

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** Council 24 September 2009  
**AUTHOR/S:** Corporate Manager (Planning and New Communities) /  
Planning Policy Manager

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### **SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF NORTH WEST CAMBRIDGE AREA ACTION PLAN**

#### **Purpose**

1. The North West Cambridge Area Action Plan (AAP), a key document of the South Cambridgeshire Local Development Framework and prepared jointly with Cambridge City Council, is now at the end of the plan making process, the binding report of the independent Inspectors having been received. This report recommends the Area Action Plan now be adopted.
2. This is not a key decision but the Council's constitution and the Local Government Act 2000 require that Council must adopt statutory Development Plan Documents forming part of the Local Development Document. It was first published in the August 2009 Forward Plan.

#### **Executive Summary**

3. The North West Cambridge Area Action Plan (AAP) was subject to an independent public Examination between November 2008 and June 2009. The Inspectors' Report was received on the 24 August 2009. The AAP has been found to be 'sound' and the City Council and South Cambridgeshire District Council should adopt it subject to a number of binding changes (as summarised below). The Inspectors' Report is included in Appendix 1 of this report. The AAP sets out policies and allocates land for development for predominantly Cambridge University-related uses. Any land not required for development by 2016 will be safeguarded for the period post-2016 to meet the longer-term development needs of the University. The AAP for Adoption amended in line with the Inspectors' binding changes, is included in Appendix 2 of this report. On its adoption, the AAP will replace policies contained within the Cambridge Local Plan 2006. There are no corresponding policies in the South Cambridgeshire Local Plan 2004.
4. It is necessary for both Councils to formally adopt the AAP. The District Council is considering the matter at this Council meeting. Subject to the meeting resolving to adopt the AAP, it will be for Cambridge City Council to also decide to adopt the AAP, on the recommendation of the Executive Councillor for Climate Change and Growth. The City Council will be recommended to adopt the AAP on the 22 October 2009. In order for both Councils to adopt the AAP on the same day, the recommendation before Council is to resolve that the AAP is adopted on 22 October 2009.

#### **Background**

5. The North West Cambridge site (land between Madingley Road and Huntingdon Road) was first formally proposed for Green Belt release to meet the development needs of the University of Cambridge through the Structure Plan process in 2001. It was included in the adopted Structure Plan in 2003 after being tested at an

Examination in Public before an independent Government Panel of Inspectors. The part of the site which lies within the City was allocated for development through the Cambridge Local Plan. This was adopted in 2006 following a Public Inquiry held by independent Government Inspectors.

6. As the North West Cambridge site involves land in both Cambridge City and South Cambridgeshire District Council areas, the two authorities have worked together to produce a joint Area Action Plan to ensure a comprehensive, high quality development. Work on the Area Action Plan began in 2005, and the document was subject to a Public Examination between November 2008 and June 2009. Prior to this Examination, there had been four rounds of public consultation on various drafts of the document, with the AAP formally submitted to the Secretary of State for Examination in May 2008. A further round of public consultation on a site option identified by the Inspectors took place in March and April 2009.
7. The purpose of the Public Examination was to ascertain whether or not the AAP could be considered to be 'sound'. A number of issues were considered during the Examination, including the University's need for development, the viability of the development and mix of uses including enabling development, Green Belt, site footprint and strategic and local open space issues, transport, housing trajectory and phasing, the Traveller's Rest Pit SSSI, climate change and sustainable design, monitoring and other matters including provision for education and waste.

