



**Report To:** Planning Portfolio Holder

8 November 2016

**Lead Officer:** Joint Director for Planning and Economic Development

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## South Cambridgeshire Local Plan Update

### Purpose

1. To consider a number of further Proposed Modifications to the submitted Local Plan currently at independent examination, responding to new Government Guidance, legal advice and new evidence related to the delivery of strategic sites, and issues arising from the Examination.
2. This is a key decision first published in the Forward Plan on 21 September 2016.

### Recommendations

3. It is recommended that Planning Portfolio Holder agrees the following recommendations to Full Council on 17 November 2016:
  - a) To agree that the Proposed Modifications (**Appendix A**), including:
    - i. That the proposal to prepare Area Action Plans for Waterbeach New Town and Bourn Airfield New Village, is replaced by a proposal to produce Supplementary Planning Documents, and that necessary and consequential modifications are made to the Local Plan policies,
    - ii. That changes are proposed to the Bourn Airfield new village Major Development Site boundary in respect of parcels 1, 2, 3, 4 and 5 as shown on the map attached to **Appendix A**, and
    - iii. That land south of Cambridge Biomedical Campus as shown on the map attached to **Appendix A** is allocated as an extension to the employment site allocated in the submitted Cambridge Local Plan;  
and the Sustainability Appraisal Screening (**Appendix B**), subject to any recommended changes by the Portfolio Holder, be submitted to the Inspectors examining the Local Plan;
  - b) That delegated authority be given to the Joint Director of Planning and Economic Development to propose Modifications in respect to Travelling Showpeople to the examination consistent with the approach set out in paragraphs 51 to 53 of this report, in consultation with the Portfolio Holder. Any material changes to be brought back to Members for consideration;
  - c) To agree that the documents attached to this report as **Appendices C to I** are noted and submitted as part of the evidence base for the submitted Local Plan;
  - d) To note that if recommendation (a)(i) is agreed, a report will be brought to the Planning Portfolio Holder meeting on 13 December 2016 to revise the Local Development Scheme to delete the AAPs and to also consider the most appropriate way to prepare the proposed SPDs;
  - e) To agree that delegated authority be given to the Joint Director of Planning and Economic Development to make any subsequent minor

amendments and editing changes, in consultation with the Planning Portfolio Holder.

### **Reasons for Recommendations**

4. The further Proposed Modifications identified are considered necessary to make the Local Plan sound. They respond to the evidence accompanying this report. Producing Supplementary Planning Documents (SPD) as opposed to Area Action Plans (AAP) for the proposed new settlements north of Waterbeach and at Bourn Airfield represents the appropriate approach to providing further planning guidance, based on legal advice, and taking account of recent decisions by the Courts.

### **Executive Summary**

5. South Cambridgeshire District Council and Cambridge City Council submitted their Local Plans for Examination in March 2014. In May 2015, the examination was suspended whilst further work and public consultation was carried out by the Councils to address issues raised by the Inspectors. Proposed Modifications were identified and submitted by the Councils in March 2016, and the Examination resumed. A number of joint hearings have taken place, and the first South Cambridgeshire specific hearings are scheduled in November, December and January. Further hearings will take place in 2017.
6. During the course of the Examination a number of issues have arisen or changes in circumstances taken place that require further consideration by Members. **Appendix A** of this report identifies a number of further Proposed Modifications to the submitted South Cambridgeshire Local Plan related to the following issues:
  - **Planning Guidance for New Settlements:** The Submitted Local Plan includes allocation for new settlements north of Waterbeach and at Bourn Airfield. It states that Area Action Plans (AAPs) will be prepared to guide the development of the sites. Following legal advice, and taking account of extensive consideration by the Courts in recent years, it is considered that the appropriate and correct approach to further guidance for the new settlements is to produce Supplementary Planning Documents (SPD) instead of Area Action Plans. SPD will have the additional advantages of being able to be produced more quickly and efficiently whilst ensuring appropriate community engagement. Use of SPD would also enable the LPA to respond more quickly to the need for comprehensive guidance in response to the promoters of both new settlements advice that they are considering submitting planning applications to bring forward sites considerably earlier than had been anticipated when the Local Plan was drafted and submitted.
  - **Policies for Waterbeach New Town and Bourn Airfield New Village:** In response to the change to SPDs, there is a need for a number of largely consequential amendments to the new settlement policies and to provide clarity on the policy requirements on the developments and identify the key matters to be addressed in the proposed SPDs. At Bourn Airfield, a number of land parcels on the eastern side of the site nearest to Highfield Caldecote are recommended to be included in the Major Development Site shown on the Policies Map. This follows consideration of the submissions by the promoters that such inclusion would lead to a more sustainable and coherent settlement form. At Waterbeach, the promoters are seeking amendments to the northern boundary of the Major Development Site that they say would retain an appropriate setting to Denny Abbey scheduled monument, which are currently

being considered by Historic England. A verbal update will be provided at the meeting.

- Land South of Cambridge Biomedical Campus: In December 2015 the Council consulted on a Provisional Modification to allocate an area of employment land south of the existing Campus, responding to the latest Green Belt study that identified potential to release an area of land from the Green Belt in this location without significant harm to the purposes of the Cambridge Green Belt. After considering the consultation results in March 2016, the Council decided to defer a decision pending further work on issues including drainage, biodiversity, and transport and in particular any implications for Nine Wells Local Nature Reserve. That work has now been completed, and the issues identified are considered capable of being appropriately addressed. It is recommended that the site is now put forward as a Proposed Modification to the Local Plan Examination.
- Gypsy and Traveller and Travelling Showpeople Policies: In August 2015, the Government published new planning guidance, including a revision to the definition for Gypsy & Travellers and Travelling Showpeople for the purposes of planning. Responding to this and the need to update the previous 2011 study, a new Gypsy and Traveller Accommodation Needs Assessment (GTANA) was commissioned in partnership with seven other Local Authorities. The GTANA states that identified need for Gypsy and Traveller pitches in the district can be met from existing sites. The Assessment identifies a need for 11 further Travelling Showpeople plots in the plan period.

