



East Cambridgeshire  
District Council

## East Cambridgeshire Local Plan

### Matter 14 – Proposed Site Allocations

#### Main Settlements

East Cambridgeshire District Council

Hearing Statement

September 2018

## Matter 14: Proposed site allocations- Main Settlements

### Issue 1: Whether the proposed site allocations for the Main Settlements of the City of Ely, Littleport and Soham are justified, effective and consistent with national policy?

The Council has prepared a supporting document titled *Table of Local Plan Site Allocations* (hereafter referred to as 'the Table') which sets out details of each draft Site Allocation. Please refer to the Table alongside the Council's response to questions 60, 61 and 62 (Matters 14-16).

#### **60. Taking each of the following proposed site allocations individually:**

##### **a) What is the background to the site allocation? How was it identified and which options were considered?**

The proposed site allocations were identified following the completion of the site assessment process. Sites determined to be suitable, available and deliverable are proposed for allocation. A summary of the findings of the site assessment process is presented in the Site Assessment Evidence Report (PE13).

In addition, sites with planning consent (or a resolution to grant planning permission) for 10 or more dwellings are proposed for allocation, as such sites have been determined to be suitable through the planning system.

In 2016, the Council held a "Call for Sites" exercise. Landowners, developers, agents, parish councils, public bodies, etc., were invited to submit sites for consideration for inclusion in the Local Plan. In addition, the Council considered undeveloped Local Plan allocations and existing business parks (which had no formal status in the Local Plan 2015). This provided a large 'pool' of sites, which were subsequently assessed through the site assessment process.

During consultation on the Further Draft Local Plan in 2017, additional site submissions were received. These sites were also duly assessed.

Some site submissions received overlapped one another, thereby providing a range of alternative options for the same area of land. Each was assessed and subject to sustainability appraisal.

As a result of the findings of the site assessment process, in a small number of instances the Council deemed it necessary to amend a site submission to provide an additional option, for example by adjusting a boundary or combining two adjacent sites.

In summary, the proposed site allocations originated from one or more of the following sources:

- New site submission (Form B) received during Call for Sites exercise;
- Local Plan 2015 allocated site;
- Site with extant planning permission;
- Existing business park;
- Further Draft Local Plan Additional Site Suggestion Jan-Feb'17; or
- Strategic Planning Team amended submission.

The source of each individual proposed site allocation is shown in the Table (column f). Alternative options considered are listed in the Table (column g) using their site assessment

reference (in the format "Site/xx/xx"). These alternative options were assessed and subject to sustainability appraisal – please refer to the Site Assessment Evidence Report (PE13) and Sustainability Appraisal Report (CD11A).

***b) How have the wider transport implications of the proposed development been considered?***

Cambridgeshire County Council's Highways Development Engineer, Transport Assessment Team, PROW Team and Highways England were consulted.

The responses to this technical sites consultation informed the site assessment process. The views of technical stakeholders carried considerable weight in determining a site's suitability.

A summary of comments received for each site is presented in the Site Assessment Evidence Report (PE13) (criterion 5d).

***c) What is the scale type/mix of uses proposed?***

The Table shows the proposed land use, indicative site capacity in dwellings (min and max range) and available employment land for each site allocation (columns h, i, j, k).

For a small number of sites, the Local Plan expresses the indicative dwelling capacity as a range of values. An indicative range is applied in the following circumstances:

- The proposed land use includes a mix of uses, and therefore it is difficult to quantify the amount of housing this may include;
- The amount of development which may be permitted will be strongly influenced by existing infrastructure capacity, or whether options exist to increase infrastructure capacity;
- Where a proportion of the development is expected to be delivered beyond the plan period, but could readily come forward within the plan period if the market permits.

For the majority of sites, the minimum and maximum values for site capacity is equal. The figure is repeated to ensure both columns sum correctly.

***d) What is the basis for this and is it justified?***

The question appears to refer to the basis and justification for the scale, type and mix of proposed uses.

For sites promoted through the Call for Sites exercise, the site was assessed on the basis of the land use proposed by the site promoter in their submission, i.e. where a site was promoted for housing development, the site was assessed principally for residential use.

Site promoters were invited to indicate the scale of development the site could accommodate, typically the number of dwellings. Where the site promoter did not indicate the number of dwellings the site could accommodate, the Council calculated this on the site promoter's behalf. The methodology for calculating the number of dwellings a site could accommodate is explained in the Site Assessment Evidence Report (PE13).

Where a site has extant planning permission (or resolution to grant) the scale and type of development proposed reflects the planning consent.

Following site assessment, the indicative dwelling figure was further refined. For example, where a site was affected by a physical constraint such as a major road or flood risk, the indicative dwelling figure was typically revised downwards. For some sites, the dwelling figure may have been amended to provide either low or high density development to reflect the character of the local area.

For most proposed site allocations, the stated dwelling capacity of the site is 'indicative'. Unless otherwise stated, the dwelling figure should not be seen as a firm requirement. The precise number of dwellings a site could accommodate will be determined through the planning application process.

