

**AGENDA ITEM NO. 7**

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**TITLE: EAST CAMBRIDGESHIRE LOCAL PLAN – POST-HEARING WORK AND PROPOSED MODIFICATIONS**

Committee: Development and Transport Committee

Date: 14<sup>th</sup> April 2014

Author: Katie Child, Principal Forward Planning Officer

[N261L]

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1.0 ISSUE

1.1 To report the outcome of further work requested by the Planning Inspector following the Local Plan hearing sessions, and to consider post-hearing proposed modifications to the draft Local Plan.

2.0 RECOMMENDATION(S)

2.1 It is recommended that:

- i. Members note and endorse the following evidence studies produced in support of the Local Plan, as requested by the Inspector:
  - Housing Supply Paper (attached as Appendix 1 to this report)
  - Strategic Housing Land Availability Study (Appendix 2)
  - Affordable Housing Note (Appendix 3)
  - Flood Risk Note (Appendix 4)
  - Newmarket Road, Burwell – Draft Concept Masterplan (Appendix 5)
- ii. Members endorse the retention of the employment allocation at Tunbridge Court Business Park, Bottisham in the Local Plan (Policy BOT 3) as evidenced by the 'Bottisham Employment Report' (attached as Appendix 6).
- iii. Members endorse the deletion of the housing allocation on land east of 67 Mildenhall Road Fordham (Policy FRD 3) in light of the Inspector's comments and as evidenced by the 'Fordham Housing Options Report' attached as Appendix 7.
- iv. Members approve the post-hearing 'Schedule of Proposed Modifications', revised Sustainability Appraisal and Consultation Explanatory Note, for consultation purposes between 17<sup>th</sup> April and 30<sup>th</sup> May 2014 (attached as Appendices 8, 9 and 10) – and that any subsequent minor changes are approved by the Principal Forward Planning Officer in consultation with the Chair of the Committee.

### 3.0 BACKGROUND/OPTIONS

- 3.1 The District Council is preparing a new statutory development plan for the district. The pre-submission draft East Cambridgeshire Local Plan was submitted to Government on 29<sup>th</sup> August 2013, following its endorsement by this Committee and Full Council in July 2013.
- 3.2 An independent Inspector has been appointed to oversee the Examination of the Local Plan, and to consider its soundness - Michael J. Hetherington (B.Sc. MA MRTPI). The Inspector role involves considering written comments submitted by representors – and also holding hearing sessions in public, to discuss key issues and matters.
- 3.3 The Inspector held a series of hearing sessions between 4<sup>th</sup>-14<sup>th</sup> February 2014, to discuss key issues and matters relating to the draft Local Plan. The hearing sessions were attended by the District Council and key representors, and were open to the public.
- 3.4 During the East Cambridgeshire hearing sessions the Inspector did not indicate any fundamental soundness problems with the Local Plan that cannot be overcome. However, he indicated a number of areas of concern, where he advised that changes should be made and/or that further evidence or work could be carried out by the District Council in order to justify proposals. After the close of the hearing sessions, he published an Inspector's note to the District Council setting out his main comments, which was reported to Development and Transport Committee on 11<sup>th</sup> March 2014.

### 4.0 ARGUMENTS/CONCLUSIONS

- 4.1 The Inspector's comments have resulted in 3 key areas of work/actions for the District Council. These are listed below, and dealt with in the following sections:
1. General evidence reports to provide further justification and support for elements of the Local Plan
  2. Evidence to justify key allocations sites (in Bottisham and Fordham)
  3. Proposed changes to the draft Local Plan and consultation documents.

#### **1. General evidence reports**

- 4.2 In response to the Inspector's comments, officers have produced a number of general evidence reports which provide further justification and explanation for the Council's proposed approach in the Local Plan. These evidence reports are described briefly below and are attached as Appendices 1 to 5 to this report.
- Housing Supply Paper (update March 2014) – this document sets out the estimated amount of housing which is likely to be delivered over the Plan period 2011-31. The document has been updated to respond to a number of the Inspector comments, relating to the different sources of supply and

overall flexibility in delivery. The key change is that the estimated supply of dwellings over the Plan period is greater than before – with a reasonable gap between estimated supply and the required housing target. This should provide flexibility and ensure that the District Council housing target can be met. The housing target 2011-31 is 11,500 dwellings, whilst the projected supply is 11,982 dwellings. The change has mainly been achieved by increasing the number of dwellings in the category of ‘broad locations’ (from 1,776 to 2,300 dwellings) on the edge of Littleport and Soham. There is sufficient capacity available on the edge of these 2 settlements to enable this to happen (as identified in the Littleport and Soham Masterplans). The Housing Supply Paper is attached as Appendix 1 to this report.

