



Independent Examinations

Cambridge City Council and South Cambridgeshire Local Plan

Matter CC4A - Employment Land - Policies 40 and 41

Cambridge Assessment (5305)

CC4A

5305

27517 & 27571

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Introduction

- 1.1 This Hearing Statement is submitted on behalf of University of Cambridge (UoC). The original representations [ref: 27517 and 27571] were made by Cambridge Assessment, an element of UoC, being that the original comments that this Hearing Statement is founded upon relate to four sites:
- 1 Regent Street (including Furness Lodge)
 - 1-3 Hills Road
 - 7-9 Hills Road
 - 72 Hills Road
- 1.2 At the time of the earlier representations Cambridge Assessment occupied the four sites and had a long-term interest in them. The situation now, as is widely and publically known, is that Cambridge Assessment is to vacate all four of these Sites and re-locate within a single new development, currently under construction, called The Triangle.
- 1.3 The overarching UoC have always owned the Sites but will now take back the long term custodianship of the Sites. The UoC is now undertaking site surveys and feasibility work to determine what the best long-term use and development for each Site is. That work has not yet concluded and is not yet able to be in the public domain.
- 1.4 In this regard UoC is now better placed to provide the up to date representation for the Sites.

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Issues

4A.1 Policy 40: Development and expansion of business space

iii. Would the policy as currently worded enable the adequate provision of floorspace for knowledge based, high tech business seeking to be located within or close to the city centre?

- 2.1 The draft Plan acknowledges the importance of the knowledge based high tech sector to the Cambridge economy. As currently worded it is considered that draft Policy 40 is ambiguous and that this support and the importance of this sector to the Cambridge economy, which is acknowledged by the Plan, is not carried through into policy support by draft Policy 40 therefore making the Plan unsound.
- 2.2 It is considered that, as currently drafted, the Policy itself is ambiguous as there is an expression of general support for offices, research and development and research facilities in the opening statement of the policy which seems to then be counteracted by the subsequent general locations



which are set out for development. In particular, the support that there is for new office, research and development and research facilities within the City Centre is caveated by these forming part of mixed use schemes which may not always be practicable. It would be a site specific issue based on its size and context as to whether a mixed-use or otherwise scheme would be most appropriate and deliverable.

2.3 It is also considered that the draft policy's connection with Appendix B of the Plan is ambiguous and this should be specifically referred to in the policy. However, the support that this policy sets out for a variety of uses including offices, research and development and research facilities, particularly as part of mixed use scheme in city centre locations, should be carried through into the proposal sites sets out at Appendix B in order to enable the essential growth which is required in order to support the diverse and prosperous economy of the city. This is particularly true for proposal site E5 which is presently proposed to be limited to B class uses but it has a real and enhanced opportunity for redevelopment to deliver a mixed use scheme which would be in accordance with the aims and objectives of draft policy 40 in supporting the Cambridge economy.

2.4 The wording of the policy should therefore be amended as follows:

New offices, research and development and research facilities are encouraged to come forward within the following locations:

a. in the City Centre and the Eastern Gateway, providing they are of an appropriate scale and are part of mixed-use schemes with active frontage uses where practicable at ground floor level;

b. in the areas around the two stations (defined and subject to policies in Section Three and the allocations in appendix b); and

c. research and research and development facilities will be supported in the Cambridge Biomedical Campus and Addenbrooke's, and at the West Cambridge site, provided they satisfy relevant policies in Section Three of the plan and the allocations in appendix B.

Proposals for the development of these uses elsewhere in the city will be supported provided that this would not contradict with other policies of the plan and the allocations in appendix B.

iv. Should the wording of the policy be amended to provide greater clarity in terms of the cross referencing with the proposed site allocations in Appendix B?

2.5 It is considered that the wording of the policy should be amended in order to explicitly refer to the proposed site allocations in Appendix B in order to ensure that the Policy is clear and unambiguous. It is therefore proposed the



policy be re-worded as set out above to remove this ambiguity and therefore ensure the soundness of the Plan.

- 2.6 It is, however, considered important that the proposals contained within Appendix B reflect the flexibility supported by this policy in terms of enabling new offices, research and development and research facilities to come forward in the city centre as part of mixed use schemes which would promote active frontages in accordance within the requirements set out in the policy.
- 2.7 This is particularly true for proposal site E5 which has a real opportunity for redevelopment to deliver a mixed use scheme which would be in accordance with the aims and objectives of draft policy 40 in supporting the Cambridge economy.

v. Have the proposed employment sites allocations in Appendix B been tested in relation to their availability, suitability and deliverability in order to ensure that the overall quantum of land earmarked for employment uses would be sufficient?

