

**WING DEVELOPMENT: RESPONSE TO OUTLINE PLANNING APPLICATION –  
DRAFT CONSULTATION RESPONSE AND S106 UPDATE**

*To:* **Cabinet**

*Date:* **4<sup>th</sup> March 2014**

*From:* **Executive Director: Economy, Transport and Environment**

*Electoral division(s):* **Abbey, Fen Ditton**

*Forward Plan ref:* **N/a** *Key decision:* **No**

*Purpose:* **To consider the key issues arising from the consultation on the Wing 1,300 homes Outline Planning consultation and proposed infrastructure requirements to be secured through a Section Agreement.**

*Recommendations:* **Cabinet is recommended to:**

- a) Approve the County Council's draft consultation response to South Cambridgeshire District Council to the Wing Outline Planning Application**
- b) Endorse the County Council's proposed infrastructure requirements to be secured through the Section 106 negotiations**
- c) Delegate to the Cabinet Member for Growth and Planning in consultation with the Executive Director: Economy, Transport and Environment the authority to make minor revisions to the planning application response**
- d) Delegate to the Cabinet Member for Growth and Planning in consultation with the Executive Director: Economy, Transport and Environment the authority to make changes to the County Council Section 106 requirements prior to the signing of the document.**

<b><i>Officer contact:</i></b>		<b><i>Member contact:</i></b>	
Name:	Graham Thomas	Name:	Councillor Ian Bates
Post:	Head of Growth and Economy	Portfolio:	Growth and Planning
Email:	<a href="mailto:Graham.Thomas@cambridgeshire.gov.uk">Graham.Thomas@cambridgeshire.gov.uk</a>	Email:	<a href="mailto:Ian.Bates@cambridgeshire.gov.uk">Ian.Bates@cambridgeshire.gov.uk</a>
Tel:	01223 728353	Tel:	01223 699173

## **1. BACKGROUND**

- 1.1 Marshall of Cambridge (Airport Properties) Ltd - the applicant - previously indicated an intention to put forward the whole Cambridge Airport site for the development of 10-12,000 dwellings.
- 1.2 In recognition of this, and the pressing need for housing sites, South Cambridgeshire District Council, Cambridge City Council and Cambridgeshire County Council (the local authorities) worked together to produce an Area Action Plan (AAP) setting out how development should come forward. The AAP was adopted on 21<sup>st</sup> February 2008 by South Cambridgeshire District Council and Cambridge City Council. It forms part of the statutory development plan for the councils.
- 1.3 A copy of the full document can be viewed at the following link :-  
  
<https://www.cambridge.gov.uk/sites/www.cambridge.gov.uk/files/docs/Cambridge%20East%20Area%20Action%20Plan%20-%20Adopted%20February%202008.pdf>
- 1.4 Subsequently, the applicant advised that it no longer intended to bring forward the main airport site for development, in the short to medium term, but a planning application for the first phase of development would be submitted in 2013. This proposal is known as “Wing”.
- 1.5 Wing lies approximately 4.3km east of Cambridge city centre and comprises of land to the north of Newmarket Road, east of the Fison housing estate, south of the former Cambridge to Mildenhall railway line and High Ditch Road and west of the airport’s runway landing lights. The site covers 64 hectares, including 18 hectares (45 acres) of brownfield development (car showrooms, industrial units, petrol filling station) and around 40 hectares (100 acres) of farmland and tree belts. Nearly the entire site sits within South Cambridgeshire and the Parish of Fen Ditton. Around 0.8 hectares (two acres) lie within Cambridge City.
- 1.6 Over the past 18 months, the local authorities have worked with the applicant to develop a Masterplan for the site, undertake pre-application discussions and commence section 106 negotiations.
- 1.7 In December 2013, an outline planning application was submitted for:
  - Up to 1,300 dwellings (40% affordable units)
  - 4 hectares of replacement car dealerships
  - 2FE Primary school
  - Local centre
  - Food store (about 1500 sq. m)
  - New petrol filling station
  - Provision for community and health centre
  - Leisure (including sports pavilion), culture and business space

- Open space, including sports pitches and allotments
- New cycle and pedestrian provision and access onto Newmarket Road.

