



To: Executive Councillor for Planning and Climate Change: Councillor Tim Ward  
Report by: Head of Planning Services  
Relevant scrutiny committee: Development Plan Scrutiny Sub Committee 27/3/2013  
Wards affected: All Wards

## **CAMBRIDGE LOCAL PLAN - TOWARDS 2031**

### **Additional Sections of Draft Plan for Consideration – Tranche 2 (of 4)**

- Section Two (part) The Spatial Strategy - Standing Item, no recommendations
- Section Four - Supporting the Knowledge Economy and Managing Visitors
- Section Five - Maintaining a Balanced Supply of Housing (Draft policies on Specialist Housing, Lifetime Homes and Lifetime Neighbourhoods, Protecting Garden Land and Subdivision of Existing Dwelling Plots, Flat Conversions, Residential Moorings)

### **Non Key Decision**

#### **1. Executive Summary – Background**

- 1.1 The current Local Plan was adopted in July 2006 and runs to 2016 and beyond. The committee report to 25 March Development Plan Scrutiny Sub Committee explained the background and next steps for the new Local Plan.
- 1.2 This committee report covers further sections of the draft plan, including the sections concerning the knowledge economy (higher and further education and employment) and the first group of housing policies.

#### **2. Recommendations**

- 2.1 This report is being submitted to the Development Plan Scrutiny Sub-Committee for prior consideration and comment. The Executive Councillor for Planning and Climate Change is recommended:

- a) To agree those draft plan sections to be put forward into the composite full draft plan;
- b) To also consider feedback from this committee on the accompanying policy justification documents for each draft policy which will be published alongside the draft plan as an audit trail of how the policy was evidenced, consulted on and assessed;
- c) To agree that any amendments and editing changes that need to be made prior to the version put to Environment Scrutiny Committee in June and Full Council in June should be agreed by the Executive Councillor in consultation with the Chair and Spokesperson.

### 3. Legal and National Policy Requirements

3.1 There are a number of legal duties that members must consider in submitting any development plan. These are summarised as:

1. Whether the plan has been prepared in accordance with the **Local Development Scheme** and in compliance with the **Statement of Community Involvement** [The Planning and Compulsory Purchase Act 2004<sup>1</sup> (the Act) sections 19(1) and 19(3) respectively]
2. Whether the plan has had regard to **policies developed by a local transport authority** in accordance with section 108 of the [Transport Act 2000](#) [Reg 10(a)]
3. Whether the plan pursues the objectives of **preventing major accidents and limiting consequences of accidents** by pursuing those objectives through the controls described in Article 12 of [Council Directive 96/82/EC](#) [The Seveso directive] [Reg 10 (b) (c)]
4. Whether it has been subject to a **strategic environment assessment**, and where required an appropriate assessment of impact on any sites falling under the EU Habitat (and Birds) directive [The Act Section 19(5), [EU Directive 2001/42/EC](#), [The Environmental Assessment of Plans and Programmes Regulations 2004](#), [EU Habitats and Birds Directives Directive 92/43/EEC](#), [The Conservation of Habitats and Species Regulations 2010](#)]

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<sup>1</sup> Note 'The Act' refers to [The Planning and Compulsory Purchase Act 2004](#). The Regulations refers to the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

5. Whether the plan is compatible with the requirements of the [EU Water Framework Directive](#) and any River Basin Management Plans prepared under that directive [[Directive 2000/60/EC](#)]
  6. Whether the plan has regard to the **National Waste Management Plan** [Reg 10(d) and [Waste \(England and Wales\) Regulations 2011](#)]
  7. Whether the plan is in **general conformity to the Regional Spatial Strategy** [The Act Section 24 – does not apply as the RS the East of England Plan has been revoked – [The Regional Strategy for the East of England Revocation Order 2012](#)].
  8. Whether the plan has regard to any **Sustainable Community Strategy (SCS)** for its area; [section 19(2)(f), section 4 of the [Local Government Act 2000](#)]<sup>2</sup>
  9. Whether the plan meets the **procedural requirements involving publicity and availability of the development plan document and related documents**; [The Act Section 20(3), prescribed documents Reg 17 and Reg 22, Consultation Reg 18, Submission Reg 22]
  10. Whether the plan meets the **Duty to Cooperate** [The Act Section 33A, Reg 4]
- 3.2 Plans must also meet the soundness tests as set out in the National Planning Policy Framework, that (paragraph 182).

A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

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<sup>2</sup> [The Cambridge SCS](#) was adopted by the Cambridge Local Strategic Partnership in 2004 and has not been updated. The Local Strategic Partnership no longer sits being replaced by a Public Services Board which does not produce an SCS. [There is also a Cambridgeshire LPS SCS adopted in 2006.](#)

- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

#### **4. Ongoing Work on Objectively Assessed Need for Housing and Employment**

4.1 The forthcoming Spatial Strategy chapter will set out the results of the evidence work in terms of the objectively assessed needs for housing and employment land. This is a key central theme of plan making in the wake of the National Planning Policy Framework (NPPF) and the Localism Act 2011, as now local planning authorities are responsible for setting their own level of housing and employment provision rather than targets being set at a regional level through Regional Spatial Strategies (RSS).

