

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council
AUTHOR: Director of Development Services

9th May 2005.

SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK: APPROVAL OF DRAFT DOCUMENTS FOR PUBLICATION FOR PRE-SUBMISSION PARTICIPATION

Purpose

1. To approve for publication the Development Plan Documents in the first tranche of the Local Development Framework, taking into account the revisions brought about by consideration by Council of the preliminary drafts and the results of the Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA).

Effect on Corporate Objectives

2.	High quality, accessible, value for money services.	<ul style="list-style-type: none">• Assist the Council's objectives to deliver quality accessible development in the district.• 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.• Assist the delivery of the Community Strategy.• Be used by Cambridgeshire Horizons (formerly the Infrastructure Partnership) to help the early and sustained development of the necessary services and infrastructure.
	Quality village life.	
	A sustainable future.	
	A better future through Partnerships.	

Background

3. The Council published Preferred Options Reports for a number of Development Plan Documents on 1st October 2004. Supporting Studies were also published for consultation. Public participation on the matters, options and approaches raised in these reports took place over a six-week period ending on 12th November.
4. The Preferred Options Reports covered:
 - Core Strategy and Development Control Policies
 - Rural Centres
 - Northstowe Area Action Plan (AAP)
 - Cambridge Southern Fringe Area Action Plan
 - Cambridge East Area Action Plan (prepared jointly with Cambridge City Council)

The supporting studies published as consultation drafts were:

- Sustainability Appraisal Scoping Report
 - Urban Capacity Study
 - Recreation Study, including Annexe 1 - the Village Results.
5. Council considered the results of public participation at a number of meetings and indicated the general direction which should be taken in developing policies. These meetings were:
- Core Strategy and Development Control Policies on 20th / 21st January 2005. (This included consideration of the Sustainability Appraisal Scoping Report, Urban Capacity Study and Recreation Study, including Annexe 1 - the Village Results)
 - Northstowe AAP on 1st / 11th February
 - Cambridge Southern Fringe AAP on 11th February
 - Cambridge East AAP on 8th March.
6. With Council having agreed the general direction of policies, the next round of meetings considered the emerging draft documents as follows:
- Core Strategy and Development Control Policies on 15th March
 - Northstowe AAP on 23rd March
 - Cambridge East AAP on 15th April
 - Cambridge Southern Fringe AAP on 21st April.
7. Cambridge East, which is a joint Area Action Plan with Cambridge City Council was also considered by the Cambridge East Member Reference Group, which considered the results of public participation on 21st February and the emerging draft plan on 5th April. Cambridge City Council's Environment Scrutiny Committee considered the results of public participation on 22nd March and the emerging draft plan on 12th April.

Process Towards Publication of the Draft Documents

8. Attached to this Agenda Item are Appendices containing the four DPDs:
- Appendix A – Core Strategy and Development Control Policies
 - Appendix B – Northstowe AAP
 - Appendix C – Cambridge East AAP
 - Appendix D – Cambridge Southern Fringe
 - Appendix E - Proposals Maps (Note: these are the District-wide Proposals Map, the three AAP Proposals Maps and three inset maps (Hauxton, Longstanton and Histon/Impington) shown because unlike other Inset Maps they have changed since Council on 15th March)
 - Appendix F – Glossary (this is presented to Council as a separate item which applies to all the documents and in the published versions it will be bound into each document).
9. Following approval of the emerging draft documents, the Council's appointed independent consultants for SA/SEA have been able to appraise the policies and proposals. Their recommended amendments have been taken into account in refining the draft documents. Regulations require this process to have been concluded before the documents can be approved as the Council's policy. The consultants' final Sustainability Appraisal Reports for each of the documents are set out as an

Appendix to each of these documents. Members will see that the Sustainability Appraisal Appendix for each document consists of:

- The Consultants Report
- The Policy Assessment Background Tables
- The Audit Trail of Policy Development (which sets out the audit trail of how policies have been developed from options).

Thus, for example, the draft Northstowe AAP is Appendix A, which is followed by Appendix A/1 (the Consultants' SA Report), Appendix A/2 (The Policy Assessment Background Tables) and Appendix A/3 (The Audit Trail of Policy Development).

