

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council 25 January 2007
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SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

Purpose

1. The Core Strategy Development Plan Document, a key document of the South Cambridgeshire Local Development Framework, is now at the end of the plan making process, the binding report of the independent Inspectors having been received. This report recommends the Core Strategy Development Plan Document now be adopted.

Background

2. The Council Submitted the Core Strategy Development Plan Document (DPD) to the Secretary of State in January 2006, alongside five other DPDs; Development Control Policies DPD, Site Specific Policies DPD, Cambridge East Area Action Plan (AAP), Cambridge Southern Fringe AAP and Northstowe AAP. This marked the start of a statutory six-week period of public consultation during which representations could be made. Following this, a further six-week period of public consultation was held in March – April 2006 on 'Objection Sites', in accordance with planning regulations. A public Examination into the "soundness" of the plan followed, conducted by independent Inspectors, with hearings held in July 2006, during which the Inspectors considered representations made on the Submission Core Strategy and Objection Sites. The Council received its binding Inspectors' Report in November 2006; the first Core Strategy in the country to be found "sound".

Binding Inspectors' Report

3. The Inspectors recommended relatively few changes to the submission draft Core Strategy. The main features of the Inspectors' Report include:
 - No change to the Strategic Vision and Objectives;
 - Inclusion of a new strategic Green Belt Policy to set the context for establishing detailed boundaries in the other DPDs;
 - Amendment to the Housing Provision Policy to make it a sequential policy, remove references to numbers of dwellings at different stages in the sequence, and include provision for affordable housing;
 - Deletion of Policy ST/3 Edge of Cambridge, Figure 1, and supporting text in paragraphs 2.9 – 2.22 to remove reference to specific sites;
 - Adjustment to Figure 3 Housing Land Supply in the Rural Area to remove reference to specific sites and to update figures to the end of March 2006;
 - Elevation of Fulbourn from Minor Rural Centre to Rural Centre;
 - Elevation of Papworth Everard from Group Village to Minor Rural Centre;

- Inclusion of a new strategic Employment Provision Policy to ensure sufficient employment land is available, and adjustment to the Employment Land Supply figures to the end March 2005;
- Rewording of Policy ST/9 Phasing of Housing Land to better reflect the high priority of delivery and clarify the approach towards phasing, and deletion of the Housing Trajectory and associated text.

Next Step

4. The conclusions reached by the Inspectors are binding and the Council must incorporate the changes required by the Inspectors. The regulations require that the Council must adopt the DPD as soon as practicable following receipt of the Inspectors' report unless the Secretary of State intervenes.
5. Members are therefore asked to resolve to adopt the Core Strategy DPD. The Core Strategy DPD as proposed to be adopted comprises the Submission DPD (January 2006) amended in accordance with the Inspectors' binding report of the Examination into the Core Strategy DPD, received by the Council on 9 November 2006 (as contained in Appendix 1).
6. Once adopted, the Core Strategy DPD will become part of the statutory development plan for South Cambridgeshire and will supersede corresponding parts of South Cambridgeshire Local Plan 2004. Other parts of the Local Plan will remain "saved policies" under transitional arrangements until superseded by policies in the other submitted DPDs or until September 2007 (or later with the agreement of the Secretary of State). A schedule setting out the position in relation to the policies of the Local Plan 2004 and the Core Strategy is attached at Appendix 2.

Adoption Process

7. Once the Council has adopted the DPD it must accord with Regulations 35 and 36 (of the Town and Country Planning (Local Development) (England) Regulations 2004), as soon as reasonably practicable, which in summary require:

Regulation 35:

- The local planning authority must publish the Inspectors' recommendations and the reasons;
- Make a copy of the Inspectors' report available for inspection at the Council's office during normal office hours at the places at which the pre-submission proposal documents were made available under regulation 26(a) of the 2004 Regulations and place it on the Council's website;
- Inform those who requested to be notified of the publication of the Inspectors' report.

