

**SUSTAINABILITY
APPRAISAL
GREATER CAMBRIDGE
LOCAL PLAN – ISSUES
AND OPTIONS
CONSULTATION 2020**

Quality Assurance

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1.0 Executive Summary

This representation provides the results of a review of the Sustainability Appraisal (SA) documents published in this consultation. A small number of points of possible weaknesses in the SA reports are identified, including the need for the options set out in the Issues and Options Report to all be further developed and assessed before any are dismissed. As SA is an iterative process, we advise that subsequent stages of the SA address these points to ensure a robust assessment and local plan.

2.0 Introduction

Documents now consulted on

- 2.1 These representations are made in response to the Sustainability Appraisal (SA) Reports provided in support of the Greater Cambridge Local Plan Issues and Options 2020 consultation. The SA reports published for this consultation are:
- Sustainability Appraisal Scoping Report (Land Use Consultants Ltd (LUC) for Cambridge City Council and South Cambridgeshire District Council) 2019;
 - Sustainability Appraisal Scoping Report: non-technical summary (LUC) for Cambridge City Council and South Cambridgeshire District Council) 2019;
 - Sustainability Appraisal of the Issues and Options Report (LUC for Cambridge City Council and South Cambridgeshire District Council) 2019;
 - Sustainability Appraisal of the Issues and Options Report: non-technical summary (LUC) for Cambridge City Council and South Cambridgeshire District Council) 2019.
- 2.2 Related plan making reports also published are referenced in this representation as relevant, and include:
- Habitats Regulations Assessment Scoping Report (LUC for Cambridge City Council and South Cambridgeshire District Council) 2019;
 - Greater Cambridge Local Plan Consultation Statement (Cambridge City Council and South Cambridgeshire District Council) 2019;
 - Equality Impact Assessment Greater Cambridge Local Plan Issues and Options 2020 (Cambridge City Council format);
 - Equality Impact Assessment Greater Cambridge Local Plan Issues and Options 2020 (South Cambridgeshire District Council format).
- 2.3 The SA Reports have been reviewed for regulatory compliance, and substantive content and coherence.

Purpose of SA and Requirement

- 2.4 The purpose of a SA as set out in the PPG (Reference ID: 11-001-20140306) is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- 2.5 The legal requirements for Strategic Environmental Assessment (SEA) are set out in regulations which transpose Directive 2001/42/EC 'on the assessment of the effects of certain plans and programmes on the environment' (the 'SEA Directive') into domestic law. For the English Town and Country Planning System these are: Environmental Assessment of Plans and Programme Regulations 2004 ("SEA Regulations") and Section 19(5) of the Planning and Compulsory

Purchase Act 2004, which incorporates the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004.

- 2.6 The Planning and Compulsory Purchase Act (2004) sets out that development plans (Local Plans) need to be accompanied by an appraisal of sustainability; the NPPG interprets this as SA and states that:

“Sustainability appraisal is integral to the preparation and development of a Local Plan, to identify how sustainable development is being addressed...” NPPG Paragraph: 006 Reference ID: 11-006-20140306.

- 2.7 The NPPG goes on to state that: “Sustainability appraisal should meet all of the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004...” NPPG Paragraph: 007 Reference ID: 11-007-20140306

- 2.8 The outcome of the above is that the Environmental Assessment of Plans and Programmes Regulations 2004 form the legal framework underpinning the SA process and these Regulations are therefore the definitive legal benchmark.

Integrated Impact Assessment – Health and Equalities

- 2.9 The emerging Greater Cambridge Local Plan SA incorporates the requirements of health impact assessment and equalities impact assessment. The legal basis for these assessments is less robust than SA, and there is a lack of guidance on how to conduct integrated impact assessments for SA and these topics. Health impact assessment has limited stand-alone legal requirements, although it is a means to address legal commitments to specific health issues, such as air quality. The requirement under the Equality Act 2010 is for public bodies to have “due regard” to equalities considerations as set out in the Act. Given the less detailed legal basis for these assessments and lack of guidance, commentary is provided below to help produce a robust and defensible assessment of these important topics.

