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Cambridge City and South Cambridgeshire Local Plan Examinations Matters and Issues Statement

Representor **Commercial Estates Group**
CCLP ID **5423**
SCDC ID **17653**
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Matter 6 Green Belt (Tuesday 10 – Thursday 12 February 2015)

- 1.0 **A General issues**
- i. **Does the level of need for new jobs and homes (paragraph 2.54 of CCC LP and paragraph 2.32 SCDC LP) constitute the exceptional circumstances necessary to justify the proposed removal of sites from the Green Belt (paragraph 83 of the Framework and paragraphs 044 and 045 of Planning Practice Guidance). Bearing in mind the Framework's indication that development in the Green Belt should be resisted, what would be the consequences if the boundary of the GB were to be retained in its current location?**
- 1.1 Yes. Under the overall heading Delivering Sustainable Development, Section 9 of the Framework clearly provides the basis for Green Belts to be reviewed and amended through the preparation or review of a local plan. It is a well-established planning principle that the need for housing and the achievement of economic growth can be regarded as exceptional circumstances justifying the alteration of Green Belt boundaries. Indeed, the previous Structure Plan for Cambridgeshire and associated Local Plans (which released land on the edge of the City for development) showed that this principle can apply to the circumstances of Cambridge.
- 1.2 The Draft Plans' development sequence for Cambridge, with a strategic focus for development in or on the edge of Cambridge before looking at new settlements beyond the Green Belt or villages, provides a further justification. This is because a failure to meet development needs in or on the edge of

Cambridge would result in development taking place further down the development sequence.

- 1.3 With the modest Green Belt releases proposed, the percentage of the 9,119 total dwellings proposed to be on new sites that are situated beyond the Green Belt (i.e. in New Settlements or rural villages – third and fourth choice in the development sequence) is already 58% (5,265 dwellings). If the existing Green Belt boundary were to be retained, this percentage would increase to 64%. This would clearly sit in even starker contrast to a development strategy that purportedly seeks to focus new development in or on the edge of Cambridge. In employment terms, the lack of amendments to the Green Belt would limit the ability of Cambridge urban area – where companies want to locate – from meeting business needs. For example, it would not plan for the expansion of Peterhouse Technology Park – home to ARM, a UK-originated world leader in microprocessor intellectual property. The example of Cambourne shows that there is little prospect of more remote locations capturing displaced economic demand.
- 1.4 In practical terms, the Plans' development sequence is important because of Cambridge's unique character and economy:
- 1 The sustainability pattern of development in Cambridge – with its 'bicycle economy' – means locations on the edge of the urban area see very high levels of travel to work by active travel modes (45%), in contrast to New Settlements (just 7% in Cambourne)¹.
 - 2 Even if one took an optimistic view on the deliverability and efficacy of new transport infrastructure to link to new settlements (a matter of very considerable doubt, as explored in Matter 5), there is no basis to conclude that development beyond the Green Belt would achieve the equivalent levels of sustainability as that in or on the edge of Cambridge.
 - 3 Because the urban area of the City is and will remain the focus of most economic and commercial activity (e.g. places to work, study, and shop), this means that development beyond the Green Belt and remote from Cambridge will inevitably give rise to higher levels of car usage, and thus drive increased traffic congestion in and around Cambridge. Further, as noted in CEG's Statement to Matter 7, occupiers of development in locations beyond the Cambridge Green Belt are less likely to travel into the City.
 - 4 This will harm the economic competitiveness and historic character of Cambridge.
- 1.5 In summary, the level of need for new jobs and homes is an exceptional circumstance which justifies the proposed removal of sites and other additional land from the Cambridge Green Belt. Maintaining the boundary in its current location would prevent the sustainable patterns of travel and development required by the NPPF and the realisation of the objectives of both Local Plans.

¹ Travel to work data from the Census 2011 – as referenced in CEG's original representations

ii. Does the 2012 Inner Green Belt Study provide a robust justification for the proposed boundary changes? If not why not? (Where issues relating to the methodology used to undertake the study are in dispute, the Inspector encourages representors and the Councils to prepare Statements of Common Ground to identify areas of agreement and dispute).

