10.</b> Do you have views on what evidence local planning authorities should be expected to provide when making the case that need could only be met by building at densities significantly out of character with the existing area?</p>	<p>In terms of the actual evidence, Heritage Impact Assessment or Design Code can help establish what is the characteristic density of the areas, and what may be appropriate in terms of future densities. Townscape appraisals and visual appraisals which use AVR to assess impact against existing baseline conditions could also be used. Even in historic cities such as Cambridge, there are areas which are more modern and are capable of accommodating relatively taller buildings. Urban areas and the heights of their buildings evolve and there is not one uniform density in many English cities, even historic ones such as Bath or Cambridge. As well as character, other key considerations will include access to services and facilities, and considerations relating to whether development would be sustainable.</p>
<p><b>Q11.</b> Do you agree with removing the explicit requirement for plans to be 'justified', on the basis of delivering a more proportionate approach to examination?</p>	<p>Greater Cambridge authorities experienced a four-year local plan examination as part of their last round of plan making. This led to significant resource demands and costs. It also led to a period where the councils were not able to demonstrate a five-year housing land supply, resulting in many unplanned rural developments now being built out which are causing communities further distress. Changes to national policy are needed to avoid this happening again.</p> <p>The Greater Cambridge area is under significant development pressure, and its plans are heavily scrutinised including by promoters of high value sites. The volume and complexity of evidence needed for plan making is therefore very high, creating significant costs for the authorities and extending the plan making period. More should be done to make the plan making process proportionate and to help authorities deliver plans</p> <p>Changes to the soundness tests to help make evidence requirements proportionate are welcomed, although the actual impact of these changes is not completely clear as it will depend on how they are interpreted, including by the planning inspectorate.</p>

Question number & wording	GCSPS Response
<b>Q12.</b> Do you agree with our proposal to not apply revised tests of soundness to plans at more advanced stages of preparation? If no, which if any, plans should the revised tests apply to?	The proposal to maintain the previous tests for plans that have reached regulation 19 is a pragmatic solution to avoiding abortive work, but the revisions should apply to plans now reaching regulation 19 otherwise there may be a disincentive to proceed.
<b>Q13.</b> Do you agree that we should make a change to the Framework on the application of the urban uplift?	There are no direct implications for Greater Cambridge, but our plan making evidence has demonstrated the importance of delivering homes in highly accessible locations. The country's urban centres have a key role to play in this.
<b>Q14.</b> What, if any, additional policy or guidance could the department provide which could help support authorities plan for more homes in urban areas where the uplift applies?	No response.
<b>Q15.</b> How, if at all, should neighbouring authorities consider the urban uplift applying, where part of those neighbouring authorities also functions as part of the wider economic, transport or housing market for the core town/city?	It is important that authorities work together to consider and address needs. Cambridge and South Cambridgeshire are producing a joint local plan, effectively recognising the functioning of the city within a wider hinterland. Other areas should be aiming to achieve this kind of cooperation. The removal of the Duty to Cooperate raises concerns as to whether it will undermine this. We await detail of what its replacement 'an alignment policy' will entail. As well as development numbers there are other important issues that require cooperation, such as utilities provision.

Question number & wording	GCSPS Response
<p><b>Q16.</b> Do you agree with the proposed 4-year rolling land supply requirement for emerging plans, where work is needed to revise the plan to take account of revised national policy on addressing constraints and reflecting any past over-supply? If no, what approach should be taken, if any?</p>	<p>The Greater Cambridge Local Plan is at the regulation 18 stage. A preferred options consultation was completed in 2021 which included proposed allocations. A full draft plan is planned for later in 2023, but changes in government policy are creating uncertainty and additional burdens adding to the challenges of plan preparation. This significant investment in plan making by the authorities should be recognised by the government.</p> <p>Whilst in the case of Greater Cambridge effective strategic planning means there is currently a robust land supply in place, a reduced land supply technical requirement would reduce the risk of that being undermined whilst plan making continues were there to be any changes in circumstance such as the impact of national economic factors.</p> <p>The proposal refers to a two year period, but there may be circumstances where plan making takes longer than this for justified reasons.</p> <p>The Greater Cambridge Local Plan timetable is impacted by a number of outside factors, most significantly the outcome of a DCO process to relate a waste water treatment works that would free up a key development site. DHLUC should acknowledge such local circumstances when applying such tests and requirements.</p>
<p><b>Q17.</b> Do you consider that the additional guidance on constraints should apply to plans continuing to be prepared under the transitional arrangements set out in the existing Framework paragraph 220?</p>	<p>Yes.</p>

