

Item

CAMBRIDGE LOCAL PLAN 2018 - ADOPTION



To:

Councillor Kevin Blencowe, Executive Councillor for Planning Policy and Transport

Planning & Transport Scrutiny Committee 02/10/2018

Report by:

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Wards affected:

All

Key Decision

1. Executive Summary

- 1.1 The preparation of the new Cambridge Local Plan has now reached the end of the plan making process. The Inspectors' Report has been received, and subject to incorporating the associated Main Modifications identified by the Inspectors, they conclude that the Local Plan is sound. The Local Plan may now be presented to Council to be adopted as part of the Development Plan.
- 1.2 During the Examination process, the Council took the decision to move forward with the preparation of a number of site specific SPDs. This was a pragmatic response to the lengthy examination process, allowing further detail to be provided and assist with the implementation of specific proposals. As a result, seven SPDs have been prepared in parallel with the Cambridge Local Plan.

2. Recommendations

The Executive Councillor is recommended to:

1. Note the Inspectors' Report containing the Inspectors' Main Modifications to be made to the submitted Cambridge Local Plan in order for it to be found sound (Appendix 1); and

2. Note the schedule of Additional Modifications (Appendix 2) to the submitted Cambridge Local Plan to make factual and typographical corrections; and
3. Note the Main Modifications to the submitted Policies Map published alongside the Inspectors' Report as a reference document to the examination (Appendix 3); and
4. Recommend to Council that the Cambridge Local Plan 2018 including both Main and Additional Modifications is adopted (Appendix 4); and
5. Recommend to Council that the Cambridge Policies Map 2018, including Main Modifications, be adopted (Appendix 5); and
6. Recommend to Council that it authorises the Joint Director of Planning and Economic Development for Cambridge and South Cambridgeshire, in consultation with the Executive Councillor for Planning Policy and Transport, and the Chair and Spokes for the Planning Policy and Transport Scrutiny Committee, to make minor typographical amendments or updates in preparing the final version of the Adopted Local Plan and Policies Map; and
7. Note that the seven Supplementary Planning Documents prepared in parallel with the Local Plan, and listed in Appendix 6, will be approved by the Executive Councillor for Planning Policy and Transport following the adoption of the Local Plan.

3. Background

- 3.1 The National Planning Policy Framework sets out a clear expectation that the planning system should be genuinely plan-led. Local Plans should be positively prepared to deliver sustainable development to meet the needs of the local authority area, being shaped by early, proportionate and effective engagement with a wide variety of stakeholders. The Local Plan sets out policies and proposals to guide future development and sets the framework for determining planning applications.
- 3.2 Formal preparation of the new Cambridge Local Plan 2018 ("the Local Plan") began in 2011, leading to Issues and Options consultation in June/July 2012, and a consultation on site options in January/February 2013. Pre submission Local Plan consultation took place between July and September 2013, aligned with that for the South Cambridgeshire Local Plan. The Local Plans both cover the period 2011 to 2031.
- 3.3 The Cambridge Local Plan was submitted for Examination on 28 March 2014 alongside the South Cambridgeshire Local Plan. Lead and Assistant Inspectors were appointed to carry out the Examination of both the Cambridge and South Cambridgeshire Local Plans in parallel, given the interrelationships between the two plans and the joint nature of much of the evidence. Joint and individual hearing sessions commenced from November 2014.
- 3.4 In May 2015 the Inspectors wrote to the Councils raising some specific concerns. The Examination was suspended whilst further work was undertaken on the following subject areas: objectively assessed need for housing, Green Belt, transport, infrastructure delivery, viability and an update to the Councils' Sustainability

Appraisal. This further work was duly completed and submitted to the Inspectors in March 2016. During the Examination period a series of Main Modifications were drafted, and these were subject to public consultation in December 2015 – January 2016 and January– February 2018. The Inspectors have considered responses received during these consultation periods, and all other matters raised throughout the Examination period, and reached their conclusions. The Inspectors’ Report was published on 3 September 2018 (www.cambridge.gov.uk/local-plan-review-about-the-examination), and finds that subject to making the Main Modifications appended to their Report, that the Cambridge Local Plan is sound and can be adopted.