#### *The Inspectors' Report*

8. The draft Inspectors' Report was received on 30 July 2009 and confirmed that the AAP is 'sound' and could be adopted, subject to a number of changes. In accordance with normal practice, officers had until 13 August to carry out a fact check in order to ensure clarity of the Report; this fact check did not provide an opportunity for officers to respond to any of the Inspectors' conclusions. The final Inspectors' Report was received on 24 August and is included within Appendix 1 of this report.
9. The Inspectors' Report contains a number of changes that need to be made to the AAP in order to ensure that it is 'sound'; these changes are binding on the Councils and must be incorporated into the AAP prior to its adoption. The City Council's procedure requires the Executive Councillor to recommend that Council adopt the AAP, which it can do on its meeting on 22 October 2009. South Cambridgeshire District Council is being recommended to resolve to adopt the plan on this date at its Council meeting on 24 September 2009. An Adoption Statement will be published shortly afterwards by advertisement in the local press, on our websites and by written notification in accordance with regulations.
10. Officers have prepared the final AAP for adoption, which has been included in Appendix 2 of this report, while the Inset Proposals Map for adoption is included in Appendix 3. The amendments made to the AAP are in line with the changes required by the Inspectors to ensure that the AAP is 'sound' as summarised below.

#### **Inspectors' Changes To Make The Plan Sound**

##### *The addition of an explanation of the establishment of need by the University.*

11. The Inspectors have concluded that the University's need for the land to be released from the Green Belt for development is a very weighty consideration, and that, in order to justify land release, specific wording should be included in the Area Action Plan. The Inspectors have recognised that the need for affordable key worker

housing for the University is both immediate and urgent, while the need for academic and research uses is longer term but of great significance in view of the University's educational and economic importance to both the Cambridge and UK economy.

*Clarification of the requirement to establish need for individual applications and phasing of development.*

12. The Inspectors have recommended that the Area Action Plan be made clearer on the fact that the strategic need for development at North West Cambridge has been accepted and that need is only to be demonstrated for specific uses as applications come forward to ensure effective use of the land. The Inspectors have acknowledged that, at this stage, it is difficult to determine the phasing of housing development and where development would start. The Inspectors' enlarged site footprint has implications for this, with the possibility that the first phase might be around and include development of the local centre. This would have the advantage of providing necessary community facilities from the outset.

*Enlargement of the site footprint to the west (closer to the M11) and reduction of the central area of open space.*

13. The Inspectors have concluded that this area is of substantial value to the setting of the City and several other Green Belt functions, including separation with the village of Girton. However, the need to retain and if possible increase the educational, intellectual and economic roles of the University as shown by the evidence submitted to the examination are of greater weight than the Green Belt functions of the land. They have concluded that the overall effects of this type of development would be harmful to the setting of the City regardless of whether development was restricted to the plateau or was allowed to spill down the slope towards the M11. They conclude that that the development boundary suggested by the University would not result in a material increase in the harm to the setting of Cambridge, and would enable the development to make a greater contribution to meeting important needs.
14. The enlargement of the development area also involves a reduction in the size of the central open space. The Inspectors have noted that this central open space would still be about 300m wide, having considerable visual and environmental impact and allowing for large open space uses, such as sports pitches, to be located within it. The Inspectors also note that a substantial area of open space would be available between the footprint and the M11, and that other open space provision could be made throughout the developed area and potentially on the western fringes of the site, subject to investigations into air quality and noise.
15. With regards to the Traveller's Rest Pit SSSI, evidence presented to the Examination by Natural England, has pointed towards the need to revise the boundary of the SSSI in light of new geological evidence that shows geological interest to the west and south of the existing site. As such, the Inspectors have concluded that the Proposals Map should be changed to show the indicative boundary of the new areas of geological interest, including a 10m buffer to ensure that access to the SSSI is retained. A formal revision to the SSSI boundary will be a matter for Natural England to pursue under separate legislation.

*Air Quality and Noise Effects*

16. The Inspectors felt that these were matters that can be accommodated during detailed masterplanning of the site. They have included additional wording for the Area Action Plan to ensure that masterplanning and the detailed planning application

process takes account of the need to determine the appropriate disposition of uses, location and design of buildings and mitigation measures required to overcome these issues.

