

Matter: CC1

CCLP ID: 1391

THE BELL EDUCATIONAL TRUST LIMITED

MATTER CC1B

Open Space and Natural Environment

CAMBRIDGE LOCAL PLAN (2014) Section 7, policies 56 to 71 and Appendices C and I

1.0 INTRODUCTION

1.1 This statement has been prepared by Beacon Planning Ltd on behalf of The Bell Educational Trust Limited in response to the questions raised by the Inspector in the Matters and Issues for Cambridge City Local Plan hearing sessions for the joint examination of the draft Local Plan for Cambridge City Council and South Cambridgeshire County Council.

1.2 This statement is specifically in response to the Inspector's questions on Matter CC1B:

Issue 1B.1 i, ii and iii relating to the representations made to policy 67 the Local Plan Proposed Submission consultation (2013) (ref: 27478); and
Issue 1B.2 Appendix C: Designations Schedule (Policy 67) xii P & G 17. Previous representations were made to the designation of the site at submission consultation stage of the Local Plan (ref. 27488).

1.3 The following sections 2 and 3 set out the background and key issues. Sections 4 to 7 provide a response to each of the Inspector's questions.

2.0 BACKGROUND

2.1 The Bell Educational Trust Limited (Trust) own the site and wholly own Bell Educational Services (Bell) its trading subsidiary. Bell is an English language school for international students and has been established for over 60 years.

2.2 The school was founded by Frank Bell, a University of Cambridge graduate who had a vision to promote intercultural understanding through language education. Following his experience during the second world war, where as a prisoner-of war he established an "undercover University" and organised language courses to promote understanding and harmony through language education, in 1955 he opened his first language school in Cambridge. Since then Bell has grown to become a high-quality education business. The school offers a wide selection of English language courses, as well as university foundation courses for graduate and post graduates, young learners' courses and teacher training.

3.0 KEY ISSUES

3.1 The Trust contend that the Plan at policy 67 is unsound as currently worded and the proposed designation of Protected Open Space P & G 17 is incorrect. Key issues are:

- The assessment of existing open space provision within the City does not comply with national guidance in terms of the definition of open space;
- Individual site assessments for private land undertaken for the purposes of Protected Open Space designation are incomplete as access is restricted. P&G 17 is one example;
- the requirement that replacement open space be within 400m of the original site is much too onerous given the competition for land within Cambridge;
- the term “educational need” in policy 67 is overly restrictive and in direct conflict with economic policies in the Plan and the NPPF; and
- the Protected Open Space designation P&G 17 includes buildings and car parking which make no recreational or environmental contribution to the open space.

4.0 ISSUES: 1B.1 POLICY 67 PART I

Issues: 1B.1 Does the plan adequately set out a strategic approach, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure as required by paragraph 114 of the Framework?

Policy 67 part i The Council Open Space and Recreation Strategy and the Cambridgeshire Green Infrastructure Strategy were both prepared in 2011 having regard to the then extant PPG17 which pre-dated the Framework. Nonetheless does the Council consider that the documents are consistent with para 73 of the Framework which requires that planning policies should be based on robust and up-to-date assessments of the needs for open space and sports and recreation facilities.

