

24 January 2025

**Delivered by email**

Planning Policy Team  
Greater Cambridge Shared Planning  
Cambridge City Council  
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Dear Sir / Madam

**GREATER CAMBRIDGE DRAFT DEVELOPER CONTRIBUTIONS SPD**

We write in response to the Draft Greater Cambridge Planning Obligations Supplementary Planning Document (herein referred to as 'SPD') on behalf of our client Vistry Strategic Land ("Vistry") who have land interests in the Greater Cambridge area, specifically at Land at Fen Ditton. The SPD is being prepared by Greater Cambridge Shared Planning comprised of Cambridge City Council and South Cambridgeshire District Council (herein referred to as 'the Councils'). The SPD seeks to supplement the policies in the adopted Local Plans, detailing the planning obligations the Councils will seek through S106 agreements on a range of topics.

**Approach to the preparation of SPD's**

It is essential that the preparation of this SPD should not fetter or obstruct in any way, the ability of the Local Plan to support sustainable development over the plan period. More fundamentally, we note that the SPD seeks to establish new policy requirements and expectations which are not contained within adopted Development Plan Documents.

We note that the PPG explains the role of SPDs and states that:

*"Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development." (our emphasis)*

Consequently, this SPD should only provide more detailed advice or guidance on policies in the adopted Local Plans. The SPD should not, as appears to be the case in some circumstances, seek to amend or change the requirements of the adopted Local Plans.

In addition, the previous Conservative government consulted on reforms to the plan-making system to implement changes set out in the Levelling Up and Regeneration Act 2023. The reforms would see the removal of SPDs which

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will be replaced by Supplementary Plans. While it is unclear as to whether the current Labour government will fully implement these reforms, they do place uncertainty around the role of SPDs and we note that the Councils should consider how the SPD will evolve with these emerging reforms. The Councils are also notably in the process of preparing the new Greater Cambridge Local Plan which will replace the current Local Plan for each authority with a single Local Plan, which may be impacted by the wider reforms proposed to plan-making.

## **Viability**

As we have indicated above, the SPD is seemingly seeking to introduce additional obligations on new developments which were not taken account of at the Local Plan stage. While we highlight specific contributions later in these representations, we note the Councils' starting point will be that planning applications are viable given the viability assessment work undertaken at the Local Plan stage. However, it is noted that the SPD consultation document has not been subject to any viability assessment, or if it has been this assessment has not been made public alongside the consultation.

The lack of viability assessment raises concerns around the delivery of existing allocations and other future development being considered under the adopted policies; particularly where additional contributions, or existing obligations which have had new requirements and / or additional information required to support an application could impact the viability of schemes currently being planned for. This could impact future delivery and housing land supply considerations if schemes are rendered unviable; or significantly delay the delivery of sites while the viability implications are considered and negotiated. This must be set in the context of the Government's aspirations for 1.5 million new homes to be delivered in this parliament alongside supporting infrastructure, of which it is anticipated Cambridge will be a key focus given its role in the economy.

We also highlight that both Councils' Local Plans were examined under the National Planning Policy Framework (NPPF) 2012 and therefore was not subject to the same degree of viability assessment at the Examination stage as is now required under the NPPF 2024. The SPD should be updated to reflect this.

Paragraph 2.55 sets out that the Councils may require the inclusion of a viability review mechanism where a developer has negotiated the level of contributions based on viability. The Councils' justification is that this would take account of changes in economic conditions. Whilst this can be an approximate mechanism in limited circumstances, this should not be applied regularly given the uncertainty and delay this could cause in the delivery of sites.

## **Community Infrastructure Levy**

Neither Council has adopted a Community Infrastructure Levy (CIL) charging schedule, although both have previously consulted on one. Paragraphs 1.18-1.19 of the SPD highlight that the Councils are continuing to review whether CIL should be introduced to support the delivery of the emerging Greater Cambridge Local Plan. If a CIL is introduced, we note that this should not duplicate existing obligations. We reserve the right to comment further on CIL matters if this progresses and we note that future CIL requirements could have further viability implications alongside those highlighted above.