#### *Housing Provision*

17. Given the larger site footprint, the dwelling capacity at North West Cambridge has been increased from 2,000 – 2,500 to approximately 3,000, of which 50% are to be for University key workers. The provision of associated community facilities including a local centre and primary schools, accommodation for 2,000 students and employment and academic facilities has also been accepted. The Housing Trajectory, which has been based on information from the University's Masterplan Framework, provides a dwelling split between the districts, which equates to 1,550 dwellings within Cambridge and 1,450 in South Cambridgeshire (225 by 2016, and therefore counting towards the housing shortfall in the district identified by Inspectors for the Site Specific Policies DPD Examination).

#### *Climate Change and Sustainable Design*

18. Policy NW24 on Climate Change and Sustainable Design and Construction has been upheld. This policy requires the highest level of sustainability in residential development of any of the plans yet adopted through the application of the Code for Sustainable Homes, with the majority of the housing required to achieve the ambitious Code Level 5. The Inspectors have also supported the requirement for decentralised energy to be utilised to serve the whole of the development site, again noting the characteristics of the site that are likely to result in opportunities for decentralised energy. The form of the decentralised energy system to be used will be determined on the basis of minimising carbon and greenhouse gas emissions. The Inspectors have retained the viability clause within the policy, which takes account of cost and technical difficulties in meeting the required standards.

#### *Travel*

19. Policy NW14, which requires a road to be provided from Madingley Road to Huntingdon Road has been upheld. This link road will primarily serve the development and will be designed for low vehicle speeds and will give priority to provision for walking, cycling and public transport, including segregated bus priority routes (Policy NW16).
20. In terms of access from the Madingley Road to Huntingdon Road link onto Huntingdon Road, the Inspectors have added new wording to the AAP to make clear that this would be on the western side of the Strategic Gap to provide a staggered junction with the approved NIAB site access. The Inspectors have also concluded that the wording of the AAP should be amended to indicate the possibility of provision of a secondary access from Madingley Road, the precise location of which would be determined through masterplanning.
21. The Inspectors have concluded that given the evidence base, the modal share of no more than 40% of trips to work by car (excluding car passengers) should be achievable. The Inspectors have recognised the opportunities for non-car travel that this site presents, in terms of the location of educational and other facilities on the site and that the majority of the dwellings on site are intended for those studying or working at the University of Cambridge. The role of residential travel planning is also recognised.

### *Retail Provision*

22. In terms of retail provision, the Inspectors have recommended that the glossary definition of a local centre be amended to include reference to a 'small supermarket'. This change is required to ensure that the local centre definition conforms with national planning policy in the form of Planning Policy Statement 6 (PPS6). PPS6 defines a supermarket as having a trading floorspace less than 2,500 sq m net. A small supermarket would therefore be some way below 2,500 sq m net floorspace, but no size is specified in the AAP.
23. Whilst not part of the Inspectors' Report consideration, for information, an assessment of existing foodstores in Cambridge shows that all of the foodstores in the City Centre and the District and Local Centres are well below 2,500 sq m net. For example, the Sainsbury's store in the centre of Cambridge has a net sales area of 1,326 sq m net, Budgens at Arbury Court is 789 sq m net, while Aldi on Histon Road is 697 sq m net. The Co-op and Tesco Express stores found in many of the local centres are much smaller, in the range of 139 to 514 sq m net sales area. Of the larger foodstores in Cambridge, the Tesco store on Cheddars Lane is 4,993 sq m net sales area while the Sainsbury on Coldhams Lane is 4,266 sq m net sales area (which would have increased to 6,531 sq m net if the recent application had not been refused).
24. Also for information, there is no consideration in the Inspectors' Report of the University's indication to the Councils that it is considering a larger supermarket of potentially 2,600 – 3,250 sq m net floorspace. However, in the light of potential developer proposals for a main supermarket in this part of Cambridge, the Councils have jointly commissioned consultants to carry out a retail study to supplement the Cambridge Sub Region Study published in October 2008, to focus on the North West quadrant of Cambridge as a whole, in order to identify whether there is capacity for additional convenience floorspace in this area given the greater amount of housing to be allocated on the edge of Cambridge in this location since the publication of the Study (ie. the Inspectors' larger site footprint and the allocations at NIAB Extra and Orchard Park to address a housing shortfall in South Cambridgeshire). If capacity is identified, the study will then test the relative merits and impacts of a foodstore or foodstores in each of the University, NIAB and Orchard Park sectors, including the impact it would have on the local centre in which it is located, and other local centres proposed. It will provide recommendations on the most appropriate nature, scale and location of further convenience provision in North West Cambridge.

