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Ms Fiona Bradley
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Wednesday, 14 September 2022

Dear Ms Bradley

LAND NORTH OF CAMBRIDGE NORTH STATION MILTON AVENUE CAMBRIDGE CAMBRIDGESHIRE

CONTEXT

Thank you for the opportunity to provide you with our thoughts on planning application 22/02771/OUT.

This response is made on behalf of U + I PLC and TOWN, who are the master developers of the 'Core Site' on Cowley Road, which consists of the Anglian Water treatment works, the Council depot (former park and ride site) and the golf driving range.

The Core Site lies at the heart of the emerging North East Cambridge Area Action Plan ('NEC AAP'), which envisages the transformation of North East Cambridge for 8,350 new homes, at least 15,000 new jobs, new shops, community, cultural, leisure and recreation spaces. Significant importance is placed in the NEC AAP on achieving a modal shift in the area, presently from a car dominant environment to a sustainable '15-minute' neighbourhood that enables a realistic choice of high-quality public transport, walking, cycling and micro-mobility. These principles are shared by U+I plc and TOWN.

The NEC AAP boundary covers approximately 182ha of land that includes (although this is not exhaustive) the Core Site, Chesterton Sidings (part of this forming the site area for application 22/02771/OUT), Cambridge Business Park, St Johns Innovation Park, the Cowley Road and Nuffield Road Industrial Estates, Cambridge Science Park and Cambridge Regional College.

Given that the NEC AAP involves sites in multiple ownerships, each with their own specific objectives and timeframes, it is essential that there is coordination and control of early planning applications (such as 22/02771/OUT) to protect the vision and to avoid prejudicing the comprehensive development of the wider NEC AAP area.

U + I / TOWN are members of a landowners' forum, alongside Brookgate and others (including The Crown Estate, Trinity College, St Johns College), chaired by Greater Cambridge Shared Planning Services ('GCSPS'), which seeks to understand each landowner's objectives and timeframes, and to facilitate coordination and collaboration of development proposals, planning applications etc.

A Transport Task and Finish Group has been created to further develop a coordinated Transport Strategy for the NEC AAP, based on the previous NEC AAP Transport Evidence Base (2019). The group has

representatives from each of the five main landowners, as well as the Local Planning Authority, Highway Authority and National Highways. Recent work has centred on the transport infrastructure works required to support delivery of the overall NEC AAP, this work includes refining the required infrastructure from the items listed within the Infrastructure Delivery Plan ('IDP') and determining the share of funding for the more strategic schemes to ensure that the request is fair and proportional to the impact of the NEC AAP area in comparison to other funding sources. The Group is also considering the split in the financial contribution between the commercial land uses and the residential element. These issues will need to be addressed before the determination of planning application 22/02771/OUT to ensure that there is a fair and proportional split across all sites within the NEC AAP. Should this work not be complete before determination then there is no guarantee of an absence of harm to the aim of achieving comprehensive regeneration across NEC.

To support the vision, the IDP is being prepared by GCSPS to identify what strategic infrastructure interventions will be required to support the level of growth anticipated, and the estimated cost and timescale of delivery, in order to ensure that each developer pays a fair and equitable proportion of those costs. It is noted that the current draft IDP has been issued without prior engagement with the development community.

RESPONSE

U + I and TOWN wish to object to the current planning application, particularly in terms of how it might affect the comprehensive delivery of development across the NEC AAP.

In starting with the relevant adopted Development Plan policy, SS/4 of the South Cambridgeshire Local Plan 2018 and Policy 15 of the Cambridge Local Plan 2018, state that *'the amount of development, site capacity, viability, time scales and phasing of development will be established through the preparation of an Area Action Plan (AAP) for the site...'* and that *'all development proposals should ensure that the development would not compromise opportunities for the redevelopment of the wider area, (as per SS/4 of SCLP2018) / 'ensure that due consideration has been given to safeguarding the appropriate future development of the wider site' (as per Policy 15 of CLP2018).*

The importance of these policies is that they recognise Cambridge Northern Fringe East (for CLP2018) / Chesterton Sidings area (for SCLP2018) as an area for redevelopment and growth. However, critically these policies don't provide much detail. For instance, they are silent on the core principles of development such as amount, layout, heights, viability, and phasing, preferring instead to resolve such matters through an Area Action Plan process.

