

MEMORANDUM OF UNDERSTANDING BETWEEN CAMBRIDGE CITY COUNCIL AND SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL – GREATER CAMBRIDGE HOUSING TRAJECTORY

To: Cambridge City, South Cambridgeshire, County Council Strategic Transport and Spatial Planning Group

From: Head of Planning Services, Cambridge City Council and Director for Planning and New Communities, South Cambridgeshire District Council

Date: 9 September 2014

1. INTRODUCTION

- 1.1 There is a close functional relationship between Cambridge and South Cambridgeshire that has long been recognised in planning terms, and in accordance with the duty to co-operate, the Councils have worked closely throughout the preparation of their respective Local Plans to prepare complementary plans that together set out a clear development strategy for the Greater Cambridge area.
- 1.2 Changes in circumstances since the submission of the Local Plans, including the signing of the City Deal, the publication of the National Planning Practice Guidance and recent Waterbeach appeal decisions in South Cambridgeshire, indicate that a Memorandum of Understanding between the Councils will demonstrate the soundness of the plans at the examination.
- 1.3 The purpose of this report is for the Joint Strategic Transport and Spatial Planning Group (JST&SPG) to consider a Memorandum of Understanding between Cambridge City Council and South Cambridgeshire District Council which confirms the agreement between the Councils, under the duty to co-operate, that the housing trajectories for the two areas should be considered together, including for the purposes of calculating 5-year housing land supply.
- 1.4 This report is being submitted to the JST&SPG for prior consideration and comment (as part of the duty to co-operate) before being considered by Cambridge City Council and South Cambridgeshire District Council. For South Cambridgeshire, it will be considered at the Planning Portfolio Holder meeting on 9 September 2014 at 2pm, and for Cambridge City Council, it will be considered by the Executive Councillor for Planning Policy and Transport at Development Plan Scrutiny Sub Committee on 9 September 2014 at 4.30pm.

2. RECOMMENDATION

- 2.1 Members are asked to consider the report and advise Cambridge City Council and South Cambridgeshire District Council that they:
 - 1) Support the adoption of Memorandum of Understanding between Cambridge City Council and South Cambridgeshire District Council – Greater Cambridge Housing Trajectory as set out in Appendix 1.

3. BACKGROUND

- 3.1 Cambridge City Council and South Cambridgeshire District Council submitted their Local Plans for examination on 28 March 2014. The plans together provide a coherent development strategy for the Greater Cambridge area. Both Councils have committed to

meeting their objectively assessed housing development needs in full in their respective areas. The phasing of development outlined in the submitted plans follows the development sequence and carries forward the development strategy from adopted plans. As expected, development is coming forward within the urban area of Cambridge and on the edge of Cambridge early in the plan period with new settlements following later in the plan period as they have a longer lead-in time before the start of delivery. In particular, the fringe sites that were released from the Green Belt in the last round of plan making are now well underway and delivering new homes, jobs and associated infrastructure on the ground. These cross-boundary sites are logically building out from the edge of the existing built-up area with more homes being built in Cambridge in the early part of the plan period and then moving into South Cambridgeshire later on. This is a logical and appropriate way of delivering sites to meet the combined objectively assessed housing need across the Greater Cambridge area.