- Strategic Housing Land Availability Study (SHLAA) – this paper has been updated alongside the revised Housing Supply Paper. The paper identifies key development sites within towns and villages, and assesses their suitability, availability and deliverability. This updated study is attached as Appendix 2.
- Affordable Housing Note – the Inspector has asked for further clarification on the Council’s approach in estimating need for new build affordable housing. This paper has been produced to address these concerns and augment the information in the Council’s Hearing Statement on Matter 3. The paper shows that the District Council will be able to meet its requirement for new build affordable housing over the Plan period 2011-31. The paper is attached as Appendix 3.
- Flood Risk Note – the Inspector has requested further information to demonstrate that relevant Government guidance on assessing flood risk on development sites has been met. This note has been produced as an update to the Council’s original background paper on Flood Risk (Examination Document OD/27). It shows that Government guidance has been followed, and that the allocation sites can be developed with minimal flood risk or that risk can be adequately mitigated. The Environment Agency has been involved in the production of the note, which is attached as Appendix 4.
- Newmarket Road, Burwell - Draft Concept Masterplan – the Inspector has requested evidence to justify the revised boundary of the housing allocation off Newmarket Road in Burwell, as set out in the Proposed Modification list February 2014. The County Council as landowners are in the process of developing a Masterplan for the site, in consultation with the local community (prior to submission of a planning application later this year). The draft Concept Masterplan, as endorsed at a Parish Council meeting on 1<sup>st</sup> April 2014, is attached as Appendix 5.

## 2. Evidence to justify key allocation sites

- 4.3 The Inspector also asked the Council to consider whether there is sufficient justification for the employment allocation at Tunbridge Court Business Park in Bottisham (Policy BOT 3) and the housing allocation east of 67 Mildenhall Road in Fordham (Policy FRD 3). These 2 matters are discussed separately below.
- 4.4 Land adjacent to Tunbridge Court Business Park Bottisham is allocated in the draft Local Plan for employment uses. The site is currently located in the Green Belt, as identified in the Core Strategy 2009 – although the Core Strategy identifies the site as an area of search for employment and indicates that any subsequently allocated site should be removed from the Green Belt. The draft Local Plan proposes to alter the Green Belt boundary to exclude the site.
- 4.5 The Inspector has queried whether there are sufficient ‘exceptional circumstances’ to justify the release of the site from the Green Belt, as required by Government guidance. Officers have worked with the landowner to produce further evidence which demonstrates that there is a need for additional employment land in Bottisham to meet the demands of the local labour market. This evidence report is attached as Appendix 6. It is therefore recommended that the proposed allocation is retained in the draft Local Plan.
- 4.6 Land east of 67 Mildenhall Road in Fordham is allocated in the draft Local Plan for 10 dwellings. The Inspector has asked the Council to consider whether the allocation can be robustly justified as the most appropriate strategy when considered against reasonable alternative sites in the village (as required by paragraph 182 in the Government’s National Planning Policy Framework (NPPF)).
- 4.7 There are 27 housing site options for development on the edge of Fordham – as assessed in the Council’s Sustainability Appraisal document, and ‘Site Assessment Technical Background Report’ (Examination Documents SD/27 and SE/2). Officers have reviewed the technical assessment of the options in response to the Inspector’s comments. The re-appraisal work, as set out in Appendix 7, re-confirms the results of the earlier work. There are two other housing allocation sites in the draft Local Plan on the edge of Fordham (FRD 1 and FRD 2) which both score highly. However, there are other sites that score better than FRD 3 in technical terms.
- 4.8 FRD 3 scored the highest of the potential site options in the public consultation in 2012 (although the Parish Council does not support the allocation of the site). However, although public consultation is an important part of the Local Plan process, the NPPF makes it clear that allocations need to be technically sound and the most appropriate strategy based on the available evidence. On this basis it is therefore recommended that FRD 3 is deleted from the draft Local Plan – and that a proposed modification is put forward and subject to public consultation outlining this proposed action. If the

FRD 3 allocation is retained in the Local Plan there is considered to be a risk that the Inspector will find the Plan unsound – requiring work to commence again or resulting in a significant delay in the Local Plan timetable (at least 6 months delay in the receipt of the Inspector’s final report).