4.2 This section is not put to you for agreement but to update you that a number of detailed technical challenges were made to the methodology used to determine this by the City Council and other authorities in Cambridgeshire in the Issues and Options 2 consultation. There have also been developments at Local Plan Examinations in Public, and subsequent judicial review hearings, across the country on how to interpret the NPPF on the question of 'objectively assessed need'. Appendix F summarises these. There is no current national requirement for how 'objectively assessed need' should be determined. Only now is guidance emerging from Government to assist local authorities with this. For some councils who are further along with their plan production this has become a major source of plan delay.

4.3 As a result of these issues the Cambridge Sub-Regional Housing Board which commissions the Strategic Housing Market Assessment (SHMA) has met and agreed a recommendation that:

*“further work is undertaken to consider the objectively assessed need for the housing market area. This should examine issues beyond the current largely trend based housing figures.” (Item 5 1<sup>st</sup> March 2013 meeting)*

4.4 Officers from a number of bodies involved in the Strategic Housing Market Assessment have been working intensively on the Strategic Housing Market Assessment outputs on 'objectively assessed needs'. It is hoped that agreement can be reached and the results of this presented to you at the next Development Plan Scrutiny Sub-Committee meeting.

## **5. Section Four - Supporting the Knowledge Economy and Managing Visitors**

5.1 The following policies are proposed on:

-Business Space

- Policy 22: Development & Expansion of Business Space
- Policy 23: Ensuring Space for Jobs

-Communications

- Policy 24: Connecting New Developments to Digital Infrastructure

5.2 The approach suggested follows the approach agreed to the broad direction of policy development suggested in response to Issues and Options consultation and discussed previously at Development Plan Scrutiny Sub-Committee. The policies have been developed to give clarity on what applications would be permitted where for the main employment uses. Draft Policy 22 provides this overarching approach for new development with an emphasis on securing sufficient space over the lifetime of the plan for office, R&D and research uses. A difficulty with this is that the approach to specific areas inevitably needs to tie in with the overall strategy, which is not yet due to go before members. Therefore the reference to specific areas is framed in a fairly general way as the emerging work on areas such as developing a shared vision for the area around Science Park Station in North East Cambridge will allow for this to be worked up over the following weeks in partnership with key stakeholders.

5.3 A key suggested policy change would be the dropping of the selective employment policy. The reasons for this are set out in the policy justification document and the same recommendation is going before members in South Cambridgeshire. The Cambridge Cluster at 50 report and the Employment Land Review 2012 commissioned by both Councils concluded that the policy was harming the expansion of existing businesses and businesses locating to the area that could benefit the local knowledge sector economy. The February 2013 meeting of the Development Plan Scrutiny Sub Committee considered this issue and agreed that the policy could be changed.

5.4 Draft policy 23 seeks to expand the approach in the current Local Plan of protecting of industrial and storage land to cover all types of employment land. Although sites in Protected Industrial Sites would still be required to seek other industrial uses in the first instance.

5.5 Draft policy 24 requires provision for high speed broadband to be installed at the outset of development.

-Universities, Higher and Further Education and Specialist Schools

- Policy 25: University Faculty Development

5.6 The approach suggested follows the approach agreed to the broad direction of policy development suggested in response to Issues and Options consultation and discussed at Development Plan Scrutiny Sub-Committee. The policy is part of a broader overall strategy which allows for continued growth of the universities (with associated accommodation) but with the quid-pro-quo set out in the section on housing policy that student housing (subject to certain exemptions) does not crowd out space for social rented and other intermediate affordable housing as defined in the plan.

5.7 This is a key contrast with policies followed in Oxford which does effectively cap growth of their University on housing grounds and so should allow for expansion which retains our universities' international competitiveness. It is proposed that the two universities are covered by one policy, as the material issue in planning terms is growth of the HFE sector rather than the specific institution. This is accomplished by a small suggested expansion of the City Centre Boundary to encompass Anglia Ruskin and some other City Centre uses. The issue of the detailed City Centre boundary will be considered at a future meeting.

- Policy 26: Specialist Colleges and Language Schools

5.8 The approach suggested follows the approach agreed to the broad direction of policy development in response to Issues and Options consultation. It recognises the economic benefits these institutions bring to the local economy (£78m per annum), and allows for their expansion if they meet the accommodation and amenity needs of any new non-local students.

