

Report to: Joint Local Planning Advisory Group (JLPAG) 2 June 2020

Lead Members: Lead Cabinet member for Planning (SCDC) – Cllr Tumi Hawkins
Executive Councillor, Planning and Open Spaces (Cambridge) – Cllr Katie Thornburrow

Lead Officer: Stephen Kelly, Joint Director for Planning and Economic Development

Update of Greater Cambridge Local Development Scheme

Executive Summary

1. The purpose of this report is to agree an update to the Greater Cambridge Local Development Scheme (LDS).

Key Decision

2. Yes.
3. This is a key decision for both Cambridge City Council and South Cambridgeshire District Council. The Item is included in the Forward Plans for Cambridge City Council Planning and Transport Scrutiny Committee 30 June 2020 and South Cambridgeshire Cabinet 29 June 2020.

Recommendations

4. The Joint Local Planning Advisory Group (JLPAG) is recommended to:
 - (a) Recommend to the respective Council's decision-making processes that they should:
 - i. Adopt the updated Local Development Scheme for Greater Cambridge included at Appendix 1 of this report.
 - ii. Grant delegated authority to the Joint Director of Planning and Economic Development, in liaison with the South

Cambridgeshire Lead Cabinet member for Planning and the Cambridge City Council Executive Councillor for Planning Policy and Open Spaces (and also the Chair and Spokes for the Planning Policy and Transport Scrutiny Committee), to make any minor editing changes and corrections identified prior to publication.

Reasons for Recommendations

5. The Planning and Compulsory Purchase Act 2004 (as amended) requires that Local Planning Authorities must prepare and maintain a Local Development Scheme (LDS). The current LDS was adopted in 2018, and there has been a number of changes in circumstance affecting both plans now require an update to the LDS. The changes to the plan making timetable proposed reflect both the opportunities and the complexity of issues being addressed by the plans, the desire to have an inclusive and engaging plan making process, and the relationship with other processes such as the Development Consent Order for the relocation of the Milton Water Recycling Centre.

Details

6. The LDS provides information on the documents that the Councils intend to produce to form their planning policy framework and sets out the timetable for their production. The LDS is designed to help the local community and all our partners interested in development and the use of land and buildings in Greater Cambridge to understand what plans the Councils have and intend to produce.
7. The Greater Cambridge Local Development Scheme was adopted in October 2018 (with limited update in November 2019 to reflect the actual start date for the Greater Cambridge Local Plan Issues and Options consultation).
8. The LDS sets out the broad timetable for the preparation of the North East Cambridge Area Action Plan (previously named the joint Cambridge Northern Fringe Area Action Plan) and the joint Greater Cambridge Local Plan. A number of changes in circumstance affecting both plans now require an update to the LDS.

North East Cambridge Area Action Plan

9. The Councils are jointly preparing an Area Action Plan (AAP) for North East Cambridge (see separate report on this agenda). The area including, and around, the Milton Waste Water Treatment Plant (WTP) was allocated in the 2018 Local Plans for a high density, mixed use development, making best use of this large brownfield site within the urban area of Cambridge (including land in both Councils' areas), although no delivery from the site was included in the 2018

Local Plans given the uncertainty about delivery and capacity of the site at that time.

10. The LDS 2018 was prepared at a time when the Councils were considering the name and the area to be covered by the AAP. Those issues were subject to consultation in the North East Cambridge Area Action Plan: Issues and Options consultation in 2019. The separate report on the AAP on this agenda considers these issues, and seeks to confirm the name of the plan as the 'North East Cambridge Area Action Plan', and that the area addressed by the plan should be enlarged to include Cambridge Science Park.
11. Significant government Housing Infrastructure Funding has been secured to facilitate the relocation of the Milton Waste Water Treatment Plant (WTP) which will enable the development of a major brownfield site and comprehensive planning of the North East Cambridge area. Anglian Water proposes that a Development Consent Order (DCO) process will now be undertaken to enable the relocation. The formal agreement by the Councils of the Proposed Submission AAP will be an important factor in the DCO Examination process to demonstrate commitment to development of the area. Therefore work on the AAP is intended to progress to complete the issues and options stage (Regulation 18), consider the responses received and prepare the Proposed Submission AAP. The Councils would make a decision ahead of the DCO Examination to agree the AAP for Regulation 19 publication, but actually carrying out the consultation would be subject to the successful completion of the DCO process, because of the need at Examination to be able to demonstrate that the development proposed on the site could be delivered.
12. It is anticipated that the AAP process would then pause until the outcome of the DCO is known. If successful, the Councils would then proceed with the publication of the Proposed Submission AAP for the making of representations (Regulation 19), following which the AAP would progress to Submission and Examination.
13. The current adopted LDS timetable envisaged that the NECAAP would progress approximately 12 months ahead of the Local Plan throughout their respective processes. The Local Plan, DCO and NEC AAP timetables had worked in such a way that the AAP timetable was running sufficiently ahead of the Local Plan, that the outcome and adoption of the AAP would be known before later stages of the Local Plan.
14. However, the Councils have recently been advised by Anglian Water that the DCO process has been delayed with DCO submission now anticipated in summer 2022. This is likely to mean that the outcome of the DCO process will be in Autumn 2023. It is therefore proposed that the Proposed Submission AAP will be published in Autumn/Winter 2023, based on the latest DCO process and subject to a positive outcome. The AAP would then be Submitted for Examination in Spring 2024. The timing of the remainder of the AAP process is in the hands of the Inspector.