The new need for Travelling Showpeople plots has arisen late in the plan making process and the Showmen's Guild has indicated that it has been trying to find a yard in the Cambridgeshire area around the A1 or the A14. This is reflective of the fact that this particular need could be met across a wider area than South Cambridgeshire and that access to the strategic highway network is a key factor. It is proposed that the criteria based policy included in the submitted Local Plan would provide an appropriate and sound response to any proposals received to address the identified need and that the Council continues to move forward, in parallel with the local plan process, via discussions the Guild and with neighbouring authorities to identify a site close to the strategic highway network, as the Guild prefer, that is sufficient to meet this modest need together potentially with any need of neighbouring authorities.

A number of Proposed Modifications have been identified to reflect the new GTANA and the changes to Government guidance. No specific modification addressing the response to the Travelling Showpeople need is included in **Appendix A** at this stage but reference is included that modifications will be needed to explain the approach to respond to the identified need but it is considered that these are better drafted nearer to the hearing (which is yet to be programmed) in light of circumstances at that time. It is recommended that delegated authority be given to officers to propose Modifications to the examination consistent with the approach in this report, in consultation with the Portfolio Holder. Any material changes would be brought back to Members for consideration.

- Greater Cambridge City Deal – 1,000 additional homes on rural exception sites: At the joint Housing hearing in June 2016 (Matter PM1) the Inspector asked the Council to consider modifications to the Local Plan to make clear

the approach to monitoring the additional 1,000 homes. On 1 September 2016 the Greater Cambridge City Deal Board agreed how the 1,000 additional dwellings will be monitored. This methodology has also been shared with CLG officers who have indicated their acceptance in principle. Proposed Modifications have been identified to capture the approach agreed by the City Deal Board in the Local Plan.

- Matters arising from Hearing Statements on Promoting Successful Communities and Delivering High Quality Homes: In responding to Inspectors' issues and questions for the Examination Hearings to be held in November and December, a number of potential policy modifications were identified by officers, which sufficiently alter the policy position of the plan that they merit consideration by members at this stage. These relate to Delivering High Quality Homes (Matter SC/5) - Policies H/8: Housing Mix, H/10: Rural Exception Site Affordable Housing and H/11: Residential Space Standards, and to Promoting Successful Communities (Matter SC8) - Policy SC/1: Allocation for Open Space and Policy SC/5 Hospice Provision.

7. A Sustainability Appraisal (SA) Screening has been carried out on the proposed Modifications, which does not identify any significant changes to the SA carried out during the plan making process.

### **Background**

8. The Council submitted the South Cambridgeshire Local Plan for examination on 28 March 2014, alongside the Cambridge Local Plan. The separate plans were prepared in parallel with joint working throughout the process in recognition of the close functional relationship between the two areas and reflecting the duty to cooperate.
9. Joint examination hearings on strategic issues were held between November 2014 and April 2015 on topics such as: housing and employment needs, development strategy, Green Belt, transport, infrastructure and housing supply.
10. Subsequently, the Inspectors wrote to the Councils on 20 May 2015 in relation to three main issues (objectively assessed need for new housing, overall development strategy and conformity with revisions to National Planning Policy since the Local Plans were submitted for examination) and invited the Councils to undertake additional work to address those issues before the examinations progress further. The Councils agreed to undertake additional work and the examinations were formally suspended on 28 July 2015 until March 2016.
11. Additional work was carried out in response to the Inspectors' issues, which fed into the creation of the Councils' Proposed Modifications consultation document. The consultation document and supporting documentation was discussed at Joint Strategic Transport and Spatial Planning Group on 16 November 2015 and approved by the Councils for consultation on 30 November 2015. Consultation on proposed modifications to the Cambridge Local Plan and South Cambridgeshire Local Plan and associated Sustainability Appraisal Addendum Report was held between 2 December 2015 and 25 January 2016. Representations received were considered at the Planning Portfolio Holder Meeting of 14 March 2016, and Full Council on 23 March 2016. The additional evidence, report on the consultation, and proposed modifications, were submitted to the Inspector on 31 March 2016.

12. Subsequently, joint examination Hearings have taken place on Objectively Assessed Housing Need, Housing Land Supply and Green Belt Review Methodology. Hearings then took place over the summer for the majority of Cambridge Local Plan matters.
13. South Cambridgeshire Local Plan Hearings for the chapters on Climate Change, Promoting Successful Communities, and Delivering High Quality Homes are scheduled to take place in November and December 2016.
14. An updated Hearings Programme (version 14, 21 October 2016) includes details for the next blocks of the South Cambridgeshire only hearing sessions, which will take place between January and March 2017. These hearing sessions will consider:
  - Matter SC3: Delivering High Quality Places (17 January 2017) – this relates to policies on the design of new developments and public art;
  - Matter SC4: Protecting and Enhancing the Natural and Historic Environment (17-20 January 2017) – this relates to policies that seek to protect and enhance the natural and historic environment; and
  - Matter SC7: Building a Strong and Competitive Economy (28 February - 2 March 2017) – this relates to policies for employment and retail proposals and allocations. It includes the provisional modification from the November 2015 consultation to allocate land south of Cambridge Biomedical Campus for employment use, making clear that this will only be included if the Council decides to propose a Modification to allocate the site. This report considers the issue in light of further evidence and recommends that the a modification to allocate the site is agreed.
15. The Hearings Programme indicates the nature of the remaining hearings identified at this stage but no dates for the remaining blocks of hearings have yet been identified.