- 3.5 The aligned Examination process for the Cambridge and South Cambridgeshire Local Plans has been unusual in its length, and the Planning Service will be providing constructive feedback to the Planning Inspectorate to help avoid such delays occurring in future. However, despite the extensive delays and the additional evidence that has been requested throughout the process, the overall outcome is positive.

Inspectors’ Report - Overview

- 3.6 The Inspectors’ Report (Appendix 1) finds the Local Plan sound and considers it an appropriate basis for the planning for the area. The Inspectors’ Report is structured to first discuss the statutory requirements of Plan preparation, followed by a discussion of key issues as identified by the Inspectors including where they consider Main Modifications are necessary to ensure the Local Plan is sound. The majority of the modifications were proposed by the Councils during the Examination process with limited additional, amended or deleted modifications made by the Inspectors. The Inspectors have removed a number of Modifications that had been proposed and consulted on the basis that they did not consider them necessary to make the Plan sound. The Council can make minor amendments and corrections in preparing the final version of the Local Plan for adoption. These are now made as “Additional Modifications”, see paragraph 3.19 below (and Appendix 2).
- 3.7 The Policies Map illustrates the geographical application of the policies in the adopted development plan. It is not within the Inspectors’ remit to recommend Main Modifications to the Policies Map, however some of the Main Modifications now recommended will require consequential change to the Policies Map. These amendments formed part of the modifications that were consulted upon throughout the examination process, and have now been published alongside the Inspectors’ report (Appendix 3).
- 3.8 In accordance with the requirements of the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011, the Inspectors found that the Council had engaged constructively, actively and on an ongoing basis to meet the requirements of the Duty to Co-operate. The Local Plan has also been prepared in accordance with the Local Development Scheme and the Statement of Community Involvement.
- 3.9 The Inspectors’ Report concludes that the Spatial Strategy for Greater Cambridge, which is shared across the Cambridge and South Cambridgeshire Local Plans, is sound. The Inspectors recognise that significant areas of land were taken out of the Green Belt on the edge of Cambridge through previous rounds of plan making, and

these allocations have been carried forward into the new plans and still have significant remaining capacity. They conclude that the Cambridge Green Belt purposes are sound and reflect the importance of Cambridge as a historic city and the particular role of the Green Belt in preserving its setting. Also that the Councils' Inner Green Belt Boundary Study (2015) provides a robust approach to assessing the Green Belt. They conclude that having regard to the degree of protection afforded to the Green Belt in national policy, moving to the third tier of the Sustainable Development Strategy (new settlements) is justified.

3.10 The Inspectors are satisfied that the objectively assessed housing need identified is acceptable and should be included in the Local Plan. They comment that there is a degree of consensus that the jobs figure is reasonable. The overall housing and jobs numbers included in the Local Plans are therefore as per the table below:

Table 1: Housing and job growth to 2031

	Housing	Jobs
Cambridge Local Plan	14,000	22,100
South Cambridgeshire Local Plan	19,500	21,900
Total	33,500	44,000

3.11 The Inspectors conclude that the Council's assessment of housing supply in Cambridge is reasonable and evidenced based. The approach to monitoring the supply of land and delivery of housing units via a joint Housing Trajectory for Cambridge and South Cambridgeshire District has also been endorsed as appropriate, reflecting the delivery of the joint development strategy with greater delivery in Cambridge in the early years and in South Cambridgeshire in the later years, including at the new settlements. The Inspectors confirm that the use of the Liverpool method for calculating housing supply where any early undersupply is made up over the remainder of the plan period (rather than in the following five-year period) is appropriate, also reflecting delivery in the mid or later years of the plan period at new settlements. The Inspectors conclude that the appropriate buffer for five-year supply housing calculations is 20% reflecting past under delivery. They conclude that modifications to the Local Plans are necessary to include the method of calculating five year supply, and they say there is a reasonable prospect that the plan will provide for a five year housing land supply on adoption and that the housing requirement will be met.

