

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO:	Council	19 July 2007
AUTHOR/S:	Corporate Manager (Planning & Sustainable Communities) / Planning Policy Manager	

SOUTH CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK: ADOPTION OF DEVELOPMENT CONTROL POLICIES DEVELOPMENT PLAN DOCUMENT AND NORTHSTOWE AREA ACTION PLAN

Purpose

1. The Development Control Policies Development Plan Document and Northstowe Area Action Plan, key documents of the South Cambridgeshire Local Development Framework, are now at the end of the plan making process, the binding reports of the independent Inspectors having been received. This report recommends the Development Control Policies Development Plan Document and Northstowe Area Action Plan now be adopted.

Background

2. The Council Submitted the Development Control Policies Development Plan Document (DPD) and Northstowe Area Action Plan (AAP) to the Secretary of State in January 2006, alongside four other DPDs; Core Strategy DPD, Site Specific Policies DPD, Cambridge East Area Action Plan (AAP), and Cambridge Southern Fringe AAP. This marked the start of a statutory six-week period of public consultation during which representations could be made. Following this, further six-week periods of public consultation were held in March – April 2006 and June – July 2006 on 'Objection Sites' and 'Site Allocation Policies Representations', in accordance with planning regulations. A public Examination into the "soundness" of the plans followed, conducted by independent Inspectors, with hearings held for the Development Control Policies DPD in October 2006 and Northstowe AAP in December 2006 – January 2007, during which the Inspectors considered representations made on the Submission plans and Objection Sites. The Council received its binding Inspectors' Reports in May and June respectively. Subject to a number of recommendations from the Inspectors both plans were found to be "sound".

Binding Inspectors' Report for Development Control Policies DPD

3. The Inspectors' overall conclusion is that the DC Policies DPD is sound with the changes they recommend. They comment that it is one of the first DPDs to have reached this stage under the new system of plan making and they recognise that the Council has had to interpret the legislation and initial Government and other advice during the preparation of this and other DPDs. Although the inspectors comment that it would not normally be expected that the consequence of an examination would be so many detailed changes to a plan they recommend relatively few changes of significance. They also comment that much has emerged during the preparation for and during their examination and that they have no doubt that if the Council were starting the process afresh, the document may well have looked rather different.
4. The main features of the Inspectors' Report include:

- Overarching policies for sustainable development and high quality design are supported with some detailed changes.
- The proposed extension of the Cambridge Green Belt to surround the planned new town of Northstowe is not supported, primarily because of the distance of Northstowe from Cambridge and that it is not considered that inclusion of this area would aid the purposes of the Cambridge Green Belt.
- The new policy for housing mix to provide a higher proportion of smaller homes to meet identified local needs is supported with some amendments:
 - For **smaller** sites of up to 10 dwellings providing at least 40% one and two bedroom homes and approximately 25% of dwellings being 3 bedroom homes and the same being homes of 4 or more bedrooms.
 - For **larger** sites a mix of units will be sought providing a range of accommodation, including one and two bed dwellings, having regard to economic viability, the local context of the site and the need to secure a balanced community.
- The requirement for a proportion of new dwellings to be designed to lifetime mobility standards is agreed.
- The high level of housing need in the district is supported and whilst the policy target is amended from “approximately 50%” to “at least 40%” there may be cases where a higher proportion may be viable. They endorsed the policy that all sites of 2 or more dwellings in all rural settlements will provide affordable housing in view of the local needs in South Cambridgeshire.
- The indicative tenure mix for affordable housing is not supported but that it is considered that this may be something for a proposed Supplementary Planning Document.
- The plan should allow for off-site provision of affordable housing on small sites in exceptional circumstances where it cannot reasonably be provided on site.
- Having regard to changes to the RSS the proposal for employment development to make contributions towards the provision of affordable housing is not supported,
- The proposed standard for provision of Strategic Open Space is not considered to be soundly based and the Inspectors felt that they did not have sufficient information to insert an alternative figure and it is therefore deleted.
- The policy that 10% of energy in new developments will be provided on site through renewable energy measures is supported.