15. There is potential that the AAP could progress on a similar timetable to the Greater Cambridge Local Plan (see below). As such, there is the potential for the Councils to keep under review whether it is appropriate to merge the AAP into the Local Plan at the Proposed Submission stage if that is the most appropriate thing to do at that point in time in terms of timescale, resources and budget.

Greater Cambridge Local Plan

16. Since the preparation of the timetable in the adopted LDS 2018, a range of issues have arisen that need to be considered when programming the remaining stages of the plan making process. This is addressed in a separate report on this agenda. As a result, a proposed change to the key stages in preparing the new Local Plan and the timetable for that are proposed.
17. The adopted Local Development Scheme 2018 envisaged the next public stage would be consultation on a draft Local Plan. However, there is a clear desire from the Councils and key stakeholders to have an inclusive and engaging plan making process, and it is therefore recommended to now include further stakeholder engagement and an additional Preferred Option stage. This also reflects the range and complexity of issues and challenges to be addressed by the Local Plan as explored in the 'First Conversation'. The additional stage would enable public consultation on the emerging preferred approach to be taken by the plan to key strategic issues, and for those views to be considered before detailed policies are drafted. The Preferred Option consultation would make clear the other options considered and why the preferred option was chosen, together with the evidence underpinning the plan to ensure a transparent and inclusive process. This would take place in Summer/Autumn 2021.
18. The Councils' aim remains to respond constructively to the opportunities that the Greater Cambridge area offers and to deliver a robust plan which responds to these issues, as well as the other big themes raised in the First Conversation, such as responding to climate change. The issues facing the Greater Cambridge area are particularly complex, including a number of major infrastructure proposals being developed by other organisations that could provide significant opportunities for the area. These include the programmes for the DCO for the Milton WTP in relation to North East Cambridge, East West Rail, and the Mayor's proposal for Cambridge Autonomous Metro (CAM). However, there are uncertainties around their delivery and timescales at this early stage in preparing the Local Plan, which make fixing the longer-term timetable difficult at this point in time and ahead of testing the evidence, considering the options for meeting the needs of the area, and identifying the preferred development strategy and being clear on its deliverability.
19. The current LDS needs to be updated now, but the programme for the later stages of plan making needs to reflect the current complexity in an appropriate way. At this time it is considered there could be two scenarios for the way the latter stages of plan preparation could take place:

- Option 1 - Local Plan runs ahead of the North East Cambridge Area Action Plan

If the Local Plan assessment of options were to identify an appropriate strategy or policy approach that did not include reliance on the NEC site or which could allow for the AAP to follow on without undermining the soundness of the Local Plan, there would be potential to progress the Local Plan to the Proposed Submission stage in Spring 2023 (or sooner if practicable). The plan would be Submitted in Autumn 2023, followed by public Examination. The timing of the Examination is in the hands of the independent Inspector. This alternative scenario could achieve an overall timescale that is 6 months or more quicker than option 2.

- Option 2 – Align the Local Plan and the North East Cambridge AAP processes

If the Local Plan assessment of options were to identify an appropriate strategy or policy approach that includes the NEC site as potentially making an important contribution to the development strategy and delivery of homes and jobs, it would be necessary to align the AAP and Local Plan to parallel timetables so that Proposed Submission consultation on both plans takes place after the DCO outcome is known, in order to provide certainty on the relocation of the WTP and confidence in the site capacity and delivery trajectory for NEC and the role it could play in the overall development strategy for Greater Cambridge. This would mean that Proposed Submission publication of both plans would take place in Autumn/Winter 2023, and submission for Examination in Spring 2024 (based on the current DCO timetable). The timing of the remainder of the Local Plan process is in the hands of the Inspector.

20. The timing of the Proposed Submission stage and beyond will be kept under close review and refined when there is greater certainty over the timetable. Table 1 below sets out the timetable for both plans to be included in the Local Development Scheme as included at Appendix 1.