Regulation 36:

- Prepare an Adoption Statement (effectively a public notice);
- Prepare a Sustainability Statement, which is a statement of how the sustainability appraisal process has been taken into account during the plan process;

- Advertise that the DPD has been adopted, and where and when it can be inspected;
 - Make the adopted DPD, Adoption Statement and Sustainability Statement available for inspection during normal office hours at the places at which the pre-submission proposals documents were made available under regulation 26(a) and place them on the website (it may also be made available to purchase);
 - Send a copy of the Adoption Statement to those who have asked to be notified of adoption;
 - Send a copy of the adopted DPD and Adoption Statement to the Secretary of State;
 - Publish a copy of the final Sustainability Report and place it on the website.
7. The Core Strategy Final Sustainability Report remains as published in January 2006 with the Submitted Core Strategy DPD. No changes to the Sustainability Appraisal were identified by the Inspectors to be necessary in making their binding recommendations. The adopted Plan is also accompanied by a Sustainability Statement describing the sustainability appraisal process that supported the preparation of the plan (see Appendix 3).
8. There is also a requirement to carry out a further process known as a Habitats Directive Assessment (HDA). Whilst national regulations have not yet been published, the requirement of the Habitats Directive is current and the Council has received legal advice that an HDA should be prepared for the Core Strategy prior to adoption.
9. HDA deals with European sites designated as being of importance to nature conservation. These comprise Natura 2000 sites designated under the Habitats Directive (92/43/EEC). Ramsar sites are of European importance and are also included, consistent with government guidance in PPS9, although designated under the separate Ramsar Convention 1971. It is an assessment of the potential effects of a proposed plan or project, which is not necessary for the management of the site and which is likely to have a significant effect, on one or more site, in view of the site's conservation objectives. There are 4 stages to the Habitats Directive Assessment process: Screening; Appropriate Assessment; assessment of alternative solutions; and compensatory measures. If it is concluded at the screening stage that there will be no likely significant impacts of the plan, alone or in combination with other plans or projects, there is no need to carry out subsequent stages.
10. An HDA Screening Report has been prepared for the Core Strategy, consistent with EU guidance, and having regard to other relevant guidance, which concludes that there will be no likely significant impacts of the Plan on relevant European sites in or close to the district and therefore addresses the first stage only of the Habitats Directive Assessment process (as contained in Appendix 4). This has been prepared in consultation with Natural England who confirmed by letter dated 16 January 2007 that they "*consider the screening matrix and accompanying documentation has been well prepared*" and that "*Natural England support the conclusion that policies in the Core Strategy are unlikely to have significant impacts upon the European Sites located within and in the vicinity of the District, and that an Appropriate Assessment is therefore not required for this Strategy*".

11. As with the former plan making process, the new system allows for a legal challenge to be made to the High Court. Any person aggrieved by the Core Strategy DPD may make an application under Section 113 of the Planning and Compulsory Purchase Act 2004 to the High Court on the grounds that the document is not within the appropriate powers and / or a procedural requirement has not been complied with. Any such application must be made not later than the end of the period of six weeks starting on the date on which the DPD was adopted.

Options

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

Implications

13. Financial	Within existing budget.
Legal	None, subject to there being no High Court challenge.
Staffing	Within existing resources.
Risk Management	The effect of any slippage to the timetable could be significant to meeting the Structure Plan development strategy for the Cambridge area.
Equal Opportunities	None.

Consultations

14. There were no consultations at this stage in the plan making process, other than with Natural England on the Habitats Directive Assessment.

Effect on Annual Priorities and Corporate Objectives

15. Affordable Homes	<ul style="list-style-type: none"> Assist the Council's objectives to deliver quality accessible development in the district. 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. Assist the delivery of the Community Strategy. Be used by Cambridgeshire Horizons to help the early and sustained development of the necessary services and infrastructure.
Customer Service	
Northstowe and other growth areas	
Quality, Accessible Services	
Village Life	
Sustainability	
Partnership	

Conclusions/Summary

16. The Core Strategy DPD is now at the end of the plan making process and can now be adopted. Following submission to the Secretary of State in January 2006, the plan has been consulted on and independently examined. The Council was the first in the country to receive a binding Inspectors' report in November 2006 that found the plan to be "sound". The next step is to formally adopt the plan when it will become part of

the statutory development plan for South Cambridgeshire and will supersede relevant parts of South Cambridgeshire Local Plan 2004.

Recommendations

17. Members are invited to:

- a. **RESOLVE TO ADOPT** the Core Strategy DPD, as contained in Appendix 1, and proceed in accordance with Regulations 35 and 36;
- b. **AGREE** the Sustainability Statement as contained in Appendix 3; and
- c. **AGREE** the Core Strategy Habitats Directive Assessment as contained in Appendix 4.

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

Submission Core Strategy DPD, January 2006

Inspectors' Report of the Examination into the South Cambridgeshire Core Strategy DPD, 9 November 2006

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