- 2.8 Site allocation E5 contained within Appendix B has not been tested by the Council with the landowner in relation to its availability, suitability and deliverability. The site is currently allocated for sole employment use which it is considered could make any redevelopment unviable due to the size of the site and the amount of B class floorspace the market would have to absorb in one go. Whilst developments such as CB1 has given confidence that there is a good appetite for office accommodation in this part of the City, it is not certain that other such companies would wish to take such an extent of floorspace. A single allocation policy could therefore stifle the site and diminish its ability to deliver therefore calling into question the soundness of this allocation. The reasons for this are set out in further detail below and in light of these it is considered that the site allocation should be amended to allow for the mixed use redevelopment of the site which would then strengthen the prospects of delivery for any development of the site.

1) A sole employment allocation could affect the viability of any redevelopment proposals:

This is considered to be particularly the case in relation to E5 due to the site being large (1.4ha) and having a number of existing buildings which currently provide a lower standard of office accommodation which is particularly inefficient with the existing buildings not lending themselves well to long-term refurbishment.

In order to improve the office accommodation currently provided on site it is quite conceivable that the sites' redevelopment would be required which would have significant costs associated with it due to the need for the existing buildings on site to be demolished and the site cleared prior to any redevelopment proposals being moved forward.



The E5 area is a large site such that a B Class only use could be too large for the market to accept as one Site and so in order to gain a viable scheme for such redevelopment proposals it may be necessary to include other uses such as retail or leisure uses, for example, which would be in accordance with the Council's aims and objectives and draft Policy 24, in order to have a number of opportunities for different companies/uses to occupy part of the Site.

2) A sole employment allocation fails to recognise that the intensification of the use of the site could allow for the increased provision of employment space on the site along with other uses:

Given the discussion above regarding the current inefficient use of the site and the likely need for the site to be redeveloped in order for this to be improved it is considered that redevelopment proposals for the site could allow for the more efficient use of land, devote less space to surface level car parking and also exploring opportunities for taller buildings to be provided on the site along with more efficient internal layouts so that the quantum of development achieved on the site could exceed that which currently exists to fulfil the intent of the current E5 allocation proposal whilst also allowing other uses to come forward in accordance with the aims of other policies within the plan including draft Policy 24.

3) A sole employment allocation has the potential to preclude the opportunity to provide active frontages at ground floor level on Hills Road:

One of the key objectives of other policies within the plan including draft policy 24 which relates to the Opportunity Area (OA) that site E5 is located within is to "deliver and reinforce a sense of place; and local shops and services". In allocating site E5 solely for employment use the Council restricts the likelihood of development and delivering development which directly contradicts this aim resulting in a question over soundness and delivery.

4) It does not reflect the evidence of need for more retail and leisure uses in this area of the city:

The Cambridge Retail and Leisure Study Update 2013 defined a need for retail and leisure growth along Hills Road and the Station area which the employment allocation will restrict also calling into question soundness and effectively delivering identified need.

5) It would conflict with the delivery of sustainable development:

In seeking to limit the redevelopment of the site to employment uses only the draft policy misses an opportunity to promote a mix of uses on a single site. The benefits of this in sustainability terms are that this has the potential to reduce the need to travel between different destinations across the city and



would enhance the economic well-being of the Site and City by providing more opportunities to more companies and uses that would support the City.

2.9 The above overview demonstrates that there is significant planning merit in removing the emerging employment allocation E5 which is currently proposed and either:

a) Deleting the emerging policy and allowing any development on this previously developed land to be unconstrained to find the most appropriate development for this important location; or

b) If some form of allocation is deemed necessary for this to be a mixed use allocation. For any development to comprise a significant proportion of B Class Floorspace along with allowance for other supporting uses appropriate to the Site.

2.10 This will bring benefits in terms of the delivery of the Council's own aims contained in draft policy 24 and the emerging OA with regard to delivering local shops and services, delivering active frontages and fostering a sense of community.

2.11 The sole employment allocation of site E5 proposed by Appendix B is therefore not sound as it does not support economic growth and assisting the delivery of new economic development. The allocation of this site for a sole employment use is therefore not in accordance with the requirements of paragraph 173 of the NPPF which sets out that "Pursing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable". The proposed allocation should therefore be amended to allow for the mixed use development of the site in order to make it available, suitable and deliverable.

