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Land Investment Holdings, Pigeon and Cambridge South Consortium  
October 2014

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### Executive summary

1. The most sustainable development strategy agreed by both local authorities has been effectively overturned by the dismissal of the large majority of sites on the fringes of Cambridge in favour of less sustainable locations.
2. The dismissal of sites on the edge of Cambridge is based on the perceived importance to Green Belt issues, but the *2012 Inner Green Belt Boundary Study* is not robust. Dismissal of sites based on flawed evidence has resulted in an unsound strategy.
3. By putting the Green Belt assessment early and attaching such considerable weight to its protection, has prevented the proper consideration of: meeting objectively assessed need; the most appropriate strategy when considered against the reasonable alternatives for employment and housing development and delivering sustainable development.
4. The proposed New Settlement strategy is not the most appropriate strategy, it does not accord with the National Planning Policy Framework.

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## 1 Response to Matters

### Is the overarching strategy soundly based?

- 1.1 The most sustainable development hierarchy is set out in the *Cambridge and South Cambridgeshire Sustainable Development Strategy 2012* and accepted by both local authorities is:
- Within the built up area of Cambridge;
  - On the edge of Cambridge;
  - One or more new settlements;
  - Within or adjoining market towns; and
  - At sustainable villages.
- 1.2 LIH and Pigeon agree that this is the most sustainable and preferred approach for new development.
- 1.3 The Councils consider that there are exceptional circumstances for the alteration of the Green Belt as required by the National Planning Policy Framework (NPPF) paragraph 83 and propose six minor allocations within the Green Belt on the edge of Cambridge.
- 1.4 However, the majority of sites on the edge of Cambridge have been rejected in favour of a more dispersed New Settlement option which is less sustainable and deliverable.
- 1.5 This has the effect of largely overturning the agreed and preferred development strategy, set out at paragraph 1.1, because the second most sustainable location for development (the most sustainable option for South Cambridgeshire) has been effectively omitted.
- 1.6 The reason given for the rejection of sites on the Cambridge fringe is given at Issues & Options 2 paragraph 9.4 as due either to their significance to Green Belt purposes and/or for other factors including planning constraints. Green Belt considerations are not, in themselves, considered by either local authority as a policy reason for the rejection of Green Belt sites and are not, in themselves, a sustainability objective of either local authority.
- 1.7 By putting such considerable weight to the protection of the Green Belt has prevented the proper consideration of:
- meeting objectively assessed development need;
  - the most appropriate strategy; and
  - delivering sustainable development.
- 1.8 We have shown that the *2012 Inner Green Belt Boundary Study* is not robust, transparent or properly applied. Neither does the Study take into account the need to promote sustainable patterns of development as required by the NPPF paragraph 84.
- 1.9 The results of the Green Belt Study are negatively skewed, making the perceived importance of Cambridge South to the purpose of the Green Belt greater than it actually is and consequently less likely to be released than had the importance been properly understood.

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- 1.10 The edge of Cambridge sites have been dismissed without proper review of the Green Belt and the Plan-making decisions which follow are not based on robust, positively prepared, proportionate or credible evidence.
- 1.11 Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development unless there are specific policies which indicate development should be restricted. Policies relating to Green Belt are cited as one of these, however, both Councils agree there are exceptional circumstances for the release of Green Belt. There is no policy to restrict Green Belt release.
- 1.12 The NPPF paragraph 17 sets out the core planning principles, one of which states that every effort should be made to objectively identify and then meet the housing, business and other development needs of an area.
- 1.13 The NPPF sets out the twelve issues to be considered to deliver sustainable development in paragraph 18 *et seq.* Green Belt is only one issue to be considered.
- 1.14 The NPPF paragraph 165 requires that a Sustainability Appraisal (SA) which meets the requirements of the SEA Directive should be an integral part of the plan preparation process and should consider all the likely significant effects on the environment, economic and social factors. No SA has been undertaken on the alternative strategic development options by CCC nor jointly by CCC and SCDC so that sites have been rejected at the Issues and Options 2 stage on the basis of an unsound Green Belt review and before an understanding of the consequences on the Councils' sustainability objectives are known. There is no evidence of what effect the decision not to release land on the Cambridge fringe will have on sustainability issues, particularly sustainable transport and climate change and there was no knowledge of the scale of transport mitigation package that would be required nor the source of funding the infrastructure package required by the New Settlement option. No SA has been made to understand the effects of the transport mitigation package required to deliver the New Settlement option.
- 1.15 The way the Councils have deliberated issues to deliver sustainable development has resulted in the Green Belt being considered as more important than all other issues combined. The NPPF, particularly paragraphs 151, 152, 154, 156 and 157, makes it clear that each of the three dimensions of sustainable development: economic; social and environmental; need to be considered and significant adverse impacts on any of these impacts should be avoided. This is not the case as the Plans will have significant adverse effects, including on transportation, climate change, and delivering a strong, competitive economy. These issues will be raised at following sessions.
- 1.16 The NPPF requires that local planning authorities should have a clear understanding of housing need in their area, and meet those needs over the plan period (paragraph 159). The housing need was not properly understood when Cambridge fringe sites were rejected at the Issues and Options 2 stage. These issues will be raised at following sessions.
- 1.17 The NPPF requires that local authorities should have a clear understanding of business needs and to plan for delivery (paragraph 160 and 161). We do not consider the evidence base supports these requirements, particularly for the R&D sector, as set out in our submission on Matter 4
- 1.18 The NPPF requires that local planning authorities should assess and take account of the need for strategic infrastructure. The New Settlement strategy relies on significant infrastructure. There is a significant funding gap and it is expected that the implementation of the infrastructure will delay early delivery of homes and employment. In addition, the completion rates of homes on the allocated new settlement sites and large scale sites beyond the Cambridge fringe have been over-estimated (Appendix 1).

