



East Cambridgeshire
District Council

East Cambridgeshire Local Plan 2016 – 2036

Matter 2 – Vision and Objectives and Development Strategy

East Cambridgeshire District Council

Hearing Statement

May 2018

Matter 2: Vision and Objectives and Development Strategy.

Issue 1: Whether the Spatial Vision for East Cambridgeshire is justified, effective, consistent with national policy and positively prepared?

17. Are the key local plan issues and objectives which have been identified relevant; justified; and consistent with National Policy?

Yes they are.

The objectives were identified at the SA Scoping stage, and agreed with the statutory bodies.

The Council is not aware of any substantive objection arising from inappropriate objectives or issues being identified (or not identified).

Issue 2: Does the overarching development strategy for the Plan present a positive framework which is consistent with national policy, justified and effective, and will contribute to the achievement of sustainable development within the District?

18. *Nearly half of the housing requirement set out within the submitted Local Plan is proposed to be delivered on strategic sites at Ely, Kennett, Littleport and Soham. Is the strategy and distribution of development justified, effective, positively prepared and consistent with the particular circumstances of East Cambridgeshire District?*

It is assumed the second half of this question is a broad question in its own right, whilst the first part is a 'question' about a specific element of that broad question. On the basis of that assumption, the question as a whole is perhaps best answered in reverse order.

The starting point to answer the second part of the question is to review the Growth Study (PE11). This was prepared at the time of preparing the Further Draft Local Plan, but remains an important source of evidence for the submitted Local Plan.

As the study explains (para 1.2), it "*seeks to identify an optimal strategy for growth over the plan period – i.e. a growth strategy which is both sustainable and deliverable. The study achieves this through formulating and assessing a range of reasonable alternative options for distributing growth across the district.*"

The report ultimately reviews four 'alternative growth options' (AGOs), and concludes (para 6.16) that:

"The overall conclusion, therefore, is that, on sustainability grounds alone, option AGO3 Main Settlement Led Growth should be pursued in the emerging Local Plan. However, in order to meet national policy of boosting housing supply in the short term and meeting five-year land supply requirements, as well as to meet the expressed public view that distribution should be fair and equal, the pure application of AGO3 should be avoided, but instead be blended slightly with AGO1: Proportionate Growth, creating a

distribution which is broadly main settlement led (and, hence, the most sustainable), but also has sympathy towards a broadly proportionate distribution of growth.”

This conclusion was a determining factor in the drafting of Policy LP2, albeit (as PS.EVR2 explains from para 4.5), the precise wording was improved from the Further Draft to the Proposed Submission Local Plan, and therefore became even more aligned with the above quoted conclusion.

Thus, the Council is confident that the second para of LP2 is justified, effective, positively prepared and consistent with the particular circumstances of East Cambridgeshire District, as demonstrated by the evidence in PE11.

On the basis that the strategic direction of the second para of LP2 is justified, effective, positively prepared and consistent with the particular circumstances of East Cambridgeshire District, then the actual allocation of land must, of course, be demonstrated to follow this strategic direction.

The table at para 7.0.19 of the Local Plan illustrates that this is the case.

The table confirms that 69.4% of development is directed to the main settlements. This is consistent with the need for the plan to be ‘main towns-led’, because it identifies that over two thirds of growth has been identified to take place at the main towns.

The table then illustrates that the three lower tiers (i.e. the villages) receive an element of growth, which is consistent with the strategic direction of LP2 which seeks ‘*an element of proportionate growth across the district*’. A more forensic examination of the allocations identifies that the ‘*across the district*’ requirement has indeed been met, a matter confirmed within Policy LP3 which states allocations have been made in all of the second and most third tier villages of the hierarchy. Combined with the first tier, this means **25 separate settlements** have received allocations. That is clearly a demonstration that an element of growth has been distributed across the district.

Thus, in conclusion to the second part of this question, the Council is very confident that the **strategy** and **subsequent distribution** of development is justified, effective, positively prepared and consistent with the particular circumstances of East Cambridgeshire District.

