

**EAST CAMBRIDGESHIRE LOCAL PLAN – INSPECTOR’S INTERIM
CONCLUSIONS REPORT AND FURTHER PROPOSED MODIFICATIONS**

Committee: Full Council

Date: 4th September 2014

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1.0 ISSUE

- 1.1 To report the Inspector’s interim conclusions on the soundness of the Local Plan, and to consider further post-hearing proposed modifications to the draft Local Plan.

2.0 RECOMMENDATION(S)

2.1 It is recommended that:

- i. Members note the Inspector’s Interim Conclusions Report, attached as Appendix 1 to this report.
- ii. Members approve the ‘Schedule of Further Proposed Modifications’ and revised Sustainability Appraisal, for public consultation purposes between 10th September and 22nd October 2014 (Appendices 2 and 3) – and that any subsequent minor changes are approved by the Principal Forward Planning Officer in consultation with the Chair of Corporate Governance and Finance Committee.
- iii. Members note and endorse the following background evidence studies produced in support of the Proposed Modifications:
 - Assessment of Site Deliverability (Appendix 4)
 - Flood Risk Note (update) (Appendix 5)
 - Habitats Assessment Regulation Screening Report (update) (Appendix 6)
 - Housing Supply Paper (update) (Appendix 7).

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 29th 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 4th-14th February 2014 to discuss key issues and matters relating to the draft Local Plan. 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 11th March 2014. A series of Proposed Modifications to the Local Plan were subsequently approved by Development and Transport Committee on 14th April 2014, and published for consultation. A further hearing session to discuss the Proposed Modifications was held by the Inspector on 23rd June 2014.
- 3.4 On 14th July 2014 the Inspector issued an 'Interim Conclusions Report' (attached as Appendix 1). The report sets out his initial conclusions on several key aspects of the draft Local Plan – namely, the duty to cooperate, housing needs, and housing land supply.

4.0 ARGUMENTS/CONCLUSIONS

Inspector's Interim Conclusion Report

- 4.1 The Inspector's Interim Conclusions Report indicates that he is satisfied on a number of key matters:
- That the Council has complied with the 'duty to cooperate' (this is a legal duty on the Council to prepare the Plan collaboratively with other local authorities and key bodies).
 - That the Council's assessment of the number of new dwellings needed over the Plan period is objective and appropriate (known as 'objectively assessed need').
 - That the Council's identified housing target over the Plan period (11,500 new dwellings) is justified and consistent with national policy.
 - That the Council has demonstrated a robust supply of housing land for the Plan period as a whole.

- 4.2 However, the Inspector raises concerns about the Council's 'five year housing land supply.' This is the number of dwellings likely to be built within the next five years (April 2014 to March 2019), when measured against the housing target for that period. All local authorities are expected to be able to demonstrate a five year supply of housing land – as specified in the National Planning Policy Framework (NPPF) – as the Government is keen to 'boost significantly the supply of housing' in England.
- 4.3 Prior to March 2014 there was no agreed or established single method for calculating five year housing land supply. Most local authorities (including East Cambs) employed the 'Liverpool' methodology, whereby any shortfall against the target in the early years of the Plan period (e.g. 2011-13) is evenly distributed over the remainder of the Plan period. The alternative 'Sedgefield' methodology involves distributing any shortfall within the first five years. However, in March 2014 the Government published the National Planning Practice Guidance document (NPPG). The NPPG advises that local authorities should seek to apply the 'Sedgefield' method, in order to further boost supply in the early part of the Plan period.
- 4.4 This shift in Government policy has unfortunately occurred part way through the Examination of the draft Local Plan. The Council was able to demonstrate a five year housing land supply using the Liverpool methodology. However, the Inspector advises that the Sedgefield method should now be applied – and based on his re-calculations, he concludes that *'there is a shortfall of some 320 dwellings from the required total over this period – and that a robust five year housing supply has not therefore been demonstrated'* (paragraph 34 of his report).

Responding to the Inspector's concerns

- 4.5 The Inspector advises that the matter can be resolved through the current Examination process, e.g. by the Council proposing new allocations (paragraph 54 of the Interim Conclusions Report). This route is considered to be the most suitable and sustainable option for the Council to pursue. It would allow the District Council to get an adopted Local Plan in place relatively quickly (by the end of 2014). This is important, in light of the fact that without a five year housing land supply, the NPPF states that there is a presumption in favour of approving planning applications, unless the adverse impacts significantly outweigh the benefits (paragraphs 49 and 14).
- 4.6 Officers have undertaken technical work to identify new potential allocations. The search for additional housing allocations has focused on the edge of the Market Towns of Ely, Soham and Littleport. The Market Towns are the largest and most sustainable settlements in the district, with access to services, jobs and public transport links. This approach accords with the Council's settlement strategy as identified in Policy GROWTH 2 in the emerging Local Plan.