### **Considerations**

16. During the course of the Examination a number of issues have arisen which require further consideration by members. The following issues are addressed in this report:
  - Further Planning Guidance for New Settlements
  - Policy for Waterbeach New Settlement
  - Policy for Bourn Airfield New Settlement
  - Land South of Cambridge Biomedical Campus
  - Gypsy and Traveller and Travelling Showpeople Policies
  - Greater Cambridge City Deal – monitoring the 1,000 additional homes on rural exception sites
  - Issues arising from Hearing Statements for Successful Communities and High Quality Housing matters.
17. For each issue, Proposed Modifications to the Submitted Local Plan 2014 are identified in **Appendix A**. These were also subject to Sustainability Appraisal (SA) Screening, which does not identify any significant changes to the SA carried out during the plan making process (**Appendix B**).
18. It should be noted that at this stage in the examination process modifications can only be put forward as *recommendations* to the Inspectors for their consideration through the examination hearings and as they prepare their report on the Examination. If the Inspectors consider that such modifications are necessary to make the plan sound,

they will be published for consultation at a later stage in the Examination process, which is expected to be after the hearings have been held.

### **Further Planning Guidance for New Settlements**

19. The Submitted Local Plan includes allocations for new settlements north of Waterbeach and at Bourn Airfield. Policies SS/5 and SS/6 respectively identify land for the new developments and set out the parameters and principles to which the developments at Waterbeach and at Bourn Airfield are required to adhere.
20. The policies allocating the sites each say (at paragraph 6 in both policies) that Area Action Plans (AAPs) will be prepared to guide the development of the sites. This is also the position set out in the Council's current Local Development Scheme. The intention was that the AAPs would establish the built area of the settlement within the Major Development Site, and address arrange of issues including those listed in the policies.
21. The Council has obtained legal advice regarding the status of the proposed AAPs, and whether they remain the most appropriate and legally correct approach to providing further planning guidance for these major proposals. In recent years there has been extensive consideration of this matter by the Courts, which has clarified the legal definition of AAPs and SPDs, and that the matters intended to be included in the second tier planning documents pursuant to each of the two policies properly fall within the definition of an SPD in the local plan regulations. The advice to the Council from its legal advisor is that, as such, the documents the Council intends to prepare pursuant to policies SS/5: Waterbeach New Town and SS/6; New Village at Bourn Airfield, as a matter of law, should appropriately be prepared as SPD rather than as AAP (which now fall under the term "local plan" under the 2012 Regulations). It is therefore considered that these planning documents should be prepared as SPD and not as AAP.
22. In terms of the implications of this change, there are significant differences between an AAP and an SPD in terms of the time they take to prepare and the resources involved. An AAP would require a similar process to the Local Plan, with issues and options consultation, proposed submission consultation, and an Examination. The current Local Development Scheme anticipates a two year process between the issues and options consultation and adoption. An SPD is a significantly shorter process, albeit one that retains significant public and member participation. Once a document is drafted, the process of consultation and adoption could be achieved in around six months. This could have benefits when considering the delivery of sites to meet the development needs of the Cambridge area, and in order that sites can contribute to the rolling five year land supply requirement as soon as possible. The SPD process would also involve a reduction in preparation costs.
23. In this context it is relevant to note that the promoters of both new settlements have advised that because of the delays to the Local Plan process, they are considering submitting planning applications to bring forward sites sooner than had been anticipated for either site when the Local Plan was drafted and submitted. It will be for the Council to carefully determine an appropriate timescale for commencing preparation of the SPD, including whether, as a consequence of pending or submitted planning applications, is appropriate to start work on either SPD ahead of the Inspectors reaching a view on the Local Plan. It would not however be expected that any SPD would be adopted until the Local Plan is adopted. The weight afforded to an emerging SPD would nevertheless increase as it moved through the process towards adoption. If Members agree the principle of the proposed change in the form of

further guidance from AAP to SPD, a further report would be brought to the Planning Portfolio Holder's meeting on 13 December 2016 to revise the Local Development Scheme to delete the AAPs and to also consider the most appropriate way to prepare the proposed SPDs.

24. It is accordingly recommended that Modifications are proposed to Policies SS/5 and SS/6, replacing references to Area Action Plans with references to production of Supplementary Planning Documents and making other consequential wording changes to the policies and supporting text. These are addressed in the following sections of this report.

### **Policy for Waterbeach New Town**

25. The proposed modification to change from an AAP to an SPD to provide further planning guidance results in the need for some further modifications to Policy SS/5. These include the inclusion of the word 'approximately' ahead of the dwelling range of '8,000 to 9,000' in order to provide flexibility for the SPD (or an application) to determine the most appropriate quantum through more detailed evidence and an impact assessment process. Both site promoters have put forward representations that the new town could comprise around 10,000 homes. The LPA is not in a position to reach a conclusion on the capacity at this stage and further wording changes are proposed to ensure that the final number is the result of a design-led approach to ensure the delivery of a sustainable new settlement.
26. The site promoters have also asked the Council and Inspectors to consider a revision to the northern boundary of the Major Development Site to extend it a little further north whilst retaining an appropriate setting to Denny Abbey scheduled monument. The Major Development Site defines the maximum extent of built uses but does not mean that the whole area will be built on. The northern boundary of the Major Development Site included in the submitted Local Plan sought to make best use of this former air base site whilst ensuring that an appropriate setting was retained for Denny Abbey. It was defined in consultation with Historic England (at that time English Heritage) following site visits, and they advised that setting studies were needed to confirm whether any refinements were justified. The promoters have prepared a joint position that is currently being considered by Historic England, but due to staff changes, Historic England has not been able to reach a view on it at the time of writing this report. If Historic England concludes that the boundary could be revised whilst retaining an appropriate setting to Denny Abbey, it would be consistent with the approach taken in the submitted Local Plan to consider modifications to give effect to such a change. A verbal update will be provided to the meeting.
27. Other changes to the policy include:
- amendments to subsection 2 to clarify the vision for the new town,
  - revised text concerning the connections between Waterbeach village and the new town,
  - removal of references to separation from the village by Green Belt to reflect recent appeal decisions, but continuing to include need for the new settlement to be designed to maintain village identity,
  - Reference to types of open space that could be included in Green Infrastructure within the strategic site boundary,
  - Additional requirement for the production of an Economic Development Strategy to be produced for the town,

- Amendments to ensure both noise and odour issues are appropriately addressed,
- Additional requirement to deliver a comprehensive movement network for the whole town which encourages sustainable modes of travel,
- Additional requirements regarding phasing, and the delivery of services to serve individual phases as well as the town as a whole,
- A statement of the key matters to be included in the proposed SPD.