Turning next to the first part of the question, which can be answered in two sub-parts.

First, in principle, is it appropriate to allocate strategic sites, in principle? Second, is it appropriate to allocate strategic sites in the locations identified?

In response to the first sub-part, yes allocating strategic sites, in principle, is entirely justified, effective, positively prepared and consistent with national policy. Due to their scale, strategic sites play a significant role in meeting housing needs over an extended period. The NPPF recognises the importance of strategic sites in delivering a supply of housing - Para 52. “*The supply of new homes can sometimes be best achieved through planning for larger scale development...*”

Strategic scale sites provide greater opportunity to deliver new infrastructure – for example, on-site provision of education facilities, sports facilities, etc. therefore generating a high probability of a more sustainable pattern of development.

That said, it is acknowledged that strategic sites can take longer to reach the delivery phase than smaller sites, a matter reflected in the development trajectory. Thus, it would likely be inappropriate for a Local Plan to exclusively be reliant on strategic sites, and certainly inappropriate in the East Cambridgeshire context.

The Local Plan as a whole allocates a wide variety of site sizes, with just over half on strategic sites over 400 dwellings (or just under half if an alternative cut-off of 500 dwellings is used).

The Council believes this 'around half' strikes a reasonable balance for the proportion of growth coming from strategic sites. No doubt, others will argue differently, and in both directions.

However, to increase the proportion of the growth on strategic sites (and reduce the proportion on smaller sites) will lead to the considerable risk of the Council failing, either now, or shortly after plan adoption, its requirements to demonstrate a five year land supply and/or meet its (soon to be implemented) national Housing Delivery Test requirements.

Alternatively, to reduce the proportion of growth coming from strategic sites risks a plethora of smaller sites coming forward, most (and quite possibly all) not providing the 'bigger' items of infrastructure such as schools, strategic open space, significant highway improvements, etc.

In addition, the Council has to be mindful of delivery, and by providing a wide range of site sizes, including a reasonable amount of strategic sites, is more likely to attract as wide a range of house builders as possible. By doing so, this will increase the prospects of delivery as soon as possible. The major national housebuilders are not interested in small sites. Likewise, regional and local house builders need the small scale sites, as they are not able to finance and coordinate delivery of the more strategic scale sites. The Council needs all sizes of house builders to be attracted to the district, to boost delivery. The Local Plan facilitates that need.

Finally, it is also worth pointing out that reducing significantly the proportion of growth coming from strategic sites is not a reasonable option, on the basis of a significant number of consents and commitments already in place. Ely North, for example, accounts for over a quarter of all growth, and half of the strategic sites proportion. The vast majority of other strategic sites either have consent or are allocated (or are a 'broad direction of growth') in the adopted Local Plan. As such, the only reasonable alternative option available, of any significance, is whether the proportion coming from strategic sites should be increased (which, the Council believes, should not be the case).

Next, this response turns to the question of whether it is appropriate to allocate strategic sites in the four locations identified in the question.

Excluding Kennett, the other three locations are the 'main settlements' identified in the settlement hierarchy. Thus, directing strategic sites to these three settlements is consistent with the 'main towns-led' approach advocated by Policy LP2. However, and perhaps most importantly, the strategic sites are simply a combination of consented sites, allocated sites in the adopted Local Plan and sites identified as 'broad locations for growth' in the adopted Local Plan. Whilst the precise boundaries, scale or policy requirements of such sites may require discussion at a future hearing session, the principle of these sites are all well established, and there is no evidence to suggest any should be 'de-allocated'.

However, Kennett is different, as this settlement does not currently have any strategic sites consented or allocated. The principle of a strategic site at Kennett is therefore something introduced into this new Local Plan.

The 'in principle' (rather than site specific) reasoning for allocating a community led strategic site at Kennett is set out in PS.EVR.KEN, and in particular section 2 of that report.

Fundamentally, the principle of a strategic site for Kennett comes from the strategic direction set by the Devolution Deal (a matter commented upon in response to Q14). No other East Cambridgeshire settlement is referenced in the Deal and, as such (and in taking account the conclusion of PE11 for growth to be distributed in a 'main towns-led' way), no other second or lower tier settlement has been considered for a strategic scale site.

