

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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**REPORT TO:** New Communities Portfolio Holder

7 October 2010

**AUTHOR/S:** Executive Director (Operational Services) / Corporate Manager (Planning and New Communities)

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### **LOCAL DEVELOPMENT FRAMEWORK - CONSULTATION ON FEN DRAYTON FORMER LAND SETTLEMENT ASSOCIATION ESTATE SUPPLEMENTARY PLANNING DOCUMENT**

#### **Purpose**

1. The purpose of this report is to seek agreement for the Fen Drayton Former Land Settlement Association (LSA) Supplementary Planning Document (SPD) to be published for consultation.
2. This is not a key decision because the SPD will only affect the community living or working in one ward. Approval is sought to undertake a consultation exercise. It was first published in the May 2010 Forward Plan.

#### **Recommendations and Reasons**

3. That the Portfolio Holder:
  - (a) agrees that the draft Fen Drayton Former LSA Estate SPD (Appendix 1) be issued for consultation.
  - (b) notes the Sustainability Appraisal Statement (Appendix 2) and Habitat Regulations Assessment Statement (Appendix 3).
  - (c) that authority be given to the Corporate Manager (Planning and New Communities) to make minor amendments to the above documents.

#### **Background**

4. The purpose of Supplementary Planning Documents is to expand on policies set out in Development Plan Documents and to provide additional detail. The Council has adopted a number of Development Plan Documents (DPD) that form part of the Local Development Framework. The Fen Drayton Former Land Settlement Association (LSA) Estate SPD relates to Policy SP/11 which was adopted as part of the Site Specific Policies DPD in January 2010.
5. The LSA was created in the 1930s as an experimental scheme to settle unemployed industrial workers from the north-east of England and south Wales on landholdings away from their home areas and provide them with training and employment. The Fen Drayton LSA was one of twenty estates located across England. The legacy of the LSA experiment in Fen Drayton is a network of smallholdings and a patchwork of glasshouses and former horticultural buildings in various states of repair and use, and large areas of unused land. During the preparation of the Local Plan 2004, the Council's proposed policy for the former LSA estate, which restricted development to

that directly related to local agriculture, horticulture and other rural uses, was challenged. In response, the Inspector examining the plan recommended that as part of the next review consideration should be given to the development of a policy for reusing the area as a test bed for future patterns of sustainable living. The Council included Policy SP/11 in the Site Specific Policies DPD in response to the Local Plan Inspectors recommendation.

6. Policy SP/11 is an unusual and innovative policy that allows the reuse or redevelopment of buildings (excluding glass houses) within the former LSA estate for on site experimental or other ground breaking forms of sustainable living, where it can be demonstrated they are no longer needed for agricultural purposes and provided that the development would not occupy a larger footprint than existing buildings. The purpose of the Fen Drayton Former LSA Estate SPD is to provide practical advice and guidance to applicants on how to develop a proposal that will comply with Policy SP/11. In particular, the SPD seeks to: identify the eligible buildings available for reuse or redevelopment; define key terms and phrases such as 'carbon neutral', 'footprint' and 'buildings no longer needed for agricultural purposes'; and establish clear development and design principles for any new development including further details on the sorts of sustainability and design measures that should be considered when developing proposals. The draft SPD is included as Appendix 1.

### **Considerations**

7. The Government's overarching planning policy objective is for sustainable development. At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations. Policy SP/11 requires that any new development within the policy area must be for experimental or other ground breaking forms of sustainable living and that in this location, this will be achieved by requiring all new development to be carbon neutral.
8. The concept of sustainable living encapsulates more than simply the design and sustainability of any new buildings within the policy area. Sustainable living can be defined as a lifestyle that attempts to reduce an individual's use of resources and therefore their carbon footprint. Through policies in the LDF, the planning system can create sustainable developments that allow residents the opportunity to have a lifestyle that aspires to the principles of sustainable living, however it cannot directly change the behaviour of the occupiers of any new development. It is recognised that the former LSA estate at Fen Drayton is not one of the most sustainable locations within the district; however the policy area does have significant opportunities to pursue sustainability principles related to energy generation and food production.
9. To be experimental and groundbreaking, the SPD requires any new development to be innovative and ahead of the times by achieving standards significantly above those required and achieved elsewhere. Therefore the SPD sets out the requirements that any new dwellings achieve Code for Sustainable Homes (CfSH) Level 6 and any new non-residential developments achieve Building Research Establishment Environmental Assessment Method (BREEAM) outstanding standard. Both these standards require the buildings to be zero carbon ahead of the Governments timescales for implementation. In the context of a South Cambridgeshire village, it is recognised that these standards are challenging however

by following the development and design principles set out in the SPD it will be possible to develop a proposal that meets the requirements of the policy. As an example, the ZED factory have developed a rural ZED kit house to provide a zero carbon housing solution that would be suitable for use in this location.

10. As part of the process of preparing an SPD there must be an opportunity for representations to be made on their content. If agreed by the Portfolio Holder, the SPD and their accompanying documents will be subject to six weeks of public consultation, which is anticipated will start on 29 October 2010.
11. The Council will consider the representations on the draft SPD and make any relevant changes to the SPD as a result of comments received. A report will then be made to the Portfolio holder on the representations submitted, and the Portfolio Holder will make the decision whether to adopt the document.