4.7 The assessment process has involved re-appraising site options on the edge of the towns, as set out in the original 'Site Assessment Results' document (2013) (Examination Document SE/2). The process has involved liaising with key infrastructure providers including the Highways Authority, the Education Authority and Anglian Water. It has also involved contacting landowners and developers, and seeking responses on availability and capacity to deliver housing within 5 years.

4.8 The site assessment results are summarised as follows:

Ely – the results indicate there are no further suitable or deliverable options for additional housing growth on the edge of Ely within the next 5 years.

Littleport – the results indicate there are a number of potential sites on the edge of the town which could be suitable for housing and have no significant infrastructure constraints. However, there is an element of uncertainty regarding market demand and housing delivery in Littleport. In recent years the number of dwellings built in the town has been low (as evidenced in the annual County Council development surveys), and viability in the town is generally more marginal than elsewhere in the district (as evidenced in the Council's CIL Viability Assessment 2012). Therefore it is not clear whether additional housing allocations on the edge of Littleport, above supply already identified in the emerging Local Plan, will be deliverable within 5 years. In the longer term it is hoped and anticipated that the opening of the new Education Campus (secondary, primary and special school) in 2016 should help to boost the level of development and the attractiveness of the town as a place to live, work and invest. The next review of the Local Plan will provide an opportunity to review the position with regards to market demand, viability and delivery rates in the town.

Soham – the results indicate that there are a number of specific deliverable sites on the edge of the town that could come forward within 5 years, and which accord with the criteria in the NPPF. There is sufficient infrastructure capacity to focus all the new allocations on Soham within the five year period, as confirmed following consultation with infrastructure providers.

4.9 In conclusion, the site assessment and overall deliverability assessment results indicate that additional housing allocations on the edge of Soham would be deliverable within the five year period. On the basis of the technical work, five new allocations are proposed on the edge of Soham (providing a total of 510 dwellings). This is in excess of the 320 shortfall identified by the Inspector. These sites are listed below, and can be viewed in the map in Appendix 8. The proposed sites have no significant constraints, and are considered to be deliverable within 5 years.

Proposed allocation sites	Estimated number of dwellings	New policy reference
Land off Fordham Road, Soham	90	Policy SOH 4
Land south of Blackberry Lane, Soham	160	Policy SOH 5
Land north of Blackberry Lane, Soham	100	Policy SOH 6
Land adjacent to the cemetery, Soham	115	Policy SOH 7
Land east of The Shade, Soham	45	Policy SOH 8

- 4.10 It should be noted that although additional allocations are proposed, the overall amount of housing supply over the Plan period to 2031 would not change. The additional allocations are already identified in the draft Local Plan as 'broad locations' on the edge of Soham where development is likely to take place in the years 2022 to 2031. The proposed new allocations would therefore effectively be 'rolled forward' from the latter part of the Plan period into the first five years.

Next steps

- 4.11 Details of the proposed new allocations are set out in the 'Schedule of Further Proposed Modifications' (attached as Appendix 2 to this report). The Schedule also includes a number of consequential changes to the draft Local Plan – including changes to the development envelope, policy numbering and housing supply calculations.
- 4.12 The 'Schedule of Further Proposed Modifications' will need to be published for a statutory 6 week period of consultation. The updated technical documents listed below will also need to be published at the same time for comment.
- Sustainability Appraisal (Appendix 3)
 - Assessment of Site Deliverability (Appendix 4)
 - Flood Risk Note (update) (Appendix 5)
 - Habitats Assessment Regulation Screening Report (update) (Appendix 6) [please note that Natural England has yet to formally confirm in writing their 'sign-off' of this document. A verbal update will be provided to Members at the Council meeting]
 - Housing Supply Paper (update) (Appendix 7).
- 4.13 It is proposed to publish the 'Schedule of Further Proposed Modifications' and associated documents for consultation between 10th September and 22nd October 2014.
- 4.14 Responses to the Proposed Modifications will be forwarded to the Inspector. It is likely that the Inspector may wish to hold a further Examination hearing session, focusing on the Proposed Modifications. The exact timing of this session has yet to be confirmed, but it may take place in November/December 2014.

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 – Inspector’s Interim Conclusions Report (14 th July 2014)	
Appendix 2 - Schedule of Further Proposed Modifications (September 2014)	
Appendix 3 – Draft Final Sustainability Appraisal (revision August 2014)]
Appendix 4 – Assessment of Site Deliverability (August 2014)]
Appendix 5 – Flood Risk Update (August 2014)] available
Appendix 6 – Habitat Assessment Screening Report] on
(update August 2014)] Website
Appendix 7 – Housing Supply Paper (update July 2014)]
Appendix 8 – Soham site options map	

Background Documents

National Planning Policy Framework
(March 2012)

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

Schedule of Proposed Modifications
(April 2014)

All other documents included in the
Examination library

Location

Room 12,
The Grange,
Ely

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