Obviously, just because the Deal references a strategic site does not automatically and absolutely mean a strategic site must be included in the Local Plan. That would not be appropriate if no appropriate site existed to be allocated. The Council believes an appropriate site does exist (the precise details and policy requirements for that site a matter for a future hearing discussion, it is presumed).

Putting aside the precise location for a strategic site, the Council is sufficiently confident that a sustainable and strategic site in Kennett can be delivered. This is based on the evidence submitted to date to the Council via the promoters of the allocated site, in the form of a Scoping Opinion request (ref 18/00186/SCOPE). Extensive material for the site is available on the Council's planning application website (enter 18/00186/SCOPE in the search box of <http://pa.eastcambs.gov.uk/online-applications/>). Whilst this material, at the time of writing, does not conclusively provide evidence of a scheme which is appropriate and deliverable, it does provide evidence that extensive investigations have been made and the key sustainability elements to be addressed drawn out.

The Council expects a planning application very shortly, prior to the hearing session, which will, the Council expects, provide extensive material to further strengthen the Council's opinion that, in principle, a strategic site at Kennett is deliverable, justified and effective.

The alternative is for the Local Plan to not allocate a strategic site at Kennett. However, if this course of action was taken, it would be in direct conflict with the strategic direction set out in the Devolution Deal.

Finally, it also needs emphasising that wherever a strategic site is allocated in Kennett (i.e. the proposed allocated site or an alternative site), it will have to be a 'community led' strategic site. That is what the Devolution Deal states, and that is what the Local Plan requires. No other strategic site anywhere in the district is (or has been offered, with evidence, to be) allocated in such a way. This innovative and exciting initiative, supported in principle by the local Kennett based CLT, adds considerable weight to the principle of allocating a strategic site at Kennett. The Council will be pleased to provide extensive evidence on the benefits of community led development at a future hearing session, if and when Policy LP5 is debated.

19. Will the development strategy achieve the Council's vision and strategic objectives and deliver sustainable development for East Cambridgeshire? Does

Policy LP3 clearly set out the distribution of development and is the settlement hierarchy justified? Does the evidence suggest that some settlements should be placed at different levels within the hierarchy? If so, what implications would this have, if any, on the development strategy?

This question is responded to in three parts:

Will the development strategy achieve the Council's vision and strategic objectives and deliver sustainable development for East Cambridgeshire?

The vision for East Cambridgeshire is to provide appropriate and sustainable development that will meet local needs. The development strategy achieves this, as demonstrated by the Growth Study (PE11) and the Council's response to Q18.

Does Policy LP3 clearly set out the distribution of development and is the settlement hierarchy justified?

No, Policy LP3 does not set out the *distribution* of development, but that is not the purpose of the policy. Policy LP2 sets out the strategy for the distribution of development, and the policies of Chapter 7 sets out the precise distribution (or location) of development.

The purpose of Policy LP3 is twofold: first, as para 3.8.1 of the Local Plan explains:

“A settlement hierarchy ranks settlements, usually taking account of their size and range of services and facilities. It ultimately provides a framework to assist decisions about the scale and location of new development, and the targeting of investment in any new services and facilities. In general terms, a hierarchy helps in decision making that will promote more sustainable communities – bringing houses, jobs and services closer together in settlements that already offer the best range of services and facilities. “

The second purpose, as para 3.8.2 explains:

“A settlement hierarchy also helps to protect the character of the landscape, by maintaining and reinforcing the distinction between built-up areas and countryside, and placing a restriction on the forms of development that would be acceptable in the countryside.”

Policy LP3 successfully achieves these two purposes, by clearly setting out a hierarchy, followed by policy as to where development should be directed to, in principle, in each settlement (i.e., in simple terms, within the development envelope or on land which meets one of the exception tests set out in the policy).