Question number & wording	GCSPS Response
<p><b>Q18.</b> Do you support adding an additional permissions-based test that will ‘switch off’ the application of the presumption in favour of sustainable development where an authority can demonstrate sufficient permissions to meet its housing requirement?</p>	<p>This is supported, as there can be circumstances, such as in Greater Cambridge, where significant efforts have been made to bring forward developments through development plans and then through the granting of planning consents. Delivery of those homes is outside the gift of authorities to control. Authorities should not be punished with uncontrolled development because of the decisions of developers where authorities have acted to grant permissions for deliverable schemes.</p> <p>However, the consultation is not clear how this would be measured. This should not be based simply on permissions granted in the relevant 3 year period. It should take account of the stock of live permissions granted, as large sites can take years to build out but remain developable sites. This would provide a true indicator of whether the authority has made efforts to support delivery through granting planning permissions.</p>
<p><b>Q19.</b> Do you consider that the 115% ‘switch-off’ figure (required to turn off the presumption in favour of sustainable development Housing Delivery Test consequence) is appropriate?</p>	<p>115% would seem a reasonable figure.</p>
<p><b>Q20.</b> Do you have views on a robust method for counting deliverable homes permissioned for these purposes?</p>	<p>Local Planning Authorities monitor the number of homes with planning permission but not yet built. This data should therefore be readily available.</p> <p>However, implication of the question is that it would not just be consents granted, but a deliverability test, similar to that used in trajectories to demonstrate a five year housing land supply. Whilst the changes addressed at question 1 remove the resource requirement for maintaining and evidencing detailed trajectories, there is a risk that this would maintain it, this nullifying the benefit.</p>

Question number & wording	GCSPS Response
<p><b>Q21.</b> What are your views on the right approach to applying Housing Delivery Test consequences pending the 2022 results?</p>	<p>Whilst Greater Cambridge authorities anticipate meeting the 2022 tests in their current form, the revisions are supported, therefore should be implemented as soon as possible.</p> <p>We would like to remind DHLUC that the current tests assess Cambridge and South Cambridgeshire separately, whereas Cambridge and South Cambridgeshire's adopted local plans take a joint approach to housing delivery. We have raised this issue previously, and it should be rectified.</p>
<p><b>Q22.</b> Do you agree that the government should revise national planning policy to attach more weight to Social Rent in planning policies and decisions? If yes, do you have any specific suggestions on the best mechanisms for doing this?</p>	<p>Delivering more social rent homes is important in areas such as Greater Cambridge when housing affordability is extremely challenging. Much of the new supply in the area for rented affordable housing has been in the form of Affordable Rent which can be set at up to 80% of market rent. Affordable Rent is often unaffordable to lower income groups because of the higher market rents in the area.</p> <p>Viability is a key issue when considering what affordable housing mix can be delivered. With the proposals within the Ministerial Statement dated May 2021 for the introduction of First Homes, this places further pressure on viability for registered providers due to the likely reduction in shared ownership and the ability to cross-subsidise the rented.</p> <p>As First Homes is not mentioned within the revised NPPF, it is unclear as government's direction on this tenure and the proposed obligations on developers.</p> <p>Reference to Affordable Rents being set at no more than the Local Housing Allowance, unless otherwise agreed with the local authority, would be helpful to help to make Affordable Rent homes as affordable as possible to those on low incomes.</p> <p>In terms of social rent, where local authorities are identified as 'areas of high affordability pressure' there needs to be additional grant funding available to help fund social rented homes rather than Affordable Rented Homes on S.106 schemes.</p>

Question number & wording	GCSPS Response
<p><b>Q23.</b> Do you agree that we should amend existing paragraph 62 of the Framework to support the supply of specialist older people's housing?</p>	<p>The proposed change to the NPPF provides specific tenure types suitable to meet older peoples needs. The value of this is recognised given that the demographics are clear in terms of an ageing population. Further guidance would be helpful to understand the different models for older people. Specifically, clarification on the planning use classification C2 or C3 when considering extra care housing and retirement type villages would be helpful.</p> <p>The proposal to ensure all new homes are built to M4(2) technical standards would also help to future-proof new homes to enable residents to live longer and independently in their existing home. Further consideration should also be given to how best to ensure homes are available to those that need M4(3).</p>

