

Strategic Planning Team
East Cambridgeshire District Council
The Grange
Nutholt Lane
Ely
Cambridgeshire
CB7 4EE

By email: planningpolicy@eastcambs.gov.uk

31st August 2023,

Dear Sir / Madam,

Re: East Cambridgeshire Local Plan Single Issue Review – Main Modifications

This letter is in response to the East Cambridgeshire Local Plan Single Issue Review (SIR) Main Modifications consultation. The LPDF do not, as a matter of course, respond to individual Local Plan consultations as we are an organisation that seeks to influence national policy formulation at a central government level. However, when an issue is raised by our members about a policy approach within a Local Plan that the LPDF considers is clearly contrary to national policy, then we will make an exception.

The LPDF consider that the approach taken by East Cambridgeshire in their SIR is clearly contrary to the guidance set out in both the National Planning Policy Framework (the Framework) and Planning Policy Guidance (PPG) and therefore we consider the SIR to be unsound.

This representation follows previous submissions made to the SIR consultation in June 2022 and also the Matter 2 Hearing statement in October 2022. The issues raised in these previous submissions remain as does the LPDF view on this matter. This representation whilst not addressing the main modifications directly, does raise significant concerns regarding the soundness of the approach being pursued.

Given the nature of our concerns the LPDF, along with Gladman Developments Ltd and L&Q Estates has sought counsels advice to establish whether the SIR meets the tests of soundness identified in the Framework. The legal opinion appended to this submission concludes that:

“... the Council’s approach to their housing requirement is either contrary to paragraph 22 of the NPPF, insofar as GROWTH 1 will now no longer have a 15 year period from adoption or, GROWTH 1 will retain its existing plan period, but the policy will be deviated from insofar as the standard method has not been applied across the plan period and no exceptional circumstances have been provided to justify such an approach.”

The LPDF consider that for the reasons set out in our previous submissions and in the attached legal opinion, the East Cambridgeshire SIR is fundamentally flawed. This is with respect to both the length of the plan period and the housing requirement proposed in Policy GROWTH 1 which is not in conformity with the guidance set out in the Framework or the PPG. The LPDF believe that the SIR is contrary to key elements of the Framework, specifically paragraphs 22 and 61 and therefore cannot be considered to meet the tests of soundness.

Whilst we recognise the Chief Planners letter to PINS from 6th March 2023, and the need for Inspectors to deal with examinations pragmatically, it is still fundamental that local plans are sound and follow national policy and guidance. We hope that this legal opinion provides you with some assistance in considering these matters further.

Yours Faithfully,

A solid black rectangular box used to redact the signature of Nicole Burnett.

Nicole Burnett

LPDF Senior Policy and Research Manager