Had the core principles been fully understood and determined at the stage of developing the (now adopted) Local Plans, it would have been arguably more appropriate for the policies to specify that a site-wide masterplan should be provided to support a proposal, instead of an AAP process that requires a formal examination process led by an independent Planning Inspector to deem it sound and legally compliant.

Since the adoption of those policies, three notable events have occurred:

- (1) Homes England has confirmed that £227m of funding will be made available for the relocation of the Anglian Water Treatment Works, to facilitate approximately 5,600 homes on the Core Site and an aspiration of 8,000 homes across NEC as a whole;
- (2) Anglian Water has commenced proceedings on applying for a Development Consent Order ('DCO') for a new Treatment Works facility to the north of the A14 in Cambridge;
- (3) GCSPS has commenced proceedings on the NEC AAP process, including a suite of supporting technical evidence base documents. In January 2022, both Councils resolved to agree a Regulation 19 version of the AAP;

The consequence of (1) and (2) is that it shifts the aspiration from the commercially-led regeneration vision of SCLP and CLP 2018 policies, to a truly mixed-use urban neighbourhood now envisioned in the NEC AAP. There is an important inter-relationship between the NEC AAP and DCO processes insofar as there being a need for the DCO to be approved first before the NEC AAP can progress on to formal submission for Examination, and then adoption. The DCO will be determined under separate legislative/statutory processes, as a National Strategic Infrastructure Project, coordinated by the independent Planning Inspectorate and determined by the Secretary of State.

It is acknowledged that the NEC AAP is still in draft form, is unlikely to be adopted until 2025/26 (Local Development Scheme 2022) and has a number of unresolved objections. Accordingly, the degree of weight assigned to it in the determination of planning applications is currently typically more limited.

That said, the draft NEC AAP is already well-advanced, and underpinned by a significant technical evidence base. Accordingly, it serves to provide planning guidance on the amount of development, site capacity, viability, timescales, and phasing of development, and therefore has value in that regard.

In recognising the procedural delay that will occur before the NEC AAP can be advanced, GCSPS has opted to take a proactive approach in the determination of planning applications that are made ahead of the completion of the Plan-making process.

GCSPS issued '**Evidence to support planning applications ahead of the NEC AAP**', dated May 2021, which notes that:

'while the councils wish to see early delivery on NEC, the councils consider that the future development context of NEC must be plan-led and not determined through planning applications for individual sites ahead of the AAP. As such, applications for development within the NEC AAP area that come forward ahead of the AAP, will need to satisfy the councils that they will not prejudice the future development of neighbouring sites or frustrate the delivery of the development aspirations for the wider NEC AAP area.'

'In addition to the usual documentation required for validation of an application for planning permission, to ensure comprehensive and coordinated development is achieved, a masterplan will be required to accompany a planning application for schemes within the NEC AAP area, supported as necessary by parameter plans in relation to layout, scale, appearance, access and landscaping. Through the masterplan, the applicant will be required to demonstrate, to the LPA's satisfaction, how their proposal:

a. Has regard to the existing site circumstances, including the existing character, neighbouring uses and constraints; implementing the Agent of Change principle so that new development does not materially affect the ongoing functioning of existing uses or cause unacceptable harm to the amenity of existing uses;

b. Complies with the extant policies of the local plans, including recently published guidance for the NEC area on odour;

c. Contributes to delivery of the vision and strategic objectives for NEC (as currently set out in the NEC AAP Issues & Options, Feb 2019) and the achievement of comprehensive regeneration of the wider NEC AAP area, including the timely and equitable provision of strategic social and physical infrastructure. Where appropriate, for example, this will include the provision of walking and cycling routes that integrate with existing and proposed networks within and outside of NEC, the delivery of a diverse network of connected and multifunctional open spaces and green links, the ability to connect and contribute to an NEC smart utilities grid, and the setting aside of land for future strategic infrastructure provision;

d. Will integrate and complement successfully with existing and proposed neighbouring developments ensuring a continuity in the establishment of a neighbourhood character and supporting the timely delivery and optimised approach to the phasing of development across NEC. This should be demonstrated by submitting a geolocated 3D model in a readable format (i.e. FBX, OBJ, VU);