However, and of concern to the Council, there is some evidence that Inspector appeal decisions are giving development envelopes policies (or settlement boundaries or similar such designations) less weight than was envisaged by the applicable Council preparing the plan at the time, even when a five year land supply can be demonstrated and the 'tilted balance' of para 14 of the NPPF is not engaged. For example, the Council is aware of one Inspector referring to development outside of a settlement boundary as a 'technical breach'¹. East

¹ See Appeal decision ref APP/V2635/W/16/3166074 issued on 20 December 2017, and note para 40 *“I have found that the Council is able to demonstrate a five year supply of deliverable housing sites when considered against its agreed OAN”* and para 41 *“The proposal would be located outside of the adopted development boundary and*

Cambridgeshire District Council completely disagrees that the purpose of a designated development envelopes is purely a 'technical' matter, which holds little weight in decision making. The Council believes the setting of development envelopes is a fundamental part of the 'plan-led' system, and the NPPF confirms as its very first 'core principle' that planning should be 'genuinely plan-led' (para 17). If the placing of a line on a map which distinguishes very clearly where development should go, and where development should not go, is not a 'plan-led' issue, then the Council is struggling to understand what a 'plan-led' system actually is.

As such, in order to make it absolutely clear that the purpose of development envelopes are more than just technical designations which can comfortably be breached, and to further ensure that planning decisions in East Cambridgeshire are 'genuinely plan-led', Policy LP3 needs modifying to ensure it is effective and clear to decision makers.

The Council therefore suggests the following additional paragraph to the end of Policy LP3:

"All other residential development outside of development envelopes will, by definition, be contrary to the vision, objectives, development strategy and policies of this Local Plan, and should be refused."

Turning to whether the settlement hierarchy is justified, then the Council's view is quite clearly 'yes', as demonstrated by evidence in PE10 and PS.EVR3.

Does the evidence suggest that some settlements should be placed at different levels within the hierarchy? If so, what implications would this have, if any, on the development strategy?

No, the evidence in PE10 and PS.EVR3 does not suggest settlements should be located in different levels of the hierarchy.

Even if the Inspector is provided with compelling evidence such that a settlement should be located in a different level, then the implications are likely to be limited.

Any settlement moving up or down the top three tiers would have no implications for allocations in the Local Plan, because the principle of making allocations in these three tiers is accepted (an exception to this point could possibly be made for Ashley and Stetchworth, which are the only two settlements to not have any allocations – if they were moved up to the 'Large Village' category, then they would become an anomaly for not receiving any allocations in the 'Large Village' category. However, the prospects of either of these two settlements being re-classed as a 'Large Village' are extreme to the point of non-existence).

Any settlement dropping down to the fourth tier might have some implication for the Local Plan, because it might bring into question any allocations being made for that settlement. This would not, however, be the case for Ashley or Stetchworth (as they have no allocations already), nor for any village which only has allocations which already have consent. Such locations could drop to the fourth tier, and have no implications.

Any settlement going up from the fourth tier to the third tier is unlikely to have any implications, because the plan makes no absolute commitment that development in the third tier must have

therefore conflict with Policy DM2 of the SADMP" and para 42 "In this case, there would be a technical breach of Policy DM2 of the SADMP."

an allocation (as demonstrated by Ashley and Stetchworth). If the inconceivable happened of a fourth tier settlement jumped up to the second tier occurred, then this may have some implications for the Local Plan, for the same reasons as set out above (Large Villages all receiving some allocations).

Beyond implications for the Local Plan, and turning to implications for future decision makers, again the implications are likely to be very limited. However, potentially, it is conceivable that if a settlement is raised up the hierarchy than as currently proposed, a future decision maker could give such a status some additional weight than if retained in its present tier. For example, if an application on a non-allocated site is being considered and it is determined that the tilted balance of NPPF para 14 applies, then the position of a settlement in the hierarchy might have some weight in the decision making process.

However, overall, any adjustment of any settlement to a different tier in the hierarchy is likely to have very limited implications. The possible exception could be for any settlement dropping to the fourth tier, but only then if such a settlement has at least one allocation which does not already have consent.