

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet 8 July 2010
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REVIEW OF JOINT DEVELOPMENT CONTROL COMMITTEE (CAMBRIDGE FRINGES) TERMS OF REFERENCE

Purpose

1. To consider extending the Terms of Reference of the Joint Development Control Committee (City Fringes) to include the site formerly known as ' NIAB extra, now known as NIAB 2' (National Institute of Agricultural Botany).
2. The Leader and New Communities Portfolio Holder have requested that Cabinet considers this proposal prior to determination by Council.

Recommendations and Reasons

3. Cabinet is recommended to:
 - (a) recommend that Council approve the amended Terms of Reference for the Cambridge Fringes Joint Development Control Committee as included in **Appendix A**.
 - (b) agree that the Terms of Reference for the Joint Development Control Committee are kept under review and any proposals for revision be brought back to Cabinet/ Council when appropriate.

This will ensure a co-ordinated approach to the planning of this part of North-west Cambridge.

Executive Summary

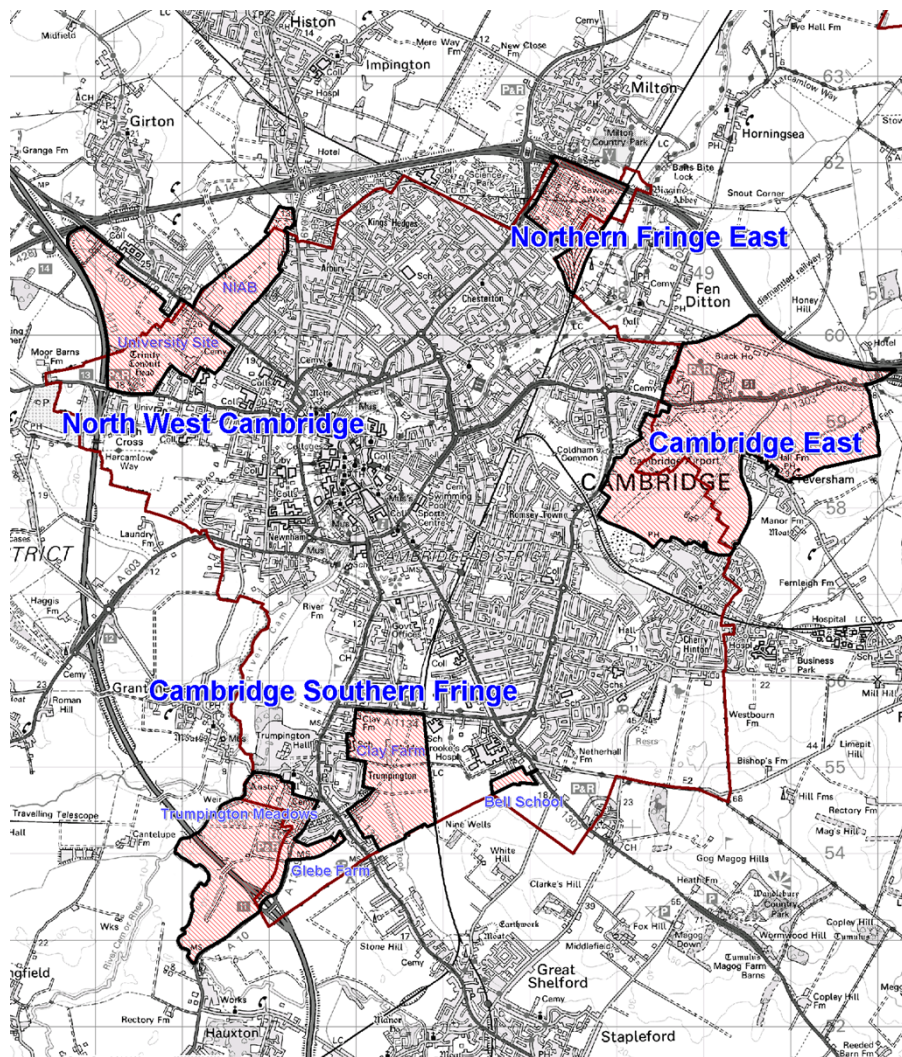
4. The Joint Development Control Committee (JDCC) was set up in 2007. It has the power delegated from Cambridge City, South Cambridgeshire District and Cambridgeshire County Councils (the Councils) to exercise development control functions on major developments within Cambridge East, Cambridge Northern Fringe East, North West Cambridge and Cambridge Southern Fringe, as set out in the Terms of Reference (**Appendix A**).
5. A review of the JDCC's boundaries was undertaken following the adoption of this Council's Site Specific Development Plan Document (DPD), which allocated additional land for housing and associated uses on NIAB 2.
6. This report sets out the background to the review and the changes that are being proposed. Cabinet is asked to recommend to Council on 22 July 2010 that the amended Terms of Reference included as **Appendix A** be approved. These include the 'NIAB 2' site within the remit of JDCC. Other minor amendments are proposed for clarification. Cambridge City Council and Cambridgeshire County Council agreed these amendments at their respective Cabinet and Council meetings in March and April 2010. The terms of reference will come into effect when all three Councils have agreed them.

