



East Cambridgeshire
District Council

East Cambridgeshire Local Plan 2016 – 2036

Matter 4 – Housing and Employment Land Requirement

East Cambridgeshire District Council

Hearing Statement

May 2018

Matter 4: Housing and Employment Land Requirement

Issue 1: Whether the Council's approach to calculating its housing and employment requirements is justified, based on up-to-date and reliable evidence, effective, positively prepared, and consistent with national policy?

Housing

30. Is the identified overall housing requirement of 10,835 dwellings or 542 per annum (dpa) over the plan period justified and consistent with national policy?

Yes.

As discussed in Q24 and Q25, the Council has applied the government's standard methodology in calculating its housing need. In addition, a portion of the housing need is redistributed to the Cambridgeshire Housing Market Area, in accordance with the Memorandum of Cooperation (PE02), which then has the consequence of reducing the housing requirement to 10,835 dwellings.

Two Inspectors have already endorsed the redistribution, and found it in accordance with the NPPF (which remains the same NPPF today). In the East Cambridgeshire Inspector's Report (March 2015):

"27....In functional terms, I have seen no evidence that providing an element of the Cambridge HMA's needs within Peterborough would conflict with the Framework's sustainable development objectives. Indeed, given Peterborough's accessibility, infrastructure availability and range of service provision, this arrangement would broadly accord with general sustainable development principles.

28...In view of the close relationship between the Cambridge and Peterborough HMAs, the intended provision of 2,500 dwellings across the HMA boundary does not therefore appear either unreasonable or inconsistent with the overall policy thrust of the Framework."

The Fenland Inspector's Report (2014) states (after some lengthy explanatory commentary):

"48. The 2,500 dwelling reduction is made to the overall figures for Fenland and East Cambridgeshire, with a reduction of 1,000 homes to be provided in Fenland. Of the various districts within the HMA, Fenland was considered to be one of the most rural in nature and therefore, one of the least sustainable areas to direct housing development. This is an approach supported by Fenland District Council and justified by the evidence underpinning the strategy of the Cambridgeshire authorities and Peterborough to secure sustainable development by locating new homes in and close to Cambridge and Peterborough and to other main centres of employment. Accordingly the CSLP [the Fenland Local Plan] facilitates the provision of 11,000 homes to be provided during the plan period in Fenland.

49. Overall, the CSLP is based on adequate, up-to-date and relevant evidence to assess and meet the objectively assessed housing needs of the HMA, over the plan period, consistent with national policy."

In both instances, the message is clear: the redistribution is consistent with national policy.

The Council set out in its response to Matter 1, Q15, that for the Inspector to now overturn two previous Inspector decisions, and say that the transfer is:

- not consistent with national policy (the same national policy which exist today as it did previously); and
- is not appropriate,

would require compelling evidence. No such evidence exists, in the Council's opinion.

As such, the identified overall housing requirement of 10,835 dwellings or 542 per annum (dpa) over the plan period is justified and consistent with national policy

31. Do either of the two parts of the second bullet point within Paragraph 14 of the Framework apply to meeting East Cambridgeshire's objectively assessed needs? If so, how?

The two bullet points are not relevant to the submitted Local Plan (and therefore whether they apply or not, is irrelevant).

The bullet point says this:

- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.*

Assuming for now that the OAN as set out in the submitted plan is correct (a matter for Q30 to resolve), then "Local Plans" (the opening of the bullet point) do meet OAN. And, as such, the two parts below the bullet point become irrelevant.

To be clear, the above NPPF does not say 'each individual Local Plan should meet their individual OAN for the area'. It says Local Plans (plural) should meet OAN. When combined, the East Cambridgeshire Local Plan and the Peterborough Local Plan (together with the wider plans in the Cambridge HMA) do meet, in full, the OAN. The Council is making no attempt to bring into play the two parts under the bullet point. It doesn't need to, because the full OAN is met.

NPPF Para 179 provides further clarity on this point:

"Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework."

If para 14 was meant to be interpreted as 'each individual Local Plan should meet their individual OAN for the area', then this would contradict para 179. Para 179 allows for redistribution to occur. Two 'for instances' are given, but by definition 'other instances' could therefore apply.

Even in respect of the two 'for instances' given, the wording of the second 'for instance' is not the same as the wording of para 14. It refers to *principles and policies*, whereas para 14 only refers to *specific policies*.

32. What is the justification to discount the OAN figure by 1,125 dwellings and to rely on Peterborough to contribute to the delivery of East Cambridgeshire's needs? What evidence is there that Peterborough has previously delivered the housing needs of East Cambridgeshire, and will continue to do so, and when?

Please see PE02, PE03 and PE04 and the above response to Q30 (and other responses may also assist).

However, the Council thinks it necessary to clarify that, contrary to how the question is likely to be interpreted by other representors, there is no reliance on Peterborough to directly contribute to the delivery of East Cambridgeshire's need. That is not the basis of PE02.

To confirm this point, it is necessary to review para 3.4-3.7 of PE02, which confirms that it is Peterborough which is contributing to the delivery of the Cambridge HMA need (not the East Cambridgeshire need), and it is doing so for reasons set out in those paragraphs (reasons as subsequently endorsed by two Inspectors). PE02 then goes on to confirm that Fenland and East Cambridgeshire be reduced accordingly (because the Cambridge HMA figure as a whole has been reduced), and it does so because that leads to a better planned solution across the sub region than reducing other Cambridge HMA district dwelling requirements (a point confirmed in 3.6).