- 3.2 The Councils are party to a Memorandum of Co-operation agreed in May 2013, under the duty to co-operate, that sets out the continued support of all the Councils in the wider Cambridge Sub Region housing market area (HMA) to the development strategy for the area, including the development sequence. It also confirms those Councils' commitment, together with Peterborough City Council, to meet in full the objectively assessed needs of the housing market area, as identified in the Cambridge Sub Region Strategic Housing Market Assessment.
- 3.3 Since the Local Plans were submitted, there have been four significant changes in circumstances that together have indicated the need for an additional agreement under the duty to co-operate between the two Councils:
- i. The Councils signed up to a City Deal agreement on 19 June 2014, along with Cambridgeshire County Council, Cambridge University and the Cambridgeshire and Peterborough Local Enterprise Partnership. This defines the area covered by the two districts as 'Greater Cambridge' and recognises the strong inter-relationship between the two areas. In particular, it acknowledges that Cambridge City and South Cambridgeshire District Councils, along with Cambridgeshire County Council as the Transport Authority, "have worked closely together on new local plans and associated transport strategy and have aligned plan making processes to achieve the benefits of what amounts to a single overarching development, infrastructure and delivery strategy for Cambridge" (City Deal document page 7¹). Furthermore, as part of the City Deal arrangements, the Councils have agreed to prepare a joint Local Plan and Transport Strategy starting in 2019.
 - ii. Two section 78 planning application appeals were allowed on 25 June 2014 for sites in Waterbeach village in South Cambridgeshire on the basis that the Inspector concluded that the Council was not able to satisfactorily demonstrate a 5-year supply of housing land as required by the National Planning Policy Framework (NPPF). The Inspector did not consider that it would be the correct approach to take account of the housing supply situation in Cambridge. He commented that this approach is 'without precedent'. The Inspector also concluded that there was no sound basis for taking the Greater Cambridge City Deal into account in the current 5-year housing land supply, which was at that time still to be signed.
 - iii. The National Planning Practice Guidance (NPPG), published on 6 March 2014 and therefore too late to influence the Local Plans submitted on 28 March 2014, provides for the circumstances that where a local planning authority cannot demonstrate a 5-

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/321722/Greater_Cambridge_City_Deal_Document.pdf

- year housing land supply that it can seek agreement with its neighbours under the duty to co-operate to meet that shortfall (paragraph 035).
- iv. The Councils note that the East Cambridgeshire Local Plan Inspector has endorsed the 2013 Memorandum of Cooperation in his interim conclusions of 14 July 2014². He comments in respect of the approach to part of East Cambridgeshire's objectively assessed needs being met in Peterborough under the duty to co-operate, that he has "seen no substantive evidence that providing an element of the Cambridge HMA's needs within Peterborough would conflict with the Framework's sustainable development objectives. Indeed, given Peterborough's accessibility, infrastructure availability and range of service provision, the intended arrangement would broadly accord with general sustainable development principles" (paragraph 23) and that "furthermore, given that the intended apportionment of development has been agreed by local authorities working in co-operation as required by the legal duty already discussed, it seems to me that the approach that is now proposed is consistent with the principles of localism. National planning policy allows for circumstances where development requirements from one local authority area will be met in another" (paragraph 24).

4. MEMORANDUM OF UNDERSTANDING

- 4.1 The proposed Memorandum of Understanding is set out in Appendix 1 and will supplement the Memorandum of Cooperation of May 2013, under which the Councils have committed to meeting in full their objectively assessed needs within their respective areas, as required by the NPPF.
- 4.2 This Memorandum of Understanding concerns the phasing of the objectively assessed needs for development in the Greater Cambridge area during the plan period. It formalises the development strategy contained in the submitted Local Plans. It will also ensure that both Councils can demonstrate a continuous 5-year housing land supply as required by the paragraph 47 of the NPPF.
- 4.3 The statement would be made without prejudice to the consideration of the housing supply issues at the examination, but with the aim of demonstrating sound plans and appropriate and on-going collaboration in planning across the Greater Cambridge area. The agreement will support the joint development strategy and sequence and is about when (not where) the identified objectively assessed needs will be met.
- 4.4 Following consideration of this report at the JST&SPG on 9 September 2014, the report will be considered by the South Cambridgeshire Planning Portfolio Holder at their meeting on 9 September beginning at 2pm. For Cambridge City Council, the Executive Councillor for Planning Policy and Transport and members of Development Plan Scrutiny Sub Committee will consider the report on 9 September beginning at 4.30pm. The outcomes of this JST&SPG meeting will be verbally reported to both meetings in order to inform discussions.

6. APPENDICES

- 6.1 Appendix 1: Memorandum of Understanding – Greater Cambridge Housing Trajectory

² <http://www.eastcambs.gov.uk/sites/default/files/IN14%20ECLP%20Inspector%27s%20Interim%20Conclusions.pdf>

7. CONTACTS

Cambridge City Council
Officer: Sara Saunders, Planning Policy Manager
Telephone: 01223 457186
Email: sara.saunders@cambridge.gov.uk

South Cambridgeshire District Council
Officer: Caroline Hunt, Planning Policy Manager
Telephone: 01954 713196
Email: caroline.hunt@scambs.gov.uk