7. This item was initially considered by Cabinet at its meeting on 8 April 2010 but deferred to allow for the implications of Marshall Aerospace's announcement made on 1 April 2010 to remain in Cambridge and not to relocate in the immediate future to be assessed. (Refer to paras 15 and 16 below)

Background and considerations

8. In 2007 the Cambridge Fringes Joint Development Control Committee was established to carry out planning functions for the major growth sites and the fringes of Cambridge City. It determines all planning applications for major developments and ancillary applications relating to the major developments that are received by Cambridge City, South Cambridgeshire District (SCDC) or Cambridgeshire County Councils for the following sites as shown on Map 1:

- North West – including NIAB 1 and North West Cambridge (University)
- Cambridge East (Marshall Aerospace)
- Cambridge Northern Fringe East
- Southern Fringe – including Trumpington Meadows, Clay Farm, Glebe Farm and Bell School

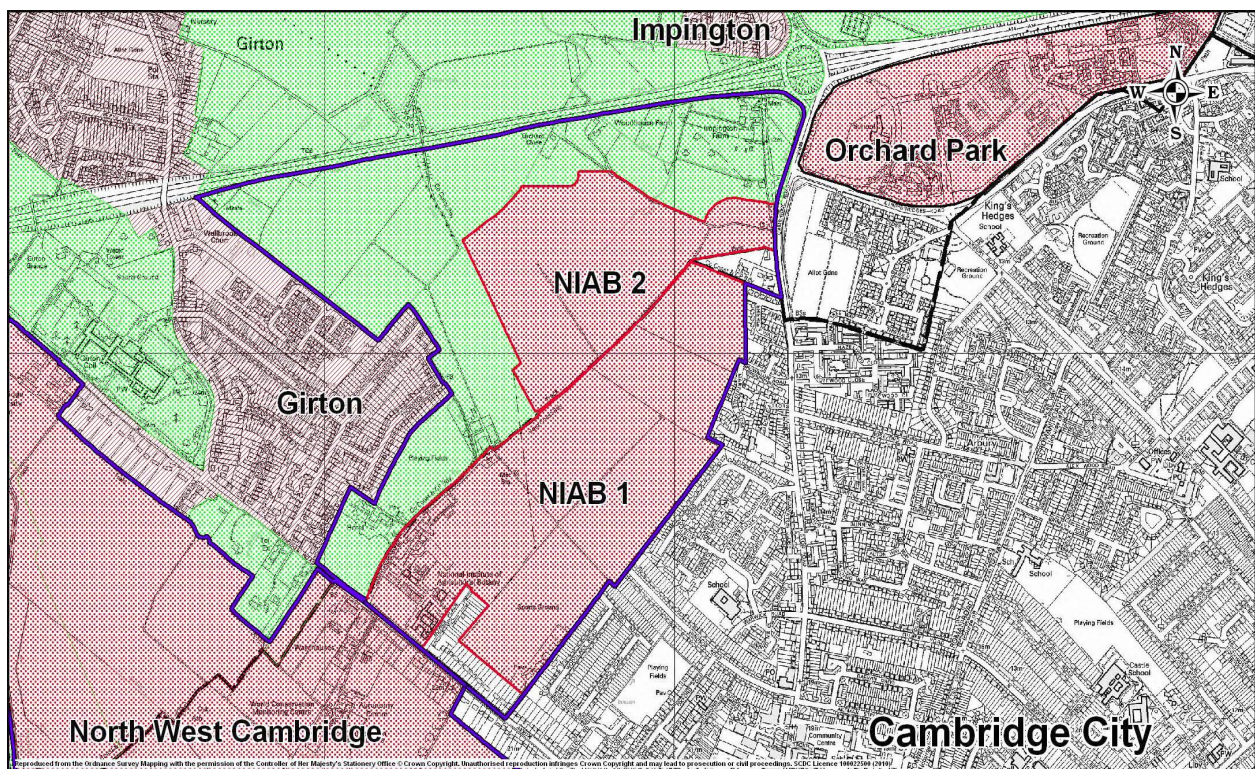


Map 1: Existing JDCC boundaries

9. The Council's Site Specific DPD was formally adopted on 28 January 2010. This removes the NIAB 2 site as shown on Map 2 from the Green Belt and allocates it for

