



EAST CAMBRIDGESHIRE DISTRICT COUNCIL

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My Ref:

Your ref

Date: 3 August 2018

Inspector Louise Nurser BA(Hons) Dip UP MRTPI

Sent by email, via the Programme Officer

Dear Inspector Nurser

RE: East Cambridgeshire Local Plan – Inspector’s Initial Findings

Thank you for your letter of 30 July 2018 (reference ED031), setting out your initial findings following the Stage 1 Hearings. Your letter seeks a response from the Council.

This response is, broadly, in a similar order to the points raised in your note.

Duty to Cooperate

Your findings on this matter are noted, and you are not seeking any further information from the Council.

Sustainability Appraisal

Your two requests are noted. Whilst the nature of SA work is somewhat laborious and time consuming, I see no fundamental reason why the two requests cannot be undertaken in a timely manner, and prior to any Stage 2 Hearings commencing.

Objectively Assessed Need – Housing

Your finding that *‘it is a sound approach for the standard method to be used to set the OAN for housing within East Cambridgeshire’* is noted.

The finding that you are *‘not convinced’* that *‘it is appropriate to continue to attribute significant weight to the Cambridgeshire and Peterborough Memorandum of Co-operation (2013) (PE02) and the Joint HMA Statement on Housing Redistribution (2017) (PE04) and to continue to discount the district’s housing figures’* is also noted. Consequently, it is noted that your Initial Finding is that the housing requirement figure should be increased by 1,125 homes, to 11,960 dwellings, between 2016-36.

As you know, the Council disagrees that the evidence to which you refer should be afforded little weight. The eight-district wide agreement, signed at Cabinet level (or equivalent) by all such authorities, was a ground breaking duty to cooperate agreement, recognised nationally for its innovation, subsequently endorsed by Inspectors, and a nationally rare example of many authorities coming together to agree a

strategic approach to delivering housing needs in a sustainable way. The Council does not agree that it is now in some way out of date and of little weight, and none of the signatories to it has expressed anything other than full and continued support for it.

The Council is, therefore, naturally very disappointed with your decision to, in effect, quash the agreement on behalf of all eight authorities, and, under our Duty to Cooperate obligations, we are concerned with the implications of this decision on plan-making for the other seven authorities.

Nevertheless, and notwithstanding our considerable concerns with this aspect of the Initial Findings, for the purpose of this response the Council sets out both the implications and a suggested positive way forward to address the increase in the dwelling requirement, on the without prejudice assumption that your final Inspector's Report gives a similar decision in due course.

The main implications are thought to be as follows:

- An immediate reaction is that a number of evidence base documents might require an 'addendum' or similar to be prepared, should the dwelling requirement be increased by 1,125 dwellings as you suggest. Such affected evidence documents, which were prepared on the basis of the housing requirement in the submitted Local Plan, could be (but potentially not limited to): the SA (CD11); the HRA (CD13A); the Growth Study (PE11); the IIP (PE12); Water cycle related studies (PE17-19); and Strategic Transport (PE28/28A).
- The ability for the Council to pass the Housing Delivery Test (HDT) in November 2019 (the likely first annual test after plan adoption) becomes unlikely, using the HDT 'rule book' as published by Government last week. In effect, shortly after adoption, the Local Plan would fail at its first hurdle. And, on this basis, the Council believes that a Local Plan likely to fail within months of adoption would not pass the NPPF para 154 test that "*Local Plans should be aspirational but realistic*".
- Similarly, the ability of the Council to maintain a Five Year Land Supply (5YLS), post adoption, becomes even more difficult, as the adopted Plan (using the +75dpa increased housing requirement you suggest) would set annual delivery rates at over 2.5 times past performance (using past 3 years delivery). The submitted Local Plan was already considered aspirational (and considered just about realistic) at just over 2 times past performance. Taking into account backlog from 2016, the likelihood of the Council failing to demonstrate a 5YLS shortly after adoption becomes ever more real if the dwelling requirement is increased by 75pa. Again, therefore, the Council believes that a Local Plan likely to fail within months of adoption would not pass the NPPF para 154 test that "*Local Plans should be aspirational but realistic*".
- Reflecting on the above two bullet points, as a matter of principle the Council cannot put itself in a position whereby it once again (as it did in 2015) adopts a Local Plan, but within months such a plan is deemed 'out of date', due to the failure of one or both of the 5YLS or HDT tests. Confidence in a plan-led system in East Cambridgeshire would be severely undermined.