### **Policy for Bourn Airfield New Village**

28. The proposed modification to change from an AAP to an SPD to provide further planning guidance results in the need for some further modifications to Policy SS/6 similar to those for policy SS/5 Waterbeach. The most significant change concerns the boundary of the Major Development Site, which is considered below, other changes include:
- Reference to the types of open space that could be included in Green Infrastructure within the strategic site boundary,
  - Clarification regarding site access. The submitted policy states at paragraph 6z that access would be to the north east and north-west of the site. The modification clarifies that the north-west access would involve the northern end of Bourn Broadway, with measures to discourage southern traffic movements,
  - Additional requirement for the production of an Economic Development Strategy to be produced for the village,
  - Amendments to ensure the provision of Strategic Landscaping within and beyond the Major Development Site,
  - Additional requirement to deliver a comprehensive movement network for the whole village which encourages sustainable modes of travel,
  - Additional requirements regarding phasing, and the delivery of services to serve individual phases as well as the village as a whole,
  - A statement of the key matters to be included in the proposed SPD.
29. The site promoters have asked the Council to consider a number of revisions to the eastern boundary of the Major Development Site included in the submitted Local Plan. They have undertaken a range of design-led work since the plan was submitted and have provided a document to the Council that sets out a number of parcels of land where they consider the Major Development Site boundary could be extended to make better use of this brownfield site, enable the creation of a more sustainable and better designed place and maintain an appropriate relationship with Highfields Caldecote. It is contained in **Appendix C** to this report.
30. Officers have considered the proposed boundary changes and broken them down into a number of parcels so that Members can consider the merits of each parcel, as contained in the officer assessment in **Appendix D** and shown on the map in that appendix (and also included in **Appendix A**). The aerial photograph on the cover of Appendix 1 to the promoter's evidence at Appendix C is helpful to visualise the character of the area and the nature of the changes proposed. Officers' overall conclusions are that the proposals would contribute positively to the policy objectives for the site set out in the submitted plan and therefore to the soundness of the plan. Modifications are proposed for each parcel as follows:
- Parcels 1 and 2 – It is recommended that the boundary of the Major Development Site is amended to include the land around the existing and



permitted employment uses to provide flexibility to for this area to be incorporated into the development and planned comprehensively. These areas lie within the body of the site and would not extend the overall extent of built development and would have considerable advantages to the good planning of the development.

- Parcel 3 - The parcel of land at the entrance to the new settlement is proposed as a modification to the MDS by the promoters because of its positive impact upon the integration of the employment area into the development. They say it could create a better entrance and gateway to the development compared with the boundary in the submitted Local Plan. This would take development closer to the northern edge of Highfields Caldecote - 111 metres at one corner. Officers have noted the positive impact that the proposal would have on the presentation of the new settlement at this key access gateway. The assessment of harm to landscape interests and separation from Highfields Caldecote is also considered capable of being mitigated with careful masterplanning. The overall positive impacts argued are accordingly recognised by officers but this remains a matter of judgement for members.
- Parcel 4 - The promoters propose that the eastern boundary could be extended towards Highfields Caldecote to be bounded by a substantial tree belt along the full length of the boundary. They propose to widen the existing tree belt that exists along much of this boundary and fill in the current gap half way down this boundary. If these changes were made the Major Development Site would overall be approximately 50 metres closer to Highfields Caldecote although separated from it by open land as currently and screened from it by thick woodland. Officers have considered the impact of these changes on the wider landscape and are satisfied that the physical impact upon separation and appreciation of space around the settlement would be maintained. For that reason, officers consider that the modification would not undermine the policy objectives of the submitted plan for the site.
- Parcel 5 – The promoters propose a modest extension to the boundary of the Major Development Site boundary to reflect a mature tree belt. This would help make best use of the brownfield site without impacting on the wider landscape or neighbouring communities and the change is recommended to be made to the Major Development Site.

### **Land South of Cambridge Biomedical Campus**

31. The Green Belt Study commissioned by the Councils and published in November 2015 identified an area of land south of Cambridge Biomedical Campus (CBC) as having potential for development “without significant long-term harm to Green Belt purposes”.
32. The land south of Cambridge Biomedical Campus lies within South Cambridgeshire’s administrative area and is directly adjacent to the Phase 2 land for the Cambridge Biomedical Campus lying within Cambridge City Council’s area. The site was subject to assessment and sustainability appraisal as part of the additional work in 2015, and identified as a potential employment allocation, providing an opportunity to allocate land for an extension to the Cambridge Biomedical Campus to provide for further high quality biomedical development on the edge of Cambridge with its locational benefits, without causing significant harm to the purposes of the Cambridge Green Belt. The site was subject to public consultation between December 2015 and January 2016, as a provisional modification to allow time for further investigation of its suitability.