Binding Inspectors’ Report for Northstowe AAP

5. Whilst the Northstowe AAP Inspectors’ conclude in their Report that the plan can be made sound with relatively modest changes to the document they go onto to recommend a number of significant changes to the plan principally to maximise the amount of the development and to provide greater flexibility for masterplanning. The main features of the Inspectors’ Report include:

- *Vision and Development Principles:* The Inspectors support the Council's Vision for Northstowe and also broadly agreed the overarching Development Principles for the new town.
- *The Site:* The AAP should not constrain the number of dwellings at the new town below the "up to 10,000 dwellings" provided for in the Core Strategy and accordingly they raise the target in the Area Action Plan to 10,000 dwellings.
- The site for the town should include the areas of green separation since they can play a constructive part in the development of the town whilst performing their function of keeping separate from the villages of Longstanton and Oakington.
- To ensure that the target of 10,000 dwellings is achieved and to provide capacity for longer term growth they have added a reserve area of land to the west of Station Road, Longstanton.
- *Concept Diagram:* The Inspectors were not persuaded that the Concept Diagram helps to provide clarity to the vision for Northstowe that is not already achieved in the written text and felt its utility does not outweigh the need for the plan to be flexible.
- *Green Belt Extension:* Consistent with the Inspectors' Report on the Development Control Policies DPD, the Green Belt extension shown in the Area Action Plan is deleted.
- *Green Separation:* The Inspectors conclude that the 200m minimum green separation proposed in the AAP is too inflexible. The revised policy requires that green separation is provided but it does not prescribe its width which they recommend is a matter for the masterplan for Northstowe.
- The Inspectors conclude that the AAP area should be extended to include the land within the control of the promoters within Longstanton conservation area (currently covered by the Site Specific Policies DPD). They agree that open land in the conservation area is of value for visual, historical and archaeological reasons and it is likely that these features would continue to be protected by conservation policies.
- The Inspectors considered that prohibiting urban related open uses, such as playing fields and allotments, in the green separation is not necessary to fulfil its role separating the new town from the existing villages in order to maintain their character. They say that the open nature of the uses and their treatment in detail, with careful location of any ancillary features, should be sufficient for the purpose. They also comment that allowing a wider range of open uses in the green separation has the advantage of offering opportunities of positive control of the land and will enable a greater level of development to be secured within the town.
- *Town Centre:* The Inspectors agreed the AAP should require the location of the town centre close to the geographical centre of the town. However they felt that the level of detail on the design and form of the town centre are too prescriptive and include matters best addressed through the masterplanning.
- The Inspectors say bearing in mind that the town now has a target capacity of 10,000 dwellings, there needs to be flexibility as to the number of local centres

and primary schools, and there may not necessarily be the same number of centres as there are schools and the AAP is changed accordingly.

- *Housing:* The Inspectors support the Council's approach to the level of affordable housing at Northstowe. The Inspectors recognise that the strategic developments are key to addressing the affordable housing requirements of the area, and therefore the district wide policy of 40% will be the starting point for negotiations as to the percentage of affordable housing in Northstowe.
- The Inspectors agreed the housing density for Northstowe of at least 40 dwellings per hectare (net) overall but were not persuaded that lower densities will be appropriate on the areas bordering the countryside between Northstowe and Longstanton and Oakington. They say this is a matter which should be design led, and this approach does not provide necessary flexibility.
- In recognition that one of the objectives for Northstowe is the development of a socially balanced community the housing mix is revised such that market properties should provide in the range of: 25% to 30% of homes with one or two bedrooms; 35% to 40% of homes with three bedrooms; and 30% to 35% of homes with four or more bedrooms.
- *Employment:* The AAP approach to employment is generally supported with some limited revisions.
- *Community Facilities:* The Inspectors have amended the AAP approach to make it more flexible and less prescriptive, particularly for those parts that deal with commercially provided services and facilities.
- *Transport:* The Inspectors endorse the dedicated local busway through Northstowe.
- In respect of the A14 and its capacity to accommodate development at Northstowe, the Inspectors consider the policy includes unnecessary detail and that there is no need for a reference to 'Grampian' style conditions in the plan since where necessary such conditions are in any event available to the planning authority.
- The Inspectors also conclude that the policy is unnecessarily prescriptive in not allowing for any additional access roads, such as from the direction of Cottenham. They say the detailed routes should be determined through the masterplanning process.
- The Inspectors agree that if at the time of the grant of planning permission it can be demonstrated that a bypass for Willingham is required, to the extent that the development of Northstowe has contributed to that requirement, it is reasonable that a contribution should be sought.
- *Landscaping:* The Inspectors support the plan's intention for Northstowe to have the character of modern fen edge town with water in the form of lakes and watercourses as a defining features of Northstowe. They also concluded that the form and width of the water park are best left to masterplanning, when more will be known about drainage requirements and possibilities, and about the design of other elements of the town.

