

**LOCAL PLAN EXAMINATION
CAMBRIDGE CITY & SOUTH CAMBRIDGESHIRE**

**MATTER 9c
CAMBRIDGE NORTHERN FRINGE EAST**

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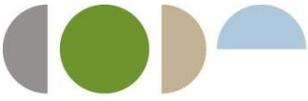
**ON BEHALF OF
PIGEON LAND AND LANDS IMPROVEMENT HOLDINGS**

25th March 2015



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1 INTRODUCTION

1.1 My comments relate to the Inspector's questions 1, 2, 4 and 5 and are summarised by the view that the Local Plans are not supported by sufficient evidence to justify the allocation of land at CNFE and satisfy the Inspector that there is a 'reasonable prospect' of the site's delivery. Furthermore, given the CNFE's essential role in delivering the Local Plan's development strategy, providing essential employment land and providing adequate flexibility in housing provision, it is not appropriate to relegate fundamental elements of the allocation to a later planning process. Instead it is essential that the examination process applies particularly careful and detailed scrutiny.

2 WHY UNSOUND?

2.1 In this case the Plans fail to meet the:

- tests of soundness ('positively prepared', 'justified', 'effective', 'consistent with national policy') (paragraph 182 of NPPF);
- requirements to support economic growth (paragraph 19 NPPF);
- requirements to "set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period" (paragraph 21 bullet point 2 NPPF);
- requirements to ensure the viability and deliverability of the proposed site and scale of development (paragraph 173 NPPF);
- requirements to take account of the need for strategic infrastructure (paragraph 162 NPPF);
- requirements to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion (paragraph 177 NPPF);
- requirements to address the special implications of economic, social and environmental change and set out the opportunities for development and clear policies on what will or will not be permitted and where. The NPPF continues, "only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the Plan" (paragraph 154 NPPF);
- requirements to indicate the land use designations on a proposals map (paragraph 157 NPPF);
- requirements to "allocate sites to promote development and flexible use of land, bringing forward new land where necessary and provide detail on form, scale, access and quantum development where appropriate" (paragraph 157 NPPF).

2.2 In addition, the Plans and associated evidence base do not satisfy the requirements of PPG (ID:12-010020140306) with reference to the detail required to be contained within a local plan. PPG requires



local plans to pay “careful attention to both deliverability and viability” and “where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interests about the nature and scale of development (addressing the ‘what, where, when and how’ questions)”.

- 2.3 Being contrary to paragraph 182 of the NPPF and failing on the four tests of soundness together with its non compliance with PPG renders the allocation in the Local Plan unsound. Given the importance of the allocation to meeting in full the objectively assessed need for employment land and providing sufficient flexibility to meet any shortfalls in the housing supply, therefore renders the Plan **as a whole** unsound. The reliance of the allocation on meeting essential elements of the Plan’s development strategy means that the allocation must be fully justified in the Local Plan in exactly the same way as any other proposed allocation.
- 2.4 The precise identification of the area to be covered, the amount of development achievable, the site capacity, viability, timescales, phasing, areas for the various uses within the allocated site and the infrastructure requirements are all legitimate and necessary elements of the development plan which seeks to allocate the site.
- 2.5 It is inadequate and contrary to national policy to relegate such essential elements of prime allocation to other development plan documents. Paragraph 153 of NPPF states:
“Any additional development plan documents should only be used where clearly justified.”
- 2.6 There is no justification in this case to consider essential elements of this allocation in a further development plan document. Also, due to the lack of evidence available in the current Local Plan process, there is no opportunity for the examination to consider the results of consultation necessary for proposed allocations in the Plans.
- 2.7 The Councils may wish to make reference to documents prepared for the early stages of the new emerging AAP (RD/LP/320). Consultation on the Issues and Options Report took place between 8th December 2014 and 2nd February 2015. In my view, this evidence should be given limited weight in the current examination process. However, so far as relevant on factual matters I make reference to the Issues and Options Report in this statement.

3 LOCAL PLAN REFERENCE AND IMPORTANCE TO MEETING LOCAL PLAN OBJECTIVES

- 3.1 The Local Plans state (policies SS4(SCLP) 14 (CLP)) in similar language that the area shown on the policies map known as CNFE, “is allocated for high quality mixed use development, primarily for employment within use classes B1, B2 and B8 as well as a range of supporting uses, commercial, retail and residential uses (subject to acceptable environmental conditions)”.