3.12 The Areas of Major Change (AOMC), Opportunity Areas and allocations in Cambridge have all been endorsed by the Inspectors. These include:

- The Cambridge Northern Fringe East area for employment led mixed use development to be focused around the new Cambridge North railway station, and the commitment to the preparation of a Joint Area Action Plan;
- Land North of Cherry Hinton for approximately 780 dwellings, with the remainder of the Cambridge East site subject to the Area Action Plan remaining as safeguarded land;
- Lane South of Coldham's Lane, Cambridge Southern Fringe, West Cambridge and Land between Huntingdon Road and Histon Road

- Station Areas West and Clifton Road, Mitcham's Corner Opportunity Area, Eastern Gate Opportunity Area, Cambridge Railway Station, Hills Road Corridor, and Old Press/Mill Lane are confirmed as opportunity areas;
- Allocations of limited development on the flat ground at Wort's Causeway (GB1 and GB2) have been supported as appropriate, and it is considered that exceptional circumstances to justify the removal of the Green Belt designation have been demonstrated.

3.13 The proposed approach to the provision of affordable housing is generally endorsed (subject to recommended Main Modifications). However, they conclude that the lower threshold for securing affordable housing that was proposed in the submission draft of the Local Plan should be increased to ensure conformity with national policy which has introduced a higher threshold for seeking affordable housing.

3.14 The submission version of the Local Plan included locally derived space standards, and via Main Modifications, the Inspectors consider that it is appropriate to update these to the Nationally Described Space Standard (NDSS), to ensure that new dwellings are appropriate to meet the needs of modern living. Further, the approach to ensure that community facilities, including Public Houses, are protected from conversion and demolition where possible has been supported, as has the continued protection of open spaces.

3.15 A revised approach to the delivery of student accommodation has been agreed, and such proposals will be permitted if they meet the identified needs of an existing educational institution within Cambridge, for students on courses of one academic year or longer. A formal agreement is required to confirm that the proposed accommodation is suitable in type, layout, affordability and maintenance regime for the relevant institution.

3.16 The Inspectors advise that there are a number of issues where the conclusion that the Plans can be found sound depends, to some extent, on an early review of the Local Plans (see paragraph 3.33). A new policy is included in both the Cambridge and South Cambridgeshire Local Plans that requires that the joint early plan review is commenced by the end of 2019, which reflects the Councils' commitment to prepare a joint Local Plan as part of the City Deal agreement with Government that led to the setting up of the Greater Cambridge Partnership. The policy says that submission of the new joint Local Plan to the Secretary of State for Examination will take place by the end of Summer 2022.

3.17 South Cambridgeshire District Council has also received their Inspectors' Report, which has also found that the Local Plan is sound, subject to the recommended Main Modifications being made.

3.18 The Inspectors' Report, including the Main Modifications identified, has had substantial weight as a material consideration in planning decisions since it was published and will continue to do so until the Local Plan is adopted.

Adoption of the Cambridge Local Plan 2018

- 3.19 The publication of the Inspectors' Report marks the end of the examination process and the Council can now move to adopt the Local Plan, including the Main Modifications identified by the Inspectors as necessary to make the Plan sound. A further schedule of Additional Modifications that are minor or factual in nature is included within Appendix 2. There is no further opportunity to introduce new amendments unless they are typographical or otherwise very minor in nature.
- 3.20 The draft final version (subject to final proof reading) of the Local Plan is included in Appendix 4 and will be presented to Council with a recommendation to adopt on 18 October 2018. The Joint Director of Planning for Cambridge and South Cambridgeshire, in liaison with the Executive Member for Planning Policy and Transport, and the Chair and Spokes for the Planning Policy and Transport Scrutiny Sub Committee will make any minor amendments necessary to prepare the final version of the Local Plan. Once adopted, the Local Plan becomes part of the Development Plan for Cambridge as per section 38(6) of the Planning and Compulsory Purchase Act 2004. All decisions on planning applications will be taken in accordance with this new Local Plan unless material considerations indicate otherwise.
- 3.21 The Cambridge Local Plan 2006 will be replaced in its entirety. In addition, the following Supplementary Guidance is also replaced:

Existing Supplementary Guidance	Replacement Section/Policy
Protection of Public Houses	Policy 76: Protection of Public Houses
Roof Extension Guidance	Appendix E: Roof Extensions Design Guide
Cambridge Skyline Guidance	Appendix F: Tall Buildings and the Skyline
Shop Front Guidance	Appendix H: Shopfront Design Guide