***e) What is the current planning status of the site in terms of planning applications, planning permissions and completions/construction?***

Some proposed site allocations have extant planning permission, with some being under construction. This is due to a) the site being identified as suitable as a result of it having extant planning permission at the time at which site assessment was undertaken; or b) the site being promoted through the Local Plan process and the planning application process in parallel.

The Table (columns l, m, n, o, p) sets out the current planning status, including number of dwellings under construction, completed and remaining net commitment, for all proposed site allocations. This is considered accurate as at 01 April 2018, reflecting the Council's housing monitoring periods. More recent information is provided in the 'Current Status' column (column l), where known.

The Local Plan identifies site allocations and their indicative site capacity, in a table in policy "3" in the settlement chapters in *Section 7: Policies for Places*. Due to the number of sites which are now under construction, the remaining net commitment is not equal to the site capacity.

To ensure the Local Plan is clear, accurate and effective, the Council requests that the Inspector amends the heading in the table in each site allocations policy "3" as follows:

"Indicative No. Dwellings / Remaining Site Capacity\*"

and inserts the following footnote:

**"\* This figure represents, indicatively, the total number of dwellings the site can accommodate, or, in the case of sites under construction at 01 April 2018, the remaining number of dwellings to be completed."**

**f) What are the benefits that the proposed development would bring?**

The Table (column q) states the main benefits each proposed site allocation will bring.

**g) How does the site relate to nearby uses?**

The relationship to neighbouring land uses was considered during the site assessment process. Relationship to neighbouring uses are summarised in the Table (column r).

**h) What are the potential adverse impacts of developing the sites, including to heritage assets? How could they be mitigated?**

Potential adverse impacts and possible mitigation for each proposed site allocation are considered in the Sustainability Appraisal.

**i) How is the site affected by flood risk? How has this been taken into account in allocating the site? How have the sequential and, if necessary, exception tests been applied?**

The Council commissioned a Strategic Flood Risk Assessment (SFRA) Level 1 and Level 2. The SFRA was prepared with the involvement of the Environment Agency, Anglian Water and Internal Drainage Boards. The SFRA and Sequential Test reports were published for public consultation at the Further Draft and Proposed Submission stages of Local Plan preparation.

A primary purpose of the assessment was to identify the flood risk of individual sites. The findings of the SFRA informed the site assessment process, and consequently the selection of site allocations.

The Sequential and Exception Tests were applied in accordance with national policy. The Sequential Test report (PE19) found that the district's housing requirement cannot be accommodated wholly within areas of lowest flood risk. As such the Exception Test was applied, informed by the 'Level 2' SFRA to assess those sites of greater risk.

The Table of the Sequential Test report (PE19) shows the percentage of the site area located in each Flood Zone (FZ1, 2, 3a, 3b) for each proposed site allocation. This data was produced as part of the Strategic Flood Risk Assessment (SFRA) Level 1 (PE18). Sites with 100% of the site area within Flood Zone 1 are considered to be at least risk from flooding.

The Exception Test concluded that of those site allocations with greater flood risk, each will deliver sustainability benefits which outweigh the potential flood risk and will likely be safe for the lifetime of the development.

**j) What are the infrastructure requirements/ costs and are there physical or other constraints to development? How would these be addressed and are they directly related to, necessary and fairly and reasonably related in scale and kind to the development?**

The Infrastructure Investment Plan (PE12) sets out the district's infrastructure requirements, including details of costs. Site specific infrastructure requirements which are directly related, necessary and fairly and reasonably related in scale and kind to the development are identified in the site-specific policies in Chapter 7 of the submitted Local Plan.

**k) In particular is there an issue with waste water treatment capacity and how would any issues be resolved?**

The capacity of Water Recycling Centres to accommodate Local Plan growth was assessed as part of the Water Cycle Study (PE17).

For some settlements the WCS identifies that there is not, at present, sufficient capacity at Water Recycling Centres to accommodate Local Plan growth. As such, additional investment in waste water treatment infrastructure will be required. This investment will be the responsibility of Anglian Water, the sewerage undertaker for East Cambridgeshire.

The WCS was prepared through engagement with Anglian Water. The Council expects the WCS will be used by Anglian Water in preparing their five-yearly Strategic Business Plan.

In its representations to the Proposed Submission Local Plan (PS259-267), Anglian Water confirms that it will fund necessary upgrades to water recycling centres and will not seek developer contributions:

*"In general, water recycling centre (previously referred to as sewage treatment works) upgrades where required to provide for additional growth are wholly funded by Anglian Water through our Asset Management Plan. Therefore we would not seek planning obligations for this purpose."*

The role of Anglian Water, and the mechanisms it uses to deliver infrastructure, are discussed further in the Council's hearing statements in response to Matter 5, Matter 8 and the Statement of Common Ground agreed with Anglian Water.

The WCS and addendum report (PE17a) conclude that additional capacity sufficient to accommodate Local Plan growth can be delivered using available technology, without resulting in significant adverse harm to the water environment.

