

Cambridge City and South Cambridgeshire Local Plan Examination

Matter PM2 – Green Belt Review Methodology

Closing Notes by CEG

1. It is not the role of these submissions to repeat what we set out in our representations or hearing statement.
2. Great caution must be exercised in attributing weight to the *ex post facto* LDA Nov 2015 report (“the 2015 LDA report”) which informs or supports retrospectively allocations in the local plan. (There is a suggestion by Mr Charles Crawford (“CC”) that it does not inform or support allocations, but if that is not its role, then one has to ask what was its purpose? And from where then do the Council draw their justification for the boundaries chosen?)
3. Unfortunately it is clear that the 2015 report has been used to justify the previous allocations, but there are manifest inconsistencies in its approach and we invite you to conclude it can be given little weight for a number of reasons.
4. The approach, based on an identification of areas for assessment (sectors and sub-sectors) has been roundly criticised at being at too high a level of abstraction – parcels of land which are too large and which don’t allow a finer grained assessment of the extent to which that land performs a GB function.
5. The consideration at this session is not site specific but it assists to use examples of the approach CC has taken. **CC accepts (as he must) that any division of land parcels should record clear changes between land function and GB purposes.**

6. This concession is crucial. If land performs in a different way to other land this should be recorded clearly and transparently. Yet there was no differentiation in the LDA report between parts of 11.1. And the same can be said of 11.2. The clear import of this is that the Council accept that parts of 11.1 and 11.2 should be released for development, and that is not in dispute. But the remainder of the land does not function in any different way when regard is had to the GB purposes, and there is no logical basis for releasing one part but not the other.
7. The distinction falls then to the “implications” and “parameters” for Green Belt release, in which LDA attempt to use a narrative to distinguish between different areas. This approach has real problems.
8. The lack of confidence in the LDA report and the March 2016 purported “Supplementary” is exacerbated by the fact that the latter purported to make clear changes: a boundary identified in the former as following the **eastern** boundary of Beaumont Road suddenly became the **south-eastern** boundary. This was not CEG “misinterpreting” what had been said or even misrepresenting what was said, but is a clear change. And even now, such does not accord with the allocation which has been made, where the allocation is limited to two thirds along the southern boundary of Beaumont Road.
9. CC gave a convoluted explanation of a leg, a boot and a shin, none of which is included in the narrative of even his supplementary report. CC’s confusion with polarity and the difference between south and east, or even south and south east may be explained by a genuine misunderstanding on his part or there may be a more unpalatable explanation, which saw the Council seeking to justify the allocation.
10. I should add that the example we explored in discussion in the EIP is not the only example. The November 2015 version of the LDA report referred in the first bullet point to the relatively flat ground. That has been changed to *parts of the relatively flat ground*. This is expanded on with a longer explanation in the 4th

bullet point, by referring to a “*significant extent of relatively flat land ...retained west of Cherry Hinton Road/Linekiln Road*”. Why? For what purpose? What is the utility of this land which LDA suggest is retained in the GB having regard to the purpose(s) in the NPPF para 80? No answer is given to these questions which are crying out for answer.

11. Another example is the introduction – without any explanation at all – of a completely new point to which the development should be drawn – “*no further east than approximately half the distance from the existing urban edge west of sub-area 11.2 towards Cherry Hinton Road/Limekiln Road*”. All of this is new, and none of it is explained.
12. Whatever the explanation, the result is confusion, a lack of certainty and a lack of transparency. This amounts to a failure to justify the Council’s approach to setting Green Belt boundaries. It is perfectly apparent from the letter of May 2015 outlining “serious concerns” that the Inspectors were not born yesterday, and they can smell a rotten argument even if they can’t see it (and they can’t see it because unlike in 2002, LDA has not descended to identify in diagrammatic form the land which they believe can be released without harm to GB purposes). The importance of this can be seen from the 2002 LDA report which also identified areas where particular care was required to be taken (the cross-hatched land).
13. This brings us to the third issue considered today – the 16 criteria which informed the LDA assessment.
14. These 16 criteria derive from the 14 criteria included in the 2002 LDA study – which was a study which expressly recognised that the only purpose of the GB which was engaged related to purpose 4: see pp 1, 20, 68. For the purposes of the 2015 study an extra two criteria have been added (effectively one criterion because a previous criterion has been split into two).