- The Inspectors considered that the landscaping requirements for the boundaries of the new town were unnecessarily detailed and inflexible.
- *Biodiversity:* The Inspectors support the need for a full programme of ecological survey and monitoring prior to the commencement of construction but conclude that the Cambridgeshire Horizons Green Infrastructure Strategy is too general a document to rely upon for the delivery of green corridors of significant biodiversity interest beyond the town during the plan period.
- *Recreation:* The Inspectors conclude that the AAP should not require the provision of country parks and that the strategic open space requirement resulting from the Northstowe development will have to be subject to negotiation based upon factors including the existing strategic open space provision accessible to future Northstowe residents, the work on the masterplan and considerations of economic viability.
- The Inspectors conclude that a replacement golf course would not be commercially viable and should be deleted.
- *Drainage:* The Inspectors agree that a sustainable drainage system that allows for the affects of climate change is required for Northstowe, although they consider that a policy expressed in a more general form would be more appropriate and allow sufficient flexibility to overcome issues such as foul drainage problems. Only if practicable should measures be taken by the developers of Northstowe additionally to mitigate existing flood risk to Oakington and Longstanton.
- *Exemplar in Sustainability:* The Inspectors endorse the principle that Northstowe should be an exemplar in sustainability and conclude that the AAP can go further.
- *Implementation:* The Inspectors agree that mitigation of the impact of Northstowe by way of planting in the green separation and at Rampton Drift early in the development is an important requirement that should be specified.
- The requirement for management strategies, to manage various aspects of the development, such as recreation and landscape, to be adopted prior to the granting of planning permission is agreed.
- *Delivering Northstowe:* The Inspectors revise the housing trajectory to reflect a later start date and the Core Strategy conclusion that Northstowe will deliver 4,800 dwellings instead of 6,000 dwellings by 2016.

Next Step

6. The conclusions reached by the Inspectors are binding and the Council must incorporate the changes required by the Inspectors. Whilst it is Government policy as set out in Planning Policy Statement 12 that the Council must adopt its DPDs as soon as practicable following the receipt of the Inspector's binding report neither the Act nor Regulations which cover the adoption of DPDs contain such a requirement. The Secretary of State does however have default powers "if the Secretary of State thinks that a local planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document." These default powers include approval of a document as a local

development document (Planning and Compulsory Purchase Act 2004, Section 27(4)(i)).