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1.19 The foundation for the Plans is not sound. Decisions have been made on inappropriate and doubtful evidence. The emerging New Settlement strategy is not the most sustainable option, requires the provision of major infrastructure and does not comply with the thrust of the NPPF to promote sustainable patterns of growth.

### **Is it clear what other strategic options were considered and why they were dismissed?**

1.20 Strategic development options were considered by SCDC. Their Initial SA showed that the sites on the fringe of Cambridge supported the scoped sustainability objectives more positively than development options lower in the hierarchy. However, it is not clear why the Cambridge fringe sites were later dismissed.

1.21 The alternatives of the overarching development strategies considered by CCC are not clear. There is no SA undertaken by CCC on the overarching development strategy or jointly by SCDC and CCC before the Cambridge fringe sites were rejected.

1.22 The Councils say that sites are rejected on Green Belt issues. Rejecting sites for Green Belt purposes has the effect of prioritising Green Belt over all other objectives of delivering sustainable development outlined in the NPPF and scoped by both local authorities in their SA Framework – even though the Green Belt is not a sustainability objective identified specifically by either local authority.

1.23 There is no SA on the effects of rejecting sites in the second tier of the sequential hierarchy in favour of less sustainable locations. The SA does not comply with SEA Directive as required by the NPPF paragraph 165.

1.24 The Councils have based their assumptions on Green Belt issues on the *2012 Inner Green Belt Boundary Study*. The review does not take into account paragraph 84 of the NPPF requiring that Green Belt boundaries should take account of the need to promote sustainable patterns of development. In addition, we show clearly that there are errors inherent in this document which skew the results against Green Belt sites, particularly Cambridge South.

1.25 It is not clear why the Cambridge fringe sites were rejected as the decision was not based on credible information.

### **Are the Plans founded on a robust and credible evidence base?**

1.26 The evidence base relating to the overarching development strategy which we consider here is:

- The Sustainability Appraisal;
- Housing need and delivery;
- Employment need and delivery;
- Infrastructure; and
- Green Belt review.

1.27 These will be dealt with at alternative Sessions so only headline issues as they relate to this Matter will be considered here.

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### **Sustainability Appraisal**

- 1.28 This has been largely dealt with under Matter 1, but there are key aspects which affect the credibility of the Plans as the NPPF requires that an assessment according to the SEA Directive is undertaken.
- 1.29 The SEA Directive requires that reasonable alternatives are assessed. SCDC have undertaken SA on the alternative development options showing that the fringe sites of Cambridge is the most sustainable option. However, this is not acted upon.
- 1.30 However, neither CCC nor CCC jointly with SCDC have undertaken SA on the alternative strategic development options. There is no understanding of the effects of the New Settlement option or the reasonable alternatives.
- 1.31 Edge of Cambridge sites have been rejected before the effects on sustainability objectives and spatial extent are understood.

### **Housing Need and Delivery**

- 1.32 The SHMAA was undertaken in May 2013. Previous versions of the SHMAA were not compliant with the NPPF. Consequently the sites on the edge of Cambridge were rejected before there was an understanding of the housing needs in the area compliant with the NPPF.
- 1.33 The CCC SA concedes that the proposed delivery of 14,000 in Cambridge will not meet the need for homes, particularly affordable homes, and that a significant number of people will not be able to live and work within Cambridge and this could impact on its competitiveness.
- 1.34 The New Settlement option requires significant infrastructure and considerable delay in delivery is likely whilst this is implemented. The completion rates are over ambitious (Appendix 1).

### **Employment Need and Delivery**

- 1.35 We welcome the increase proposed by CCC but consider there is an undersupply of B1(b). The attraction of the Cambridge Cluster for employers is based on being within a short distance of similar firms and support services to foster the face-to-face relationships. This is especially important in the R&D sector and new allocations on the fringe are particularly important to nurture this sector.
- 1.36 The NPPF paragraph 154 requires "*local plans should be aspirational but realistic*". In terms of meeting R&D the Plans are not aspirational and they are not realistically going to meet the requirements of the R&D sector in which Cambridge has become exceptional.