Table 1: Local Plan Programme to be included in Local Development Scheme

Consultation	Options	Publication of Proposed Submission DPD and public consultation	Submission and Examination of DPD	Adoption and publication of DPD
Issues and Options (Reg 18) January 2020 Preferred Option Consultation (Reg 18)	Option 1 – Local Plan runs ahead of the North East Cambridge Area Action Plan	Proposed Submission Consultation (Reg 19) Spring 2023	Submission to Secretary of State for independent Examination (Reg 22) Autumn 2023	Subject to progress of independent Examination
Summer/	Option 2	Proposed Submission	Submission to Secretary of	Subject to progress of

<p>Autumn 2021</p> <p>Draft Plan Consultation (Reg 18)</p> <p>Summer 2022</p>	<p>Align the Local Plan and the North East Cambridge AAP processes</p>	<p>Consultation (Reg 19)</p> <p>Autumn/Winter 2023</p>	<p>State for independent Examination (Reg 22)</p> <p>Spring 2024</p> <p>Note: subject to the outcome of Milton WTP DCO</p>	<p>independent Examination</p>
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Considerations

21. Policies in local plans must be reviewed every 5 years to see if they need updating. Councils should then proceed to update their local plans accordingly through a plan making process if policies need to be updated. The legislative requirement is to complete a “review” of a plan within 5 years and not that a new plan is adopted within that 5 year period (following and as an outcome of the review). This would mean for the adopted 2018 Local Plans, that a review should be completed by Autumn 2023, and the Councils will complete that review within that timescale.
22. The 2018 Local Plans include policies for an early review of the Local Plans, with submission to the Secretary of State for Examination anticipated by the end of Summer 2022. For all the reasons set out above, it is now anticipated that submission will be to a different timetable than had originally been envisaged.
23. Government has recently advised of a new deadline of December 2023 for all councils to have up-to-date local plans, with a warning that the government would intervene if this deadline is not met, considering appropriate action on a case by case basis. By December 2023 it is anticipated that a new Local Plan as a result of a review will be well advanced under either option and at this point it is considered that intervention would be unlikely.

Updated Local Development Scheme 2020

24. The draft updated Local Development Scheme for Greater Cambridge included at Appendix 1 includes the amendments proposed to the process and timetable for the preparation of both plans reflecting the changes circumstances, as well as the changes to the AAP name and geographical coverage.
25. The updated programmes for both plans reflect the importance that the Councils place on engagement with stakeholders and communities in the early stages of development of the plans and the increasingly complex circumstances in this area. In particular, the major infrastructure projects that could impact both the Local Plan strategy and the AAP as set out above have informed the currently proposed programmes. The effects of Covid-19 are also a significant uncertainty at this time. Therefore, the LDS will be kept under close review to ensure that all

relevant impacts on plan preparation and the strategies and development proposals contained within them are understood and reflected as appropriate in the emerging plans, and if there is potential for a faster programme for either or both plans, the Councils will look to expedite the programme.

26. The opportunity has also been taken to update other elements of the LDS, in particular bringing the Neighbourhood Plans section up to date.

Options

27. JLPAG members may decide to:

- a) Recommend to the respective Local Planning Authorities that they should agree the adoption of the updated Greater Cambridge Local Development Scheme, without any amendments; or
- b) Recommend to the respective Local Planning Authorities that they should agree the adoption of the updated Greater Cambridge Local Development Scheme, incorporating amendments agreed in discussion at JLPAG; or
- c) Recommend to the respective Local Planning Authorities that they should not agree the adoption of the updated Greater Cambridge Local Development Scheme.

Implications

28. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

Financial

29. The plans proposed and timetables are currently anticipated to be within current budgets. This will be kept under review alongside other work priorities

Legal

30. The review of the Local Plan process has been prepared with a view to ensure a legally compliant plan that is capable of being found sound at Examination.

Staffing

31. The plans proposed are currently anticipated to be delivered within our existing budgets. This will be kept under review alongside other work priorities.

Risks/Opportunities

32. The Local Plan is a key corporate priority and will be monitored against the timetable set out in the Local Development Scheme.

Equality and Diversity

33. The development plans will each be subject to Equalities Impact Assessment at each stage during their development.

Climate Change

34. Development plans provide an opportunity to address the aspects of the environment that can be influenced by the planning system. These aspects will be considered by a range of evidence including via a Sustainability Appraisal as the plan is prepared. One of the big themes for the local plan identified in 'The First Conversation' is climate change. Evidence has been produced to inform the plan, including a study on how the plan can assist with the journey towards net zero carbon.

Consultation responses

35. None.

Background Papers

Current Greater Cambridge Local Development Scheme approved in October 2018 and updated in 2019

<https://www.cambridge.gov.uk/local-development-scheme>

Appendices

Appendix 1: Draft Greater Cambridge Local Development Scheme 2020.

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