- 4.1 The robustness of the strategy is questioned in terms of the assessment of existing open space provision and the designation of Protected Open Spaces in the context of the NPPF.
- 4.2 The NPPF defines open space as being open space of public value which offers important opportunities for sport and recreation and can act as a visual amenity. The Council's definition of open space makes no mention of public value.
- 4.3 It is considered that the NPPF definition has not been fully recognised in the Local Plan nor in the assessment of the proposed designations.
- 4.4 For example, the Bell site which is designated as Protected Open Space (P& G 17) has no public access, so has no 'important opportunities for sport or recreation' (NPPF definition) for the public. The open area of the school site (as is identified in the Local Plan proposals map) is screened from public view by a substantial tree and hedge belt on the boundaries to Babraham Road and Red Cross Lane. The amenity value to the public is limited to the boundary planting rather than the space itself. The Council's own assessment of the POS states that the site has no wildlife or biodiversity interest and therefore any environmental importance can only be a consequence of the boundary planting. Moreover, this tree belt is protected by a number of Tree Preservation Orders.
- 4.5 As such it is considered that equal weight cannot be attached to the recreational value and visual amenity for private and public spaces and in particular when there is no public access and or views into the site.
- 4.6 In addition to the above, Policy 67 states that proposals will not be permitted which harm the character or lead to the loss of open space of environmental and/or recreational importance. The supporting text at paragraph 7.41 gives a definition of open space. As stated above, this makes no reference to public value. Moreover, it states that open spaces protected under this policy are those designated as Protected Open Space (POS) and undesignated areas which fulfil at least one of the criteria in Appendix I of the Plan. The policy is affording an equal level of protection to open space whether designated or undesignated providing it meets at least one of the criteria. As such the purpose and value of the designation is unclear.

- 4.7 The criteria to assess open space are set out in Appendix I of the Plan. A detailed list of criteria is set out in Appendix 3 of the Open Space and Recreation Strategy 2011 which is an assessment of quality. This refers to features which could in many cases only be assessed by entering a site. In the case of POS P & G 17, Bell have no record of a Council officer visiting the site and therefore an assessment would have to have been made from public land or using resources such as google maps. Given the important part open space plays in shaping future development in the City it is considered that it is fundamental to the robustness of the assessment that these are accurate.
- 4.8 The Strategy, at paragraphs 2.10, 3.3 and 4.18, does recognise that the private spaces that are designated have very little value in terms of a community recreational resource as there is limited or no public access, albeit the Council do not give the open space value less weight because of this. It is considered that the assessment should reflect the fact that these spaces are not accessible to the wider community.
- 4.9 As such the assessment of need for public open space is undermined by assigning private space a value it does not have in terms of the NPPF definition. It is affording private space a level of protection and placing constraints on development which are not justified.

5.0 ISSUES: 1B.1 POLICY 67 PART II

Is the policy too onerous in relation to the proximity requirement for replacement open space?

- 5.1 It is considered that the policy severely hampers sustainable development in placing undue restrictions on the means by which the open space can be replaced. Given that land is at a premium in the City this could effectively prevent anything other than the most minor development in such spaces.
- 5.2 It is assumed that the Council's intention in the wording of this part of the policy is to maintain an open space resource for the community. This being the case the local authority should be taking a positive approach. A distance threshold from the site severely limits the

opportunity to find creative solutions or the provision of a space that is of a higher standard than currently exists.

- 5.3 Moreover the NPPF at paragraph 74 advises that in these circumstances the open space should be replaced by 'equivalent to or better provision in terms of quantity and quality in a suitable location' (my emphasis). This wording is much more constructive and should be used in the policy.
- 5.4 It is suggested that the policy could be amended simply by replacing a and b in Policy 67 with bullet point 2 or paragraph 74 of the NPPF.
- 5.5 The revised wording would give the Council substantial control to ensure that the new space is an appropriate replacement for that which is lost.

6.0 ISSUES: 1B.1 POLICY 67 PART III

Is the inclusion of the term 'educational need' in the 3rd paragraph of the policy overly restrictive? Is it's inclusion necessary or should it be clearly defined? Should any definition include student accommodation?

- 6.1 All educational institutions include support facilities in the form of administrative, social and amenity functions and in many cases residential accommodation within the grounds of the institution. The term 'educational' fails to encompass what are essential uses in the operation of a school or college. Placing such limitations on development severely hampers the ability of an institution to be sustainable and to grow.
- 6.2 The wording is in conflict with policies elsewhere in the Plan. The Plan recognises at Policy 44 Specialist colleges and language schools that these schools and colleges 'contribute significantly to the local economy' (para 5.28). The Plan acknowledges the policy approach in the NPPF to maximise opportunities to support businesses which contribute to the local economy and states that it is appropriate to support growth of such colleges and schools (para 5.31).