e. Addresses the transport constraints identified in the A10 Study having regard to the development potential of the NEC AAP area (see County Transport position statement) and the need to minimise car trips and maximise the take-up of non-car modes including walking, cycling, and sustainable public transport;

f. Takes account of the findings and recommendations of the relevant evidence base studies being prepared in support of the NEC AAP;

g. Demonstrates sustainable development, in respect of design, community health & wellbeing, social integration, and environmental outcomes, in accordance with the high-level vision and strategic objectives as set out in the Issues and Options 2019 Consultation;

h. Is supported by a Statement of Community Involvement detailing the engagement with the councils, surrounding landowners, occupiers and the local community.

Nb The advice outlined above will need to be updated to reflect the latest stage of the NEC AAP process (Proposed Submission Plan, in place of the references to Issues and Options),

Whilst it is recognised that there could be circumstances for planning applications to come forward ahead of the formal adoption of the NEC AAP, and that those applications may include some divergence from emerging policy, it is essential that key strategic elements of the NEC AAP are recognised and protected. Otherwise, there is a real risk that the core principles of the NEC AAP will be diluted / materially harmed, undermining the objectives, viability, and deliverability of the NEC AAP, with the outcome that a coherent, thriving and sustainable new quarter is not developed. From an initial review of planning application 22/0771/OUT, there are some fundamental differences to what is intended for this part of the Chesterton Sidings site, which could have significant consequences on the wider NEC AAP area.

The following (not exhaustive) highlights some of the issues we have identified:

- A key departure from NEC AAP policy is the **switch from residential to commercial**. The plots forming part of the application site should be delivering 730 homes (based on the *Typologies Study and Development Capacity* document (Dec 2021)), 23,500m² commercial, 1400m² retail and other town centre uses, and re-providing 4,200m² of industrial uses. Instead, 425 homes are proposed, and between 65,000m² – 78,500m² of employment/retail/town centre uses (excl. industrial).
- The application proposes 78,712m² of new Class E(g)(i) and (ii) floorspace GIA; including flexible class E and F ground floor uses (excluding class E(g)(iii)). It is not clear how the 78,712m² has been calculated – there are differing references across documents – the Transport Assessment, for instance, refers to c. 65,000m² GIA. We would welcome clarification from the Applicant on this.
- Retail units appear larger than envisaged in the NEC AAP. Smaller units of approximately 150m² are sought in the NEC AAP on the basis that they are likely to encourage more local independent businesses that help create vibrancy and diversity in the local and district centres. They are also likely to be shops that meet the daily needs of the new residential catchment, rather than 'destination' retail that would generate additional trips from outside the catchment. Floorplans on the application scheme indicate much larger units (approx. 500m² for S6, approx. 750m² for S7. The outline residential part includes 2,611m² GIA of 'flexible class E/F uses, of which we assume it includes retail/other town centre uses.

- It appears that the 1,400m² AAP figure for retail on Chesterton Sidings will be exceeded. This element of the proposal appears to be non-compliant with AAP policy. We would like to ask the Applicant to supply a breakdown of how much retail and other town centre uses are proposed, as it is not clear from the information viewed. This should include a breakdown of comparison, convenience and other town centre uses. We would query whether a Sequential Test and Town Centre Impact Assessment has been submitted to support the planning application. There doesn't appear to be a standalone document for either and there is no reference within the Planning Statement.
- Build to Rent: NEC AAP policy states not more than 10% of homes permitted across the AAP area should be Build to Rent. Applying 10% to the Chesterton Sidings 'pot' of 1,250 homes, that allows for 125 Build to Rent homes. The application proposes 270 homes for Build to Rent, which equates to 63% of current housing proposal, or 21.6% of the overall quantum (working on the basis that no other Build to Rent proposals come forward on the remaining parts of the Sidings area). Either way, this element of the proposal appears to be non-compliant with AAP policy. Our concern is that if there is a limited quota of Build to Rent homes across the NEC AAP area, it should be distributed in a fair and equitable way that is dispersed amongst the new residential neighbourhoods. Therefore, the proposal in its current form undermines the strategic policy of the NEC AAP.
- The NEC AAP expects 730 homes on this site, of which 10% should be Build to Rent (73 homes), of which 20% should be affordable Build to Rent (15). Of the remaining 657 homes (i.e. non Build to Rent), 263 homes should be affordable. The application proposes 155 homes, of which 40% will be affordable (62). It will include 270 Build to Rent, of which 54 will be affordable. The consequence is that 162 fewer affordable homes will be provided. This element of the proposal appears to be non-compliant with AAP policy.
- The table below provides a summary of the key differences between the draft Policy and the planning application:

Type	Type: Subset	Application Proposal	Draft NEC AAP	Typologies Study	Application proposes:
Residential	Amount	425 homes (on part of Chesterton Sidings site)	1,250 (for all of Chesterton Sidings site)	730 homes (for part of the site concerning the application)	305 fewer homes
	Build to Rent	270 homes	125 homes	N/a	145 more <u>BTR</u> homes
	Affordable Housing	116 homes (62 standard, 54 <u>BtR</u>)	278 homes (263 standard, 15 <u>BtR</u>)	N/a	162 fewer affordable homes

- NEC AAP states that 'there should not be an uplift in car parking provision to serve the station and the exact amount of re-provision will need to consider future improvements to accessibility, by walking, cycling and public transport, as well as the wider constraints on highway capacity'. The application proposes to increase the number of car parking spaces for the station from 428 to 622 spaces. This element of the proposal appears to be non-compliant with NEC AAP policy and could have consequences for the overall trip budget (which has already been adopted for development management purposes) for the NEC AAP.

- With the exception of the 'Wider Masterplan Connections' plan, we were not able to locate any further information on the development intentions of the residual part of the Chesterton Sidings site (north of the Phase 2 scheme). We would like to ask the Applicant to provide further details of what is envisaged here, to help us better understand how it might relate to the wider masterplanning and comprehensive regeneration of the NEC AAP. For instance, is it the intention to provide the remaining 825 homes (of the 1,250 home allocation) on this residual land?
- The use / quantum concerns highlighted above feed into general concerns on infrastructure delivery. The IDP outlines (Table 13.1) that each new dwelling in the NEC AAP could be expected to contribute £28,868 towards strategic infrastructure, and that new commercial floorspace should contribute £201 per sqm (**nb** it is not known whether this also includes retail and industrial, but for this exercise we have assumed it does). The following is intended to serve as an illustration of what the financial consequences might be in terms of the different approaches (application vs. draft policy) being taken.
 - The NEC AAP policy of 730 homes, 23,500m² of commercial, 1,440m² of retail and 4,200m² industrial uses for this part of the Chesterton Sidings could potentially contribute £26,930,780 (£21,073,640 residential; £5,857,140 commercial, retail, industrial).
 - The application of 425 homes and 78,712m² of commercial/retail could potentially contribute £28,090,012 (£12,268,900 for residential, £15,821,112 for commercial).
 - The s106 Heads of Terms proposes £3,544,200 towards strategic transport measures, £800,000 towards Public Art (although it's not clear whether this is excluded from the IDP in any case), and £75,000 towards monitoring fees. A number of other financial contributions are implied, but no figures are specified. Regardless, it appears that the application scheme is proposing significantly lower financial contributions than might otherwise be sought via the IDP, which will materially undermine delivery of strategic infrastructure across the NEC AAP.

Whilst we have our own concerns over the draft NEC AAP, there is currently an inadequate demonstration of how this application will provide a fair and equitable contribution to infrastructure required across the AAP area in both the short and longer terms. There are also number of conflicts with emerging policy that we have set out where we have concerns – most notably the failure to provide an adequate number of affordable housing units.

As such, there is a failure to demonstrate how the development will contribute to the comprehensive regeneration of North East Cambridge. Until these points are adequately addressed, U+I plc and TOWN wish to **object** to the application in its current form.

Finally, we would note that the views given above are based on a relatively high-level review of the application documentation. There is a considerable amount of information contained within the submission and it has not been possible to go through each plan / document in detail, within the consultation time period. We would therefore reserve our right to provide further comment / amend comment at a later stage if necessary.

Yours faithfully

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Partner

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