15. Even if the 16 criteria could properly be said to be part and parcel of the purposes included in para 80 of the NPPF, which they clearly cannot, there are no measurable thresholds to apply to the qualities. For example, we are now told it is observable features and assumptions to be made on the "likeliness" of people using footpaths and cycleways with the result that conclusions that are drawn in direct conflict with the evidence from the census.
16. Most of these criteria have nothing to do with the five purposes or even the 4th purpose. And although the November 2015 report refers at para 0.2.2 to three purposes of the GB, they in fact don't refer to the purposes in the NPPF para 80 but are a re-writing of the purposes, including references to *maintaining and enhancing the quality of the setting* where the national policy relates just to preserving. The third alleged purpose is not founded on para 80 of the NPPF either. Note introduction of "communities" - cf "towns". It is noteworthy that these three alleged purposes were not identified by the Council in its 2012 GB study - see para 2.2.
17. We also endorse the point made by Mr Self about the danger of having regard to peripheral or irrelevant criteria in ruling out sites where those very criteria may well be strong positive reasons in a different context - eg sustainability - to allocate a site.
18. It is also of concern that the analysis undertaken by LDA has seemingly ignored an important element which we can see the Council apparently considers important by reference to the parameters on site 11 - see bullet 2 - namely the location of park and ride facilities and whether these can function as an urban gateways. There are a number of such facilities around Cambridge, and yet there appears to be no recognition that such a facility can itself operate as an urban gateway - see the P&R facilities at Trumpington and also at Newmarket Road. The failure to analyse the role and function of these facilities as part of the baseline assessment has led LDA/the Council into error by requiring "clear

separation" between the new urban gateway and the P&R site. (Note that this was an example of new words being added into the "Supplementary" report, without any recognition that there are at least two such facilities which are not constrained by a "substantial buffer" (undefined by a plan). This can clearly be seen from the LDA 2002 report - see the plan at p.112 of that report - where the P&R at Newmarket Road is not protected by any such buffer, substantial or otherwise. As Ms Brockhurst explained, consistency would demand a similar approach. The suggestion by CC that the need for a "substantial buffer" was necessary to provide a rural setting for the P&R was, to say the least, ridiculous.

19. Rather than fabricate some criteria which have clearly informed LDA's assessment (see para 0.5.1 of the November 2015 LDA report), LDA and the Council would have done better to have focussed on the PAS guidance, and make a more realistic assessment based on the issues raised by that document.
20. In conclusion, it is a rather depressing fact that in the time during which this examination has been adjourned, the Council has failed to enhance confidence in the GB assessment and replaced the apparent shortcomings in the Council's assessment which are alluded to in the Inspector's letter of 20 May 2015, with new ones in the LDA assessment. The LDA assessment is flawed for the reasons we have set out in summary. But what should be done?
21. CEG wants these two Local Plans to progress expeditiously, and you have already heard representations about an early review. The Council's failings in this respect merely support the need for an early review and for this to include within its scope the need to carry out a further review of the inner Green Belt boundary. But drawing on your findings in respect of OAN, and taking account of the development sequence of the plan, which favours edge of Cambridge sites over new settlements, we also recommend that:
 - 21.1. It be concluded that the Green Belt review has inevitable limitations and needs to be revisited;

- 21.2. It be recognised that LDA's conclusions have supported the release of land within a number of Sectors (including 11, 12 and 13), but as established today, its parameters are simply not fit for purpose in defining new Green Belt boundaries, and indeed CC has already said the definition of the Green Belt boundary takes account of other factors not within his scope;
- 21.3. The Councils be asked to revisit the conclusions it has drawn from the Green Belt review's analysis and that they should make a decision on boundaries for its allocations, drawing on the evidence put before the examination by other parties, including CEG. It could complete this exercise quickly and before the various omission sites are considered through Hearing Sessions.

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9 June 2016