-The Visitor Economy

- Policy 27: Development and Expansion of Hotels
- Policy 28: Ensuring Space for Hotels in the City Centre and Along Public Transport Corridors
- Policy 29: Visitor Attractions

5.9 The approach suggested follows the approach agreed to the broad direction of policy development in response to Issues and Options consultation and discussed at Development Plan Scrutiny Sub-Committee. It makes a distinction between those sectors under and overprovided with accommodation and allows for consideration of applications for high grade hotels on sites where uncertainties and availability have prevented specific allocations.

## **6. Section Five - Maintaining a Balanced Supply of Housing**

6.1 This section focuses on the need to provide a balanced mix of high quality housing types meeting the needs of all sections of the community within the City. This housing provision will be secured at a level to meet objectively assessed need from household growth, including the maximum reasonable proportion of Affordable Housing.

6.2 The following policies are proposed:

-Meeting The Range of Housing Needs

- Policy 36: Specialist Housing

-Quality of Housing

- Policy 40: Lifetime Homes and Lifetime Neighbourhoods
- Policy 41: Protecting Garden Land and the Subdivision of Existing Dwelling Plots
- Policy 42: Flat Conversions
- Policy 43: Residential Moorings

6.3 Building upon the options consulted on in the Issues and Options report (2012) and taking into account discussion at Development Plan Scrutiny Sub-Committee, Policy 36 seeks to establish a policy for the provision of specialist housing to meet the needs of the frail elderly, disabled and vulnerable people. Policy 40 meanwhile requires new dwellings to meet the Lifetime Homes Standards and the provision of a percentage of housing to meet the Wheelchair Housing Design Standard. Policy 41 sets out a criteria-based policy for small scale residential development in gardens. Policies 42 and 43 also set out criteria-based approaches for flat conversions and residential moorings respectively. Policy 42 on Flat Conversions is framed so as to be very clear when conversions are and are not acceptable. The approach on heavily parked (overnight) streets reflects an approach used in a number of other authorities with similar problems however the suggestion of 'capping' permits from new residents in conversions on such streets will require agreement

from County and close joint working and conclusion of these discussions should be completed before a future meeting.

## **7. Implications**

### **(a) Financial Implications**

7.1 There are direct financial implications arising from this report, but the cost of preparing a Local Plan has been budgeted for and included in the draft budget for 2013-2014 and the medium term final planning for 2015-2016. The agreed approach of preparing one single Local Plan rather than three separate Development Plan Documents will mean that considerable cost and time savings can be achieved.

### **(b) Staffing Implications**

7.2 There are no direct staffing implications arising from this report.

### **(c) Equal Opportunities Implications**

7.3 There are no direct equal opportunities arising from this report. An Equalities Impact Assessment (as an integral part of the sustainability appraisal) will be undertaken as part of preparing a new development plan for Cambridge.

### **(d) Environmental Implications**

7.4 There are no direct environmental implications arising from this report. The new Local Plan for Cambridge will assist in the delivery of high quality and sustainable new developments along with protecting and enhancing the built and natural environments in the City. This will include measures to help Cambridge adapt to the changing climate as well as measures to reduce carbon emissions from new development. Overall there should be a positive climate change impact.

### **(e) Consultation**

7.5 The draft submission plan will be consulted on following the Full Council decision in June and more details on the arrangements for consultation will follow in a future report. The consultation and communications arrangements for the Local Plan are consistent with the agreed Consultation and Community Engagement Strategy for the Local Plan Review, 2012 Regulations and the Council's Code for Best Practice on Consultation and Community Engagement.



## (f) **Community Safety**

7.6 There are no direct community safety implications arising from this report.

## **8. Background papers**

These background papers were used in the preparation of this report:

- Localism Act 2011, which can be accessed at:  
<http://www.legislation.gov.uk/ukpga/2011/20/contents/enacted>
- National Planning Policy Framework 2012, which can be accessed at:  
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Cambridge Local Plan 2006, which can be accessed at:  
<https://www.cambridge.gov.uk/local-plan-2006>
- Cambridgeshire and Peterborough Structure Plan 2003
- <http://www.cambridgeshire.gov.uk/environment/planning/policies/structure-plan.htm>
- Cambridge Local Plan Towards 2031 – Issues and Options and Issues and Options 2 consultations, which can both be accessed at:  
<https://www.cambridge.gov.uk/local-plan-review>

## **9. Appendices**

- Appendix A - Draft Section Four – Supporting the Knowledge Economy and Managing the Visitor Economy
- Appendix B - Draft Section Five – Maintaining a Balanced Supply of Housing (Part)
- Appendix C - Policy Justification for Section Four - Supporting the Knowledge Economy and Managing the Visitor Economy
- Appendix D - Policy Justification for Section Five – Maintaining a Balanced Supply of Housing (Part)
- Appendix E - Summary of the Use Classes Order
- Appendix F - Information on stalled or suspended Examinations in Public

## **10. Inspection of papers**

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

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