Question number & wording	GCSPS Response
<p><b>Q24.</b> Do you have views on the effectiveness of the existing small sites policy in the National Planning Policy Framework (set out in paragraph 69 of the existing Framework)?</p>	<p>National policy should be supportive of the delivery of small sites, but this must not be at the cost of delivering a sustainable development strategy.</p> <p>Chapter 5 Paragraph 11 of the consultation references a focus on supporting small sites in urban areas. Cambridge and South Cambridgeshire would support this focus. Whilst supportive of the recycling of land in settlements, and encouraging large sites to support smaller developers, there is a danger that strengthening the small sites requirement could undermine the delivery of sustainable development if it forced plans to identify large numbers of small sites on the edges of villages. Plan making evidence shows that this would be the case in Greater Cambridge, and that such strategy would be counter to sustainability and achievement of net zero carbon. There should be sufficient flexibility for local circumstances to be considered when preparing local plans. There are many elements proposed in this consultation to provide local flexibility to respond to local circumstances. This is another policy area where this is vital.</p> <p>Currently the small sites policy does little to help provide affordable housing that meets housing needs. Reference to entry-level exception sites is still made, although this was superseded by the Ministerial Statement in May 2021 relating to First Homes Exception Sites. First Homes does not meet all affordable housing needs and there should be greater flexibility to bring forward 100% affordable homes to meet wider housing needs, rather than concentrated 'local' needs through rural exception site policies.</p>



Question number & wording	GCSPS Response
<p><b>Q25.</b> How, if at all, do you think the policy could be strengthened to encourage greater use of small sites, especially those that will deliver high levels of affordable housing?</p>	<p>Given sites of 10 or less dwellings can no longer be required to provide affordable housing by national planning policy, many small sites will not actually help overall affordable housing delivery. For some villages, this means that there is no prospect of providing affordable housing. Local flexibility to require affordable housing on smaller sites where it is demonstrated to be viable would help.</p> <p>Whilst supportive of the recycling of land in settlements, and encouraging large sites to support smaller developers, there is a danger that strengthening the small sites requirement could undermine the delivery of sustainable development if it forced plans to identify large numbers of small sites on the edges of villages. Plan making evidence shows that this would be the case in Greater Cambridge, and that such strategy would be counter to sustainability and achievement of net zero carbon. There should be sufficient flexibility for local circumstances to be considered when preparing local plans. There are many elements proposed in this consultation to provide local flexibility to respond to local circumstances. This is another policy area where this is vital.</p>
<p><b>Q26.</b> Should the definition of “affordable housing for rent” in the Framework glossary be amended to make it easier for organisations that are not Registered Providers – in particular, community-led developers and almshouses – to develop new affordable homes?</p>	<p>Whilst we support greater emphasis on community-led development and would welcome a clear definition for this within the Glossary, we are cautious if the affordable housing for rent definition was too general in terms of its management. There are wider implications where the housing provider is not regulated by the Social Housing Regulator or does not have the governance safeguards in place in respect of mortgage in possession clauses.</p>
<p><b>Q27.</b> Are there any changes that could be made to exception site policy that would make it easier for community groups to bring forward affordable housing?</p>	<p>Exception site policy has to meet identified housing need at a moment in time. Generally delivery of exception site schemes would be easier to deliver where the wider context of housing need is taken into consideration, rather than a snapshot in time.</p>

