



Independent Examinations

Cambridge City and South Cambridgeshire Local Plan

MCC1/2484

Matter CC1 – Cambridge City Heritage Policies

26719 and 28302

**Protecting and Enhancing the Character of
Cambridge**

**CC1B – Open Space and Natural Environment
Policy 67 and Appendix C**

The Perse School (2484)

May 2016

CC1B – Open Space and Natural Environment

Issues:

1B.1 Does the Plan adequately set out a strategic approach, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure as required by paragraph 114 of the Framework?

The Plan does not adequately take account of the requirement for the NPPF to be 'taken as a whole' (paragraph 6). Whilst Draft Policy 67 responds to paragraph 114, it fails to respond to the requirement of the NPPF at paragraph 154 for 'Local Plans to be aspirational but realistic' with the draft policy being too restrictive and not taking account of the requirement of the Framework to ensure that Plans are deliverable (paragraph 173).

i. Policy 67: The Council's Open Space and Recreation Strategy and the Cambridgeshire Green Infrastructure Strategy were both prepared in 2011 having regard to then extant Planning Policy Guidance 17: *Planning for open space, sport and recreation* which pre-dated the Framework. Nonetheless, does the Council consider that the documents are consistent with paragraph 73 of the Framework which requires that planning policies should be based on robust and up-to-date assessments of the needs for open space and sports and recreation facilities?

Paragraph 158 of the NPPF makes clear that local planning authorities should ensure that Local Plans are based on adequate, up-to-date and relevant evidence and this is reiterated specifically with regard to open spaces in paragraph 73 of the NPPF.

The Council's Open Space and Recreation Strategy cannot be considered robust in accordance with the requirements of paragraph 73 due to the criteria and quality scoring which the strategy uses to identify the recreational and environmental importance of areas of open space being flawed and biased as some criteria are duplicated (i.e. where trees also make up the boundary treatment of a site); while others are irrelevant to the quality of the space, such as 'litter bins', which is not relevant to the recreational or environmental importance of sites.

The quality score tries to quantify quality. However, it takes only those qualities which are applicable for scoring. Therefore, if a site had only one applicable quality – litter bins for example and had a score of five "numerous for the size of site and in good condition" the Quality Score would be 100%. The quality score is meaningless and cannot be used to compare or assess sites.

The 2011 Open Space Strategy is based on the guidance and typologies as set out in PPG 17 and the assessment methodology is based on the Companion Guide to PPG 17. It is understood that the 'Quality Assessment' undertaken by the Council equates to the grounds maintenance assessment as set out in the Companion Guide to PPG 17, which is a tool for formal amenity open space to identify possible areas of enhancement. It is not for assessing whether the site makes a major contribution to character and environmental quality.

The Cambridgeshire Green Infrastructure Strategy does not identify specific needs or the quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities as required by paragraph 73

ii. Policy 67: Is the policy too onerous in relation to the proximity requirement for replacement open space?

This requirement does not respond to the need for Plans to be aspirational but realistic (NPPF paragraph 154) as set out above and also fails to acknowledge paragraph 10 of the NPPF which sets out that plans need to take local circumstances into account, so that they can respond to the different opportunities for achieving sustainable development in different areas.

Given the built form of Cambridge, it is unrealistic that re-provision of open space will be able to be relocated within 400m of the original site therefore making the policy undeliverable which is also contrary to the requirements of paragraph 173 of the Framework.

Additionally, the requirements of draft policy 67 are not in accordance with paragraph 74 of the NPPF which requires that "the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a sustainable location". As drafted, policy 67 does not meet the requirements of the Framework and cannot therefore be considered to be in accordance with this.

The draft policy therefore needs to be amended to allow some flexibility in the consideration of development proposals. The current policy wording is a blight on good and appropriate development opportunities for the City. The policy should allow sensible development that will bring positive impacts to Cambridge.

iii. Policy 67: Is the inclusion of the term "educational need" in the 3rd paragraph of the policy overly restrictive? Is its inclusion necessary or should it be clearly defined? Should any definition include student accommodation?

The inclusion of this term unduly limits development within sites. For example, within school grounds additional development legitimately required in order to support educational facilities may not be strictly educational in nature. This could include student accommodation but also administrative functions or complimentary facilities such as galleries and theatres, staff accommodation and sports centres all of which are essential for the continued efficient and effective operation of these sites. Such developments would be contrary to draft policy 67 as currently drafted which would unduly and unnecessarily restrict such developments.

