

Land at The Lawns
Gonville and Caius College
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LAND AT THE LAWNS SITE REPRESENTATION

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1.0 Introduction

1.1 Background

This representation is submitted by Bidwells on behalf of Gonville and Caius College in respect of the emerging Local Plan for Greater Cambridge. The representation pertains to site 40425 (Land off The Lawns, Cambridge) which was promoted to 'call for sites' process in 2019 to identify that the site no longer has any established or useful recreational purpose.

The assessment of the site in the Housing and Economic Land Availability Assessment (HELAA) document did not favour the site for development and did not reference the representations submitted and the significant duration the land has not been actively used. We have reviewed the emerging Local Plan and the supporting documents, including the assessment of the site in the HELAA assessment document. In response to the Local Plan consultation papers, this representation provides further detail for why the Protected Open Space designation should be removed and, based on the development strategy for the Plan and the HELAA assessment, we further consider that the site is eminently suitable for residential development.

Based on the site area of approximately one hectare, the site is suitable for residential development for approximately 30 dwellings, to include public open space, landscaping and access to/from The Lawns. This is in line with the indicative capacity of the site, as shown in the HELAA assessment document.

1.2 Trends for university and college sports facilities

The site has not had any active purpose since the 1970s. Its last recorded use was as a hockey facility for the sole benefit of Gonville and Caius College, the owners of the site. In its current form, the site is no longer suitable for hockey or any form of active sports and recreation. Its grass surface is no longer appropriate for hockey as virtually all hockey (matches and diversified formats) is played on artificial grass pitches (AGP) and sports sites should include appropriate ancillary facilities, of which the site has none.

Most Cambridge University colleges, including Gonville and Caius College, do not have their own AGP hockey facilities. Individual college grass hockey pitches have been replaced with a three-pitch facility at the University's Wilberforce Road Sports Ground (WRSG) which enables University and club hockey to play the modern game. The facilities have been expanded into an international standard hockey centre that has increased participation and the diversity of participants in the game, improved the standard of play and facilitated club growth throughout Cambridge. This hockey hub as well as shared use of AGP pitches in other colleges fulfil the College's hockey needs.

The benefit to the College and its students, through site sharing, arises not only through the quality of the sports infrastructure available, but the added social benefit through encouraging different college groups to mix and the heightened quality of the sports played by having a larger group of players to select from. It is clear to the College that the site is now wholly redundant as a potential sports or beneficial college facility as the trend to share facilities across colleges has grown and specialised non-grass facilities are available elsewhere.

This broad background to the changing trends for hockey and sports provision for the College and the wider trends are an important background to this representation and account needs to be taken of them in fully understanding the background to the site and its potential future use. It also explains why the site has not been used since the 1970s but has been fenced-off. Now is the time

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to review how to put the site to a beneficial use within an urban and sustainable setting. These matters are discussed further in this document and submitted to the Local Plan for consideration.

2.0 Representation 1: Development strategy

2.1 Development strategy

Policy S/DS (Development strategy) of the emerging Greater Cambridge Local Plan ('the Plan') outlines that the proposed development strategy for Greater Cambridge is to direct development to where it has the smallest climate impact. This includes where active and public transport is the natural choice, where green infrastructure can be delivered alongside new development and where jobs, services and facilities can be located near to where people live, whilst ensuring all necessary utilities can be provided in a sustainable way.

The broad strategy for the Plan is to ensure that housing is in sustainable locations which will reduce the need for travel and carbon production. The Plan identifies the need to deliver 48,840 homes over the Plan period of which a significant proportion are planned to be in the Cambridge urban area or on the Cambridge fringe.

Development at the subject site (reference 40425) clearly accords with the aspiration for locating sustainable development which reduces the need to travel. Its location in close proximity to a wide range of facilities and services fits neatly with the Council's development strategy for the Plan and the aspiration for sustainable development.

3.0 Representation 2: Restrictive policies

3.1 Policy 67 (Protected Open Spaces)

Policy 67 (Protected Open Spaces) of the adopted Cambridge City Local Plan states that development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance unless:

- a) The open space can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost;
- b) The re-provision is located within a short walk (400m) of the original site.