Question number & wording	GCSPS Response
<b>Q28.</b> Is there anything else that you think would help community groups in delivering affordable housing on exception sites?	Increase in capital funding, including for land purchase, and set up costs. A Nationally funded hub to help guide community groups through the process would also help.
<b>Q29.</b> Is there anything else national planning policy could do to support community-led developments?	Whilst community-led development is one way to bring forward affordable housing, in reality this is a very small proportion. One of the main barriers for groups locally is access to free or cheap land. Therefore, overall flexibility to deliver exception sites through working with registered providers is likely to see greater increases in delivery.
<b>Q30.</b> Do you agree in principle that an applicant's past behaviour should be taken into account into decision making?	<p>Whilst it may appear desirable these approaches are fraught with difficulties. Planning consent goes with the land as it is based on planning merits. These proposed changes would move away from those principles.</p> <p>They present legal risks that will fall on local planning authorities, as implementation practice is likely to be developed by case law. If either approach is selected any legislation or regulations will need to be extremely carefully crafted and clear.</p>
<b>Q31.</b> Of the two options above, what would be the most effective mechanism? Are there any alternative mechanisms?	Option 1 has the usual appeal routes if an applicant doesn't agree with a decision. It is not clear what the recourse would be with option 2, but presumably it would be the courts. This would appear to bring with it significant risk of costs to the authorities.
<b>Q32.</b> Do you agree that the 3 build out policy measures that we propose to introduce through policy will help incentivise developers to build out more quickly? Do you have any comments on the design of these policy measures?	Proposal b requires developers to explain how they propose to increase the diversity of housing tenures to maximise a development scheme's absorption rate. This maximisation must be balanced against other factors such as providing a mix which responds to local housing needs, and a mix necessary to deliver successful and balanced communities.

Question number & wording	GCSPS Response
<p><b>Q33.</b> Do you agree with making changes to emphasise the role of beauty and placemaking in strategic policies and to further encourage well-designed and beautiful development?</p>	<p>Yes. Cambridge and South Cambridgeshire strongly support policy changes which support their ability to require good design. It would be useful to point towards guidance on how to assess this should be assessed, including how this links to the national design code.</p> <p>Whilst Design Codes are useful tools, there are resource implications if these are going to be prepared by local authorities. There are linkages to funding issues that need to be addressed, including through the upcoming planning fees consultation. There needs to be a recognition that Design Codes need to be supplemented by skills, good governance, proper integration into the planning process, and checking compliance etc if they are to make a difference in improving the quality of developments. The importance of collaboration with communities and landowners needs to be emphasised.</p>
<p><b>Q34.</b> Do you agree to the proposed changes to the title of Chapter 12, existing paragraphs 84a and 124c to include the word 'beautiful' when referring to 'well-designed places', to further encourage well-designed and beautiful development?</p>	<p>Yes. Insertion of the word beautiful in several places within the NPPF is welcomed, but the impact this has will come down to its interpretation and the ability of Councils to make strong decisions on design which are backed at appeal. Clear guidance would need to be given to Planning Inspectors who consider appeals on this basis.</p>

Question number & wording	GCSPS Response
<p><b>Q35.</b> Do you agree greater visual clarity on design requirements set out in planning conditions should be encouraged to support effective enforcement action?</p>	<p>Yes. Conditions should reference clear and accurate plans that provide assurance on the quality of scheme, and that provide detail at an appropriate scale that ensure that its intention can be implemented. Requirements should make clear that they need to be submitted in an easy to use format that can be easily examined. Changes to national planning guidance would assist where they make requirements for such plans clear to developers.</p> <p>Some conditions are incredibly costly to discharge such as details on large developments and hence any change in fee or encouragement to use pre-application consultation processes here would be well received. It should be made clear that conditions should not be discharged where they deliver poor quality (ugliness), not in accordance with the original design intention for which permission was issued.</p>
<p><b>Q36.</b> Do you agree that a specific reference to mansard roofs in relation to upward extensions in Chapter 11, paragraph 122e of the existing framework is helpful in encouraging LPAs to consider these as a means of increasing densification/creation of new homes? If no, how else might we achieve this objective?</p>	<p>It is surprising that a consultation on the National Planning Policy Framework makes such a specific reference to Mansard roofs.</p> <p>There are a number of ways densification appropriate to its surroundings can be achieved. The form should be left to individual authorities to assess dependent on what is appropriate in a particular context. There is a danger that this policy may lead to mansards being proposed in unsuitable locations, and making it difficult to resist at appeal due to an NPPF reference, in conflict with good design/beauty.</p>
<p><b>Q37.</b> How do you think national policy on small scale nature interventions could be strengthened? For example, in relation to the use of artificial grass by developers in new development?</p>	<p>The principles in the associated National Design Guide are sound in relation to mitigation hierarchy and BNG. Artificial grass would count as sealed surface within the DEFRA metric and therefore offer no BNG units or wider SUDs benefits.</p> <p>There are potential requirements that could be introduced, such as requirement for integrated bird boxes to be included in all suitable dwellings. Greater Cambridge has a requirement in SPD like this, to ensure all developments help address declines of swift, house martin, house sparrow and starlings. This may require cross referencing with building regs.</p>