## **Specific Planning Obligations by Type**

The SPD is useful in highlighting potential contribution amounts for various obligations, however we highlight several instances where there is a lack of detail in setting out the evidence that underpins the cost of the contribution and are concerned that potential cost differences between the two authority areas have not been explored, particularly where development costs may vary significantly dependent on land value between the two areas. We are also concerned whether many of the contributions highlighted have undergone viability testing where they go beyond existing local plan requirements. We have provided comments on specific obligations / contributions below:

## **Green infrastructure**

The SPD highlights Policies 8 and 68 of the Cambridge City Local Plan and Policy NH/6 of the South Cambridgeshire Local Plan as the policy basis for requiring contributions towards green infrastructure. While we accept that the principle of contributions is set out in Policy NH/6, the policy context in the Cambridge Local Plan is less clear in expecting a contribution to Green Infrastructure. By way of comparison, Policy 8 comments:

*The Council will support proposals which deliver the strategic green infrastructure network and priorities set out in the Cambridgeshire Green Infrastructure Strategy.*

Whereas, Policy NH/6 comments:

*All new developments will be required to contribute towards the enhancement of the green infrastructure network within the district. These contributions will include the establishment, enhancement and the on-going management costs.*

It is noted that, while Policy 68 references potential contributions, these are specifically related to open space, rather than Green Infrastructure with open space contributions being considered separately within the SPD. Therefore, there does not appear to be the appropriate policy justification for this contribution within the Cambridge City area and the plan's viability assessment would not have accounted for an additional contribution. The SPD does appear to differentiate between the two areas stating that within Cambridge contributions "will be considered on a case by case basis".

However, we note that the SPD presents a contribution table as shown below. While this appears to relate to South Cambridgeshire only, the structure of the SPD's supporting text would make it appear that the contribution could cover both authority areas based on the sub-heading format set out in the SPD. While the supporting text of the SPD does not imply this, it is not explicit in confirming the approach and the way the information presented is somewhat unclear. We suggest that the Councils review how this is presented and confirm that the contribution calculation is only required within South Cambridgeshire.

### Green infrastructure contributions by dwelling size

	Capital cost by dwelling size (£)	Maintenance cost per dwelling (£)	Total cost per dwelling (£)
1 Bed	260.76	295.20	555.96
2 Bed	436.72	494.40	931.12
3 Bed	599.96	679.20	1,279.16
4 Bed+	691.12	782.40	1,473.52

## **Community facilities**

We note that the SPD sets out a requirement for applications of more than 200 dwellings to provide detailed assessments and strategies on community needs. This is a policy requirement in South Cambridgeshire within Policy SC/4, however the SPD extends this to Cambridge where a similar policy requirement does not exist.

In addition, the SPD sets out a cost for off-site community facility contributions as below:

## Community facilities contributions by dwelling size

	Capital cost by dwelling size (£)	Maintenance cost per dwelling (£)	Total cost per dwelling (£)
1 Bed	548.85	240.78	789.63
2 Bed	919.21	403.25	1,322.47
3 Bed	1,262.80	553.98	1,816.79
4 Bed+	1,454.68	638.15	2,092.84

The estimated costs appear to be based on the following (extracted from paragraphs 7.26-7.28 of the SPD):

- The South Cambridgeshire Local Plan 2018 sets a standard of 111m<sup>2</sup> per 1000 population.
- The cost of providing community centres is £4,020 per m<sup>2</sup> as a starting point for calculating developer contributions
- The cost associated with maintaining (utilities, decoration, services, etc) community facilities is £117.57 per m<sup>2</sup>.