- 3.2 The policies also describe the allocation as enabling, “the creation of a revitalised employment focused area centred on a new transport interchange”.
- 3.3 Point 3 of the policies states, “the amount of development, site capacity, viability, timescales and phasing of development will be established through the preparation of an Area Action Plan (AAP) for the site”.
- 3.4 The policies then list a number of important elements which should be taken into account in considering proposals on the site. These include a number of essential elements likely to have a significant impact on the nature, scale and location of uses such as existing site conditions and environmental and safety constraints, health impacts from the existing waste water treatment works on site and appropriate access arrangements.
- 3.5 The Local Plans identified the CNFE as a “strategic site that will make a significant contribution to further employment provision (paragraph 1.25 RD/TOP/020 and paragraph 30 M4/CCC & SCDC). Paragraph 37 bullet point 4 of M4/CCC & SCDC further identifies the “potential to deliver over 100,000sqm of B1 floorspace”. This statement is entirely unjustified and has no evidential basis.
- 3.6 We also heard from the Councils during the Hearing sessions on Matter 4 that the delivery of R&D space in particular at CNFE (amount unknown) would be a key element in providing space within the ‘heart’ of the Cambridge R&D cluster. We will no doubt hear more about this during the later, yet to be scheduled, sessions on employment land supply.
- 3.7 Perhaps it was originally the intention of the plan makers to consider the suitability, deliverability and nature of an allocation at CNFE but it has not transpired as such. Paragraph 3.12.4 of the SA of the CLP (RD/Sub/C/030) states,
- “In terms of the North East Fringe development, the relevant policy in the Local Plan 2006 no longer applies as it relied upon the relocation of the waste water treatment works to another site and it was found that this would be unviable. Instead, the site will be taken forward through the Local Plan Review and will focus on employment-led development around the planned Chesterton station.”*
- 3.8 In fact, the only evidence available to the current examination is contained in RD/SS/030. This document concludes:
- a) comprehensive redevelopment of the site is not viable (paragraph 7.1 to 7.6);
 - b) there is in fact limited alternative development potential on each site [within the CNFE] (paragraph 7.8);
 - c) a single preferred development option limited by various factors including highway capacity might suggest inclusion of up to 25,000sqm of offices and no housing (paragraph 7.8).



3.9 We are also told that the CNFE is identified by the Councils as providing additional flexibility to deal with changing circumstances and/or uncertainty over when housing allocations will come forward for development (paragraph 47 M8/CCC & SCC). Again, there is no evidence before this examination to give us any comfort that there is a ‘reasonable’ or indeed any prospect of the allocation delivering such uses within the Plan period.

4 UNCERTAINTY OF INFRASTRUCTURE PROVISION AND SCALE

4.1 We also know that the delivery of an allocation at CNFE, whatever the AAP might conclude on the nature, scale and location of uses, requires “critical” infrastructure improvement over which there must be considerable doubt (reference Matter 5 and 7 Statements CCC 5102 and SCDC 2081). The following table sets out the Council’s own view of just transport infrastructure delivery related to CNFE.

“Critical” City Deal Infrastructure* ¹	Priority Rank* ²	Estimated Cost* ³	Completion Estimate* ⁴	Delay Risk* ⁵
Chisholm Trail cycle links/Trail bridge.	9	£8.4m	2016	Medium
Milton Road bus priority.	1	£23.04m	2019	High
A10 dualling and junctions/A14/A10 Milton interchange.	12=	£33.12m	2021	High
Waterbeach P&R/ Waterbeach to north Cambridge busway.	12=	£129.76	2020	Medium

*¹ Defined “if the development could not go ahead at all without it” (page 32 RD/CR/142) items listed page 33 RD/CR/142.

*² Appendix B page 47 RD/CR/142

*³ Appendix B page 47 RD/CR/142

*⁴ Appendix D page 59 RD/CR/142

*⁵ Appendix D page 59 RD/CR/142

4.2 Although the aspiration remains that City Deal contributions will deliver this infrastructure there must be considerable doubt amounting to no ‘reasonable prospect’. The total cost exceeds the first tranche of City Deal money. There are other calls on the City Deal money. The risks of delay are high and medium.

4.3 In answer to the Inspector’s questions 4 and 5, there is simply no evidence before this examination to satisfactorily answer the queries concerning the relationship between mineral and waste operations and the proposed mixed use development or the sufficiency of land to accommodate the infrastructure improvements necessary to facilitate the proposed uses for the site.



- 4.4 I do acknowledge that the AAP is an opportunity to progress our understanding of the potential of the CNFE to deliver development of some kind. The Issues and Options Report of the AAP (RD/LP/320) identifies four potential options with as yet unjustified but still under investigation additional floorspace potential for B1 (offices/R&D) ranging from 7.7ha (162,000sqm) up to 16ha (328,000sqm)). Three options also contain a possible range of housing development from 440 to 630 dwellings.
- 4.5 The Issues and Options Report identifies a number of constraints which will influence the development potential of CNFE. These include reference to the principles of infrastructure capacity, conflict with existing uses - most particularly the water recycling centre (WRC) and mineral and waste operations, odour issues and the need to relocate existing uses. The document offers no solutions to these constraints.
- 4.6 As an Issues and Options document only, early in the development plan process neither would one expect it to. Consultation responses help to suggest, in my view, that options 3 and 4 are unviable and non deliverable and that even on options 1 and 2 there remains a considerable amount of additional assessment work to be undertaken. It is worth noting that the operators of the WRC, (AWS) conclude that there is considerable uncertainty over options 3 and 4 due to the feasibility and viability of moving or substantially reorganising the WRC. In fact, AWS confirm a recent investment of £20m to ensure that the WRC is able to cope with Cambridge growth up to 2031. AWS also expressed concern about siting any housing development within the 1.5 OUE per cubic meter contour. This contour covers the whole site except a small portion around the proposed new station.

5 CONCLUSIONS

- 5.1 In my view, the Plans are unsound because an essential element of delivering the objectives and development strategy of the Plans has no evidence to support its allocation. On the contrary, the evidence available to the current examination casts considerable doubt over there being any 'reasonable prospect' of delivery within the Plan period.
- 5.2 Given the essential nature of the proposed allocation it is necessary to apply particularly careful and detailed scrutiny. It is entirely inappropriate and contrary to government advice to relegate the consideration and detail of 'what, where, when and how' to another development plan process.
- 5.3 Even if one took comfort from the early stages of an AAP process it would appear that the Issues and Options Report together with representations already made add further concern about the appropriateness, delivery credentials, scale and timeframe of uses on the proposed allocation site.