approx 1100 houses as part of a sustainable housing led urban extension to Cambridge. It also requires a scheme of Countryside Enhancement for the remaining green belt land between Histon Road, the A14 and Huntingdon Road to provide landscape, biodiversity and public access improvements. The Secondary School for this site and the previously allocated main NIAB 1 site is to be located within the 'NIAB 2 site'.

10. The main NIAB 1 scheme comprises 1780 houses and falls wholly within Cambridge City. Development of the 'frontage site' for the first 187 homes has already commenced on site. The remainder of the site is currently the subject of an application for up to 1593 dwellings, a primary school, community uses and local centre, which will shortly be considered by the JDCC.
11. The area to come under JDCC needs to include not only the NIAB 2 development site but also all the land that is likely to be subject of the planning applications. This will ensure that JDCC is able to secure all requirements set out in the Site Specific DPD including for example a scheme for Countryside Enhancement and conversely is able to refuse inappropriate development in this area.
12. It is therefore proposed that the JDCC boundary is extended to include all the land up to the A14 and to the edge of the Girton village framework as shown in Map 2.



Map 2: Proposed extension to JDCC area to include NIAB 2 site

13. The terms of reference include the voting rights on applications. It is proposed that all JDCC Members have voting rights on NIAB 2 site.
14. The proposed Terms of Reference and associated appendices and annexes are attached at Appendix A. For ease of understanding **Appendix B** shows where changes have been made by way of 'tracked changes'.
15. With regards to Cambridge East, the implications of Marshall Aerospace's announcement made on 1 April 2010 to remain in Cambridge and not to relocate in the immediate future are not yet clear, and are unlikely to be for quite some time.

Discussions are due to be held between Marshall Aerospace and Chief Executives of both South Cambridgeshire District and Cambridge City Councils; the implications will also need to be considered in the context of changes to the planning systems, details of which are still emerging.

16. At this stage it would be premature to make any judgement in relation to Cambridge East. It is therefore recommended that the JDCC current Terms of Reference in this regard remain and any review be left for a later stage. The uncertainty over Cambridge East should not delay the suggested amendments to include NIAB 2.

Options (including other sites):

17. The possibility of extending the remit of the JDCC to include Orchard Park has been considered. Planning permission was originally given in 2005 for 900 homes, community uses, open space and some mixed use including B1 offices. Approximately three quarters of Orchard Park now has detailed planning permission. This Council's Site Specific DPD allocates a further 220 houses within this development. This site is within SCDC, and has recently become a parish in its own right. The proposed boundary review between SCDC and Cambridge City includes the transfer of Orchard Park into Cambridge City, but the timing of this remains uncertain.
18. It is not considered appropriate to include Orchard Park within the JDCC boundaries at this time. There is an existing and growing community at Orchard Park, which SCDC Members and officers continue to work hard to support. SCDC's Planning Committee is very familiar with the site and its planning history and wishes to continue to oversee future planning applications, particularly given that all but six land parcels now have the benefit of detailed planning permission.
19. JDCC boundaries can only be extended with agreement by all the Councils. It is therefore not considered appropriate at this time to seek to include Orchard Park. This Council will continue to consult with Cambridge City Council on Orchard Park applications and will work closely with them on policy matters.
20. Consideration has also been given to extending the boundary of the Southern Fringe to include the proposed site for the Household Waste Recycling Centre (HWRC). However, the County Council's Minerals and Waste Local Development Framework (LDF) has not yet been adopted, so it is considered that this would be premature at this stage. Consultation on the Submission Draft of the Minerals and Waste LDF ended on 29 March 2010. South Cambridgeshire District Council's views on the allocation of this site were made through this process. All representations will now be passed to the Inspector (to be appointed), who will make the final decision after an Examination in Public, likely to be held in 2011.

Future Reviews

21. It is recommended that the JDCC Terms of Reference be reviewed periodically. Through this there will be scope to review boundaries to include sites such as Orchard Park should this be considered appropriate at that time, or possibly the Southern Fringe HWRC, dependent on the approved site allocation and if necessary, to review existing sites such as to Cambridge East.