**l) Is the site realistically viable and deliverable?**

The Council commissioned an independent viability assessment of the Local Plan (PE16). The viability assessment tested a range of development scenarios, including schemes of 11 dwellings to 1,200 dwellings. The viability assessment concluded that when taken as a whole, the policies of the plan are unlikely to significantly impact upon development viability.

On making site submissions, site promoters were requested to indicate any known constraints and the time period when the site is likely to be delivered. Any site not deliverable within the plan period would be rejected from the site assessment process.

The site assessment process identified constraints which would render a site undeliverable, for example sites with insurmountable highway safety issues, flood risk, etc. Unviable and undeliverable sites were rejected through the site assessment process, and are not proposed for allocation.

The Council is therefore confident that all proposed site allocations are both viable and deliverable.

***m) What is the expected timescale and rate of development and is this realistic?***

Through the Call for Sites exercise, site promoters were invited to project the timescales and rates of delivery at which they expect their site to be delivered. This information has informed the development trajectory set out in the Local Plan and Five Year Land Supply Statement (M03). Where the development rate is not known, the Council has applied a standard method, which it considers to be a conservative estimate. The development trajectory is consistent with other Council's approaches, and has previously been scrutinised through the public inquiry process. The Council is therefore confident that the proposed site allocations are capable of being delivered at the projected rates.

A detailed trajectory of proposed site allocations is set out in the Council's Five Year Land Supply Statement (M03), and a chart is provided on p74 of the submitted Local Plan.

However, one small, but important, modification is required to the plan, and this question is the best place to raise the matter.

In para 7.0.20, it states that the housing trajectory provided "provides the rate at which new dwellings will be delivered over the plan period". On reflection, this is not quite an accurate description, and makes a false assumption about what development **will** be delivered, when of course no plan can make such a guarantee.

The following modification is therefore necessary, and consistent with national policy (para 47):

"7.0.20 The housing trajectory projects the rate at which new dwellings ~~will be delivered~~ **are deliverable** over the plan period."

***n) Is the boundary of the site appropriate? Is there any justification for amending the boundary?***

The boundaries of proposed site allocations principally reflect those submitted by site promoters during the Call for Sites exercise. In some instances, the Council amended boundaries, for example to mitigate against adverse impacts, or to join multiple submissions into a single coherent site allocation.

However, amendment of boundaries was undertaken with caution, as this could affect a site promoters aspirations to develop the site.

Where a site has extant planning permission, the allocation boundary reflects the boundary of the consented scheme.

The Council considers the boundaries of proposed site allocations to be appropriate. There is no justification, in the context of ensuring the plan's soundness to amend the boundary of any site allocation.

***o) Are the detailed policy requirements clear and unambiguous, effective, justified and consistent with national policy? Is it appropriate to defer within the policy to the 'principles established by consented schemes...'?***

The Council considers that all site-specific policy requirements are clear, unambiguous, effective, justified and consistent with national policy.

The Council believes it is appropriate to refer to the 'principles established by consented schemes'. In the event that an alternative proposal is received for a proposed site allocation which currently has planning consent, the new scheme should be informed by the previous consent.

It will be at the discretion of the Council to determine which principles should be upheld. The purpose of the statement is to maintain standards and requirements which have been secured through the planning process, without stifling innovation and flexibility. An alternative approach could be to write all 'principles' including planning conditions and obligations into the policy. However this is undesirable (as well as excessive) as such requirements may differ in the future.

If the Inspector is not satisfied by the above response, two alternative suggestions are made, which the Council would not object to:

- (a) Amend the description to "~~In accordance with~~ **Informed by** the principles established by consented scheme ..."
- (b) Simply remove all bullet points which make reference to a consented scheme.

The latter option would not leave a policy vacuum, because it is normal practice for a decision maker to consider the 'planning history' for a site in reaching a decision on a fresh application, and therefore any principles established by a former permission would be of considerable weight to the decision maker.

***p) Is the terminology used within the relevant site specific policy consistent and clear, for example, 'concept plan'?***

On the whole, yes.

The phrase 'concept plan' is one familiar to applicants and the planning profession, it being something less detailed than a masterplan or detailed design layout, but instead offering a broad diagrammatic indication of how a scheme will 'work' as a successful new community.

The phrase is used in other Local Plans, such as in our neighbouring district's (Fenland) Local Plan, a phrase which was added by the Inspector at modifications stage for that plan.



***NB. In responding to the questions on the site allocations the Council should identify and address specific key concerns raised in representations e.g. in terms of adverse impacts, delivery etc.***

The Table (columns r and s) set out key issues raised through written representations and the Council's proposed response.

In light of representations received, the Council has agreed two separate Statements of Common Ground with the Environment Agency (EA) and with Anglian Water (AW).

The Council and EA have agreed that policy Soham 4, which sets out site-specific requirements for site allocation SOH.H1: Land off Brook Street, should be modified to ensure the policy is effective.

The Council and AW have agreed that the site specific requirements for site SOH.H10: Land off Kingfisher Drive in policy Soham 3 should be amended to ensure the policy is effective.

The Council requests that the Inspector consider the suggested modifications set out in both Statements of Common Ground.