Approach to Representation

- 2.10 Recent examinations of local plans have included substantive criticisms of the SA which goes well beyond the legal tests and into professional planning judgement. For example, examiners in the North Uttlesford Local Plan, North Essex Local Plan and St Albans Local Plan have recently requested information on alternatives that goes beyond the legal position of “reasonable alternatives” selected by the local authority using broad questions of judgement, which cannot be disturbed unless irrational (R (Friends of the Earth England Wales and Northern Ireland Ltd)-v- Welsh Ministers [2016], (Ashdown Forest Economic Development LLP –v- SoS for CLG [2014] EWHC 406 (Admin)). Examiners have critically engaged with the professional judgement used by the councils to identify preferred alternatives, and have noted flaws based on substantive content and character. The council and their consultants should appreciate that there are two tests for local plan SA, the legal basis and the examination basis. A focus on both types of information, not just legal minimums, should facilitate successful examination of the plan. This type of SA provides the quality and forward thinking which aligns with the Councils' thought leadership on key issues (climate change, health, etc), which Cambridge residents and employers demand.

- 2.11 This early stage in the local plan processes provides the opportunity to set out the framework for a robust and meaningful SA which produces a local plan based on thorough assessment and consultation. To that end, the SA reports have been reviewed to identify possible weaknesses and points where added depth would improve robustness, to help ensure a successful Local Plan.
- 2.12 The next section (Section 3) provides the outcomes from our review of the Scoping Report, and the following section provides outcomes for the Issues and Options Report (Section 4). Conclusions are summarised in Section 5.

3.0 Scoping Report

Introduction

- 3.1 Key points arising from our review of the December 2019 SA Scoping Report are set out below.

Relationship with Other Plans and Programmes

Discussion of major projects

- 3.2 Paragraphs 2.5 and 2.6 of the SA Scoping Report provide a summary of the major development sites currently allocated in adopted local plans. Specific house numbers for these sites are provided which in some cases are different from the allocation. This should be corrected. To evidence robust delivery numbers, either allocation numbers should be used, or where planning has been consented, then revised numbers would be appropriate. Clarity on what numbers will be used should be provided.
- 3.3 In particular, the bullet point on “Land between Huntingdon Road and Histon Road” states that the dwelling numbers have been revised during pre-application discussions and a housing number is provided which differs from the allocation. As the design is ongoing for this project and indeed no planning application has yet been submitted, it is not appropriate to use a revised number which has no status.
- 3.4 The discussion of major projects also needs to include major developments with resolution to grant outside of the local plan system, such as the Wellcome Genome Campus Application (S/4329/18/OL).

Methodology for Integrated Assessment

- 3.5 The SA integrates the requirements of Strategic Environmental Assessment, Health Impact Assessment and Equality Impact Assessment. Chapter 11 of the scoping report provides a short commentary on the health impact assessment and equalities impact assessment.

Baseline Information

- 3.6 There is limited linking of the baseline information provided in the Scoping Report to the health and equalities impact assessments. The equalities aspects, in particular, are not explicitly discussed in the baseline information, but are included in the SA Framework. The report, for example, does not identify any existing problems relevant to the equalities assessment. No table similar to 11.2 is provided for equalities, which would set out how equalities considerations relate to the topics considered and the SA objectives.

Assessment

- 3.7 The section in the scoping report on Population, Health and Wellbeing discusses some outcomes relevant to the equality impact assessment, but it is not clear that this has been done for all protected groups in a consistent manner. To demonstrate that vulnerable groups have been considered, it is suggested that information on all protected characteristics is provided and assessed consistently.
- 3.8 A separate assessment method is proposed for equalities (positive/negative/neutral) on page 147 of the Scoping Report. It is not clear how this will relate to the SA methodology, which also identified some equality criteria within the SA objectives (SA Objective 3). Are two assessment methods proposed? If so, how will outcomes from two assessments be taken into account in the local plan?

Reporting

- 3.9 Separate Equalities Impact Assessment reporting forms for each council are provided in addition to the SA and the Scoping Report. Having three documents address these issues could be confusing, particularly for vulnerable groups, leading to a “paper chase”. A means of integrating these documents, or providing clear signposting between them, should be considered.