It is therefore considered that the term educational should be removed as any definition will act as a restriction to the development of a wide range of ancillary facilities, which is not limited to student accommodation, which are necessary to facilitate the continued exceptional educational offer within the City of Cambridge.

1B.2 Appendix C: Designations Schedule (Policy 67)

Queen Edith's Ward

xiv. Should the Perse School for Boys Playing Field and Perse Preparatory School site (SPO37 and SPO62) be reviewed against the criteria for designation as POS in respect of the potential school expansion?

As set out with regard to question 1B.1 (i) the criteria used by the Council to designate POS cannot be considered robust in accordance with the requirements of paragraph 73 due to the criteria and quality scoring which the strategy uses to identify the recreational and environmental important of areas of open space being flawed and biased as some criteria are duplicated (i.e. where trees also make up the boundary treatment of a site); while others are irrelevant to the quality of the space, such as 'litter bins', which is not relevant to the recreational or environmental importance of sites.

The quality score tries to quantify quality. However, it takes only those qualities which are applicable for scoring. Therefore, if a site had only one applicable quality – litter bins for example and had a score of five “numerous for the size of site and in good condition” the Quality Score would be 100%. The quality score is meaningless and cannot be used to compare or assess sites.

The 2011 Open Space Strategy is based on the guidance and typologies as set out in PPG 17 and the assessment methodology is based on the Companion Guide to PPG 17. The author understands the ‘Quality Assessment’ undertaken by the Council equates to the grounds maintenance assessment as set out in the Companion Guide to PPG 17, and which is a tool for formal amenity open space to identify possible areas of enhancement. It is not for assessing whether the site makes a major contribution to character and environmental quality.

Regardless of the above, the Perse sites (SPO37 and SPO62) have been considered against the criteria for the designation of open space taken from the Council's Appendix I as below:

Questions used to assess whether open space meets the criteria for environmental importance:

a. Does the site make a major contribution to the setting, character, structure and environmental quality of the city?

i. Does it make a major contribution to the setting of Cambridge?

The sites, cannot be considered to make a **major** contribution to the setting of the city.

ii. Does it have positive landscape features and/or a sense of place sufficient for it to make a major contribution to the character of the city?

The sites do have positive landscape features but these are not sufficient for them to make a **major** contribution to the character of the city.

iii. Is the site an important green break in the urban framework?

The sites are incidental green breaks in the urban framework but cannot be considered as important green breaks.

iv. Does it have significant historical, cultural or known archaeological interest?

Neither site has **significant** historical, cultural or known archaeological interest.

b. Does the site make a major contribution to the character and environmental quality of the area?

i. Does it have positive features such as streams, trees, hedgerows or meadowlands which give a sense of place sufficient to make a major contribution to the character of the local area?

The sites do have trees and hedgerows but not which are sufficient to make a **major** contribution to the character of the local area.

ii. Is it an important green break in the framework of the local area?

The sites are incidental green breaks in the urban framework but cannot be considered as important green breaks.

iii. Does it form part of a network of open spaces in the local area?

The sites are both incidental open spaces and cannot be considered as a network.

iv. Is it enjoyed visually on a daily basis from public places (e.g. footpaths, vantage points)?

The sites are quite heavily screened although visible from some public vantage points, essentially busy public highways.

v. Does it have local historical or cultural interest?

The sites do not have any local historical or cultural interest.

c. Does the site contribute to the wildlife value and biodiversity of the city?

i. Does it have any nature conservation designation?

The sites have no nature conservation designation.

ii. Is it adjacent to or an important link to sites with nature conservation designation?

The sites are not adjacent to and do not form important links to sites with nature conservation designations.

iii. Does it contain important habitats or species sufficient to make it worthy of consideration for any nature conservation designation?

The sites do not contain any important habitats or species to make them worthy of consideration for any nature conservation designation.

iv. Is it an important wildlife oasis in an area with limited wildlife value?

The sites are not important wildlife oases.

Questions used to assess whether open space meets the criteria for recreational importance

d. Does the site make a major contribution to the recreational resources of the city as a whole?

i. Is it of a size, quality and accessibility such that people would travel to use it for recreational purposes, no matter where they live, work or study in the city?

Both sites provide playing fields for the Perse School. The size, quality and accessibility of the provision is suitable for the School's need at the current time.

ii. Is it an important part of the network of significant recreational open spaces?

