

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

**REPORT TO:** Council

22 November 2005.

**AUTHOR:** Director of Development Services

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### **SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK: CAMBRIDGE EAST AREA ACTION PLAN: PRE-SUBMISSION DRAFT RESPONSE TO REPRESENTATIONS AND PROPOSED CHANGES**

#### **Purpose**

1. For Members to consider representations to the Pre-Submission draft Cambridge East Area Action Plan (AAP), prepared jointly with Cambridge City Council and agree proposed responses to it. Members are also asked to agree the resulting proposed changes to the draft AAP and to submit it to the Secretary of State in January 2006.

#### **Effect on Corporate Objectives**

2. 

High quality, accessible, value for money services	<ul style="list-style-type: none"><li>• Assist the Council's objectives to deliver quality accessible development in the district</li><li>• Include the provision of affordable housing and the effective delivery of sustainable development at Northstowe and other major developments on the edge of Cambridge and development of sustainable communities</li><li>• Assist the delivery of the Community Strategy</li><li>• Be used by Cambridgeshire Horizons to help the early and sustained development of the necessary services and infrastructure.</li></ul>
Quality village life	
A sustainable future	
A better future through Partnerships	

#### **Background**

3. Initial consultation took place with stakeholders between 14 April and 12 May 2004 on issues for the first tranche of DPDs under the "jumping the gun" regulations. An additional round of public participation took place on the Cambridge East Preferred Options Report between 1 October and 12 November 2004, involving issues and alternative options for the AAP. The results of these consultations fed into the Pre-Submission draft Cambridge East AAP, which was subject to six weeks consultation between 17 June and 29 July 2005.

#### **Results of Pre-Submission Public Participation**

4. Around 450 representations were received during the Pre-Submission public participation period to the Northstowe AAP, less than a third of the number received at the Preferred Options Stage. Of these, approaching 30% were in support. This is

quite different from the level of representations for each at the Preferred Options stage, which numbered 1515, a significant number of which were objections to any proposal to relocate Marshall Airport to Duxford. That option has since been ruled out by Marshall.

5. Officers have prepared proposed responses to representations on the Cambridge East AAP for Members' consideration as set out in Appendix A. The schedule:
  - a. lists all the representations in plan order by policy / paragraph,
  - b. identifies the respondent where it is an organisation,
  - c. indicates whether the representation objects to or supports the plan,
  - d. summarises the representation,
  - e. gives a proposed officer response
  - f. where any changes to the AAP document are considered appropriate in response to the representation, indicates how the AAP should be amended to address the issue
  - g. includes at the end, maps showing the physical extent of any site specific representations received.

6. Further Appendices provide other information to assist Members consider the representations and agree the AAP for Submission:

Appendix B	A version of the Cambridge East AAP, which highlights the changes arising from the responses to representations in Appendix A, and includes any resulting changes to the Proposals Map
Appendix C	An index of all those making representations to the draft AAP for reference

7. There were no representations received on the Cambridge East Draft Final Sustainability Report. The proposed changes to the AAP have been subject to independent sustainability appraisal by the Council's consultants to assess their impact in sustainability terms. In terms of the Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) the consultants have not identified any significant changes to the previous appraisal of the Pre-Submission documents, although they note some minor improvements in terms of sustainability for some changes and less sustainability benefits in terms of other changes (generally those where environmental requirements have been deleted from policies in response to representations from GO-East that they lie outside the scope of the planning system). Any new policies proposed have also been subject to appraisal. The consultants have not recommended any further changes to the Plan. Copies of the SA / SEA schedules are available to view on the Council's website.

### **Key Issues for Consideration**

10. There are a number of changes proposed to the AAP in response to representations many of which are refinements rather than fundamental changes. These are identified in detail in the schedule at Appendix A and highlighted in the AAP at Appendix B. Members should focus their attention on the representations received and the proposed changes to the AAP (the struck through and underlined text indicated by a sideline in the margin of the page). However, in order to assist Members, some of the main changes arising from the representations to the AAP can be summarised as follows:

- Marshall propose that the AAP facilitates the relocation of the car showrooms to the eastern end of the development north of Newmarket Road. The response highlights that this is a significant change to the representations the company made at the Preferred Options stage but proposes a change to the supporting text which indicates that relocation elsewhere in the site could be an option to be considered in the masterplanning of the development.
- A new standard for Strategic Open Space is included in response to a representation from the County Council.
- The requirement for a single body to manage water courses is amended to instead set the requirements for any body or bodies, such as the need for public accountability and sufficient powers, funding, resources, expertise and integrated management to be secured by legal agreement.
- The requirement for 25% water conservation measures has reluctantly been recommended to be deleted from policy CE/26 in response to a representation from GO-East that this lies outside the scope of the planning system.
- The scope of the energy conservation policy has been amended to delete aspects which GO-East advise are outside the scope of the planning system.
- New chapter on delivery of the AAP (Chapter E3) which sets out the mechanisms for implementing the AAP and includes a housing trajectory, a requirement of the new plan making system which predicts delivery of the development
- New chapter on monitoring the AAP (Chapter E4) which highlights the importance of the plan, monitor and manage approach and sets out the indicators that will be used to monitor delivery of Cambridge East

11. Some of the other main themes of representations, where no changes proposed are:

- Very few representations on the principle of development of Cambridge East. Some representations question whether the development will deliver sufficient dwellings during the plan period and propose alternative sites. The response clarifies that the Councils are not relying on the Airport site itself to yield dwellings by 2016.
- Representations from the landowner and others seek to ensure that the AAP does not require planning obligations that go beyond the terms of Circular 05/2005 and question whether some draft AAP policies do so. The response sets out the Councils' position that the AAP is consistent with the circular.
- Marshall object to the extent of the site north of Newmarket Road and seek a boundary to the east of Airport Way, running northwards to meet High Ditch Road. The response rejects this proposal as contrary to Green Belt principles and reiterates the view that if a new A14 link is required this would form an appropriate boundary for the Green Belt and would be addressed through a review of the AAP.
- The width of the Green Corridor is challenged as being too great. The response reiterates the Councils' view that this is a minimum width having regard to other corridors in the vicinity. Marshall objects to the restriction of uses in the area, in particular the policy that playing fields and other urban related open space uses will not be appropriate. The response maintains the position on the basis that it should have an informal countryside character.
- The width of Green Separation with Teversham village is challenged as being insufficient to prevent coalescence. The response maintains that the approach developed for the Northstowe AAP following detailed consideration of the issue of separation is appropriate for the Cambridge East AAP. It makes clear that the final extent of the separation will be determined in a review of the plan when masterplanning is further advanced.
- The affordable housing target is challenged as being unviable and due to concerns on social structure of the development. The response clarifies the high

level of housing need in the Cambridge area, the wide range in tenure mix that is included within affordable housing and that the issue of viability will be a factor in determining any planning application at which point all the required obligations on the development can be properly assessed and the appropriate affordable housing provision determined within that context.

- Various questions surrounding the transport provisions for the development are raised. The responses highlight the role of the emerging Long Term Transport Strategy and the current Cambridge East Transport Strategy work that has been commissioned in working up the transport issues at Cambridge East.
- The Highways Agency reiterates its in principle objection to any additional access onto the A14 and seeks evidence that the scale of development could be accommodated without having a detrimental impact on the operation of the trunk road. The response confirms that the AAP does not require a new access to the A14 pending the outcome of the Long Term Transport Strategy and Cambridge East Transport Strategy, but that it does confirm that if it is required it would be a replacement junction, not an additional one. Also that the strategies will assess the impact of the development on roads near to the development, including trunk roads.
- Marshall seek the inclusion of an additional access to Airport Way to the north of Teversham and the County Council suggest that such a link should not be ruled out. The response states that the local planning authorities cannot support this proposal without proper justification because of concerns at impacts on Teversham village and impacts on separating the development from the proposed country park. The transport strategies in preparation will address this issue and it will be a matter at the public examination. It also makes the point that the AAP will be reviewed before the development of the Airport comes forward.
- The County Council proposes that a major waste management facility be provided on Phase 1 north of Newmarket Road. The response highlights that this is a matter for the emerging Minerals and Waste LDF but refutes the suitability of Phase 1 for this type and scale of waste facility.

### **Cambridge East Joint Member Reference Group**

12. The Cambridge East Joint Member Reference Group (JMRG) met on 4 November 2005 and considered the schedule of responses to representations and the draft AAP with changes incorporated. The JMRG endorsed the majority of responses to representations and proposed changes. There were 2 issues where the JMRG recommended changes to Cambridge City and South Cambridgeshire District Councils. These are:

- a. Water Conservation

Officers reported that it had been intended to delete paragraph 5 of policy CE/26: Land Drainage, Water Conservation, Foul Drainage & Sewage Disposal in response to an objection from GO-East. This objection and the original proposed response can be found in Appendix A and in Chapter D12 of Appendix B. However, PPS1 paragraph 22 states that “development plan policies should seek to minimise the need to consume new resources over the lifetime of the development by making more efficient use or reuse of existing resources” and that “local authorities should promote ... the sustainable use of water resources”. Officers have reconsidered and feel that it would be appropriate to retain the principle of requiring water conservation in view of the importance of this issue to achieving sustainable development, whilst deleting the specific target in response to GO-East’s representation. It is therefore

proposed to reinstate parts of paragraph 5 as follows and this was endorsed by the JMRG. Paragraph 5 to now read as follows:

*5. All development in Cambridge East will incorporate water conservation measures including water saving devices, rainwater harvesting and greywater recycling. ~~No dwelling shall be occupied until the local planning authorities have agreed a strategy which will secure at least a 25% reduction in the use of piped water compared to the average water consumption for development which does not have water conservation measures whilst managing the recycling of water, to ensure no adverse impact on the water environment and biodiversity.~~*

A consequent change is necessary to paragraph D12.11 of the AAP in Appendix B. The last sentence to be amended to read:

*...This important issue should be considered as part of the Cambridge East proposals. , although it lies outside the scope of the planning system.*

b. Waste

Concern was raised at the JMRG about the proposed officer response to an objection from the County Council concerning waste. See Appendix A, Chapter D5: Employment, Objective D5/a, representation number 10909. The concern was that this response could be interpreted as giving a negative view on the principle of whether major waste management facilities would be appropriate in Cambridge East as a whole, and may also give too much comfort to the developers of other urban extensions to resist waste management proposals. Officers clarified that the response sought to explain that there were no suitable land use allocations at Cambridge East where a district level AAP could reasonably make reference to waste matters, and that identifying any suitable site would be a matter for the Minerals and Waste LDF being prepared by the County Council as waste authority. Officers agreed to revise the proposed response to make this clear. The following revision is proposed:

10909 - Cambridgeshire County Council Objection - Response

*The adopted Waste Local Plan identifies all major developments as preferred locations for major waste management facilities but does not identify specific sites. The County Council has begun the preparation of a Waste and Minerals LDF and the issues and options report raised fundamental questions about whether the major development were appropriate locations for waste facilities. It is not know at this time what approach will be proposed in the emerging Waste LDF.*

*There may be some major developments where it is appropriate to propose general employment areas as part of the proper planning of an area, e.g. Northstowe, where such an area is proposed in order to provide a local range of employment for this entirely new settlement. In appropriate circumstances, this approach may provide an opportunity for waste facilities to secure a suitable site in open competition with other employment uses, but it is not an allocation for a waste facility, which ODPM has confirmed cannot be made in a District LDF document. There is no equivalent general employment area proposed at Cambridge East as most of the employment will be located within*

the district centre or the local centres as part of high density, mixed use developments.

~~In the case of Cambridge East, which is an urban extension to Cambridge, there are no proposals for a general employment area. Policy GE/11 provides for small scale industries in use classes B1(c), B2 and B8 (up to 1,850m) which contribute to a greater range of local employment opportunities, particularly if they contribute to the development of locally-based skills or expertise. It is not considered that a major waste management facility falls into this definition. The policy also requires that the nature and form of employment provision reflects the high density character of the urban quarter and that it is located at the district centre as part of mixed use development or at local centres comprising small scale employment. None of these requirements, which are consistent with the Structure Plan, would encompass a major waste management facility. Whilst it is recognised that modern waste management facilities are very different from older operations, they nonetheless involve significant levels of heavy traffic and have some issues of noise, dust, and odours and in principle are not good neighbours to be placed in close proximity to residential uses.~~

Looking specifically at Phase 1 north of Newmarket Road, the AAP identifies the considerable challenge that exists in creating a satisfactory residential neighbourhood ahead of the wider development and specifically adjoining the North Works site, and the relocation of some existing employment uses will be important to help provide a suitable residential environment. It is not appropriate to propose a general employment area in Phase 1. Turning specifically to a waste facility in this location. It would not be appropriate to locate a major waste management facility or a household waste recycling centre in Phase 1. It would significantly undermine the ability to create a successful residential area. This relates both to the nature and scale of the use and the type and level of traffic generation that would be created into an area with a single traffic access.