33. The Council's position, as set out in evidence documents supporting the Local Plan, is that the need for jobs can comprise exceptional circumstances justifying a review of the Green Belt so far as this would not cause significant harm to Green Belt purposes. The Council considers that there is no overall shortage of employment land within South Cambridgeshire during the plan period for high-tech and research and development companies and organisations, when taking account of planning permissions and the allocations made in the emerging plan. However, the findings of the new Green Belt study demonstrate that this site may be released from the Green Belt and thereby provide an opportunity to allocate land for an extension to the CBC to provide high quality biomedical development on the edge of Cambridge with its locational benefits, without causing significant harm to the purposes of the Cambridge Green Belt. The biomedical centre is an important part of the economic success of the Cambridge area where significant infrastructure investment has already taken place. The allocation would provide flexibility for further expansion of the CBC should this prove necessary during the plan period. There was support from stakeholders, including Cambridge University and the Cambridge Network.
34. Members will already be aware that the Council's position in respect of employment land supply has been challenged in representations to the Local Plan and at earlier examination hearings and will be considered further at the examination hearings under Matter SC7: Building a Strong and Competitive Economy (28 February to 2 March 2017).
35. The main issues arising from the proposals and consultation responses received are outlined below:
- The proposed allocation is supported by Cambridge University and other life science stakeholders to allow for the expansion of the CBC which is identified as an international centre of excellence;
  - The proposed allocation is supported by the landowner, Cambridgeshire County Council;
  - Cambridge PPF and the CPRE do not object to its allocation;
  - Natural England, Cambridge PPF and the Wildlife Trust object to the omission of biodiversity and ecology criteria from the policy and advocate development should achieve no net loss of biodiversity and ideally a net gain through masterplanning and mitigation measures;
  - Objections to the allocation include a petition with 435 signatories that expresses concern about its impacts on Nine Wells Local Nature Reserve, flood risks, possible impacts on water quality and flow, bridleways, traffic, biodiversity impacts and loss of Green Belt.
36. Following consideration of representations Council agreed on 23 March 2016 that a decision on whether to identify the site as a proposed modification should be deferred, in order to obtain further evidence regarding surface water flood risk, groundwater hydrology (including flow and quality), biodiversity and scope for mitigation and enhancement and transport impacts.
37. Subsequently officers have been working with the landowner to secure evidence on these issues. Additional evidence has been supplied which considers the following issues:
- Surface water and flood risk management
  - Hydrology
  - Landscape and Visual Appraisal
  - Ecological Appraisal

- Indicative Masterplan
  - Access
  - Arboriculture
38. These studies are included in **Appendix E** to this report and if the modification to propose the allocation is confirmed will be added to the examination reference documents library. Taken as a whole they represent a level of site knowledge greater than would normally be required to allocate a site for development in a Local Plan, whilst still less than would be required to allow consideration of a planning application for its development.
39. The evidence has been considered in consultation with relevant specialists within the Council, and with the County Council as Lead Flood Management Authority and Local Transport Authority. The evidence does not identify any significant deficiencies that would not be capable of being mitigated through an appropriate development proposal or point towards the site not being suitable for allocation in the Local Plan.
40. It is considered that each of the issues identified in paragraph 34 above are capable of being appropriately addressed. An officer assessment of the evidence is provided at **Appendix F**.
41. The development of the site would contribute positively to the continued success of life science research in Cambridge and specifically at the Cambridge Biomedical Campus as an international centre of excellence for patient care, biomedical research and healthcare education. The allocation would support its continuing development as such, and as a high quality, legible and sustainable campus and provide flexibility for the expansion of CBC should it be needed during the plan period.
42. Subject to some changes to the policy text responding to the evidence above and issues raised during the consultation, including bridleways, footfall impacts, and mitigating the impact of built form on Nine Wells, it is recommended that the provisional modification is agreed, and is put forward to the Inspectors as Proposed Modification Policy E1/B for inclusion in the Local Plan, as contained in the schedule and map at **Appendix A**.

### **Gypsy and Traveller and Travelling Showpeople Policies**

43. The Submitted South Cambridgeshire Local Plan includes policies regarding the provision of sites for Gypsies & Travellers and Travelling Showpeople.
44. In August 2015, a new Planning Policy for Traveller Sites (PPTS) was published by the Government which sets out a new definition for Gypsy & Travellers and Travelling Showpeople. The key change that was made to both definitions was the removal of the term '*persons ... who have ceased to travel permanently*', meaning that those Gypsies and Travellers and Travelling Showpeople who have ceased to travel permanently will not now fall under the definition of a "Gypsy and Traveller" for the purposes of national planning policy.
45. Reflecting the national policy changes, and also the need to update the previous 2011 study, a new Gypsy and Traveller Accommodation Needs Assessment (GTANA) was commissioned, to provide up to date and robust evidence of need. The Cambridgeshire, King's Lynn & West Norfolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment (October 2016) is included as **Appendix G** of this report. The new GTANA has been produced by Opinion Research Services (ORS), a professional consultancy which undertakes this type of

work for local authorities across England and Wales. The study was commissioned by a consortium of eight neighbouring local authorities, covering the administrative areas of Cambridge, South Cambridgeshire, East Cambridgeshire, Huntingdonshire, Peterborough, Kings Lynn & West Norfolk, Forest Heath and St Edmundsbury. It provides an up to date evidence base for the Local Plan.

46. The GTANA has sought to establish the accommodation needs of the Gypsy, Traveller and Travelling Showpeople population in the study area through a combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites. ORS used the results from the survey of travelling communities to identify current need by identifying households on unauthorised developments, those in concealed or overcrowded households, those wishing to move sites, or households on waiting lists for public sites.
47. In response to the change in definition in national planning policy the GTANA sets out three sub-groups of Gypsies and Travellers derived from the survey work and identifies their accommodation needs:
- Households who meet the “Traveller” definition for the purposes of planning:  
  
For South Cambridgeshire a current need of 8 pitches, and a future need of 12 pitches due to population growth from existing eligible households. This gives a need for a total of 20 new pitches over the period 2016 to 2036 (17 in the period to 2031 which is covered by the Local Plan).  
  