Question number & wording	GCSPS Response
<p><b>Q38.</b> Do you agree that this is the right approach making sure that the food production value of high value farm land is adequately weighted in the planning process, in addition to current references in the Framework on best most versatile agricultural land?</p>	<p>No. Whilst recognising the value of agricultural land, there are also circumstances where in order to meet needs its development cannot be avoided. The amendments proposed to the footnote in the NPPF do not provide clear guidance regarding how this issue should be considered in practical terms, leading to uncertainty. For example, what does it mean by availability, nationally? within the county? etc.</p> <p>There is also a missed opportunity to strengthen the NPPF in so far as supporting local food growing as an integral part of the design of new developments, for example through the provision of community gardens and allotments and integrating informal opportunities as part of the landscaping of new developments.</p>

Question number & wording	GCSPS Response
<p><b>Q39.</b> What method or measure could provide a proportionate and effective means of undertaking a carbon impact assessment that would incorporate all measurable carbon demand created from plan-making and planning decisions?</p>	<p>The development of a methodology to enable the assessment of the carbon implications of spatial strategies and growth numbers can be a powerful tool in helping to reduce the climate impacts of proposed development. When combined with other evidence such as Local Area Energy Plans, it can help to direct development to more sustainable locations that help reduce reliant on the private car, and can also identify areas where issues such as grid constraints may impact on the speed of decarbonisation, helping to provide further evidence of the need for local plans to promote more ambitious net zero carbon standards that will meet areas net zero carbon targets, help to reduce peak demands and improve the resilience of the grid.</p> <p>As part of the evidence for the emerging Greater Cambridge Local Plan, we have commissioned consultants to undertake a carbon assessment of the various spatial strategy and growth options to help inform decision making around the location of growth. This has involved the development of a tool to enable the analysis of the carbon emissions associated with building's operational emissions (e.g. comparing the Future Homes Standard with more ambitious net zero carbon standards that take account of all energy used), transport related emissions and embodied carbon. This assessment has enabled us to direct our spatial strategy towards more sustainable locations, where priority can be given to more sustainable forms of transport. This assessment could be replicated for other local authority areas as much of the data used is taken from nationally available data sets.</p>

<p><b>Q40.</b> Do you have any views on how planning policy could support climate change adaptation further, specifically through the use of nature-based solutions that provide multi-functional benefits?</p>	<p>As part of our emerging Greater Cambridge Local Plan we have prepared a substantial number of policies relating to climate change adaption and mitigation which seek to provide substantive solutions, often beyond current national requirements: <a href="https://greatercambridgeplanning.org">Climate change   Greater Cambridge Shared Planning (greatercambridgeplanning.org)</a></p> <p>Whilst ideally national policy will be changed to provide the equivalent or stronger requirements, local planning authorities must have the flexibility to provide their own policy responses which can be adapted to what is needed or what is possible in a local area. There is a concern that National Development Management policies could undermine our local efforts to address climate change. For example, reliance on the Future Homes Standard, which is predicated on grid decarbonisation to achieve true net zero carbon operational emissions, is a significant concern in areas like Greater Cambridge, where grid capacity constraints are already impacting on decarbonisation projects and restricting the ability of new large scale renewable energy generation to connect to the grid in a timely manner. One should also not overlook the significant pressure on grid decarbonisation that is coming from the need to retrofit the existing building stock. New development can not be allowed to add to that burden.</p> <p>Another example of this is water efficiency. Current government policy only allows an alternative water efficiency standard of 110lpd. In Greater Cambridge there is evidence of a need for stronger standards of 80 lpd, and support for this from the local water companies. Such a standard is needed to support meeting development needs, and Local Planning Authorities should have the flexibility to set standards where there is local evidence justifying it.</p> <p>There is reference in the consultation to requirements for more frequent updates to strategic Flood Risk Assessments. Whilst in Greater Cambridge we have updated our SFRA to support each new plan making cycle these studies are expensive, and significantly reliant on data from other parties, in particular the Environment Agency and the Lead Local Flood Authority. Unless those other parties provide suitable</p>
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Question number & wording	GCSPS Response
	<p>modelling and data this could place a significant additional burden on Local Planning Authorities.</p> <p>We welcome the references in the consultation document to addressing issues such as overheating, with more focus to nature-based solutions and multi-functional benefits. It is vital that this takes place in combination with front loading the building design process to ensure that passive design measures are integrated into all development proposals to reduce the overheating risk, prior to schemes being assessed against the new Part O requirements. Such an approach will also help to speed up the delivery of new homes as it will reduce the risk of amendments being required to permitted schemes in order to address issues identified as part of Part O assessments, which are often undertaken after planning permission has been granted. The National Model Design Code should also be strengthened in relation to promoting design solutions to mitigate overheating risk.</p>
<b>Q41.</b> Do you agree with the changes proposed to Paragraph 155 of the existing National Planning Policy Framework?	Yes
<b>Q42.</b> Do you agree with the changes proposed to Paragraph 158 of the existing National Planning Policy Framework?	Yes.
<b>Q43.</b> Do you agree with the changes proposed to footnote 54 of the existing National Planning Policy Framework? Do you have any views on specific wording for new footnote 62?	Yes. Evidence prepared to inform our emerging local plan identifies that in order to support the transition to net zero carbon and keep Greater Cambridge within its carbon budget, the Local Plan will need to facilitate both community and commercial scale renewable energy generation, with a blend of both wind and solar based energy. The NPPF changes proposed make it more practicable to consider such policy through local plans, it is therefore supported. The changes also support local communities to bring forward schemes if they choose to do so.