- 1.6 The Inner Green Belt Study is not robustly justified; this matter was explored in the submissions made by Commercial Estates Group (CEG)². It is considered that the 2012 Inner Green Belt Study (RD/Strat/210) is seriously flawed both in terms of the reliance placed on the 2002 Inner Green Belt Study (Ref. RD/Strat/170) and in the methodology adopted for the 2012 study.
- 1.7 It is the opinion of CEG and its advisors that the inner green belt boundary is capable of further changes without affecting the Green Belt and Cambridge Green Belt purposes.
- 1.8 As explained in the CEG submissions³, there are number flaws in the methodology which underpins the assessment and how it was applied in the 2002 study (Ref. RD/Strat/170) and subsequently the 2012 study (RD/Strat/210).
- 1.9 Specifically in relation to the 2012 Inner Green Belt Boundary Study, this expands on the 2002 study to consider development issues. This process employs the use of a matrix to consider the significance of development on the Green Belt which compares the previously attributed importance of an area to Green Belt against the prominence of development within it. The resulting significance is then used as an indicator of contribution to Green Belt purposes, with those assessed as being of a 'major / high' significance being considered important. This approach is fundamentally flawed for several reasons:
- There is a lack of detail included as to why the individual areas are attributed their levels of importance to Green Belt purposes for setting, character or separation. Put simply, the starting point is wrong;
 - The type of development considered is not defined; therefore the effect of development (magnitude of change) cannot be accurately assessed. There is also a lack of explanation as to how the magnitude of change was assessed;
 - There is no justification as to why the threshold of major / medium significance is considered to indicate that an area is of particular importance to the Green Belt; and
 - Given the lack of clarity as to how the judgements have been made, the validity of making broad-brush assumptions relating to both the importance of areas and the significance of development within them is questionable.

² Green Belt Review Technical Report 1665_R06b, pages 3 - 4, paras 11 - 13

³ Green Belt Review Technical Report 1665_R06b - Executive Summary, pages 4 - 5, paras 12 - 14

- 1.10 The differences in areas highlights the flaws in the methodology employed by both the 2002 and 2012 Studies and their application.
- The definition of land parcels and areas for assessment should have been more clearly defined and justified in order to allow for a replicable assessment to be made.⁴
- iii. Does the Inner Green Belt Review take account of the requirements of paragraphs 84 and 85 of the Framework, notably the need to take account of sustainable patterns of development; to ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development; and that the boundary will not need to be altered at the end of the development plan period.**
- 1.11 No. This issue was highlighted by CEG under Matter 2 and is a fundamental flaw that goes to the heart of the unsoundness of both Local Plans.
- 1.12 In short, the 2012 Inner Green Belt Boundary Study (RD/Strat/210) does not include criteria that take account of paragraphs 84 and 85 of the NPPF (which set out the basis for reviews of the Green Belt and establishing new/revised boundaries).
- 1.13 The Inner Green Belt Boundary Study does no more than seek to assess land against the five purposes of including land in the Green Belt (under NPPF para 80) and draw a conclusion as to whether or not it fulfils a Green Belt purpose. The approach of the study is therefore not consistent with the approach enjoined by the NPPF.
- 1.14 Although not described as part of the Green Belt review carried out by the Councils, the Issues and Options 2 Sustainability Appraisal (RD/LP/160) was the mechanism through which the Council made decisions on the release or retention of sites on the edge of Cambridge. It was thus a crucial part of the process the Councils undertook in reviewing the Green Belt.
- 1.15 The Issues and Option 2 Sustainability Appraisal describes the approach:
- “3.7 The pro forma is split into two parts. The first part is a high level sieve (Level 1). It includes strategic considerations, including impact on the Green Belt, flood risk, national biodiversity and heritage designations. It also addresses key deliverability issues. This stage is effective for identifying issues that mean a site should be rejected.*
- 3.8 Level 2 of the assessment considered a range of issues including accessibility to services and sustainable transport, pollution, historic environment and biodiversity.*
- 3.9 Although a number of sites were considered to merit rejection following the Level 1 assessment, they were also assessed by the Level 2 criteria in order to give the most comprehensive and robust assessment possible.”*

⁴ see **Green Belt Review Technical Report 1665_R06b**, page 10, para 8, point i, page 11, para 10, points ii & iii & iv and paragraph 12; and **CEG Matters and Issues Statement: Matter 6 - Green Belt**, page 3, paragraphs 1.7 & 1.8.