- 3.22 Following adoption of the Cambridge Local Plan, the Development Plan for Cambridge will comprise the following:
- Cambridge Local Plan 2018 (October 2018)
 - Cambridgeshire Minerals and Waste Local Development Framework (2011 & 2012)
 - Cambridge East Area Action Plan (excluding CE/3 and CE/35) (February 2008); and
 - North West Cambridge Area Action Plan (October 2009)
- 3.23 The Cambridge Policies Map will be updated in accordance with the documents listed in 3.22 above, taking into account the Main Modifications contained in Appendix 3. The final draft version of the Cambridge Policies Map (2018) is contained in Appendix 5.
- 3.24 At all stages of preparation of the Local Plan, the Council has undertaken sustainability appraisal of the documents, in accordance with requirements and proportionate to the level of detail contained within the documents at the stage reached. The preparation of the Local Plan has been integrated with and informed by the preparation of a Sustainability Appraisal (SA), incorporating a Strategic Environmental Assessment (SEA), and Habitats Regulation Assessment (HRA),

which are both required by European Directives. A Sustainability Appraisal report and Habitats Regulation Assessment (HRA) Screening has been made available alongside the Local Plan at each stage of public consultation, which assesses each of the policies in the plan both separately and holistically, and also assesses the cumulative impacts of the Plan as a whole. Following a European Court judgement which had potential implications for the HRA screening process, a review carried out for the Council concluded that the conclusions of the previous HRA screening reports remain valid. In accordance with regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012, as soon as practicable following adoption of the Local Plan, the final sustainability appraisal report, including an SA adoption statement, will be permanently available for inspection alongside the Local Plan.

- 3.25 The expectation is that once a Local Plan Examination has been completed and the Local Plan found sound, it would be adopted by the Council. To fail to do so would be at odds with the Council's adopted Local Development Scheme and would also leave Cambridge without an up to date Local Plan, and in turn unable to demonstrate a five year housing land supply, and therefore would be vulnerable to further applications for speculative development. Significant time and resources have been put towards preparing this Local Plan over an extended period. Failure to adopt the Local Plan without sound reasons would lay the Council open to a risk of legal challenge that it has acted unreasonably. There are no grounds that would warrant the Council's consideration of this option.
- 3.26 Following adoption of the Local Plan, regulations require that an Adoption Statement is prepared "as soon as practicable" after adoption, which must then be sent to all those that have requested to be kept informed and the Secretary of State.
- 3.27 All legal requirements and regulations have been complied with in preparing the Local Plan. The Inspectors' Report concludes the plan as sound having regard to the legal requirements set out in section 20(5) of the Planning and Compulsory Purchase Act 2004 and meets the criteria for soundness included in the NPPF. Legislation provides for a six week period in which legal challenge may be lodged, which begins the day after adoption of the plan. A legal challenge may only be made on the basis of a procedural or other legal flaw in the plan making process.

Implementation

Adoption of completed Supplementary Planning Documents

- 3.28 During the Examination process, the Council took the decision to move forward with the preparation of a number of site specific SPDs. This was a pragmatic response to the lengthy examination process, allowing further detail to be provided and assist with the implementation of specific proposals. As a result, seven SPDs have been prepared in parallel with the Cambridge Local Plan. These have been prepared in accordance with the relevant regulations including public consultation. The final versions of the documents have all been agreed by the Executive Councillor for Planning Policy and Transport following debate by the Development Plan Scrutiny Sub Committee (DPSSC), with a recommendation for adoption as SPDs at the same

time as the adoption of the Local Plan. The table below sets out each SPD and lists when it was agreed by the Executive Councillor and scrutinised by DPSSC.

Supplementary Planning Document	Development Plan Scrutiny Sub-Committee Date
The New Museums Site Development Framework	14 March 2016
Ridgeons site Planning and Development Brief	21 July 2016
Cambridgeshire and Peterborough Flood and Water	6 December 2016
Mitcham's Corner Development Framework	25 January 2017
Mill Road Depot draft Planning and Development Brief	12 March 2017
Land North of Cherry Hinton	13 February 2018
Grafton Area of Major Change - Masterplan and Guidance	13 February 2018

3.29 A review of these documents has been completed to ensure the SPDs remain consistent with the Local Plan as amended by the Main Modifications recommended by the Inspectors. A number of minor updates have been identified which relate to policy numbers in the final version of the Local Plan, amendments arising from the Main Modifications recommended by the Inspectors and factual updates, however the substance of these documents remains unchanged. These proposed amendments are shown in Appendix 6.