Question number & wording	GCSPS Response
<b>Q44.</b> Do you agree with our proposed Paragraph 161 in the National Planning Policy Framework to give significant weight to proposals which allow the adaptation of existing buildings to improve their energy performance?	<p>Yes. Adaptation of existing buildings is a vital element of responding to climate change.</p>
<b>Q45.</b> Do you agree with the proposed timeline for finalising local plans, minerals and waste plans and spatial development strategies being prepared under the current system? If no, what alternative timeline would you propose?	<p>No. There may be local circumstances that make the transitional deadline impractical to achieve, and could cause unintended delays in plan making. DHLUC need to recognise particular local circumstances, in order to avoid undermining authorities which are committed to plan making but face challenging local circumstances. In the case of Greater Cambridge there a range of local circumstances, including awaiting the outcome of a DCO on a HIF backed scheme (the North East Cambridge site) which is significant to the development strategy. This means that a plan where active work is happening now at reg 18 could slip beyond the transition date for the reg 19 stage.</p> <p>The timelines outlined in the consultation imply work on a new style plan can only commence in 2024. However even if the new system is chosen as the format of the plan it should be capable of taking into account plan making that has taken place before this, in particular public consultations that have been used to shape an emerging development strategy.</p>

Question number & wording	GCSPS Response
<p><b>Q46.</b> Do you agree with the proposed transitional arrangements for plans under the future system? If no, what alternative arrangements would you propose?</p>	<p>No. DHLUC need to recognise particular local circumstances, in order to avoid undermining authorities which are committed to plan making but face challenging local circumstances. In the case of Greater Cambridge there a range of local circumstances, including awaiting the outcome of a DCO on a HIF backed scheme which is significant to the development strategy. This means that a plan where active work is happening now at reg 18 could slip beyond the transition date for the reg 19 stage.</p> <p>There is reference in the consultation to local plan reviews taking a maximum of 30 months to complete. This may be possible in many areas, but in complex areas with a large range of complex and often competing issues, where there is a strong desire to achieve high quality consultation and engagement, and where examinations even under the new system may take time, this may simply end up being impracticable. Deadlines should not be imposed in a way which undermine the quality of plan making or penalise those areas where LPAs are committed to plan making but have to address these challenges.</p>
<p><b>Q47.</b> Do you agree with the proposed timeline for preparing neighbourhood plans under the future system? If no, what alternative timeline would you propose?</p>	<p>More clarity is required in relation to how Neighbourhood Plan groups will review their existing plans. Clear guidance should be provided for local groups regarding the implications. If the area of the plan has not substantially changed, then how will the group be able to complete a quick review of the old plan for example, rather than having to complete a whole-new style plan just to satisfy the new requirements. Preparing a plan is a significant commitment for volunteers, and they should be supported by a system which helps them.</p>