### **Process for preparing the SPDs**

12. The draft SPD has been prepared in consultation with the relevant specialist officers within the Council. Following the enactment of the Planning Act 2008 and a change to the Regulations in 2009 there is no longer a requirement to carry out a Sustainability Appraisal (SA) of the social, environmental and economic effects of the proposals contained within the SPD. However, under the European Union Strategic Environment Assessment (SEA) Directive, the Council still needs to consider whether there will be any significant environmental effects of the SPD. Given the parent policies in the DPDs have been fully appraised, and SPD cannot create new policy, it is considered unnecessary to undertake an SA / SEA of the SPD. A statement to this effect has been prepared and will be published alongside the draft SPD (Appendix 2).
13. The Habitats Directive (Council Directive 92/43/EEC) sets out the requirement for Assessment of plans or projects affecting Natura 2000 sites<sup>1</sup>. The first stage in carrying out an HRA is the scoping report which identifies the likely impacts upon a Natura 2000 or Ramsar site, either alone or in combination with other projects or plans, and considers whether these impacts are likely to be significant. If it is found that there is not likely to be a significant impact then a full Appropriate Assessment would not need to be carried out. Each of the DPDs containing the parent policies for the SPD has been found to have no likely significant impact. Given the parent policies in the DPDs have been fully appraised, and SPD cannot create new policy, it is considered unnecessary to undertake an assessment of the SPD. A statement to this effect has been prepared and will be published alongside the draft SPD (Appendix 3).

### **Implications**

14.	Financial	Within existing budgets
	Legal	None

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<sup>1</sup> Natura 2000 is a Europe-wide network of sites of international importance for nature conservation established under the European Council Directive 'on the conservation of natural habitats and of wild fauna and flora' – (92/43/EEC 'Habitats Directive').

Staffing	Staffing will be required to manage the consultation process, although this can be accommodated within existing resources.
Risk Management	No significant risks. The Consultation responses will highlight any issues for further consideration by the Council.
Equal Opportunities	The SPD has been subject to an Equality Impact Assessment (see Appendix 4) and has been shown to have a neutral and/or positive impact on Equal Opportunities.
Climate Change	The SPD supports sustainable development and the development of zero carbon buildings.

## Consultations

- 15. The Council's Major Developments Team, Urban Design Team, Sustainable Communities Team, Building Control Team, Planning Policy Team and Development Control Team have been consulted during the preparation of the Supplementary Planning Document.
- 16. The Council also involved local people during the production of the SPD. A workshop was held on Saturday 4 September from 9.30am – 12.30pm involving 4 Council officers, 3 Councillors, 10 representatives from the former Land Settlement Association Estate and 7 Parish Councillors. The workshop was facilitated by an independent person from Planning Aid. The workshop discussed: the key definitions such as 'footprint' and 'groundbreaking and experimental sustainable living'; and the development and design principles for any new development. The discussions have influenced the content of the SPD. There was positive feedback at the event.

## Effect on Strategic Aims

- 17. **Commitment to being a listening council, providing first class services accessible to all.** Consultation has already taken place with local stakeholders on the key issues for the SPD, and the discussions have influenced the content of the SPD. Further, wider, consultation on the SPD will enable the Council to receive comments on the document's contents from residents of the LSA and nearby villages, the Parish Council, developers, house builders, other interested parties and the general public.
- 18. **Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for all.** At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations. The aim of the SPD is to provide practical advice and guidance to applicants on how development proposals can ensure they are sustainable and achieve a high quality of design in a way that respects the local context.
- 19. **Commitment to making South Cambridgeshire a place in which residents can feel proud to live.** At the heart of sustainable development is the simple idea of ensuring a better quality of life for everyone, now and for future generations. The aim of the SPD is to provide practical advice and guidance to applicants on how development proposals can ensure they are sustainable and achieve a high quality of design in a way that respects the local context.

20. **Commitment to assisting provision for local jobs for all.** New employment opportunities may be created within the policy area, as development proposals could include employment uses to promote the principles of sustainable living by allowing residents to live and work in the locality. The sustainability of any development proposal could also be increased through the use of local businesses, such as architects, builders and suppliers, in designing and constructing any development proposal.
21. **Commitment to providing a voice for rural life.** Consultation has already taken place with local stakeholders on the key issues for the SPD, and the discussions have influenced the content of the SPD. Further, wider, consultation on the SPD will enable the Council to receive comments on the document's contents from residents of the LSA and nearby villages, the Parish Council, developers, house builders, other interested parties and the general public.

### **Conclusions / Summary**

22. The report requests approval to undertake a public consultation on the draft SPD.

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

- Site Specific Policies DPD
- Development Control Policies DPD
- District Design Guide SPD
- PPS1: Delivering Sustainable Development
- Supplement to PPS1: Planning and Climate Change
- Code for Sustainable Homes: Technical Guide (CLG, 2009)

### **Appendices:**

- Appendix 1 Draft Fen Drayton Former LSA SPD
- Appendix 2 Strategic Environmental Assessment / Sustainability Appraisal Statement
- Appendix 3 Habitats Regulations Assessment Statement
- Appendix 4 Equality Impact Assessment Fen Drayton Former LSA Estate SPD

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