### *Other Matters*

25. Education – given the scale of development proposed, the Inspectors have requested that the AAP be amended to make reference to the need for two primary schools in order to effectively meet the educational requirements of the new community. Whilst the local education authority does not require a secondary school to be located in this development, the Inspectors make clear that a new school to meet the needs of new development in the north west quadrant of Cambridge as a whole, would not accord with Structure Plan policy given that this valuable land is to be released from the Green Belt only because of the University's needs, and for predominantly University-related uses.

## Next Steps

26. Once adopted, the North West Cambridge AAP will become part of the statutory development plan for both the City and South Cambridgeshire and will entirely supersede the following policies and proposals of the Cambridge Local Plan 2006:
- Policy 9/7 – Land between Madingley Road and Huntingdon Road;
  - Proposal Site 9.07 – Madingley Road/Huntingdon Road; and
  - Proposal Site 9.11 – 19 Acre Field and land at Gravel Hill Farm

The Proposals Maps for the Cambridge Local Development Framework and South Cambridgeshire District Council Local Development Framework will be updated as required.

27. Once the Councils have adopted the AAP we must, as soon as reasonably practicable, accord with Regulations 35 and 36 of the Town and Country Planning (Local Development) (England) Regulations 2004 and the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, which in summary require:

### Regulation 35

- The local planning authority must publish the Inspectors' recommendations and reasons;
- Make a copy of the Inspectors' Report available for inspection at the Councils' offices during normal office hours and at the places at which the pre-submission proposal documents were made available under Regulation 26(a) of the 2004 Regulations and place it on the Councils' websites;
- Inform those who requested to be notified of the publication of the Inspectors' Report.

### Regulation 36

- Prepare an Adoption Statement;
- Prepare a Sustainability Statement, setting out how the sustainability appraisal process has been taken into account during the plan making process;
- Advertise that the DPD has been adopted, and the places where it can be inspected;
- Make the adopted DPD, Adoption Statement and Sustainability Statement available for inspection during normal office hours at the places at which the pre-submission proposal documents were made available under Regulation 26(a) and place them on the Councils' websites (the adopted AAP will also be available to purchase);
- Send a copy of the Adoption Statement to those who wished to be notified of adoption;
- Send a copy of the adopted DPD and Adoption Statement to the Secretary of State;
- Publish a copy of the final Sustainability Report and place it on the website.

28. The final Sustainability Report remains as published in May 2008 alongside the Submitted AAP. A supplementary assessment of the Inspectors' Larger Site Footprint was also carried out as part of the consultation carried out in March and April 2009. This appraisal made no changes to the final Sustainability Report. No changes to the Sustainability Report were identified by the Inspectors to be necessary in making their binding recommendations. A Sustainability Statement,

describing the sustainability appraisal process that supported the preparation of the AAP, will also accompany the adopted Plan (Appendix 4). A Habitats Regulations Screening Assessment has also been carried out for the AAP, and this remains as published in May 2008.

29. Following on from adoption of the AAP, the University and its consultancy team will prepare a Masterplan for the site, working in collaboration with officers from Cambridge City Council and South Cambridgeshire District Council, Cambridgeshire County Council and other relevant stakeholders. The Masterplan will be submitted with the outline planning application for the development, and will show the general disposition of development, roads, servicing, open space and landscaping.