Question number & wording	GCSPS Response
<p><b>Q48.</b> Do you agree with the proposed transitional arrangements for supplementary planning documents? If no, what alternative arrangements would you propose?</p>	<p>This proposal is very concerning given the important role these documents play. SPDs provide valuable guidance to assist consideration of planning applications, to ensure development is sustainable and to assist applicants to understand policy implementation. The simple expiry of plans risks undermining sustainable development. If the policies and guidance within them continue to accord with national policy (which could be demonstrated through a health check for example), why would they no longer be capable of being accorded any weight until they can be replaced.</p> <p>A significant volume of issues are addressed in SPD. The implication is anything LPAs wish to continue with must be included in a new local plan or a supplementary plan prepared alongside it. So not only must LPAs review a local plan in 30 months they must also review all their SPDs.</p> <p>There is no detail provided on the process for adoption of a supplementary plan. The level of detail that is required to change a document from an SPD to a Supplementary Plan is not stated. Will this necessitate a complete update of the document? If so, this will require a substantial amount of officer time and council resources.</p>
<p><b>Q49.</b> Do you agree with the suggested scope and principles for guiding National Development Management Policies?</p>	<p>Whilst the principles look reasonable, they also offer significant scope for issues to be added to national policies which pass planning policy control to a national rather than local level. This risk is compounded by national policies taking precedence over local, which could result in a fundamental shift of local policy to the national level.</p> <p>There are clear benefits to establishing national policies set around current NPPF guidance on key topics which is applied as policy in all but name and provide a standardised national approach (such as flood risk), but this approach should be carefully applied if local control of planning decisions is not to be undermined.</p>

Question number & wording	GCSPS Response
<b>Q50.</b> What other principles, if any, do you believe should inform the scope of National Development Management Policies?	A key principle should be that National Development Management policies should not undermine the ability of local planning authorities to develop local policies which respond to the issues and opportunities of their area.
<b>Q51.</b> Do you agree that selective additions should be considered for proposals to complement existing national policies for guiding decisions?	Whilst the 'policy gaps' identified are important issues, they once again present the opportunity for national policy to limit local opportunity to address issues. Optional technical standards can be helpful if they are aspirational and challenging, but previous examples have actually reduced the ability of local authorities to respond to issues.
<b>Q52.</b> Are there other issues which apply across all or most of England that you think should be considered as possible options for National Development Management Policies?	Flood risk, heritage, protection of playing fields and allotments, and green belt provide typical examples where there is clear national practice that could be translated into policy.
<b>Q53.</b> What, if any, planning policies do you think could be included in a new framework to help achieve the 12 levelling up missions in the Levelling Up White Paper?	Mission 9 'Pride in Place' could be assisted by supporting effective engagement in planning matters.
<b>Q54.</b> How do you think that the framework could better support development that will drive economic growth and productivity in every part of the country, in support of the Levelling Up agenda?	The consultation advises they are particularly interested in labs and R&D. In the Greater Cambridge area there is significant demand for these types of uses, and the LPAs are seeking to ensure appropriate provision through a new local plan. Where there is speculative development, the framework should encourage major employment proposals to consider their housing impacts and seek opportunities to deliver mixed use developments
<b>Q55.</b> Do you think that the government could go further in national policy, to increase development on brownfield land within city and town centres, with a view to facilitating gentle densification of our urban cores?	If policy changes are proposed, they need to be carefully prepared to ensure they take account of local character and heritage, and are designed to create high quality urban environments.

Question number & wording	GCSPS Response
<p><b>Q56.</b> Do you think that the government should bring forward proposals to update the framework as part of next year's wider review to place more emphasis on making sure that women, girls and other vulnerable groups in society feel safe in our public spaces, including for example policies on lighting/street lighting?</p>	<p>Making places inclusive has been an aim of local planning policy, adding support in the national framework would be helpful.</p>
<p><b>Q57.</b> Are there any specific approaches or examples of best practice which you think we should consider to improve the way that national planning policy is presented and accessed?</p>	<p>Detail of the Infrastructure Levy is need as soon as possible because of the uncertainty it is causing, although note the Councils remain concerned about how the approach could impact on infrastructure delivery and funding, and this was reflected in its response to previous consultations on this. Delivery of infrastructure including utilities is a key issue that has the potential to delay delivery and more needs to be done to address this.</p> <p>There remain significant opportunities for building standards and other policies to respond more effectively to climate change. The policies and evidence developed for the Greater Cambridge Local Plan demonstrate a range of potential policy improvements.</p> <p>More should also be done in national guidance to support local nature recovery.</p>
<p><b>Q58.</b> We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.</p>	<p>No response.</p>

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