Consequently, and in the spirit of responding positively and pragmatically to your Initial Findings (and assuming for now they become your final findings in your Inspector's Report), the Council firmly believes two further modifications to the Local Plan will be necessary, which will accommodate the principle of your Initial Findings, but mitigate against the issues raised in the above bullet points. The two additional modifications are as follows:

- (a) The end date of the Local Plan should be amended to 2034 (from 2036). The consequence of this technical adjustment is that it would:
 - still provide the 15 year plan horizon expected by the NPPF (para 157)
 - mean the housing requirement was 10,764 (18 x 598);
 - mean the plan was still meeting its full housing need over the plan period; and
 - avoid extensive, costly and time consuming updating of the evidence base (because the total quantum of growth remains practically the same as the submitted plan, and upon which the evidence base was prepared).
- (b) The housing requirement in the Local Plan be 'stepped' so that that housing requirement in the first five years (2016-2021) was set at around 500 dpa, and the subsequent 13 years (2021-2034) at around 635 dpa (the Council would be happy to discuss what the precise figures and 'steps' should

be). This would overcome the '*aspirational but realistic*' test which the NPPF sets plan-making, by giving the Council a more realistic chance of passing the 5YLS and HDT tests within the first 1-2 years of plan adoption.

There appears no reason why the above two measures could not be introduced, by way of modifications. They are a sensible, pragmatic way forward, and will enable the Stage 2 hearings to continue to be heard in September, and an up to date Local Plan put in place as soon as possible. If the two measures are not introduced, the consequences, as set out earlier, appear considerable. It would likely lead to a significantly prolonged examination, at a considerable expense to the Council. More importantly, such a delay in adopting a new Local Plan would undermine confidence in the planning system in the district, prolonging the present 'out of date' Local Plan situation the district currently finds itself in, and create considerable confusion and anxiety in our communities due to the high level of speculative, non-plan led developments continuing to come forward. It is not in anybody's interest to unnecessarily delay reaching an adoptable Local Plan, and the above two modifications will, the Council believes, achieve the goal of early adoption.

In terms of whether the Council has sufficient supply identified to meet the increased figure, then 'yes' if the end date of the plan is adjusted to 2034. This is demonstrated by the table on page 73, and the trajectory on page 74, of the Local Plan, which identifies total housing as being 11,672 dwellings. This would reduce to just over 11,000 once 2034-36 is deleted (the trajectory identifies just under 300pa, 2034-36). This 11,000 is therefore higher than the revised housing requirement of 10,764. (It should also be noted that we expect the buffer to further increase slightly if 2017/18 completions and commitments data is fed into the table on page 73).

Objectively Assessed Needs – Caravans

Your concerns are noted, and the Council considers it able to demonstrate robustly how it is satisfying national policy requirement on this matter. It will prepare relevant evidence accordingly, in due course, and prior to Stage 2.

Objectively Assessed Need - Employment

Your findings on this matter are noted, and you are not seeking any further information from the Council.

Evidence - Transport

Your findings express '*reservations*' on a specific element of the transport evidence, namely the cross boundary impacts of the proposed developments on West Suffolk and '*in particular*' Newmarket.

Assuming you accept the suggestions in this letter (in relation to the plan period), the Council will consider how best to demonstrate more fully that the scale of development proposed can and will be adequately mitigated, including addressing any impact on Newmarket. This should be a relatively straight forward exercise. However, if you do not accept the suggestions in this letter, then it may be necessary for a far more comprehensive evidence gathering and impact analysis exercise to be undertaken (on the basis that the total quantum of growth would have gone up by over 10%, and new site allocations may or may not be needed, with such sites, in turn, potentially being close to Newmarket, and consequently, the Local Plan may end up having a greater impact on Newmarket than the presently submitted plan does).

I trust this letter helps clarifies the Council's position, including some suggested actions, and I look forward to your response.

Yours sincerely

Richard Kay
Strategic Planning Manager