In the case of school, college and university grounds, development may be permitted where it meets a demonstrable educational need and does not adversely affect playing fields or other formal sports provision on the site. Where replacement open space is to be provided in an alternative location, the replacement site/facility must be fully available for use before the area of open space to be lost can be redeveloped

Policy BG/PO (Protecting open spaces) of the emerging Plan has no specific criteria for assessing the loss of open space (which would include sports pitches). However, the proposed policy direction recognises that, in some cases, development on open space may be appropriate if it has limited qualities and would lead to overall quality or quantity improvements.

We consider that Policy 67 of the adopted Plan is unduly restrictive in that it states a specific distance within which replacement facilities should be located. The stated distance of 400 metres stated in criteria (b) has no apparent evidential basis and “a short walk” is not otherwise defined. Future iterations of the emerging Plan must include policy wording which has specific criteria against which the loss of any recreation or sports facilities would be assessed. This should not include a specific, mandated distance or rigid criteria. Rather, it should have a range of criteria which relate to the need of a proposed development. If a need for a replacement facility is demonstrated, the wording should include flexible criteria for accessibility and suitability of an alternative site, against which a proposed development can be assessed. Different facilities may have different catchment areas, or its users may not live immediately in the area of the facility. A planning application should allow for an appropriate assessment to be made in that case, to take account of the matters relevant to that case and what impacts and benefits could be generated.

To highlight this point, in the case of site 40425, it has no recreational attribute to be protected and it would be appropriate for the Council to review the designation and withdraw that status. The site has not been actively used since the 1970s, when it was last used for Hockey solely for Gonville and Caius College. This review should be mindful that hockey provision on-site has already been replaced with superior facilities at WRSG, which include newly formed hockey pitches that the College use as an integral part of their sports offer.

The WRSG facility is some 900m from the site, while Policy 67 seeks any replacement to be within 400m. In this policy context it is important to note that the WRSG is a facility that is closer to the College’s student halls and so provides a more convenient facility to walk or cycle to. The Council needs to be mindful not only of the evolving requirements of sports provision and trends in Cambridge but also to ensure that its policies are not unduly burdensome or impose unreasonable or restrictive criteria, when considering alternative sites.

3.2 National Planning Policy Framework

Paragraph 98 of the National Planning Policy Framework (NPPF) states that planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

Paragraph 99 states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

The NPPF mandates a series of qualitative criteria which should be used to assess the loss of sports pitches. It requires evidence of need for such loss, but also outlines that such loss could be justified by provision of replacement facilities in a sustainable location. Policy 67 of the adopted Local Plan is too restrictive in its approach to the '400 metre rule' and does not give sufficient latitude to presenting arguments in favour of an alternative sustainable location.

In reference to site 40425 it is clear that it has been unused for many decades and that there is no need for a hockey or sports pitch in this location and therefore the restrictive Policy 67 is no longer relevant and should no longer apply to the site. Policy wording which pertains to such open space protection in the emerging Local Plan should reflect the policy approach set down by the NPPF in that they should not be prescriptive, but should offer a series of well-defined, flexible criteria against which loss of open space or a playing field should be assessed on a case-by-case basis.

3.3 Summary

In summary, our recommendation for representation 2 (Protected Open Space) is as follows:

- Remove the restrictive recreational designation for site 40425, based on its disuse, lack of need and the provision of modern, fit-for-purpose hockey and sports facilities elsewhere in Cambridge. Thereby allowing the site to be available for a purposeful and productive use;
- Ensure that the wording of any Protected Open Space policy allows for an assessment on the basis of need for the site/its use against which a planning application can be assessed. The wording of any such policy should not be unduly restrictive as with existing Policy 67 of the adopted Local Plan, but should reflect the wording of NPPF paragraph 99 and allow for a series qualitative criteria, in order to allow an appropriate assessment to the merits of each individual case

4.0 Representation 3: Site assessment

We have reviewed the Council's assessment of site 40425 contained in the HELAA assessment document and, in some cases, do not consider that the conclusions are justified or are evidenced. We have assessed each technical element of the site assessment proforma document and have provided a response below.

4.1 Adopted development plan policies

This category was assessed as 'green'. For this category, this means that development of the site would not be inconsistent with an adopted Development Plan policy or allocation. The assessment states that the site is outside the Development Framework but within Cambridge

We concur with this rating for the category. The site is located in a residential area and is eminently suitable for residential development in a sustainable location. The Council's rating reflects this locational factor.

4.2 Flood risk

This category was assessed as 'amber'. For this category, this means that the site contains areas at high, or medium risk from surface water flooding and/or the site contains some land in Flood Zones 2 and/or 3 but there is sufficient land in Flood Zone 1 to accommodate 5 additional dwellings or an increase of 500 square metres of employment floorspace.

