

Item

LOCAL DEVELOPMENT SCHEME



To:

Councillor Kevin Blencowe, Executive Councillor for Planning Policy and Transport
Planning & Transport Scrutiny Committee 2 October 2018

Report by:

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Wards affected:

All

Key Decision

1. Executive Summary

- 1.1 The Planning and Compulsory Purchase Act 2004 (as amended) requires that Local Planning Authorities must prepare and maintain a Local Development Scheme (LDS). The new LDS provides information on the documents that the Councils intend to produce to form their planning policy framework and sets out the timetable for their production.
- 1.2 In the context of the Greater Cambridge area, the new Local Development Scheme will set out the broad timetable for the preparation of a new Local Plan and the Cambridge Northern Fringe East Area Action Plan (CNFE AAP). This will replace the adopted LDS of Cambridge City Council (November 2015) and South Cambridgeshire District Council (December 2016). Overall the LDS is designed to help the local community and all our partners interested in development and the use of land and buildings in Greater Cambridge, to understand what plans the Council intends to produce.
- 1.3 The potential options around the governance arrangements that could be put in place are explored in the report below.

2. Recommendations

The Executive Councillor is recommended to:

1. agree the new Local Development Scheme for Greater Cambridge, prepared jointly with South Cambridgeshire District Council, as set out in Appendix A to this report, which confirms the intention to prepare:
 - i. a joint Local Plan for Greater Cambridge, comprising the administrative areas of both Councils,
 - ii. a joint Cambridge Northern Fringe Area Action Plan, for the area shown in the Local Development Scheme at Appendix 1, which, when adopted, will form part of the development plan for Greater Cambridge;

both prepared under section 28 of the Planning and Compulsory Purchase Act with separate democratic processes to agree both plans, informed by a joint member advisory group;

2. adopt the Local Development Scheme following the anticipated adoption of the new Cambridge Local Plan by Council on 18 October 2018 as described in paragraph 3.5 below;
3. agree that the Joint Director of Planning and Economic Development is granted delegated authority, in liaison with the Executive Councillor for Planning Policy and Transport, and the Chair and Spokes for the Planning Policy and Transport Scrutiny Committee, to make any editing changes prior to publication.

3. Background

- 3.1 The Planning and Compulsory Purchase Act 2004 (as amended) requires that Local Planning Authorities must prepare and maintain a Local Development Scheme (LDS). The new LDS provides information on the documents that the Councils intend to produce to form their planning policy framework and sets out the timetable for their production.
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Joint Greater Cambridge Local Plan

- 3.3 The Councils have previously committed to start work on a joint Local Plan in 2019 as part of the City Deal agreement with Government established in 2013. The Councils' new Local Plans both include a policy which makes a commitment to an early review of those Plans. The policies are for a new Local Plan to be prepared jointly by Cambridge and South Cambridgeshire Councils for their combined administrative areas (Greater Cambridge) and include a timetable for this review, to

commence before the end of 2019 and with submission to the Secretary of State for examination anticipated by the end of summer 2022.

- 3.4 A programme for all key stages in the preparation of the joint Greater Cambridge Local Plan is included in the LDS to meet this timetable. Early scoping of the issues and approach, including the preparation of evidence will commence in the coming months. This will include responding to the newly published National Planning Policy Framework (July 2018), and emerging strategic planning and economic work, for example the Cambridgeshire and Peterborough Independent Economic Review (CPIER), the Mayor's Non-Statutory Spatial Strategy, continued requirements around housing and employment growth delivery, and protection of the special character of Cambridge and the surrounding rural areas.
- 3.5 Before the LDS can be adopted by the Executive Member, a decision of full Council is required to agree to prepare a joint Local Plan and joint Cambridge Northern Fringe Area Action Plan, which will be achieved by the anticipated adoption of the Local Plan by Council on 18 October 2018, by virtue of the policies contained within the Plan. Following adoption of the Local Plan, the LDS can include provision for the preparation of those joint plans and the Executive Councillor for Planning Policy and Transport can adopt the LDS by taking an out of cycle decision.

Governance

- 3.6 The Councils need to decide the governance arrangements for agreeing the joint Local Plan. If a joint committee were to be proposed, this would need to be stated in the LDS, however this is not the preferred approach to preparing these plans (see paragraph 3.6 below). The proposed approach is the same as taken in the past for joint Area Action Plans for the Cambridge fringe sites whereby the Councils agreed, utilising section 28 of the Planning and Compulsory Purchase Act, to prepare joint plans and undertook separate democratic processes to agree the plans, including respective Full Council meetings. This process was informed and coordinated by use of a non-decision making Member group, the Joint Strategic Transport and Spatial Planning Group, comprising three members of each local planning authority and also the County Council as transport authority. This approach has proved effective in preparing a number of joint statutory plans over recent rounds of plan making. It is also the approach taken by the Councils in preparing the separate but aligned new Local Plans recently found sound. It has the advantage of engaging the wider membership of the Council in plan making, as key decisions on preparing a statutory plan lie with full Council. Whilst this approach has an inherent risk that the Councils could seek to prepare a joint plan but fail to reach agreement through separate Member processes, this has not proved to be a significant barrier to joint plan making in the past.
- 3.7 An alternative approach to the governance of either or both proposed DPDs would be the creation of a joint committee to be the local planning authority for plan making purposes under section 29 of the Planning and Compulsory Purchase Act 2004. The specific purpose of a Joint Committee set up under Section 29 of the 2004 Act is to bring the County Council into plan making at the local level. District Councils can formally agree to produce joint plans under the provisions of Section 28 of the Act without the need for County Council involvement. A section 29