The GTANA also considered the supply available to address identified needs. It identified an existing supply of 29 pitches, from 22 vacant and 7 new pitches, and considered this as available supply. The GTANA concludes that the overall level of additional need for those households who meet the planning definition of a Gypsy or Traveller could be met through available sites.
  - Unknown Households:  
  
A total of 194 “Unknown” households were identified where an interview was not completed, either due to refusal or because the household was not present during the survey period (despite three attempts to establish contact in each case). The assessment identifies that a theoretical maximum of 68 pitches could be needed from these households. However, as an illustration, if the national average (in the experience of ORS) of 10% of those surveyed meeting the new definition were to be applied, this could be as few as 7 additional pitches.
  - Households which do not meet the definition:  
  
82 households were identified that did not meet the planning definition, the assessment indicates a need for 61 pitches to meet current and future need to 2036.
48. The GTANA concluded that there is no identified need to allocate Gypsy and Traveller Transit sites at this time. The consultants suggest that a review of the evidence base relating to unauthorised encampments should be undertaken once there is a new 3 year evidence base following the changes to PPTS in August 2015 including attempts to try and identify whether households on encampments meet the

new definition. This will establish whether there is a need for investment in more formal transit sites or emergency stopping places.

49. For Travelling Showpeople who meet the planning definition, the GTANA identified a need of 12 additional plots between 2016 and 2036 (11 plots in the plan period to 2031) arising from concealed households and anticipated population growth at the two existing sites in the district. This is made up of a current need of 7 plots, with 2 additional plots needed within the next 5 years, and 3 need between 2021 and 2036 (2 between 2021 and 2031). There is also a potential need of up to 3 more plots for those in the 'unknown' category.
50. The PPTS requires the Council to maintain a five year land supply of deliverable sites to meet the needs of those meeting the planning definition of Gypsies and Travellers and Travelling Showpeople, and identify sites for years 6 to 10, and where possible for years 11 to 15.
51. The identified need for Gypsies and Traveller sites and current supply means that identifying a supply of further Gypsy and Traveller sites is not required, and does not warrant additional land allocations in the Local Plan.
52. The GTANA identifies a need for 9 additional Travelling Showpeople plots in the next 5 years plus an additional 2 by the end of the plan period. This is beyond current levels of supply. The new need for Travelling Showpeople plots has arisen well into the plan making process and there was no need identified in the previous study. The Showmen's Guild has indicated in the new study that it has been trying to find a yard in the Cambridgeshire area around the A1 or the A14. This reflects that this particular need could be met across a wider area than South Cambridgeshire and that access to the strategic highway network is a key factor.
53. The submitted plan includes Policy H/21 that provides for windfall applications to be considered and determined where a need is demonstrated by the applicant. Policy H/22 sets out design requirements of any proposals. It is considered that the criteria based policy approach is a reasonable, pragmatic and proportionate response to the current situation for the Local Plan, the stage it has reached and the emergence of the need late in the plan examination process. It can provide an appropriate response to any proposals received to address the modest level of identified need.
54. Notwithstanding the approach set out in the submitted Local Plan, discussions are taking place with the Showmen's Guild regarding need and how it could best be addressed. Discussions are also taking place with the Travelling Showmen on the existing sites about their needs. It is recommended that the Council continues to move forward, in parallel with the local plan process, via discussions the Guild and with neighbouring authorities to identify a site close to the strategic highway network, as the Guild prefer, that is sufficient to meet this modest need together potentially with any need of neighbouring authorities.
55. The assessment acknowledges that it was not possible to determine the travelling status of a number of households of both Gypsies and Travellers and Travelling Showpeople who did not or refused to participate in the survey process, and a proportion of these may meet the definitions provided in the PPTS. The Local Plan criteria-based policy (Policy H/21) will guide consideration of any planning application proposals for Gypsy and Traveller sites to meet 'unidentified' potential need.

56. With regard to those who do not meet the PPTS definition, proposals for development would be considered against the wider policies of the development plan similar to other forms of residential development.
57. The Council will need to propose modifications to the Local Plan Inspectors to reflect the changes to Government guidance and issues arising from the new GTANA. The Inspectors are aware of this issue, and are anticipating a joint Examination Hearing later in the Examination programme to consider this.
58. Proposed Modifications have been identified in **Appendix A** to reflect the new GTANA and the changes to Government guidance. Policy H/19 is proposed to be updated to include the level of identified need in the new GTANA, for Gypsy and Traveller pitches and Travelling Showpeople plots. Modifications are proposed to the policies addressing windfall sites (Policy H/21), and policy regarding Gypsy and Traveller sites at large scale new communities and significant major development sites should a need be identified in during the life of the plan (Policy H/20). No specific modification addressing the response to the Travelling Showpeople need is included in **Appendix A** at this stage but reference is included that modifications will be needed to explain the approach to respond to the identified need but it is considered that these are better drafted nearer to the hearing (which is yet to be programmed) in light of circumstances at that time. It is recommended that delegated authority be given to officers to propose Modifications to the examination consistent with the approach in this report, in consultation with the Portfolio Holder. Any material changes would be brought back to Members for consideration.

#### **Greater Cambridge City Deal – Monitoring the 1,000 additional homes on rural exception sites**

59. As part of the City Deal agreement, the partners committed to “the delivery of an additional 1,000 new homes on rural exception sites” in addition to “the acceleration of delivery of 33,480 homes by 2031”. At the joint Housing hearing in June 2016 (Matter PM1) the Inspector asked the Council to consider modifications to the Local Plan to make clear the approach to monitoring the additional 1,000 homes.
60. On 1 September 2016 the Greater Cambridge City Deal Board agreed the approach to how the 1,000 additional dwellings will be monitored. The Cambridge and South Cambridgeshire Local Plans set a requirement of 33,500 homes for Greater Cambridge, and only once delivery exceeds the level needed to meet the Local Plans requirements can any eligible homes be counted towards the 1,000 additional home commitment. Eligible homes were identified as ‘*all affordable homes (as defined by the National Planning Policy Framework) constructed on rural exception sites, and on sites not allocated for development in the local plans and outside of a defined settlement boundary*’. Eligible homes will be reported to Government as part of monitoring the City Deal and included in the Council’s Annual Monitoring Report. This methodology has also been shared with CLG officers who have indicated their acceptance in principle.
61. It is recommended that proposed modifications are put forward to the Inspectors to ensure that the above approach is appropriately reflected in the Local Plan. They are provided in **Appendix A** of this report.