Neither PE02 nor the Council has ever claimed anything along the lines of 'to meet your East Cambridgeshire need you'll have to buy a house in Peterborough, because that's where your need is being met'. That is a complete misrepresentation of PE02, the 2015 adopted Local Plan and the submitted Local Plan.

The second part of Q32 therefore becomes irrelevant. Peterborough has never been required to deliver East Cambridgeshire's need, therefore no evidence is required (or has been prepared) to suggest whether it has or it hasn't.

However, whilst the question does not ask for this, two Inspectors have previously accepted that Peterborough has committed to delivering the housing need of the Cambridge HMA, and the submitted Peterborough Local Plan (2018) continues to make that commitment. Delivery is then a matter for Peterborough City Council to monitor and take action upon.

33. The soundness of individual site allocations will be considered at Stage 2 of the Examination, and I will not be considering individual site allocations in any detail at this stage. However, is the assumption that 1060 dwellings will be delivered over the plan

period as a result of windfall developments and unallocated Community Land Trust sites realistic and justified by evidence?

Yes. See Appendix 2 of MO3, which provides analysis of historic windfall delivery and projected CLT development

In all likelihood, the assumption is likely to be exceeded, probably considerably so.

Employment:

34. Is the scale of the allocation of some 154 hectares of land for employment purposes justified, effective, and consistent with national policy? How does this proposed quantum of employment land relate to, and compare with the objectively assessed needs of the district?

ECDC introductory clarification remark:

The table within Policy LP8 erroneously lists site SUT.E1 as having 34.7ha of area available. This is not the case (as identified in representation PS25 by Mr Ian Smith). Whilst the total site area is of that scale, the amount of available and undeveloped land is approximately 17ha. Policy Sutton3 appropriately makes this clear. The evidence document PE08 also correctly refers to 17ha. This error does not, however, affect the question asked, because the 154ha referred is presumably sourced from Table 8 of PE08 (rather than from the Local Plan itself), and PE08 correctly uses 17ha.

In short, the scale of allocations of employment land is significantly above need (estimated at 44ha) plus replacement for losses (estimated at 22ha).

The **primary reason** for this 'over allocation' is simply a reflection of reality – large amounts of employment land have been granted consent already. The nationally designated Lancaster Way Enterprise Zone site alone matches, roughly, the identified need + losses.

Elsewhere, other sites (mostly extensions to, or parcels forming part of, existing business parks) are allocated in the adopted Local Plan. Most of these have consent, and there is no evidence that removing them as allocations for this Local Plan is a sound or sensible approach.

Occasionally, some adopted Local Plan allocation sites being 'carried over' do not have consent, do not have any existing 'business' use on them and do not form part of a wider business park. The obvious example of such a site, of a scale of any strategic significance, is site SOH.E1, which is undeveloped agricultural land, to the east of the A142 bypass, for 10.8ha. However, this site (which obviously was found sound by the previous Inspector), forms an important part of the strategy for growth at Soham due to the lack of alternative employment areas in the town. If this site was de-allocated, Soham would be devoid of any employment area of any size. That is not a sustainable situation for a growing town.

Finally, the submitted Local Plan does make a few further additions to the quantum of identified employment land. Unless the Council is mistaken, this is limited to LIT.M2, for 1ha, as part of a much bigger mixed use site, and LIT.E1, which is extended by about 8ha. These two Littleport

employment sites are a consequence of creating a sustainable community in Littleport, aligning housing growth with job growth. Both allocations have the support of the Town Council.

Thus, with only minor exceptions, the 154ha allocated in the submitted Local Plan is primarily beyond the control of the submitted Local Plan. It is almost entirely (and in this order) already consented, already allocated in a recently adopted Local Plan, or forms part of the creation of a balanced community.

The **secondary reason** for 'over allocating' is in relation to choice and flexibility. It is accepted that, in all probability, the full 154 ha will not be developed for employment purposes in the plan period. Some sites, for whatever reason, might not come forward as intended or proposed. However, by having such a scale of allocation enables choice and flexibility for the market place.

The over-provision also enables flexibility for the Combined Authority to deliver on its ambitions to near double GVA growth in the county (see PE33).

Overall, based on the evidence and the reality of the situation, the allocation of around 154ha is justified and effective.

To further reassure, if it is needed, that the approach of over-allocation is, in the context of what is described above, justified, effective, and consistent with national policy, the Inspector could review an almost identical situation which occurred in Central Lincolnshire. There, a significant over-allocation of employment land was proposed compared with need, but such over-allocation was a result of past consents and the need to create sustainable communities. The Inspectors of that plan, in their 2017 Report, stated:

“279...Even allowing for choice and competition in the market for land, the possibility that some sites may not come forward and that some sites may be redeveloped for other uses, this [153ha] is significantly more land than is required [23ha].

280. The reasons for this are twofold. Firstly, several of the SES [Strategic Employment Sites] already have planning permission. Secondly, in order to ensure that the SUEs [Sustainable Urban Extensions] provide a mix of uses all but one of the allocations includes provision for employment land. This is consistent with one of the Framework's Core Planning Principles which seeks to promote mixed use developments. It is a reasonable and justified approach.”