- 6.3 Policy 44 permits growth but only if it does not have an unacceptable impact on existing infrastructure. The policy states residential accommodation, social and amenity facilities need to be provided in step with expansion of school places. Paragraph 5.33 specifically refers to the provision of residential accommodation within the curtilage of the school as a means of addressing this.
- 6.4 This point is made even clearer in Policy 46 Development of student housing. The final paragraph refers to institutions where students do not attend full-time courses of one academic year or more. Bell would fall within this category. The school offers an increasing number of courses of one academic year or more but has a core of part-time courses. The Plan specifically states that one of the ways these institutions could provide residential accommodation in line with additional school places is on their own sites. However the wording of policy 67 is in direct conflict with this by severely restricting the scope for institutions to do so.
- 6.5 In the case of Bell a key requirement for the future success of the school is to meet the growing demand for different and secure types of residential accommodation. This is especially as the trend increases for longer courses. This policy would severely hamper the school's ability to do this.
- 6.6 The provision of residential accommodation on the school site means students benefit from the close proximity to the teaching, social and recreational facilities within a secure environment. Further, it substantially reduces the need to travel.
- 6.7 The recreational facilities and both formal and informal open space a school or college can offer are one of the key features in attracting students. As such they have good reason to retain such a resource. Bell regard high quality facilities at the school as a priority. Indeed, the school is currently seeking to replace the existing Multi Use Games Area on site and provide a further new Multi Use Games Area to compensate for the loss of a football pitch. This will mean they can provide for a variety of sports within the grounds of the school as demanded by students.

- 6.8 Equally the setting of the school is important and the retention of landscaped gardens are regarded as extremely valuable in offering a high quality learning and social environment attracting students to the school.
- 6.9 The policy seeks to provide a balance between enabling educational institutions to grow and protection of open space but does not achieve this and results in conflict with other policies in the Plan and the requirements of the NPPF to support existing business sectors.
- 6.10 It is proposed that the word 'educational' is deleted or defined to allow for facilities, such as administrative, social, amenity and residential uses to be provided on the school and college sites. The policy would still require a justification of need thereby giving the Council an appropriate measure of control over such development.

7.0 ISSUES: 1B.2 APPENDIX C DESIGNATIONS SCHEDULE (POLICY 67) PART XI

Should the Bell School site (P&G17) be reviewed against the criteria for designation as POS in respect of its boundary?

- 7.1 The nature of the assessment criteria and the definition of open space and their application to the Bell site are considered above. The following relates solely to the POS boundary as highlighted by the Inspector.
- 7.2 The POS designation washes over the majority of the site and includes buildings and parking areas. If the POS is to be designated the boundary needs to be accurately drawn to properly reflect the extent of the open space which comprehensively meets the POS criteria, albeit that these are questioned.
- 7.3 The proposed designation includes the main buildings, part of the main parking area and associated buildings. The buildings are not open space. The car park whilst it could be regarded as open, albeit occupied by cars cannot be considered to make a contribution to the value of the POS either in terms of environmental or recreational features. The boundary should be redrawn to exclude the main buildings and car park. This redrawing of

the boundary is proposed without prejudice to the comments made above regarding the policy.

8.0 CONCLUSION

8.1 The Local Plan in its current form is unsound in relation to its policy 67, as it is not consistent with national planning policy. The Plan does not comply with the requirements of the National Planning Policy Framework in fostering economic growth and supporting the expansion of existing business sectors. In summary the reasons for this are as follows:

- the Plan does not comply with the requirements of paragraph 114 of the NPPF, and does not provide a strategic approach, or plan positively to protect and enhance the natural environment in so far as it relates to policy 67 and Protected Open Space site P&G 17;
- it is considered that policy 67 is too onerous in relation to the proximity requirement for replacement open space and would be a significant barrier to development; and
- the term “educational need” in policy 67 is overly restrictive and the word ‘educational’ should be deleted or defined to align with economic policies in the Plan and the NPPF.
- the boundary of the P&G 17 should be redrawn to exclude buildings, car park and hardstanding immediately adjacent to buildings.