

Appendix 1:

Open consultation: Strengthening planning policy for brownfield development

Summary: This consultation seeks views on a proposed approach to updating national planning policies related to brownfield land in the National Planning Policy Framework and reviewing the threshold for referral of applications to the Mayor of London.

Duration: closes at 11.45pm on 26 March 2024.

Response by South Cambridgeshire District Council and Cambridge City Council

Q1. Do you agree we should change national planning policy to make clear local planning authorities should give significant weight to the benefits of delivering as many homes as possible [yes/no]? If not, why not?

No.

We are supportive of development of brownfield, which reflects the existing NPPF, but have concerns that strengthening planning policy for brownfield sites will lead to a lowering of the quality of homes on brownfield sites, and that lowering the quality of developments would lead to 'quantity over quality' on brownfield sites.

When too many similar homes in the same general area are developed during the same timeframe, this could have issues regarding market absorption, unless a diversity of tenures and types is provided.

It is important to deliver homes to meet needs, but this should be a mix of homes in appropriate locations to provide choice and affordability. The Local Plan considers the appropriate development strategy and allocations to meet needs and sets out policies to guide windfall developments, getting the Local Plan right should be the focus. A continual piecemeal approach risks undermining the plan led system.

There is also a need to ensure that not all non-residential uses in an area are lost to a primary focus on redeveloping brownfield land for residential uses. In planning for new homes, it is necessary to continue to recognise the importance of communities having access to services and facilities, and that existing services and facilities within the surrounds of brownfield sites are not placed under further strain. Further noting the importance of active frontages at ground floor levels aiding residents' safety as part of place making and designing out crime.

The demand for economic land and commercial floorspace is acknowledged in Cambridge not only within policy in both the adopted and emerging Local Plans but also in recent publications. It is important to protect and maintain a supply of employment land to meet economic needs in the right places, demonstrated in the Cambridge Local Plan policy protecting industrial sites. Placemaking needs to be valued and maintained.

Q2. Do you agree we should change national planning policy to make clear local planning authorities should take a flexible approach in applying planning policies or guidance relating to the internal layout of development [yes/no]? If not, why not?

No.

The policy strengthening options stated are unreasonable, and all reduce standards of development and placemaking. This would lead to the erosion of development quality, sustainability, affordability, energy efficiency, and homes with sufficient space for families / working at home, for the provision of quantity.

Encouraging a flexible approach in the application of national planning policy on these sites is applying lesser standards of development in terms of space / daylight / sunlight and will result in housing of lower quality than required elsewhere. This could lead to a 2-tier housing system, where brownfield land only delivers dense, lower quality dwellings in sub-standard locations, lacking the facilities required to support the development.

In Greater Cambridge, our emerging Local Plan includes four pillars of Climate Change, Biodiversity & Green Spaces, Wellbeing & Inclusion and Great Places that have been developed through consultation and are evidenced based to ensure

sustainable development will be delivered through the policies included. A flexible approach is already possible on a case-by-case basis whilst respecting the Visions, Aims and pillars of the Local Plan.

There is currently strong demand for lab space in Cambridge. The adopted local plan also recognises the need to protect industrial land supply. Protecting and providing for both of these is important to our communities. Not meeting this demand for economic growth, where brownfield sites have a significant role to play and are already known to be available and deliverable, and focussing on developing further housing on brownfield land, beyond that already anticipated within the Local Plans, could put any growth within Cambridge's technology and science clusters, and wider economic sectors, at risk. A plan led system needs to balance the demand for a range of land uses.

There is a need to consider the wider implications of an increase in units and accommodation on the environment, landscape, townscape, heritage, and Green Belt. For example, in Cambridge development of brownfield sites for quantity rather than quality could have possible impacts on the setting and views of heritage assets. The flexing of national planning policy unilaterally on brownfield sites, rather than on a case-by-case basis, could mean that the mitigation of such impacts would be outside the of the LPAs control.

Q3. If we were to make the change set out in question 2, do you agree this change should only apply to local policies or guidance concerned with the internal layout of developments [yes/no]? If not, what else should we consider?

No.

We consider the provision of sufficient space within new homes as an important element of good residential design and new dwellings should provide sufficient space for basic daily activities and needs. Policies within our current adopted Local Plans and in our emerging Local Plan include and take forward the national residential space standards to ensure continued sufficient provision of new residential units that meet or exceed these standards.

Q4. In addition to the challenges outlined in paragraph 13, are there any other planning barriers in relation to developing on brownfield land?

Locally there is little evidence to show planning barriers hinder development on brownfield sites. However, new homes on brownfield sites are not going to be quick sites to deliver if these changes to national planning policy come into effect. There are challenges around relocation of existing uses / occupiers, the need for remediation, and viability.