Both sites provide playing fields which meet the Perse School's current needs. They do not provide significant recreational open spaces.

iii. Is it part of the sports provision which help to meet demand from people throughout the city, no matter where they live, work or study?

Both sites provide playing fields for the Perse School and do not therefore contribute to the demand for sports provision throughout the city.

e. Does the site make a major contribution to the recreational resources of the local area?

i. Is it of a size and accessibility such that people who live, work or study in the local area do or could use it for recreational purposes?

Both sites provide playing fields for the Perse School and do not therefore make a **major** contribution to the recreational resources of the local area.

ii. Is it an important part of the network and hierarchy of recreational facilities in the local area?

Both sites provide playing fields for the Perse School and cannot therefore be considered as an important part of the network and hierarchy of recreational facilities in the local area.

iii. Is it a significant linkage between recreational areas?

The sites do not form any linkage between recreational areas.

From the above assessment it is clear that the designation of the Perse School sites as POS is unjustified and unnecessary and will act as a barrier to the School's legitimate development.

Any development within the curtilage of the land occupied by the Perse School should, by its very nature, be supported by the Local Authority but it is fully accepted that such development would need to respect the character of the area.

It must therefore be recognised that the ability of the school to expand on land which they own within the city is essential to their continuing success which, in turn, is vital to retention of the quality of the open spaces and sometimes this is at the expense of the total area available for sport and play uses.

The approach currently being advocated pre-judges any development as having a negative impact rather than allowing the benefits of development to be waived as part of any planning application and, as such, is fundamentally unreasonable.

Schools such as the Perse do need to compete in the education market place and adopt/expand to meet the needs of pupils and the wider education agenda. Flexibility of provision is the key to this. Expansion of the built accommodation that serves schools, as a matter of principle, must not be precluded by policy and instead dealt with on a site by site basis.

Whilst it is accepted that there is a need for the Local Authority to seek to protect open space from unplanned developments and harmful actions, a balance must be struck between the nature of the open space for which protection is being sought, the needs of the enterprise which utilises the open space and the overall character of the area. This type of assessment can only be undertaken on a detailed site by site basis and therefore only formally on receipt of a planning application. A blanket approach of allocating all areas of current open green space, be they in public or private ownership, and irrespective of their actual use is unreasonable and potentially very harmful for owners who have a duty to ensure the continuation of educational establishments and, in this particular case, The Perse School.

Any development within the curtilage of the land occupied by The Perse School should, by its very nature, be supported by the Local Authority but it is fully accepted that such development would need to respect the character of the area, demonstrate an overall positive impact on the wider Cambridge area and make provision for replacement sports pitches if this were deemed appropriate in all circumstances of the development.

The planning process does always require a balancing of a variety of issues and this is a clear instance of where that balance has fallen far too far towards the retention of open space areas, rather than leaving the Policy flexible to deal with applications as they are submitted to the Local Authority.

In addition, the statement within the supporting document, Provision of Public Open Space 2011, that the expansion of institutions including The Perse School is a threat to sports pitch provision is

misguided. The presence of so much open space within the Ward is a direct result of the evolution of the local schools and the continued stewardship of their governors and trustees. The continued success of the institutions is vital to maintaining the open spaces which make Cambridge so unique. It must therefore be recognised that the ability of the schools to expand on land which they own within the City is essential to their continuing success which, in turn, is vital to the retention of the quality of the open spaces and sometimes this is at the expense of the total area available for sport and play uses. Indeed, the types of open space uses which schools provide, has evolved over time and therefore the real need for the entirety of existing playing fields must be evaluated. The approach currently being advocated pre-judges any development as having a negative impact rather than allowing the benefits of development to be waived as part of any planning application and, as such, is fundamentally unreasonable.

It is essential that the importance of the whole spectrum of education provision within Cambridge is acknowledged, including the role of schools such as The Perse School. It is the role of the entire education spectrum which, in part, supports the wider Cambridge economy. The Local Plan needs to be flexible in its approach to education establishments so as not to restrict how those educational establishments grow and develop. Schools such as The Perse School do need to compete in the education market place and adapt/expand to meet the needs of pupils and the wider education gender. Flexibility of provision is the key to this. Expansion of the built accommodation serves schools, as a matter of principle, must not be precluded by policy and instead dealt with on a site by site basis. For the new Cambridge Local Plan to continue its current focus on Higher, Further and University education, at the expense of recognising the role of the entire education sector would be wrong.