3.30 In accordance with recommendation 7 of this report, and consistent with previous decisions relating to the relevant SPDs, the SPDs will be adopted by the Executive Councillor for Planning Policy and Transport by taking an out of cycle decision following the adoption of the Local Plan.

Preparation of further Supplementary Planning Documents

3.31 Further documents identified in the Local Plan required to guide the delivery the development strategy and strategic allocations are:

Document	Timetable for Preparation
Cambridge Northern Fringe East Area Action Plan - To be prepared jointly with South Cambridgeshire District Council	Detailed timetable to be considered by Committee as part of a new Local Development Scheme in October 2018.
Making Space for People SPD (previously Public Realm Strategy SPD) - In support of Policy 10 (City Centre), to ensure coordination of public realm improvements across these areas	Detailed timetable to be confirmed. Likely that the draft for consultation will be published in Spring 2019.
Sustainable Design and Construction - In support of Policy 28	Review of the existing document, to be prepared for the Greater Cambridge area. Detailed timetable to be confirmed. Likely that the draft for consultation will be published in Spring 2019.

<p>Clifton Road Area of Major Change SPD</p> <ul style="list-style-type: none"> - In support of Policy 21 to guide the development of this area before the submission of a planning application 	<p>The timetable for the preparation of these documents is still under consideration, and further updates will be provided as appropriate.</p>
<p>Affordable Housing SPD</p>	
<p>Planning Obligations SPD / CIL</p>	

3.32 The Planning Policy team will determine the appropriate timetable to bring forward these documents in more detail over the coming months, and bring further reports to Members as necessary.

Early Review of the Local Plan

3.33 Both Cambridge and South Cambridgeshire Councils have committed to an early review of their Local Plans. This will be required to respond to a variety of issues as prescribed by the new policy, including an updated assessment of housing needs, the progress made towards implementation of the spatial strategy for Greater Cambridge (including delivery of new settlements at Waterbeach and Bourn Airfield, both in South Cambridgeshire), and consideration of the needs of people residing in or resorting to the two areas with respect to the provision of sites in which caravans can be stationed. In addition, the Councils will need to respond to the newly published National Planning Policy Framework (July 2018) and other issues that may arise as a result of other ongoing strategic or local work on economic, housing, social or environmental matters.

4. Implications

(a) Financial Implications

None

(b) Staffing Implications

None

(c) Equality and Poverty Implications

The preparation of the Local Plan has been subject to an Equality Impact Assessment at key stages. This assessment found that the Local Plan would have positive or neutral impacts on the groups protected by Equalities Legislation.

(d) Environmental Implications

The new Local Plan includes policies which seek to balance the environmental sensitivities of Cambridge with the need to continue to accommodate growth. Responses to climate change and achieving sustainable methods of construction are specifically contained in *Section 4: Responding to climate change and managing resources* of the Cambridge Local Plan 2018.

(e) Procurement Implications

None

(f) Community Safety Implications

None

5. Consultation and communication considerations

None at this final stage of the plan making process. There have been several public consultations during the process and the Inspectors have considered duly made representations as part of the examination process.

In accordance with the relevant Regulations, the Council has advised interested parties that the Inspectors' Report has been published. Following adoption of the Local Plan, a further communication will be sent containing the Adoption Statement.

6. Background papers

Background papers used in the preparation of this report:

- (a) Cambridge Local Plan Submission version 2014

7. Appendices

- Appendix 1 Inspectors' Report and Appendix (August 2018)
- Appendix 2 Schedule of Additional Modifications
- Appendix 3 Schedule of Main Modifications to the Cambridge Policies Map
- Appendix 4 Cambridge Local Plan 2018
- Appendix 5 Cambridge Policies Map 2018 Attached separately
- Appendix 6 Implementation – Adoption of Completed Supplementary Planning Documents (SPDs)

8. Inspection of papers

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

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