1.16 It was thus clear that development sites could be rejected if they failed a Level 1 “*strategic*” criterion, notably Green Belt (based on a finding from the Inner Green Belt study), even if they performed well against Level 2 “*other*” criteria.

1.17 Appendix 1 to the Issues and Options 2 Sustainability Appraisal (RD/LP/160) lists the criteria used to appraise the Green Belt sites. These were grouped under the following headings in the summary appraisal on page 97 of the Issues and Options 2 Part 1 document (RD/LP/150):

| <i>Level 1 Strategic Considerations</i> | <i>Level 2 Other Considerations</i> |
|---|---|
| <ul style="list-style-type: none">• Flood Risk• Green Belt• Timeframe for development• Site access• Cambridge Airport safety zone | <ul style="list-style-type: none">• Distance to district/local centre• Integration with existing communities• Open space provision• Transport (City context)• Transport (South Cambs context)• Distance from AQMA, M11, A14• Noise• Biodiversity |

1.18 In respect of NPPF paragraph 84 (the requirement to consider the need to promote sustainable patterns of development) the appraisal is flawed in two respects:

- 1 None of the Level 1 considerations (criteria which were the effective decision making matrix for the in-principle decision on whether or not to amend Green Belt boundaries at each of the locations assessed) explicitly relate to sustainable patterns of development – these being only obliquely (and incompletely) addressed in Level 2 – a tier of appraisal that was irrelevant as sites had already been rejected due to “Green Belt”;
- 2 The appraisal did not compare the appraisal of Green Belt sites with their alternatives (such as New Settlements beyond the Green Belt) which meant that the review of Green Belt boundaries (both at each broad location and overall) did not consider that the implication of rejecting a Green Belt sites for development would mean that sites beyond the Green Belt (either in South Cambridgeshire or, indeed, in other districts) would need to be allocated instead. Thus a decision that scored a Green Belt site in terms of public transport did not compare its performance with the alternative: a proposed allocation further away from Cambridge beyond the Green Belt. This has implications, for example on, the ability of the Local Plan to facilitate the use of sustainable modes of transport (NPPF para 30) and thus on sustainable patterns of development. The Councils’ respective Sustainability Appraisals both prior to and subsequent to Issues and Options 2 do not form part of the Green Belt review (the decisions were clearly made through the Level 1 Considerations of Issues and Options 2); nor did they assess and compare rejected broad locations in the City of Cambridge for development on the edge of the city with the inevitable alternative of

locating development beyond the Green Belt (in South Cambridgeshire, or beyond). By any measure, the approach of the Councils did not address NPPF para 84.

1.19 In respect of NPPF para 85, the following required considerations were not addressed by the Inner Green Belt Study or the Issues and Options 2 appraisal:

- *ensuring consistency with the Local Plan strategy for meeting identified requirements for sustainable development:*
The boundaries of the Green Belt were not reviewed in a way that explicitly considered that the implications of not releasing more land from the Green Belt would be a distribution of new allocations running against the grain of the Plans' development strategy to focus development in or on the edge of Cambridge.
- *satisfying themselves that Green Belt boundaries will not need to be altered at the end of the development plan period:*
This factor was not addressed as part of the Councils' consideration of Green Belt issues. Indeed, assuming that Cambridge Airport remains in use, there is every sign that a further Green Belt review will be required if the housing requirement for the two Local Plans increases prior to 2031, or to address objectively assessed development needs for the period beyond 2031.

iv. Are the purposes of the Cambridge Green Belt, set out at paragraph 2.50 (Table 2.4) of CCC LP and paragraph 2.29 of SCDC LP, consistent with paragraph 80 of the Framework.

1.20 No, the Cambridge Green Belt purposes are not consistent in terms of the wording or the emphasis placed on the purposes. Whilst the Cambridge Green Belt Purposes fit within those of the NPPF, subtle changes to the wording of the purposes move away from the principal spatial planning emphasis to a more specific and analytical approach to elements of the landscape context and setting of Cambridge. Land should be examined against all five NPPF purposes. Paragraph 80 of the Framework articulates five purposes but does not give a hierarchy or weighting.