committee must be made by order by the Secretary of State (and would only be dissolved by the SOS) and would specify the area covered by the committee and the matters it would cover. In making such an order the Secretary of State has a wide discretion to include in the order any additional provisions considered necessary or expedient to facilitate the joint committee exercising its functions. The Councils established a section 29 committee for plan making (with the County Council) around ten years ago at the request of DCLG as part of an arrangement whereby funding was provided to Cambridgeshire Horizons, but in the event did not use it and it was subsequently dissolved. A section 29 committee would have the advantage of ensuring an agreed joint plan is prepared. However, it could result in the wider membership not feeling engaged in plan making and would share responsibility for agreeing the Local Plan with others. Depending how it was established, a S29 committee could mean that an individual council may not retain control over the joint plan prepared, and the parent authorities may therefore only be able to make representations on the plans prepared by the Section 29 Committee rather than directly control the plan prepared. The option is not recommended.

- 3.8 The Executive Councillor may choose not to adopt the LDS, and propose an alternative timetable. This is not recommended as a lengthier alternative timetable would not meet the commitments made to early review of the Local Plans. A shorter timetable would not be deliverable within the available resources.

Cambridge Northern Fringe Area Action Plan (CNF AAP)

- 3.9 The new Local Plans both include a policy allocating an area of land on the northern fringe of Cambridge to enable the creation of a revitalised, employment focussed area centred on the new transport interchange created by Cambridge North Station. Policy 15 of the new Cambridge Local Plan says that “the amount of development, site capacity, viability, timescales and phasing of development will be established through the preparation of an Area Action Plan (AAP) for the site. The AAP will be developed jointly between Cambridge City Council and South Cambridgeshire District Council, and will involve close collaborative working with Cambridgeshire County Council, Anglian Water and other stakeholders in the area. The final boundaries of land that the joint AAP will consider will be determined by the AAP”.
- 3.10 Since the start of the Local Plan examinations, the Combined Authority submitted a Housing Infrastructure Fund (HIF) bid for funding, working with Cambridge City Council, Anglian Water and other partners for the relocation of the Cambridge Water Recycling Centre, to enable comprehensive redevelopment of the site. In March 2018, the Government announced that the bid had been shortlisted and work is currently in progress to further develop the bid. A decision is expected early in the new year. A successful HIF bid would facilitate relocation of the Water Treatment Works and a significant regeneration opportunity to redevelop this major brownfield site, and would be a key part of demonstrating delivery of the Local Plan allocations. In turn, an advanced AAP will be an important part in parallel with the HIF bid in shaping development on this site.

- 3.11 A timetable for the AAP has been prepared, with a programme that reflects the timetable and subsequent planning process that would result from the HIF bid. Note that there would be a hiatus between the Councils agreeing the Proposed Submission AAP for consultation and actually undertaking the consultation. It would only be appropriate for consultation to proceed following a successful granting of permission for relocation of the Water Recycling Centre, which would be necessary to demonstrate deliverability of the AAP proposals. The relocation of the Water Recycling Centre would follow a process separate from preparation of the AAP.
- 3.12 The preparation of a new Local Development Scheme requires the area to be covered by the AAP to be confirmed. The Local Development Schemes of each Council have included an intention to prepare an Area Action Plan for Cambridge Northern Fringe East since 2014. The earlier Issues and Options consultation for the AAP in 2014 consulted on extending the boundary to include Cambridge Science Park. A decision was made to pause work on the AAP following that consultation and no decision was made on the appropriate boundary. New evidence now available in the Ely to Cambridge A10 Transport Study identifies significant capacity issues in the network in the vicinity of Cambridge Northern Fringe East such that it will be necessary to also consider a comprehensive approach to managing the future of the Cambridge Science Park. This approach is required to ensure best use is made of land in this area having regard to the constraints of the current transport network. It is therefore proposed that the Area Action Plan will be prepared for both the CNF area and the Cambridge Science Park (see Appendix 1 of the LDS at Appendix A of this report). The proposed extent of the AAP should form part of the Issues and Options consultation, and the Councils will make a final decision on the area to be covered in the light of comments received.

Governance

- 3.13 It is proposed that similar governance issues apply to the AAP, and a similar approach to preparation of the joint Local Plan is proposed, with separate Member processes, informed by a non-decision making joint Member group.
- 3.14 In order to make clear that the Area Action Plan comprises a wider area than the Cambridge Northern Fringe East policies in the Local Plans, and to simplify the title, it is proposed to update the name of the Area Action Plan to Cambridge Northern Fringe.

4. Implications

(a) Financial Implications

The preparation of the joint Local Plan and Cambridge Northern Fringe AAP, including associated evidence documents, have been included in planned budgets.

(b) Staffing Implications

Currently anticipated to be within existing budgets. This will be kept under review alongside other work priorities and as part of the Greater Cambridge Shared Planning Service Phase 2.

(c) Equality and Poverty Implications

These Plans identified in the LDS will each require an Equalities Assessment to be undertaken as part of their preparation.

(d) Environmental Implications

These Plans will each need to ensure they plan for climate compatible development

(e) Procurement Implications

None

(f) Community Safety Implications

None

5. Consultation and communication considerations

None

6. Background papers

No background papers were used in the preparation of this report.

7. Appendices

Appendix A: Greater Cambridge Local Development Scheme (2018)

8. Inspection of papers

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

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