Assessment Criteria

- 3.10 While detailed criteria and assumptions are proposed for site options (Table A1.1), similar detail on criteria and assumptions for other aspects of alternatives should be provided. This should be linked to the SA Framework, which currently has some assumptions and terminology which could be refined for improved rigour and transparency. Definitions of terms (with quantitative thresholds where relevant) in particular should be provided. To this end the following comments are provided on the SA Framework to indicate points where the appraisal questions could be improved.
- 3.11 Where the concepts of “minimise” or “maximise” are used in the SA Framework they should be defined in more detail; otherwise there is a degree of interpretation.
- SA1:
 - SA 1.3. How will “affordable homes” be defined and measured? Are these to buy or to rent? Will social housing be considered? How will student housing be considered?
 - SA 1.4. It is assumed that “young” and old” are specified as they have been identified as a key sustainability issue. It would be useful to clarify that “young” refers to student accommodation, not children. If young does refer to students, is it duplicated in SA 1.5? Should SA 1.5 refer to “protected characteristics” under the Equalities Act?
 - SA 2:
 - SA 2.1. How will “supporting” these centres be determined?
 - SA 2.3. How will “accessible for all” be determined?

- SA 3:
 - 3.1. Does integration in this case mean geographical proximity? If not, how will this be determined?
 - 3.2. How will benefit and use be determined?
 - 3.3. How will “meeting the needs” of groups be determined? What type of needs: housing needs, social Infrastructure needs?
 - 3.4. What type of social and cultural initiatives are likely to be in the local plan?
 - 3.5 Define “high level” of outdoor interaction. Should “where people mix” be changed to “accessible to all”?
 - 3.6 How will removing or reducing disadvantages be measured or determined? What disadvantages have been noted to be an issue in the baseline information, could these be specifically targeted?
- SA 8:
 - 8.2 Can the plan ensure contaminated land is remediated-- is this a more appropriate consideration at the project level?
- SA 11:
 - 11.4 It would be useful to provide a definition for retrofitting green infrastructure, with mind to how this could be delivered by the plan? Are there particular green infrastructure resources which are in poor condition and could benefit from retrofitting?
- SA 14
 - 14.1. What type of infrastructure will be considered? Transport? Water? Social?
 - 14.3. How will providing for start-up businesses and flexible working practices be measured?
 - 14.5. Reference should also be included to the other growth corridors which Cambridge is involved in: Cambridge to Norwich Tech Corridor and Stanstead Growth Corridor.
- SA 15
 - 15.2 . Supporting equality of opportunity for all is a legal requirement; this appraisal question could be refined to target specific points of concern vulnerable groups. Definitions of groups and how “support” will be measured would be useful.

4.0 Issues and Options

Introduction

- 4.1 The Issues and Options Report is assessed in a SA report dated November 2019. The Issues and Options Report is largely of general content without spatial or specific focus, and consequently much of the assessment is general commentary.
- 4.2 The legal requirements for an Issues and Options report are not detailed (as they would be at Regulation 19). Accordingly, our commentary is focused on the development of alternatives, a key legal and examination test.

Alternatives considered

Level of information for Options

- 4.3 Six spatially discernible options are provided in the "Towards a Spatial Plan" Section, which are:
- Option 1: Densification.
 - Option 2: Edge of Cambridge – Outside the Green Belt.
 - Option 3: Edge of Cambridge – Green Belt.
 - Option 4: Dispersal – new settlements.
 - Option 5: Dispersal – villages.
 - Option 6: Public transport corridors.
- 4.4 All six of the options provided at this stage do not have detailed spatial proposals, with no maps, densities, build out rates or other aspects proposed. The only spatial detail available is the settlement limits, the Cambridge Green Belt, transport corridors and Cambridge Airport (a possible allocation on the edge of Cambridge, already removed from the Green Belt). This spatial detail is not within the Issues and Options Report but is available in other parts of the Councils' documents, and as such will be difficult for some consultees to access.
- 4.5 With only high level options assessed at this stage, there is substantial uncertainty over the outcomes of these options. As such, the conclusions of the SA also are substantially uncertain, and more assessment is required with specific details provided on the deliverable projects which will make up these options.
- 4.6 The actual strategy will involve some or all of these options. Moreover, there is a possibility that a preferred option will be advanced with an equally valid alternative discarded at this early stage due to lack of information. Additional assessment should take place at another local plan stage, with full assessments within the SA Framework, before any options are fully dismissed. Without a full consideration of all these options which considers substantive detail of deliverable sites, there is a risk of the plan's selected alternative not being properly justified, and the plan being found unsound at examination.