The assessment states that 8% of the site lies in a 1 in 1000 year event of surface water flooding. This is defined as a 'low' risk of flooding. The area subject to a risk of flooding is nominal, and we consider that this could be addressed through a drainage strategy for the site which would identify how surface water drainage would be suitably managed. This could be included in the wording of any policy which allocated the site for residential development.

We do not concur with the rating for this category. Whilst it is technically accurate, we do not consider that its severity is such that it would prevent development at the site by means of flood risk, a matter that could readily be addressed as part of a detailed drainage strategy. As such, we consider that flood risk for this site should be assessed as 'green' and the requirement for a drainage strategy could be secured by any policy wording associated with an allocation.

4.3 Landscape and townscape

This category was assessed as 'amber'. For this category, this means that development of the site would have a detrimental impact which could be satisfactorily mitigated.

The assessment identifies that the site is a flat open grassed space, formerly used as a hockey pitch and is now disused. It further identifies that the site is Protected Open Space within the Cambridge area and is also within the Conservation area. This piece of open space is valuable as an open space resource but could contribute to development if large trees and biodiversity enhancement were put in place, if all other policy constraints could be overcome.

The site assessment concedes that the site is disused and therefore there is little reason or incentive to retain the restrictive 'Protected Open Space' over the site. Rather the Council should consider other uses for the site. It suggests the use of the site for biodiversity and Arboricultural enhancement, yet this would only be a valid suggestion if the restrictive policy was retained and we do not consider this to be justified. The assessment further identifies that the site contains Tree Preservation Orders on-site, is within the Urban Area within central Cambridge and is subject to the an 'urban' character area in the Landscape Character Assessment (2021).

We do not concur with the rating for this category. The Council has made no assessment of the established trends of college and university sports facilities and the wider trends in sports provision which mean that such facilities are now clustered. The Council concedes that the site is disused but does not look to use the emerging Plan positively to achieve a purposeful use of the site. Whilst the site is located in a Conservation Area, it is nonetheless adjacent to residential development and a sensitive design for residential development would seek to preserve and enhance the character and appearance of the Conservation Area. It would also assess the landscape and ecology features opportunities at the site, a matter which could be required as part of a site allocation policy.

4.4 Biodiversity and geodiversity

This category was assessed as 'amber'. For this category, this means that development of the site may have a detrimental impact on a designated site or those with a regional or local protection, but the impact could be reasonably mitigated or compensated.

The assessment identifies that the site is within 200 metres of a Wildlife Site and all residential development will require an assessment of recreational impacts on nearby SSSIs. Boundary habitats including hedgerows and trees may qualify as Habitats of Principle Importance/be of high ecological value and support protected or notable species. The current grassland habitat forms part of a wider green corridor into the city in association with adjoining sports pitches and mature gardens. Development of the site would not have a detrimental impact on any designated site, or those with a regional or local protection.

We do not concur with the rating for this category. The assessment of the site does not identify any significant issues with biodiversity and geodiversity at the site. The assessment states that development of the site would not have a detrimental impact on any designated site, or those with a regional or local protection. The grass at the site is mown periodically and the main biodiversity merit is in the peripheral vegetation. We concur that any future planning application would require an assessment of biodiversity value and to achieve net gain, but this matter could be adequately addressed through an allocation policy wording and readily addressed within the layout and design of any new use of the site. The Council's rating in this respect is cautious and whilst biodiversity matters would need to be addressed, we consider this matter could effectively be assigned a 'green' rating, with a caveat that it is a matter positively addressed within any planning application for a new use.

4.5 Open space and green infrastructure

This category was assessed as 'red'. For this category, this means that development of the site would result in a loss of open space which could not be replaced locally.

The assessment identifies that the site is within an Outdoor Sports Facility Green Infrastructure and a Protected Open Space Site. It identifies that the site is a formal sports field and is protected open space and that its loss will impact on formal sports provision for the University of Cambridge.