### **3. Proposed modifications and consultation documents**

4.9 The Inspector’s comments have resulted in a number of potential further changes to the draft Local Plan. These mainly relate to changes in housing supply, the deletion of FRD 3, and other matters discussed above. A number of other changes are also proposed to make the Plan clearer and more up to date. A list of the key modifications is summarised below, with full details set out in the ‘Schedule of Proposed Modifications’ attached as Appendix 8 to this report. This ‘Proposed Modifications’ list (March 2014) is an update of the version which was considered at Development and Transport Committee on 2<sup>nd</sup> July and 3<sup>rd</sup> December 2013.

#### *Key additional proposed modifications:*

- Housing supply – increase in supply and other changes, as discussed in paragraph 4.2 above
- Employment and retail supply – increase in supply to reflect recent planning applications and updated projections.
- Revisions to development envelopes – to include employment allocations and employment areas which are part of the built-up framework of a settlement (as requested by the Inspector).
- Deletion of Muckdungle Corner Bottisham from the Green Belt – at the request of the Inspector, to ensure its deliverability.
- Deletion of mixed use allocation at Crystal Structures, Bottisham (Policy BOT 2) – to ensure consistency with the rest of the Plan, as the site is within the current development envelope and can come forward to be considered for development against other Local Plan policies.
- Ely Southern Bypass – references altered to refer to ‘A142 transport solution’ rather than the bypass specifically, pending the consideration of the planning application for the bypass.
- Deletion of FRD 3 housing allocation in Fordham – as discussed in paragraphs 4.6 to 4.9 above.
- Revised estimate of housing capacity on Ely Station Gateway site (Policies ELY 7 and ELY 8) – change from ‘400 dwellings’ to ‘400-630 dwellings’, to reflect updated work in the draft Ely Station Gateway Supplementary Planning Document (February 2014).

4.10 The District Council needs to publish the revised ‘Schedule of Proposed Modifications’ (Appendix 8) for public consultation purposes, for a 6 week period. The updated technical evidence documents (e.g. Appendices 1 to 7) will also need to be published at the same time for comment. This also includes a revised ‘Sustainability Appraisal’ document which reflects the proposed changes to the policies and proposals. The revised Sustainability Appraisal is attached as Appendix 9 to this report.

4.11 It is proposed to publish the Proposed Modifications list and associated documents for consultation between 17<sup>th</sup> April and 30<sup>th</sup> May 2014. A covering 'Consultation Explanatory Note' is attached as Appendix 10 to this report.

## 5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT

5.1 No further financial implications. A budget is already in place for the production of the Local Plan.

5.2 An Equality Impact Assessment (INRA) has been produced as part of the technical supporting evidence when the Local Plan was submitted to Government.

## 6.0 APPENDICES

- Appendix 1 – Housing Supply Paper
- Appendix 2 - Strategic Housing Land Availability Study
- Appendix 3 - Affordable Housing Note
- Appendix 4 - Flood Risk Note
- Appendix 5 – Newmarket Road Burwell - Draft Concept Masterplan
- Appendix 6 – Bottisham Employment Development
- Appendix 7 – Fordham Housing Options
- Appendix 8 – Schedule of Proposed Modifications (March 2014)
- Appendix 9 – Revised draft Final Sustainability Appraisal (March 2014)
- Appendix 10 – Consultation Explanatory Note

**PLEASE NOTE: Due to the sizes of the appendices these have only been provided for Members of the Committee.  
Copies can be viewed via the Council's website at [www.eastcambs.gov.uk](http://www.eastcambs.gov.uk)**

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### Background Documents

National Planning Policy Framework  
(March 2012)

East Cambridgeshire Core Strategy  
(2009)

Pre-submission draft East  
Cambridgeshire Local Plan (Feb.  
2013)

Proposed Modifications live list (3<sup>rd</sup>  
February 2014)

### Location

Room 12,  
The Grange,  
Ely

### Contact Officer

Katie Child  
Principal Forward Planning Officer  
(01353) 616245  
Email:  
[katie.child@eastcambs.gov.uk](mailto:katie.child@eastcambs.gov.uk)