10. It had been this Council's intention to submit the documents now to the Secretary of State. However, acting on comments from the Government Office, Counsel's advice has recently been obtained which means that the Council would be at risk of legal challenge if it were to proceed to submission without having first consulted on *"the authority's proposals for the DPD and such supporting documents as in the opinion of the authority are relevant to those proposals"*. This will require an additional round of public participation on the drafts of the Core Strategy and Area Action Plans together with the Strategic Environmental Assessment/Sustainability Appraisal of those drafts and a statement as to how the drafts have been prepared and revised in the light of consultation and assessment.
11. The earlier decision to submit to the Secretary of State after having undertaken considerable public participation on Preferred Options in October/November 2004 had been confirmed by the Government Office, GO-East, as compatible with what have become known as the "Jumping the Gun" Regulations. However, GO-East now concurs with counsel's advice that this would be to risk legal challenge.
12. The draft documents will therefore need to be the subject of what is now referred to in the Town and Country Planning (Local development) (England) Regulations 2004 as Pre-Submission public participation, the results of which will need to be considered by Council and appropriate revision to the documents made prior to formal submission to the Secretary of State in January 2006. To achieve this, I am suggesting a series of five meetings of Council over a three week period starting the third week in November 2005.
13. Preliminary work on revising the subsequent stages of the timetable indicates that this would mean that consultation on objectors' sites would begin in March 2006, the Independent Examination would start in July 2006, with the Inspector's binding report likely to be received in January 2007 and the Documents finally adopted in February 2007. This would be a very challenging timetable for this Council, objectors and the Inspectorate. I should emphasise that this timetable is provisional and will need to be further refined following discussions with GO-East and the Inspectorate.
14. Although this represents a delay in the adoption of the Local Development Framework, your officers have sought to minimise that delay. The Secretary of State should be reminded that the delay is largely due to revisions to draft Regulations and final Regulations being published at a pace which did not meet the Government's own requirements for South Cambridgeshire to make an early start of the LDF.

15. Given the extensive public participation on Preferred Options, it is recommended that a slightly less intensive programme of participation would be appropriate, given that most of the content of the draft documents has been the subject of previous participation. This would also mean that the additional financial costs to the Council can be minimised. It is proposed that the documents should be published for a six week period of consultation from 17th June to 29th July. The documents would be sent to Parish Councils and other statutory consultees as appropriate. The documents would also be available at libraries and public access points, and available on the Council's website with an interactive response form along the lines which proved so successful at the last stage. It is proposed that there should be a series of manned exhibitions at key locations: Teversham, Fen Ditton, Longstanton, Oakington, Great Shelford, Sawston and Histon/Impington. There would also be a permanent exhibition at South Cambridgeshire Hall for the entire consultation period. Cambridge City Council will also mount exhibitions in its area to cover Cambridge East as well as those at Fen Ditton and Teversham.

Revising the Development Plan Documents for Public Participation

16. The documents are the emerging drafts considered by Council previously with the proposed changes shown. These changes arise from:
- Minor editing
 - The need to maintain a consistent approach between documents
 - Decisions made by meetings of the Council
 - Recommendations from the SA/SEA consultants
 - Consideration of the County Council's suggestions on Northstowe
 - Additional matters coming forward which need to be addressed.
17. Members are therefore asked to consider each of the DPDs in turn with the proposed changes.
18. In considering these documents, Members will also need to note the final Sustainability Appraisals for each document. These will be available as follows:
- Core Strategy and Development Control Policies – Appendix A/1
 - Northstowe AAP – Appendix B/1
 - Cambridge East AAP – Appendix C/1
 - Cambridge Southern Fringe – Appendix D/1
19. The cost of progressing the LDF is set out in the Council's budget.

Legal Implications

20. The Planning and Compulsory Purchase Act 2004 imposes a statutory duty to prepare a Local Development Framework and to keep it up to date.

Staffing Implications

21. The programme for the LDF has been compiled having regard to the staffing resources that the Council can commit to planning policy preparation in the context of

wider pressures for the early delivery of the development strategy set out in the Structure Plan.

Risk Management Implications

22. Given the imperative from the Regional Planning Guidance and the Structure Plan that an early start must be made on the increased rate of development in the Cambridge Sub-region, it is important that the District Council, as the plan-making authority, is able to ensure that development takes place consistent with the LDF. If the LDF is not in place at an early stage there is the risk of developments being determined by the development control and appeal process. It is also necessary to ensure that the process is consistent with Regulations in order to avoid the possibility of legal challenge.

Consultations

23. The Preferred Options Reports that guided preparation of the draft documents were the subject of extensive public participation. It is proposed that another round of consultation with the public should now take place on the draft documents

Recommendations

24. Council is recommended to:
- i. Agree the proposed changes highlighted in the draft Development Plan Documents as set out in Appendices A, B, C and D to this report;
 - ii. Note the results of the Sustainability Appraisal
 - iii. Authorise the draft Development Plan Documents attached in Appendices A, B, C, and D for the purpose of public participation;
 - iv. Delegate to the Planning Portfolio Holder any material changes resultant from further information and to the Director of Development Services authority to approve any minor editing changes.

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

Core Strategy Preferred Options Report, SCDC, October 2004
Draft Sustainability Appraisal Scoping Report SCDC October 2004
Northstowe Preferred Options Report, SCDC, October 2004
Recreation Study Consultation Draft, SCDC, October 2004
Agenda & Minutes – Council meetings:
20th January 2005
21st January 2005
1st February 2005
11th February 2005
8th March 2005
15th March 2005
23rd March 2005
15th April 2005

21st April 2005

Agenda & Minutes – Cambridge East Member Reference Group:

21st February 2005

5th April 2005

Agenda & Minutes – Cambridge City Council Environment Scrutiny Committee:

22nd March 2005

12th April 2005

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