7. The Development Control Policies DPD and Northstowe AAP have been prepared in compliance with the legislative and regulatory requirements for the preparation of Development Plan Documents and are now ready for adoption. These two plans are amongst the first such plans in England to have reached the examination and adoption stages. The changes that the Inspectors have made to the Development Control Policies DPD mainly remove duplication and make the plan more concise. The changes to the Northstowe AAP are more wide ranging principally to increase the target size of the town and to introduce flexibility into the masterplanning process. The increase in the target size for Northstowe is the Inspectors interpretation of the emerging RSS and PPS3's objective to maximise the development on allocated land. Many of the other changes mean that matters which were the subject of policy guidance with the express purpose of speeding up planning application approvals and which were developed in consultation with the promoters, the public and other stakeholders will need to be debated and decided again. These decisions will now fall to the new Joint Planning Committee (S.101 Committee) which will also need to agree a number of strategies and which will in effect be making policy through the decisions that it takes. It is important to advance to this next stage in order to remove uncertainty in the local area and to begin the delivery of development at Northstowe without which the RSS and PPS3 will put the Council under pressure to approve planning applications elsewhere in the District.
8. Members are recommended to adopt the Development Control Policies DPD and Northstowe AAP as amended in accordance with the Inspectors' binding reports received on 24 May and 1 June 2007 respectively (as contained in Appendices 1 and 2).
9. Once adopted, the Development Control Policies DPD and Northstowe AAP 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 as "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 adopted DPDs is attached at Appendix 3.
10. On adopting the DPDs the Council is required to make the necessary changes to the adopted Proposals Map. The main features of the Inspectors' Report relating to the Proposals Map include:
 - The Cambridge Green Belt boundary remains as adopted in Local Plan 2004.
 - Revised Inset Map A Northstowe to show the amended site boundary.
 - New Established Employment Areas in the Countryside at Spicers Ltd, Sawston; Dalehead Foods Ltd, Linton; and a revised boundary to Huntsman / Hexcel, Duxford.
11. In addition, the Council needs to show the boundaries of those policies in the adopted Development Control Policies DPD with defined areas that have been examined, including:
 - Policy GB/4 Major Developed Sites in the Green Belt
 - Policy ET/3 Development in Established Employment Areas in the Countryside
 - Policy SF/8 Lord's Bridge Radio Telescope (the outer boundary (Area 2) is not shown on the adopted Local Plan Proposals Map)

- Policy CH/10 Linton Special Policy Area
- Policy CH/11 Duxford Imperial War Museum

Note – there are other policies in the Development Control Policies DPD with boundaries which will need to be shown on the Proposals Map, but the actual boundaries have yet to be determined until the Site Specific Policies DPD is Examined and adopted. Until such time, these boundaries remain as shown on the Local Plan Proposals Map. The Proposals Map will therefore need amending with the adoption of subsequent LDF documents.

- The revised Inset Maps are attached in Appendix 4. The adopted Proposals Map will remain the adopted Local Plan 2004, together with the above revisions.
- The Council must also publish Final Sustainability Appraisal Reports and to have carried out a further process known as a Habitats Directive Assessment (HDA).
- HDA Screening Reports have been prepared for the Development Control Policies DPD and Northstowe AAP, consistent with EU guidance, and having regard to other relevant guidance. These conclude that there will be no likely significant impacts of the Plans on relevant European sites in or close to the district. These Screening Reports have been prepared in consultation with Natural England who confirmed by letter dated 23 March 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 Development Control Policies 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 DPD*”. The same confirmation was received for the Northstowe AAP in a letter dated 26 March.
- 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 Development Control Policies DPD or Northstowe AAP 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 DPDs were adopted.

Options

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

Implications

17.	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

- 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

19.	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

20. The Development Control Policies DPD and Northstowe AAP are 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 plans have been consulted on and independently examined. The Council has received the binding Inspectors' reports that found the plans to be "sound". The next step is to formally adopt the plans when they will become part of the statutory development plan for South Cambridgeshire and will supersede relevant parts of South Cambridgeshire Local Plan 2004.

Recommendations

21. Council is invited to:
- RESOLVE TO ADOPT** the Development Control Policies DPD and Northstowe AAP, as contained in Appendices 1 and 2, and proceed in accordance with Regulations 35 and 36;
 - RESOLVE TO ADOPT** the revisions to the adopted Proposals Map, as contained in Appendix 4;
 - NOTE** the Sustainability Statements as contained in Appendices 5 and 6; and
 - NOTE** the Habitats Directive Assessments as contained in Appendices 7 and 8.

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

Submission Development Control Policies DPD, January 2006
 Submission Northstowe AAP, January 2006
 Inspectors' Report of the Examination into the South Cambridgeshire Development Control Policies DPD, 24 May 2007
 Inspectors' Report of the Examination into the South Cambridgeshire Northstowe AAP, 1 June 2007

Contact Officer: Keith Miles – Planning Policy Manager
 Telephone: (01954) 713181
 E-mail: keith.miles@scambs.gov.uk