It appears that this objection is very much opportunity led in view of the County Council's concern that there is an urgent need for a facility, rather than the good planning of this major new urban quarter. There is no suggestion that Cambridge East requires a general employment area and it appears that the proposal to include one is specifically in order to bring forward a waste facility: in effect a waste allocation by another name. This is not appropriate. Achieving a high quality neighbourhood will be crucial to achieving a successful new development in the longer term and this proposal would seriously damage the ability for this to be achieved. The appropriate mechanism to explore whether there may be potential in Cambridge East as a whole for a major waste management facility is through the emerging Minerals and Waste LDF, which would need to identify a specific site allocation, and which could be considered in the context of the Cambridge East Area Action Plan.

### **Cambridge City Environment Scrutiny Committee**

13. The City Council's Environment Scrutiny Committee considered the schedule of responses to representations and the revised draft AAP at its meeting on 8 November. The Committee agreed both documents, and also agreed the additional

changes in respect of water conservation and waste as set out in paragraph 12 above.

### **Next Steps**

12. Members are being asked to agree the Cambridge East AAP at this meeting for submission to the Secretary of State. However, if there are any matters arising from this meeting, they will be brought back to Council at its meeting on 9 December for final agreement. Cambridge City Council will be considering the AAP for submission at its Council meeting on 8 December. Any issues arising will be advised to the meeting of this Council orally. The revised Cambridge East AAP, together with the Core Strategy DPD, Development Control Policies DPD, Site Specific Policies DPD and the other Area Action Plans for Northstowe and Cambridge Southern Fringe that are the subject of separate meetings of Council, will be submitted to the Office of the Deputy Prime Minister in January 2006.
13. Further minor technical updating will also be required to the Cambridge East AAP and consistency across the plans will need to be checked to ensure any consequential changes as a result of proposed changes are made. Members are asked to delegate this process to the Portfolio Holder if it involves and matters of policy and to the Development Services Director for purely technical changes.
14. Submission to the Secretary of State will trigger the start of a further statutory six week period during which representations can be made on the AAP. Once this consultation period has finished public views will also be sought and considered on any "objection" sites. This includes both new and alternative development sites put forward by objectors to the AAP and will give an opportunity for third parties to make formal representations before objection sites are considered by the Inspector. This is a new stage under the new plan making system. A public examination into the joint plan is then scheduled for July to October 2006 (with a recess in August) to be chaired by an independent Inspector who will test the "soundness" of the AAP. Finally the Inspector will produce a binding report which is programmed for March 2007 and the Councils will then adopt the AAP.

### **Options**

15. There are no specific options to put before Members at this stage.

### **Community Safety Implications**

16. None

### **Environmental / Sustainability Implications**

17. Key components of the AAP will consider matters such as landscape and biodiversity, land drainage and water conservation, energy efficiency and managing waste. The Sustainability Appraisal of the proposed changes to the AAP did not identify any significant issues.

### **Equal Opportunities Implications**

18. None

### **Financial Implications**

19. The additional round of public consultation occasioned by the September 2004 changes in the Regulations for plan-making has had to be funded from the unspent monies for the Public Examination into the 'soundness' of the plans which has now been postponed to the next financial year. Additional budgetary provision will have to be added to the monies which will be rolled over into 2006/07.

### **Legal Implications**

20. None.

### **Risk Management Implications**

21. The effect of any slippage to the timetable could be significant to meeting the Structure Plan development strategy for the Cambridge area.

### **Staffing Implications**

22. Within existing resources.

### **Conclusions**

23. The Pre-Submission Public Participation has resulted in a positive level of support for many of the policies contained in the draft AAP and many of the objections received were seeking refinement of policies rather than major changes to them.
24. A number of representations from GO-East questioned the need for and scope of policies in the AAP and sought a streamlining of the plan and increased emphasis on linkages with other plans and strategies and on implementation and monitoring. These have been addressed through proposed changes to the AAP. The Sustainability Appraisal of all proposed changes confirms that these do not have any material impacts on the sustainability credentials of the AAP.
25. The revised AAP as contained in Appendix B is considered to be a sound plan and ready for submission to the Secretary of State, subject to further refinement as set out in paragraph 13.

### **Recommendations**

26. Members are invited to:
1. AGREE the responses to representations to the Pre-Submission draft Cambridge East Area Action Plan (AAP) as contained in Appendix A.



2. AGREE the proposed changes to the draft AAP as contained in Appendix A and incorporated into Appendix B and that it BE SUBMITTED to the Secretary of State in January 2006.
3. DELEGATE further minor editing changes to the DPDs to the Planning Portfolio Holder where they involve matters of policy and to the Development Services Director where they are technical matters.

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

Pre-submission Cambridge East Area Action Plan, June 2005

Representations received in response to the above document.

Revised Sustainability Appraisal

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