- 1.8 Appendix 1a contains a location plan of the site and Appendix 1b contains an indicative Master plan for the proposed development.
- 1.9 The outline planning application and draft s106 agreement will be considered by the Joint Development Control Committee later this year. If consent is issued, reserved matters approved and the Section 106 agreement signed, then it is envisaged that the first homes will be occupied in late 2017, with a build out rate of around 140 dwellings per year. The primary school will open around 2017-19 and the whole development is anticipated to be completed around 2026.

## **2. THE MAIN ISSUES**

- 2.1 Appendix 2 contains the draft officer response submitted to South Cambridgeshire District Council in order to meet their consultation deadline. This response is subject to Member endorsement at this Cabinet meeting. The key points from the response that relate to County Council infrastructure and services are set out below.

### **Section 106 Draft Heads of Terms and Viability**

- 2.2 Appendix 3 to this report sets out the draft Section 106 Heads of Terms for the proposed development. Whilst all matters are not yet concluded the applicant has not raised any viability issues relating to the proposed obligations. Officers seek Member endorsement to continue negotiations and to delegate to the Cabinet Member for Growth and Planning in consultation with the Executive Director: Economy, Transport and Environment the authority to make changes to the s106 agreement before the document is signed.
- 2.3 All development contributions for Wing will be Section 106. There is no Community Infrastructure Levy requirement.
- 2.4 The County Council will require indexation be applied to the section 106 agreement and that appropriate security i.e. bonds and/or a Parent Company Guarantee be secured to manage risk to the Council.
- 2.5 The emerging package of measures is broadly supported by officers, subject to the satisfactory conclusion of negotiations by the Council.

### **Education Provision**

- 2.6 The applicant is proposing to provide an on-site primary school (including early years provision) as part of the local centre. This will be opened in time for the early residents of the development (in the period 2017-19). The location and size of the primary school site (being

2.3Ha) is supported and is the most appropriate location within the site for the school. The County Council will require the full primary school site to be provided unencumbered and at nil cost.

- 2.7 Nursery provision may be provided in the local centre, elsewhere on Wing or off-site at existing local providers.
- 2.8 An off-site financial contribution will be made to provide for new secondary school places which can not be met through existing provision. A current review of secondary school provision in Cambridge will determine where pupils from this development will be educated in the future.
- 2.9 Post-16 provision will be provided through existing facilities for which there is sufficient capacity to meet the needs arising from this development.
- 2.10 Officers do have concerns regarding the proposed sustainability and BREEAM requirements and this should to be clarified prior to the determination of the application.
- 2.11 The planning application suggests a number of parameters for the school building, some of which are appropriate others which are less appropriate (e.g. BREEAM rating and building heights). Provided flexibility is provided on these matters at this stage, with further discussions at detailed application stage, no objection is raised.

### **Transport Provision**

- 2.12 Further information is required before the impact of the proposed Wing development can be fully assessed. Further detail is provided in the appended response but the key issues are listed below, for which further information is required:
  - Further expansion of trip generation figures including net peak hour vehicles trips and modal splits
  - Further details showing the expected trip distribution for all modes of transport
  - A pedestrian/cycle audit on key off-site routes likely to be used by site occupants and identification of where additional measures may be required
  - Summary of existing public transport capacity to identify, what capacity, if any, exists for Wing occupants
  - Further clarification of some of the CSRM modelling outputs
  - Travel Plans for the other uses on the site, including development of an area wide approach across the site as a whole and potentially further afield
  - More information detailing the proposed contributions and mitigation measures.

- 2.13 Therefore officers recommend a **holding objection** until further information has been provided.

### **Community Facilities**

- 2.14 The applicant is making a financial contribution to local library facilities.
- 2.15 All residential dwellings are proposed to be constructed to Lifetime Homes standards and consideration will be given to provision of an Extra Care and/or residential care provider. County officers recommend that a Youth worker be funded and that a proportion of market homes also be designed for wheelchair use.