#### **Matters arising from Hearing Statements on Promoting Successful Communities and Delivering High Quality Homes**

62. In responding to Inspectors' issues and questions through the Examination Hearings on Promoting Successful Communities and Delivering High Quality Homes, a number of potential policy modifications were identified and put forward by officers in the submitted statements, which sufficiently alter the policy position of the plan that they merit consideration by members at this stage. The statements make clear where proposed modifications are subject to consideration by Members. The issues are summarised below, and further detail can be found in **Appendix H** to this report. The proposed modifications are included in the schedule at **Appendix A**. It is recommended that these modifications as submitted to the Inspectors are confirmed by Members.
63. Policy H/8: Housing Mix in the submitted Local Plan requires 1 in 20 market homes to meet the national Lifetime Homes standard applying at the time the plan was submitted. The Written Ministerial Statement dated 25 March 2015 and National Planning Practice Guidance makes clear that if access standard policies are to be included in Local Plans there must be evidence of need, of viability, and be limited to application of Requirement M4 (2) (accessible and adaptable dwellings), and/or M4 (3) (Wheelchair user dwellings) standards only of the Building Regulations 2015. Accessible and adaptable dwellings are similar to the previous Lifetime Homes standard. Evidence continues to demonstrate a need for accessible dwellings, therefore a modification is proposed to require that 5% of homes in a development should be built to the accessible and adaptable dwellings M4(2) standard.
64. A modification is proposed to Policy H/10: Rural Exception Site Affordable Housing as the current wording is now threatening the local delivery of rural exception site housing developments. Registered Providers are increasingly seeking the inclusion of a Mortgagee in Possession (MIP) clause in order to be able access funds from lenders to finance the development. Such clauses allow as a last resort where a Registered Provider has defaulted on a loan, the lender to gain possession and dispose of the relevant properties on the open market which would conflict with the current policy requirement that provision be made 'in perpetuity'. It is therefore proposed to add to the policy wording that Mortgagee in Possession clauses will be allowed where demonstrated to be necessary to enable development to proceed.
65. The Inspector's question asks whether Policy H/10 should allow a more flexible and positive approach to allowing an element of market housing on rural exception sites in order to address housing needs in villages. Paragraph 2 of the policy concerns the issue of when some market housing can be permitted on such sites when justified on viability grounds, which is phrased as a negative policy statement and whilst it provides for an element of market housing on a rural exception site, this is only under specific circumstances. The Council's statement to the examination indicates to the Inspectors that if they have concerns an alternative wording could be considered that would revise paragraph 2 to provide a more positive policy statement about allowing some market housing on rural exception sites that would also allow consideration of site deliverability in planning decision making as indicated in the National Planning Policy Framework. The detail of how viability and deliverability considerations would be taken into account in decision taking can be detailed in a Supplementary Planning Document (SPD). This would be a change in the Council's position as included in the submitted Local Plan and Member's views are sought on this possible modification.
66. Policy H/11: Residential Space Standards sets a requirement for new homes to meet a residential space standard based on the Homes and Communities Agency (HCA) space standards used for affordable homes. In reviewing the implications of the Written Ministerial Statements on the Council's submitted Local Plan in November 2015, the Council concluded that the policy would need to be reviewed and additional

work would need to be undertaken including to assess whether there was evidence to justify a policy requiring new homes to meet the national space standard. This evidence has now been prepared (**Appendix I**) and demonstrates that it is appropriate to continue to apply space standards. The new national space standards are not significantly different from those proposed by the Council in Policy H/11, usually providing for slightly more floorspace than the now superseded HCA standards and modifications are proposed to reflect these.

67. In the Promoting Successful Communities chapter, it is proposed to remove an open space allocation at Swavesey from Policy SC/1: Allocations for Open Space, as a new open space has been identified through a planning application process at Boxworth End. This change is supported by Swavesey Parish Council. It is also proposed to widen the scope of Policy SC/5 regarding hospice provision, to address wider community healthcare facilities.

### **Next Steps**

68. Subject to the decisions of the Planning Portfolio Holder meeting on 8 November 2016, this report and its appendices will be put forward to Full Council for consideration on 17 November 2016. Following the decision of Full Council, the agreed material will then be submitted to the Inspectors for consideration.

### **Options**

69. The Planning Portfolio Holder has the following options:
- a) Agree all or some of the further Proposed Modifications and additional evidence as set out in the report, and the proposed change to produce Supplementary Planning Documents instead of Area Action Plans for consideration by Full Council; or
  - b) Agree all or some of the further Proposed Modifications and additional evidence, and the proposed change to produce Supplementary Planning Documents instead of Area Action Plans for consideration by Full Council, but with amendments; or
  - c) Not to agree the further Proposed Modifications and additional evidence, and the proposed change to produce Supplementary Planning Documents instead of Area Action Plans for consideration by Full Council.

### **Implications**

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

#### ***Financial***

71. The recommendation to prepare SPD for the new settlements rather than AAP is expected to result in reduced costs for the Council although it is not possible to quantify this at the present time. If the recommended change is agreed, the financial implications for preparing SPDs will be considered through the forthcoming budget process and at the December Portfolio Holder meeting.

#### ***Legal***

72. There are no direct legal implications arising from this report. Input from the planning barrister representing the Council at the Local Plan examination has been sought on the Proposed Modifications and the matters raised in this report.



### ***Staffing***

73. There are no direct staffing implications arising from this report. The review of the Local Plan has already been included in existing service plans.