Delegation

22. The JDCC Terms of Reference sets out the functions delegated from the Councils to the JDCC. All functions relating to major developments falling wholly or partially within the relevant area are delegated to JDCC. As a point of clarification, the determination of reserved matters has been added to these functions, to ensure that a reserved

matters application for 9 dwellings relating to an outline permission granted by the JDCC would come under the remit of that Committee.

23. Regarding the definition of major development, the footnote has been amended to refer to and reflect correctly the General Development Procedure Order (GDPO). This has resulted in the addition of mining and minerals development and the deletion of Regulation 3 developments. These relate to developments by one of the Councils' individually or jointly with any other person. These applications are covered under the functions of the JDCC as set out in **Appendix 1** of the Terms of Reference.
24. The JDCC has its own scheme of delegation to Officers, which is included in **Appendix C**. It is proposed that the JDCC will be asked to review this at a later stage.
25. For clarification it has been added that decision notices are signed by the Director of Joint Planning. For information, S106 Agreements are sealed by all relevant Councils, as directed by the JDCC. This is set out in the functions of the Committee (Appendix 1 of the Terms of Reference).

Implications

26. The continued delegation of applications relating to the Fringe Sites will ensure that the growth of Cambridge and its Fringes will be addressed in a coherent manner. There are no financial implications of this review other than as included above. There are no direct staffing, procurement, community safety or equal opportunities implications.
27. A Cost Sharing Protocol has been included as Annex C to the Standing Orders. This will need to be agreed by the JDCC. The protocol sets out the cost sharing arrangements between the Councils; which in the first instance are to be met by the Joint Planning Budget which is administered through Cambridgeshire Horizons, and for which revenue funding has been secured up to March 2011.

28.	Financial	A cost sharing protocol is in place between the three local authorities to cover costs incurred in relation to the administration of the Committee, legal support and planning consultancy e.g. planning appeals. This will need to be reviewed as and when future funding arrangements for 2011 and beyond are known.
	Legal	Through agreement, Cambridge City Council provides legal advice to the JDCC.
	Staffing	The JDCC is advised by the Joint Planning Director, supported by planning officers from all three councils as required.
	Risk Management	Ensuring periodic review of Terms of Reference, Standing Orders and Scheme of Delegation is good practice and reduces opportunities for challenge.
	Equal Opportunities	No equal opportunities implications have been identified at this time.

Effect on Strategic Aims

29.

Commitment to being a listening council, providing first class services accessible to all.
The JDCC administers planning functions on behalf on all three local Councils, and will carefully consider all representations made. All three councils actively encourage participation in the planning process. In addition, protocols are in place to encourage and enable public speaking at its meetings as well as development control forums.
Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all.
Considerations of community safety and health will be taken into account when the JDCC considers planning applications for new development on this site.

Commitment to making South Cambridgeshire a place in which residents can feel proud to live.
The JDCC will consider the NIAB site as a whole, ensure that appropriate services and facilities are provided and that the development is coordinated and relates well to the neighbouring villages in accordance with SCDC's LDF.
Commitment to assisting provision for local jobs for all.
Future residents living in housing on this site, including affordable housing, will support the local economy.
Commitment to providing a voice for rural life.
The JDCC will oversee consideration of planning applications relating to this site. Protocols in place to encourage and enable public speaking at its meetings as well as development control forums.

Conclusions / Summary

30. This proposal represents a logical extension to the terms of reference of the JDCC. It reinforces the Council's partnership approach and will allow a coordinated approach to be taken to the determination of planning applications relating to all of the NIAB site.
31. The implications of Marshalls' announcement in relation to Cambridge East are not yet clear and any decision relating to this element should be left for a later review and not hold up consideration to include NIAB 2.

Appendices

Appendix A: PROPOSED TERMS OF REFERENCE FOR JOINT DEVELOPMENT CONTROL COMMITTEE including Functions (Appendix 1), Standing Orders (Appendix 2), Public Speaking Rights (Annex A), development Control Forums (Annex B) and Costs Sharing Protocol (Annex C).

Appendix B: PROPOSED TERMS OF REFERENCE FOR JOINT DEVELOPMENT CONTROL CAMBRIDGE FRINGES showing changes from the Terms of Reference approved in 2007.

Appendix C: SCHEME OF DELEGATION TO OFFICERS agreed 18 July 2007

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