### **Waste**

- 2.16 The submission of a completed RECAP Waste Management Design Toolkit Assessment is supported. A planning condition will also be required to secure a Construction Environmental Management Plan (CEMP) and Waste Management and Minimisation Plan to mitigate the environmental impact of the construction of the development.

### **Ecology**

- 2.17 The appropriate suite of surveys has been undertaken by the developer, however, amendments to the planning application are required to improve areas of open space and enhance ecology. .
- 2.18 If planning permission is granted, the development and implementation of a Biodiversity Management Strategy should be secured through planning conditions. Planning conditions and obligations should also be used to secure additional (off-site) recreational and biodiversity areas. In addition, planning obligations should be used to secure biodiversity off-setting for farmland birds.

### **Quality Panel**

- 2.19 The applicant went before the Quality Panel on 28<sup>th</sup> August 2013. The scheme was broadly commended by the Panel and it was noted that positive changes had been made to the Master plan as a result of the previous Quality Panel meeting.

### **Holding Objection**

- 2.20 There are a number of points of clarification set out in the full officer response which need to be addressed but which may be resolved by way of planning condition, Section 106 contributions or amendment to the scheme.
- 2.21 Transport matters still need to be resolved and are set out in greater detail in the appended officer response.

- 2.22 Until these matters are adequately addressed, to the satisfaction of the Council, then a holding objection is recommended on the planning application.
- 2.23 Members are asked to endorse the officer comments or make any amendments they consider necessary and to instruct officers to complete s106 negotiations commensurate to the draft Heads of Terms appended to this report.

### **3. ALIGNMENT WITH PRIORITIES AND WAYS OF WORKING**

#### **3.1 Developing the local economy for the benefit of all**

This development will provide new jobs during the construction phase and on-going employment opportunities through its commercial and service facilities. This will benefit residents and nearby communities.

#### **3.2 Helping people live healthy and independent lives**

The development proposes that all homes will meet Lifetime Homes standards to enable all residents to have the flexibility to adapt their homes to meet their changing needs and requirements.

#### **3.3 Supporting and protecting vulnerable people**

The rights of individuals and groups who may have particular needs and requirements have been considered in the Community Impact Assessments.

#### **3.4 Ways of working**

County officers have worked closely with South Cambridgeshire District Council, Cambridge City Council and the applicant to an agreed a level of working through signed a Planning Performance Agreement. The applicant has made a financial contribution to the Council's pre-application resource costs.

### **4. SIGNIFICANT IMPLICATIONS**

#### **4.1 Resource and Performance Implications**

The impact of this development on public infrastructure is mitigated through a package of measures including financial contributions to be secured through a s.106 agreement. The draft heads of terms for the agreement is appended to this report and officers are seeking Member endorsement to finalise negotiations with the developer to the satisfaction of the Council.

#### **4.2 Statutory, Risk and Legal Implications**

The planning application will be determined under the provisions of Town and Country Planning Act 1990 by the Cambridge Fringes Joint Development Control. The Joint Development Control Committee

comprises members appointed by Cambridge City Council, South Cambridgeshire District Council and Cambridgeshire County Council to exercise each of the councils' powers and duties in relation to major and ancillary developments on the fringes of the city of Cambridge.

Should Cabinet resolve to introduce changes to officer comments or draft Heads of Terms, Members will need to be mindful of the statutory and legal implications, such as planning appeal or impact on the viability of the development – which is a material consideration in decision making.

#### **4.3 Equality and Diversity Implications**

The Community Impact Assessment prepared under the Equality Act 2010 has been prepared and published alongside the Business Plan.

#### **4.4 Engagement and Consultation Implications**

The County Council has engaged with informal and formal consultations and has been fully involved in pre-application discussions. County Council officers have responded to the planning application within the statutory consultation period (subject to Member endorsement – the subject of today's Cabinet report).

#### **4.5 Public Health Implications**

The development proposes to encourage healthy and active lifestyles through encouraging sustainable transport measures, provision of allotments and sports facilities.

Health facilities will either be provided on or off-site.

### **List of appendices**

- 1) Location plan and illustrative Master plan
- 2) Draft officer response
- 3) Draft Heads of Terms for Section 106 Agreement