Aside from the first point, the SPD has not set out the source of these costs and whether the costs indicated are representative of both Councils' areas where construction costs and land values may vary between the two. It is noted that other contributions (such as the Indoor Sport contribution commented below) do differentiate between the two areas. Moreover, while the South Cambridgeshire Local Plan does set a quantum of floorspace required, it does not set out how this would translate to how a potential contribution would be calculated and therefore would not have been subject to viability testing.

In terms of Cambridge, Policy 85 of the Cambridge Local Plan does highlight the potential for infrastructure contributions (including community facilities), however the level of contribution was not quantified. In addition, it is not clear if the Councils have assessed a floorspace requirement for Cambridge (as has been done in South Cambridgeshire) and therefore it is uncertain that a contribution based on 111m<sup>2</sup> per 1000 population would be appropriate for this area. As with our commentary on South Cambridgeshire, it is not clear whether the level of contributions set out have been viability tested for the Cambridge area.

### ***Burial space***

The SPD states that proposals for sites over 200 dwellings should be accompanied by assessments of need for burial space and strategies regarding how the need will be addressed. It is noted that this is a South Cambridgeshire Local Plan requirement which is being extended to cover the Cambridge area which does not have an equivalent requirement in the adopted Local Plan.

The SPD suggests the following amount of burial space required per dwelling:

### Burial space required per dwelling size

Dwelling size	Burial space required (m <sup>2</sup> )
1 bed	1.23
2 bed	2.06
3 bed	2.83
4 bed+	3.26

While there is some evidence presented to support this, the Constitutional Affairs Select Committee Eighth Report 2006 cited is somewhat dated and the Councils should consider whether there is any up-to-date evidence to support the figures stated. In addition, there is no evidence to support the stated statistic that each hectare of a

cemetery can accommodate around 3000 burial plots. Therefore, while we do not object to the principle of the obligation itself, the amount of space identified needs to be evidenced.

In terms of contributions, the SPD proposes that smaller developments should provide a contribution where a need is identified in consultation with the Parish Council. Paragraph 13.11 states:

*The cost of acquiring new land for burials is around £240,000 per hectare and the cost of preparing that land for burials is £100,000 per hectare meaning a contribution of £34 per m2 of burial space or £113.22 per each plot.*

The Councils should clarify the evidence underpinning these estimated costs and whether there is a cost difference between the two authority areas.

### **Public Open Space**

It is acknowledged that both Local Plans set out requirements for either the provision of on-site public open space, or an equivalent off-site contribution. It is also noted that the SPD does provide a detailed breakdown of costs and different costs per authority have been set out. However, the capital costs set out need to be evidenced and viability tested by the authorities.

### **Indoor Sport**

The SPD acknowledges that on site provision of indoor sport facilities is only likely to be required in the largest forms of development and that onsite provision will need to be considered on a case-by-case basis. It is appreciated that the Councils are looking to update the Indoor Sports Facility Strategy which currently accounts for planned growth to 2031 and we reserve the right to comment further once an update is produced to inform the Greater Cambridge Local Plan. This may necessitate an update to the SPD.

In terms of off-site contributions, the SPD does provide different levels of contribution per authority area and cites the Sport England Facilities Calculator in estimating the costs of a contribution. However, we highlight that the figures quoted need to be viability tested.

### **Primary Care**

Section 22 of the SPD sets out the requirements for Healthcare obligations and contributions. The main cost identified is primary care infrastructure. While detailed costs are provided within the SPD, we highlight that these costs have the potential to be significant for larger developments and need to be viability tested.

### **Summary**

It is clear that the Council have not tested the viability implications of the additional requirements the SPD seeks to introduce and we are concerned about the impact that the SPD will have for existing planned for development. There are also several proposed obligations / contributions where it is not clear if the Councils have tested whether there are differences between the two authority areas. Overall, we are concerned that the document is lacking in detail and failing to provide detailed information around costings as highlighted. We would be happy to meet with the Council to discuss our concerns to ensure the matters raised are satisfactorily addressed.

Yours sincerely

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**Senior Planner**