There is little evidence to show viability is a hinderance to development on brownfield sites locally. Brownfield sites included in the emerging Local Plans are shown to be neither a hinderance nor barrier to new development being developable or deliverable. Additionally, our viability report (2021) for the emerging Local Plan shows that all sites tested were viable for both housing and employment uses, including proposed re-development of brownfield sites.

Q5. How else could national planning policy better support development on brownfield land, and ensure that it is well served by public transport, is resilient to climate impacts, and creates healthy, liveable and sustainable communities?

Through the Local Plan as a comprehensive strategy, rather than piecemeal change.

Taking account of existing (and previous) national planning policy, our Local Plans allocate the best and most appropriate sites for residential uses, and this includes the re-use of brownfield sites.

The proposed changes set out in this consultation promote single-use areas potentially devoid of the facilities that are required to support the new occupiers, whilst placing additional strain on any existing facilities leading to a less than sustainable approach.

Locally the current economy is such that brownfield land is required for non-residential site uses and the proposed changes in this consultation would hinder and be a barrier to meeting those local needs.

It is already possible to effectively 'relax' standards on a site-specific basis. In our own experience, within current rules, we can negotiate exceptions, using the Local Plan as a starting point and taking into account any other material considerations.

Q6. How could national planning policy better support brownfield development on small sites?

Current national planning policy already supports development on brownfield sites, and this is demonstrated through the Brownfield Land Register which shows a 'churn' of sites through the planning system to completed developments.

In our Authority Monitoring Report (AMR), it reports that 18% of all housing completions in South Cambridgeshire in 2022-2023 were on brownfield sites – although many of these are on larger sites. Using the same data (but not reported in the AMR), in Cambridge 71% of all housing completions in 2022-2023 were on brownfield sites.

Q7. Do you agree we should make a change to the Housing Delivery Test threshold for the application of the Presumption in Favour of Sustainable Development on previously developed land [yes/no]?

No.

(Nb. no commentary possible in response options)

Q8. Do you agree the threshold should be set at 95% [yes/no]? Please explain your answer.

No.

Whilst acknowledging the proposal is to only apply this to the 20 most populous towns and cities in England, the focus should be on delivery of sites that are allocated through the Local Plan, as these have been agreed as being the best sites to meet the development strategy for the area and therefore will be in sustainable locations. Also, brownfield sites can take longer to come forward and deliver, and therefore they are unlikely to quickly contribute towards increased annual housing completions.

There is also a further need to understand the reasons for under delivery, as if its general market conditions within an area, then bringing forward brownfield sites is not necessarily going to result in delivery of more homes. In areas of under delivery, the focus should be on speeding up or starting delivery on allocated sites, which are in sustainable locations with access to public transport and other services and facilities.

Q9. Do you agree the change to the Housing Delivery Test threshold should apply to authorities subject to the urban uplift only [yes/no]? If not, where do you think the change should apply?

No.

It should not apply at all, as it would undermine place making and a plan led system when the delivery of sites may not be in the control of the LPA.

Q10. Do you agree this should only apply to previously developed land within those authorities subject to the urban uplift [yes/no]?

No.

It should not apply at all, as it would undermine place making and a plan led system when the delivery of sites may not be in the control of the LPA.

Q11. Do you agree with the proposal to keep the existing consequences of the Housing Delivery Test the same [yes/no]? If not, why not?

Yes

Q12. For the purposes of Housing Delivery Test, the cities and urban centres uplift within the standard method will only apply from the 2022/23 monitoring year (from the 2023 Housing Delivery Test measurement). We therefore propose to make a change to the policy to align with the publication of the Housing Delivery Test 2023 results. Do you agree [yes/no]? If not, why not?

(Nb. No response will be returned)

Q13. Do you think the current threshold of 150 residential units for referral of a planning application of potential strategic importance to the Mayor of London is the right level [yes/no]?

(Nb. No response will be returned)

**Q14. If no, what would you set as the new threshold? [300/500/750/1000/other]
Please explain your answer.**

(Nb. No response will be returned)

Q15. We continue to keep the impacts of these proposals under review and would be grateful for your comments on any potential impacts that might arise under the Public Sector Equality Duty as a result of the proposals in this document.

Likely to be impacts on more deprived elements of society with various protected characteristics. Lower quality housing being clustered on brownfields sites, lacking local amenities, will impact on the quality of life for residents in lower income brackets disproportionately as residents with lower income brackets are more likely to live there. In addition, lower income brackets are often disproportionately represented by residents with protected characteristics.

Locally, the impacts of these proposals would lead to increasing division across the area, whereas the current framework already enables different housing types and tenures across developments, and this has been successful across recent brownfield developments with a mix of homes and meeting space standards.