4A.2 Policy 41: Protection of business space

i. Is the wording of the policy sufficiently flexible to accommodate needs not anticipated in the Plan and to allow a rapid response to changes in economic circumstances in accordance with paragraph 21 of the National Planning Policy Framework?

2.12 It is considered that the wording of draft policy 41 is not sufficiently flexible and cannot therefore be considered as in accordance with the National Planning Policy Framework (NPPF) thereby making the Plan unsound. This is considered to be particularly true of the second part of the policy which relates to the loss of employment uses outside of protected industrial sites.

2.13 Paragraph 21 of the NPPF sets out that "business should not be overburdened by the combined requirements of planning policy expectations" and it is considered that the requirements of this policy alone are burdensome and will have an adverse impact on the city's ability to respond to the changing economy and needs of business.



- 2.14 The policy is highly restrictive in applying a blanket restriction to the future use of all employment sites within the city, regardless of the merits of this paragraph 22 of the NPPF makes clear that "Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals". Given the blanket nature of this restriction it cannot be considered that there is a reasonable prospect of all these sites continued employment use for a variety of reasons including the specific operational requirement of numerous employment sites across the city. In accordance with the NPPF, the future use of these sites should be considered on their own merits and in response to market signals.
- 2.15 In addition to the above the arbitrary and blanket protection of all existing employment premises within the city boundary will affect the deliverability of a host of other town centre uses and as such the ability of the city to respond to changing economic circumstances and also the needs for other forms of development, such as hotels, which there is a clear need in the city and which are promoted and supported by other policies of the draft plan.
- 2.16 It is therefore considered that the second part of this policy which relates to employment uses should be deleted from the Plan in order to make the Plan sound.

iii. Is the imposition of a blanket 12 month marketing period overly restrictive? Could the provisions in criteria (b) of Paragraph K8 in Appendix K be considered pertinent in this regard?

- 2.17 The 12 month vacancy and marketing period required by this policy does not allow for the city to respond to rapid changes in economic circumstances and could have a damaging effect on the city as having properties empty for a period of 12 months prior to the alternative development of the site being considered will have a negative impact on the local environmental quality of the area surrounding the vacant property and an equally negative impact on the community surround the property, both of which will have significant negative effects on the character, viability and vitality of the city. Thereby calling into question the soundness of the Plan.
- 2.18 In addition, this requirement is considered to be overly burdensome for the owners of vacant buildings forcing them to make unnecessary expenditure at a time at which no income will be generated from the building due to its vacancy.
- 2.19 The 12-month period of marketing is therefore considered to be unreasonably onerous and an inappropriate intervention that will act to stifle the flexibility of uses of units within the city boundary. This is strongly at odds with the current Government's desire to see more flexibility of use in town centres, the 'Greater Flexibilities for Change of Use' (August 2013) consultation document states in paragraph 3 that;



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- 2.20 'It is clear that the dynamics of the market will influence what are likely to be the use of a property and site, and it is important to ensure that the planning system can respond effectively. We want decisions to be taken at the right level and often this can be allowing an owner to decide on the most appropriate future use of a commercial property where the current use is no longer economically viable. It is important that we focus on bringing empty and redundant buildings back into use and support brownfield regeneration. In doing so we can increase the resident population around and near town centres. This will support the existing shops by increasing footfall.'
- 2.21 The NPPF echoes these desires and it advises that, as a core planning principle, plans should take account of market signals (paragraph 17, bullet 3). Similarly the NPPF also states at paragraph 21 that 'policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances'. Clearly to impose a seemingly arbitrary marketing period of 12 months on any premises that may seek to change its use completely ignores market signals and substantially reduces flexibility of use and would not allow for a rapid response to changes in economic circumstances.
- 2.22 Accordingly not only is the second part of policy 41 inconsistent with national planning policy but it is also directly at odds with the Government's intended direction of travel with regard to flexibility of use and this part of the policy should therefore be removed from the Plan.
- 2.23 Given the above it is not considered that the provisions in criterion (b) of Paragraph K8 in Appendix K go far enough to address the concerns raised above.
- 2.24 These provisions require a pre-agreed strategy to be in place but with no guidance as to where or when this approach would be acceptable. It does not therefore ensure consistency of approach across the city and also does not give any certainty to business owners. This also does not respond to the requirements of the NPPF and the clear direction of travel which has been indicated by the national government in that policy should be responsive to market signals.