We do not concur with the rating for this category. The site assessment specifically identifies that the site is disused and we can confirm that this is the case. It is vitally important that the Council recognises the established trends for specialist sports facilities in a hub model and the trend towards sports pitches being synthetic. Its long period of disuse for over 40 years demonstrates that it has no prospect for reuse as a hockey or other sporting uses and we request that the Council properly assesses the need for the facility in the context of its prolonged disuse and no intention from the landowner to put to the site to a recreational use. Any reuse of the site can positively respond to the 'environmental' features on site. We have discussed the current

Policy 67 and its '400 metre' requirement in this representation and we consider that Policy 67 is unduly restrictive in its requirements. Any loss of sports pitches should be informed by a needs assessment and the case in hand it is unreasonable for the Council to conclude that the site should retain its current restrictive policy when it has no evidence of need to back up this claim - especially in the context that the Council's latest Open Space and Recreation Strategy does not highlight any deficiency in provision in the local Ward. There is no evidence to support the ongoing Protected Open Space designation of the site, but there is evidence from the landowner (Gonville and Caius College) to highlight that the site has not been used for any active use for over 40 years and no intention to re-establish a recreational/sports use. The recreational designation is no longer appropriate or responsive and does not protect the site for recreational use - it merely prevents there being a positive consideration for how the site could be put to a beneficial long-term use.

4.6 Historic environment and archaeology

This category was assessed as 'amber'. For built heritage this means that development of the site could have a detrimental impact on a designated or non-designated heritage asset or the setting of a designated or non-designated heritage asset, but the impact could be reasonably mitigated. For archaeology it means that development of the site could have a detrimental impact to archaeology. Further information regarding the extent and significance of archaeology would be required. Archaeological works could be secured by condition of planning permission

The assessment identifies that the site is in a Conservation Area where views of this site from Wilberforce Road are important to the character of the conservation area, especially in winter. It states that, without very careful design, development would harm the character of the conservation area and the setting of nearby statutorily and locally listed buildings, especially Emmanuel Sports Pavilion, to which this site forms part of the background. It records that there is an extensive Roman settlement recorded to the north-west.

We do not concur with the rating for this category. The assessment itself concedes that any impact of the residential development at the site could be reasonably mitigated, presumably through good design and that archaeological works could be secured by a condition to any planning permission. The assessment criteria and rating are not substantiated. Any development at the site clearly needs to be well-designed and an assessment made of heritage assets at and adjacent to the site. However, this does not preclude development at the site. We consider that any such matters should be addressed by the policy wording to any site allocation at the site and the rating could effectively be amended to 'green'.

4.7 Accessibility to services and facilities

This category was assessed as 'green with various measurement applied to accessibility criteria.

We concur with the rating for this category. The site is clearly in a sustainable location and is easily accessible to a wide range of facilities and services by non-car modes. Its location adjacent to the built form should carry significant weight in assessing the suitability of the site for residential development.

4.8 Site access

This category was assessed as 'red'. For this category, this means that there is no possibility of creating a safe access.

We do not concur with this assessment. The assessment concludes that the site does not to have a direct link to the adopted public highway with no possibility of creating a safe access.

However, this does not reflect reality. Access to/from the site could readily be taken from The Lawns, immediately to the west of the site, which feeds into Clerk Maxwell Way and Madingley Road. There is a suitable point of access on the eastern periphery of The Lawns which meets relevant standards for such an access. This comprises a 'hammer head' turning area at the current time. The proposed access is within the control of the promoter, with no ransom strip across the proposed site access and this means that the access is deliverable.

The proposed access to/from The Lawns has been subject to a transport and access appraisal which demonstrates that access to the site could easily be achieved without an adverse impact on highways safety or amenity. The appraisal accompanies this promotion and concludes that the existing access arrangements at The Lawns and Clerk Maxwell Road include a wide single carriageway with a two-metre footway along at least one side of the road. Based on the evidence provided in the assessment, the proposed access could accommodate up to approximately 50 dwellings with no adverse impact on the local and strategic highways network and amenity of neighbours. As such, there are no highways safety or capacity issues that would prevent development at the site.

The assessment undertakes a range of tracking at the site access and concludes that the road specification at The Lawns and Clerk Maxwell Road could accommodate a range of vehicle types. Access within the site would be developed with a site layout for any subsequent development but it could reasonably be accommodated within the site.

We do not consider that a 'red' rating is justified in respect site access. We have provided evidence that access can reasonably be achieved from The Lawns and Clerk Maxwell Road and we consider that this category can be assigned a 'green' rating.

4.9 Transport and roads

The category was assessed as 'green'. For this category, this meant that development of the site will not have a detrimental impact on the functioning of trunk roads and/or local roads.