1.21 The CCC LP (RD/Sub/C/010) includes at Table 2.4 the purpose '*maintain and enhance the quality of its setting*' (our emphasis). This goes beyond the NPPF purpose of "*to preserve the setting and special character of historic towns*" (our emphasis) and seeks to introduce enhancement of the setting of Cambridge as a purpose for Green Belt land designation.

v. Do the Plans adequately reflect paragraph 81 of the Framework which requires local planning authorities to plan positively to enhance the beneficial use of the Green Belt?

1.22 No. When considering the Council's approach to the positive use of the Green Belt, the CCLP (paragraph 2.53) mentions the development at Trumpington Meadows as an example of where CCC and SCDC have sought to provide positive enhancements to the Green Belt, but the measures within the draft

Plans to plan positively to enhance the beneficial use of the Green Belt are very limited.

- 1.23 There is the opportunity to positively plan for considerably more benefits and achievable enhancements. As demonstrated in the Cambridge South East Vision Document submitted by CEG, through development at southeast Cambridge there are opportunities to plan positively by providing a substantial country park within land retained as Green Belt. This would allow for improved access and recreation opportunities and biodiversity benefits whilst respecting the landscape setting of Cambridge. This reflects both NPPF paragraph 81 and the CCLP aspirations.

2.0 **6B GB Boundary changes in Cambridge City Local Plan**

1) Sites GB1 & GB2

i. What would the impact of the proposed boundary changes be on the purposes of including land in the Green Belt?

- 2.1 As recorded in the Green Belt Review Technical Report 1665_R06b (Appendices 7 & 10), properly applying the Council's methodology against the Green Belt and Cambridge Green Belt purposes sites GB1 and GB2 are of low importance to the Green Belt purposes. Their exclusion from the Green Belt would have no significant impact on the purposes of the Green Belt.

- 2.2 The report has also established that the sites lie within parcels of land that extend beyond the site boundaries to the east, defined by Limekiln Road, Cherry Hinton Road and the Babraham Park & Ride. These parcels have been assessed as making a 'Low' contribution to Green Belt. There is no currently defined edge associated with either site GB1 or GB2 to the east.

ii. Are there any (other) reasons why development of these sites should be resisted or any overriding constraints to development?

- 2.3 No. CEG is in the process of agreeing a statement of common ground with Cambridge City Council in respect of these sites, and their suitability, availability and achievability for development.
- 2.4 CEG supports the release of these sites from the Green Belt and does not consider that there are any overriding technical, environmental or other constraints to development.

2) GB3 & GB4

i. What would the impact of the proposed boundary changes be on the purposes of including land in the Green Belt?

- 2.5 As recorded in the Green Belt Review Technical Report 1665_R06b (Appendices 7 & 10), properly applying the Council's methodology against the Green Belt and Cambridge Green Belt purposes scores sites GB3 and GB4 as of low importance to the Green Belt purposes. Their exclusion from the Green Belt would have no significant impact on the purposes of the Green Belt.

2.6 The report has also established that the sites lie within a discreet parcel of land that extends to the south and which makes a 'Low' contribution to Green Belt purposes. The land to the south shares the same physical and visual containment, with there being no currently defined edge associated with the sites or the wider area of land to the south.

ii. Are there any (other) reasons why development of these sites should be resisted or any overriding constraints to development?

2.7 No. CEG is in the process of agreeing a statement of common ground with Cambridge City Council in respect of these sites, and their suitability, availability and achievability for development.

2.8 CEG supports the release of these sites from the Green Belt and does not consider that there are any overriding technical, environmental or other constraints to development.

3.0 6C GB Boundary Changes in South Cambridgeshire Local Plan

1) Land at Fulbourn Road East

i. What would the impact of the proposed boundary changes be on the purposes of including land in the Green Belt?

3.1 The land at Fulbourn Road East is situated adjacent to existing development at Peterhouse Technology Park and the residential edge and lies within the urban gateway formed by Fulbourn Hospital and Capital Park to the east. The land therefore makes a limited contribution to the Green Belt and its exclusion would therefore have no significant impact on Green Belt purposes.

ii. Are there any (other) reasons why development should be resisted or any overriding constraints to development?

3.2 No. CEG is in the process of agreeing a statement of common ground with South Cambridgeshire Council in respect of this, and its suitability, availability and achievability for development.

3.3 CEG supports the release of this site from the Green Belt and does not consider that there are any overriding technical, environmental or other constraints to development.