- 4.7 The options assessed in the issues and options report will likely only be achievable in combination with other options (e.g. some density within existing development, with some expansion along transport corridors, etc). For transparency, the extent to which these options are likely to be combined in ultimate implementation should be made explicit in any future local plan documents which discuss these strategic options.
- 4.8 None of the options put forward in the Issues and Options Report are reasonable alternatives capable of meeting the objectives of the plan, as none of them is shown to be capable of meeting housing need and economic potential on their own. These are not positively prepared, nor justified.
- 4.9 As none of the options are reasonable in current form, they all need to be re-assessed at a subsequent stage when sufficient detail is available to robustly evidence the selection of a preferred option.

Other Alternatives

- 4.10 Alternatives which consider combinations of the above options should be tested.
- 4.11 Other policy priorities for the council could be tested through the SA alternatives process, such as closure of large portions of the city centre to motorised vehicular traffic. These are substantive issues and options for the local authority, which would benefit from the SA process.
- 4.12 Site-specific commentary of the SA reports will be provided by Bidwells in site-specific representations, where relevant.

Climate Change

- 4.13 As the local authorities have both declared a climate emergency, the SA could be used to refine policy responses to climate change, as different climate change scenarios will be of interest at examination, and are a policy priority for the councils. For example, the SA could address local plan responses to climate change scenarios.

Assumptions and Uncertainties in Assessment

- 4.14 The significant negative or positive effects given within the Issues and Options SA report are misleading due to assumptions used and uncertainty attendant with such high level options. The SA Report notes a large number of points of uncertainty, but still identifies significant effects (both positive and negative). However, there are assumptions for the significant effects identified which aren't clearly explained and which can be questioned. For example, Option 6 (Development Along Transport Corridors) is attributed a significant negative effect to SA Objective 6 (distinctiveness of landscapes) as it is assumed that development along the transport corridors will "string" along transport corridors (paragraph 3.62). In practical terms this is unlikely to happen as there are so few viable locations along the transport corridors. Moreover, this possible significant effect can be managed through standard policy mitigation and is not a reason to discount this as an option. These assumptions and uncertainties fundamentally undermine the significance determination provided now, which needs to be refined at additional local plan stages.

Mitigation

- 4.15 We note that due to uncertainty the potential for mitigation at a site specific level is not considered (paragraph 2.21). This is appropriate to the level of detail available, but it would be unhelpful to dismiss sites at this stage for which standard and not complex mitigation will accommodate development. To that end unmitigated significant effects identified at this early stage need to be refined at subsequent stages.

Improved Objectivity

- 4.16 There is a tendency within SA practice to rely on assumptions and/or be overly positive about emerging preferences, leading to an unbalanced assessment that does not stand up to examination. At this early stage in the SA process we advise that a means of adding objectivity to the assessment is developed and consulted on. This could be developed by the SA consultants, and could be a sensitivity test of the assessment, double-assessment by two independent parties, or another means of adding objectivity and rigour within mixed methods research such as an SA.

Alternatives at subsequent local plan stages

- 4.17 SA is an iterative process which will evolve as a Local Plan progresses. More information should be provided on the approach to considering alternatives according to the Local Development Scheme. This should set out the approach to proper justification of a selected spatial strategy, which is reasonable and deliverable through projects. Key points which should be addressed in the methodology include:
- The stages going forward for refining the strategic options consulted on now into reasonable alternatives comprised of proposed allocations..
 - How mitigation will be considered. While it is appreciated that the legal basis is for no mitigation to be considered to ensure all sites are considered on an equal basis, this is misleading as there will be mitigation information available for some sites. A standardised approach to mitigation, allowing for the use of typical mitigation (SUDS, CEMPs, etc) and consulted on, would help with this.
 - Where large new settlements are proposed, the SA should be clear on how full allocations will be assessed where they will be delivered outside of the plan period.
 - Deliverability of major sites, including infrastructure assumptions.
 - Built out rates (which reflect infrastructure assumptions).
 - Quantitative criteria applied to various site sizes, such as number of new homes required for a primary and secondary school.

5.0 Conclusions

- 5.1 There are a number of points of refinement to the SA outlined in the previous sections which should be considered at future local plan and SA stages. As SA is an iterative process, we look forward to seeing these addressed in future report, producing a more robust and justified local plan.
- 5.2 The most substantive point is that the options set out in the Issues and Options Report should all be taken forward to subsequent local plan stages, where deliverable options should be assessed in detail, and transparent and objective assessment of these options provided at a subsequent SA stage. This will help ensure the Local Plan process and SA would support a hybrid of development scenarios which would underpin all development proposals at this stage.