We concur with this assessment. The assessment states that development of the site will not have a detrimental impact on the functioning of trunk roads and/or local roads. The site could accommodate in the region of 30 dwellings and combined with the suitable access to/from The Lawns, this is not considered to have an adverse impact on highways safety.

4.10 Noise, vibration, odour and light pollution

The category was assessed as 'amber'. For this category this means that the site is capable of being developed to provide healthy internal and external environments in regard to noise / vibration / odour/ Light Pollution after careful site layout, design and mitigation.

The assessment identifies potential commercial / education / recreational noise and artificial lighting impacts from the Tennis Club immediately to South. It states that housing immediately next to tennis club unlikely to be considered good acoustic design / layout. Development would be possible with appropriate siting, layout and mitigation.

We do not concur with this assessment. Whilst there may be challenges in respect of flood lighting from the adjacent tennis club, this could easily be addressed by a well-designed development. Whilst there would be some comings and goings to/from the tennis club, such a use is hardly likely to give rise to sustained nuisance by means of noise or disturbance, in a locality where there are already residential properties.

4.11 Air quality

This category was assessed as 'amber'. For this category, this means that the site is capable of being developed to provide healthy internal and external environments in regard to air quality after careful design and mitigation. 'Amber' is the default score for sites within an Air Quality Management Area (AQMA) in case of changes to the AQMA and potential mitigation measures that can be put in place. The assessment states that any development at the site will require inherent / intrinsic designed in AQ mitigation.

We do not concur with this assessment. The site is not within the Cambridge AQMA and therefor assigning 'amber' as the default assessment is unreasonable on grounds of air quality alone. Development at the site would comprise approximately 30 dwellings and this would not give rise to any adverse impacts on air quality. Development of 30 dwellings at the site would offer no significant adverse impact on air quality and we consider that this category could reasonably be 'green'.

4.12 Contamination and ground stability

This category was assessed as 'green'. For this category, this means that the site is likely to be capable of being developed after appropriate mitigation or remediation of contamination / ground stability issues. The assessment states that it is a greenfield site with no history of development.

We concur with this assessment and do not consider there would be any adverse impact as a result of contamination associated with development at the site.

4.13 Housing land supply

The site would deliver approximately 30 dwellings which could easily be delivered within five years, thereby making a positive contribution to the housing land supply of the Greater Cambridge area. This should be afforded significant weight in assessing this representation.

4.14 Deliverability

The HELAA assessment identifies that the site is available and achievable. This is still the case.

5.0 Conclusion

We have reviewed the emerging Local Plan and accompanying evidence, including the HELAA assessment document. It is clear that the development strategy is to focus development on Cambridge and the southern clusters and development at the subject site would be in accordance with the strategic direction of the emerging Plan.

We have outlined why Policy 67 is overly restrictive and why the emerging Policy approach needs to better reflect paragraph 99 of the NPPF, which represents the Government's policy advice as to how to form a policy around the matter of open space. This is highlighted by reference to site 40425, which has been disused for over 40 years and allied with the changes in College sports provision in Cambridge means that its ongoing Protected Open Space designation pursued through adopted Policy 67 creates a site in a sustainable location that has no purposeful and positive use. The Council must properly reassess the designation with a view to using the Local Plan-making process to form a positive long-term use for the site.

We consider that specific wording of policies pertaining to protection of sports pitches and public open space should be in line with advice offered at paragraphs 98 and 99 of the NPPF. Criteria for loss of sports pitches and should consider a range of circumstances. Such criteria should not be unduly prescriptive, as they are under Policy 67 of the adopted Local Plan. A more flexible approach is required to reflect the changing nature of college and university sports provision and to more greatly in accordance with the policies in the NPPF.

We consider that the HELAA assessment for the site takes a cautious approach to technical matters. Of those matters assessed as 'amber' we consider they would not prohibit development at the site and could be addressed through the wording of a policy pertaining to a future site allocation.

Of the matters assessed as 'red', we have demonstrated with technical evidence that access can easily be taken off The Lawns and there is space and capacity to do so. For the open space matter, the site is surplus to requirements and does not fulfil the function of a fit-for-purpose sports facility and there is no evidence to the contrary.

Given the above, we request that the Protected Open Space designation is removed from site 40425 and that any Protected Open Space policy to be formed in the new Local Plan takes the opportunity to be led by the NPPF and establish a proper assessment framework to allow sites to be considered on their merits.



BIDWELLS