### **Infrastructure and Transport**

- 1.37 The New Settlement strategy relies on significant infrastructure at significant investment of around £808million. However, even so, for the New Settlement strategy the only realistic sustainable travel option is the bus and this is found to be attractive for only 7% of trips.
- 1.38 The attractiveness of all sustainable modes of travel (possibly excluding rail) is heavily influence by distance. Walking, cycling and bus are realistic options for the journey to work on the Cambridge fringe as the majority of work is focused on the City (Cambridge has a high use of sustainable travel modes).

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### Green Belt Study

- 1.39 The Green Belt review is flawed and is not a robust, adequate or relevant evidence base. It has been used to inform important and far reaching decisions. Green Belt sites on the fringe of Cambridge were rejected early in the process.
- 1.40 The key points we have submitted are:
- the Review does not comply with paragraph 84 of the NPPF;
  - the implementation of the methodology of the 2012 Green Belt Study considers large areas of land over which there is considerable variation in significance relating to Green Belt purpose. As the most significant values for each area is taken, this means that the significance of Green Belt purposes are skewed negatively across the whole tract of land. If the Review was positively prepared, smaller tracts of land would be assessed to help understand the true significance to Green Belt purposes and to help ensure that Green Belt which could be release, should be released;
  - there are discrepancies in the accounting of the importance to the Green Belt for areas of Cambridge South which result in errors. The effect is that tracts of land are considered more important than they are - even according by the Councils' own reckoning. This is set out in our previous submissions.
  - sites have been allocated which are no less significant to the purpose of the Green Belt than areas of Cambridge South which have not been allocated;
  - development could take place on Cambridge South without significant harm to the purpose of the Green Belt with Hauxton Road, the M11 and the river corridor and railway line providing Green Belt boundaries which would endure and which are likely to be permanent.



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## 2 Conclusion

### What part of the Plan is unsound

2.1 The part of both Local Plans which is unsound is the proposed development strategy.

### Which soundness criterion it fails and why

2.2 The Plans are not sound because they are not:

- **positively prepared** – the NPPF requires that a Plan should be based on a strategy which seeks to meet objectively assessed development need and infrastructure requirements. It should be prepared to be consistent with achieving sustainable development. We find:
  - i. decisions regarding the location of sites were made before an objective needs assessment complying with the NPPF was undertaken;
  - ii. the infrastructure requirements, implications and funding are unknown;
  - iii. the sustainability effects, including economic, social and environmental, of the proposed development strategy are not known or taken into account;
- **justified** – the Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. We find:
  - iv. the SCDC Plan fails to take account of its own SA which shows that the edge of Cambridge is the most sustainable area for growth;
  - v. the strategy of excluding major development on the edge of Cambridge due to Green Belt purpose is not based on proportionate or adequate evidence which means that the results are negatively skewed, making the perceived importance to Green Belt purpose greater than it actually is;
  - vi. the Plans are not based on proportionate evidence. The Green Belt is considered more important than the all other aspects together of delivering sustainable development set out in the NPPF;
  - vii. sites on the edge of Cambridge have been rejected early in the process and have not been fully considered as a reasonable, sustainable and more appropriate alternative;
  - viii. there is no robust evidence base to support the New Settlement development strategy;
- **effective** – the plan should be deliverable over its period
  - ix. the Plans are based on a delivery strategy which will require significant infrastructure. This is likely to delay the delivery of housing and employment in the Plan period;
  - x. the funding for the infrastructure required is not secured;
- **consistent** – the Plan should enable the delivery of sustainable development in accordance with the NPPF:
  - xi. the Plans do not enable the delivery of sustainable development in accordance with the NPPF;
  - xii. the Plans do not comply with the SEA Directive;
  - xiii. the Green Belt study does not take into account the need to promote sustainable patterns of development as required by the NPPF paragraph 84.

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### **How the Local Plan can be made sound**

2.3 We consider the actions required to make the Plans sound include:

- to undertake a robust, accurate and credible Green Belt review which takes account of the need to promote sustainable pattern of development as required by the NPPF paragraph 84;
- undertake SA on the alternatives for the development strategy – this should be undertaken jointly so that the full spatial extent of significant effects is understood as required by the SEA Directive;
- undertake SA on the alternatives for the development strategy, taking into account the significant infrastructure requirement for the New Settlement option;
- to take account of and act on the findings of the SA to help achieve truly sustainable development; and
- for CCC and SCDC to consider the release of appropriate, sustainable Green Belt sites on the fringe of Cambridge so that the most appropriate strategy is pursued.

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