**Options**

30. There are no acceptable alternative options to put before Members at this stage.

**Implications**

31. Financial	The work required to implement Council’s resolution can be carried out from within existing budgets.
Legal	Any legal challenge to the High Court during a six-week period after adoption could have financial implications if the Court sustains the challenge. Any such challenge can only be lodged on the grounds that: (a) The document is not within the appropriate power; or (b) a procedural requirement has not been complied with. It is considered that the plan-making process has met these requirements in full.
Staffing	None specific.
Risk Management	The effect of any slippage to the timetable could be significant to meeting the Structure Plan development strategy for the Cambridge area, in particular the urgent needs of Cambridge University.
Equal Opportunities	An Equalities Impact Assessment has been carried out for the AAP.

32. The development of North West Cambridge will provide for the long term development needs of Cambridge University, including affordable housing for University Key Workers, and homes built to Lifetime Home Mobility Standards as well as community facilities and local services that will benefit both the new and existing communities. As such, development can be expected to have positive equal opportunity implications.

33. There are no procurement implications.

34. The environmental implications of the proposal have been assessed throughout the process of preparing the AAP. Where appropriate and necessary, mitigation measures will be required to overcome any environmental impacts.

**Consultations**

35. There have been a number of consultations with the public and key stakeholders throughout the preparation of the plan and the plan was amended by the Council up to the Submission stage and subsequently the Inspectors following independent Examination, to take account of relevant issues raised.

## Effect on Strategic Aims

36.	<b>Commitment to being a listening council, providing first class services accessible to all.</b>
	The Council considered representations made during the plan making process. Following independent Examination, the plan once adopted will provide a clear planning policy framework for determination of planning applications.
	<b>Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all.</b>
	The AAP includes policies to ensure that planning permission will not be granted for an unsustainable form of development which does not ensure a safe and healthy environment for residents. A Health Impact Statement is also required.
	<b>Commitment to making South Cambridgeshire a place in which residents can feel proud to live.</b>
	The AAP includes policies to ensure a high quality development is created both in terms of design, provision of services and facilities and sustainable design of the development, which will be at the forefront of sustainable development.
<b>Commitment to assisting provision for local jobs for all.</b>	
The AAP includes policies for employment development in University related uses that could provide local employment.	
<b>Commitment to providing a voice for rural life.</b>	
This is an urban extension to Cambridge, but the relationship of the development to Girton village and community engagement in the planning process will be key considerations.	

## Recommendations

37. Council is invited to:
- (a) **RESOLVE TO ADOPT** the North West Cambridge Area Action Plan, as contained in Appendix 2, on 22 October 2009, subject to Cambridge City Council adopting the AAP on that day, and proceed in accordance with Regulations 35 and 36.
  - (b) **RESOLVE TO ADOPT** the revisions to the adopted Proposals Map, as contained in Appendix 3; and
  - (c) **NOTE** the Sustainability Appraisal Adoption Statement as contained in Appendix 4.

## Appendices

- Appendix 1 - Final Inspectors' Report
- Appendix 2 – Area Action Plan for Adoption
- Appendix 3 – Inset Proposals Map for Adoption
- Appendix 4 – Sustainability Appraisal Adoption Statement



**Background Papers:** the following background papers were used in the preparation of this report:

- Equalities Impact Assessment of the North West Cambridge Area Action Plan, Stage 1 – Initial Screening, September 2006
- North West Cambridge Area Action Plan, Development Plan Document Habitats Directive Assessment, April 2007
- North West Cambridge Area Action Plan Sustainability Appraisal, April 2008
- North West Cambridge Area Action Plan, Submission Draft, May 2008
- Equalities Impact Assessment of the North West Cambridge Area Action Plan, Stage 2 – Partial EIA, February 2009
- Sustainability Appraisal Addendum of the Inspectors' Larger Site Option, February 2009
- Inspectors' Larger Site Option consultation, March 2009  
Inspectors' Report on the Examination into the North West Cambridge Area Action Plan Development Plan Document, 24th August 2009

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