### ***Risk Management***

74. The Local Plan is a corporate priority and this report identifies proposed modifications considered necessary for the independent Inspectors to find the Plan sound.

### ***Equality and Diversity***

75. The Local Plan has been subject to an Equalities Impact Assessment, which demonstrates how potential equalities issues have been, and will be addressed. An update has been prepared as part of the Sustainability Appraisal Screening at Appendix B.

### ***Climate Change***

76. The Local Plan supports the delivery of sustainable development and addresses climate change issues consistent with national policy and guidance.

### **Consultation responses**

77. Land South of Cambridge Biomedical Campus was subject to public consultation in November 2015, and the results reported to members in March 2016. Subject to the views of the Local Plan Examination Inspectors, this and other modifications would be subject to formal consultation at a later stage in the Examination process, which is expected to be after the hearings have been held.

### **Effect on Strategic Aims**

#### **A. LIVING WELL Support our communities to remain in good health whilst continuing to protect the natural and built environment**

78. The Council has a duty to secure sustainable development. This lies at the heart of national planning policy and covers all three aspects of sustainability – economic, social and environment. The proposed modifications identified in this report address a range of issues related to securing high quality developments to meet identified needs.

#### **B. HOMES FOR OUR FUTURE**

##### **Secure the delivery of a wide range of housing to meet the needs of existing and future communities**

79. The Local Plan aims to support delivery of a range of new homes to meet identified needs and modifications are proposed to policies to secure homes that meet accessible housing and space standards. Proposed Modifications refine the policies related to affordable housing to assist its delivery. They also address the identified needs of Gypsies and Travellers and Travelling Showpeople, responding to the new GTANA.

#### **C. CONNECTED COMMUNITIES**

##### **Work with partners to ensure new transport and digital infrastructure supports and strengthens communities and that our approach to growth sustains prosperity**

80. The Local Plan was prepared in parallel with the Transport Strategy for Cambridge and South Cambridgeshire, with the aiming of ensuring new development is supported by transport infrastructure to enable a choice of travel by sustainable modes.

## **D. AN INNOVATIVE AND DYNAMIC ORGANISATION**

**Adopt a more commercial and business-like approach to ensure we can continue to deliver the best possible services at the lowest possible cost**

81. The Local Plan process has involved considerable partnership working, including with the City Council and County Council.

### **Appendices**

Appendix A – Further Proposed Modifications to the South Cambridgeshire Submission Local Plan 2014.

Appendix B – Sustainability Appraisal Screening

Appendix C – Additional Evidence Relating to Bourn Airfield New Settlement Major Development Site Boundary

Appendix D – Council’s Assessment of Additional Evidence Relating to Bourn Airfield New Settlement Major Development Site Boundary

Appendix E – Additional Evidence Relating to Land South of Cambridge Biomedical Campus

Appendix F – Council’s Assessment of Additional Evidence Relating to Land South of Cambridge Biomedical Campus

Appendix G - Cambridgeshire, King’s Lynn & West Norfolk, Peterborough and West Suffolk Gypsy and Traveller Accommodation Assessment (October 2016)

[https://www.scamb.gov.uk/sites/default/files/2016\\_10\\_05\\_cambridgeshire\\_gtaa\\_final\\_report\\_0.pdf](https://www.scamb.gov.uk/sites/default/files/2016_10_05_cambridgeshire_gtaa_final_report_0.pdf)

Appendix H – Consideration of issues identified in Examination Statements on Promoting Successful Communities and Delivering High Quality Homes

Appendix I - Evidence for Residential Space Standards in South Cambridgeshire (Sept 2016) (Local Plan Examination Library reference RD/H/810):

[https://www.scamb.gov.uk/sites/default/files/evidence\\_for\\_residential\\_space\\_standards\\_in\\_south\\_cambridgeshire.pdf](https://www.scamb.gov.uk/sites/default/files/evidence_for_residential_space_standards_in_south_cambridgeshire.pdf)

### **Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council’s website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

National Planning Policy Framework 2012:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Planning Policy for Travellers (DCLG August 2015):

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/457420/Final\\_planning\\_and\\_travellers\\_policy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/457420/Final_planning_and_travellers_policy.pdf)

South Cambridgeshire Local Plan 2014: <https://www.scambs.gov.uk/localplan>

Cambridge and South Cambridgeshire Modifications Consultation Report November 2015:  
<https://www.cambridge.gov.uk/public/ldf/coredocs/rd-mc-010.pdf>

Supplement to Sustainability Appraisal Addendum Report (November 2015) (Revised 2016):  
<https://www.scambs.gov.uk/localplanmods-dec2015>

Cambridge Inner Green Belt Boundary Study (November 2015):  
<https://www.cambridge.gov.uk/public/ldf/coredocs/rd-mc-030-part1.pdf>  
<https://www.cambridge.gov.uk/public/ldf/coredocs/rd-mc-030-part2.pdf>

Cambridge and South Cambridgeshire Summaries of Representations to the Consultation on Proposed Modifications 2016:  
<https://www.cambridge.gov.uk/public/ldf/coredocs/RD-MC/rd-mc-130.pdf>

Cambridge and South Cambridgeshire Full Representations to the Consultation on Proposed Modifications:  
<https://www.cambridge.gov.uk/public/ldf/coredocs/RD-GEN/rd-gen-010.pdf>

Proposed Modifications – Report on Consultation (March 2016):  
<https://www.cambridge.gov.uk/public/ldf/coredocs/RD-MC/rd-mc-120.pdf>

Local Plan Meeting, Council 23 March 2016 (agenda, decision and minutes):  
<http://scambs.moderngov.co.uk/ieListDocuments.aspx?CId=410&MId=6694&Ver=4>

Greater Cambridge City Deal Executive Board Meeting 1 September 2016 (agenda, decision and minutes):  
<http://scambs.moderngov.co.uk/ieListDocuments.aspx?CId=1074&MId=6634&Ver=4>

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