

3 October 2025
Delivered by email

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

GREATER CAMBRIDGE DRAFT PLANNING OBLIGATIONS 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 and Major Projects ("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.

Turley previously submitted representations on behalf of Vistry to the consultation on the draft SPD in January 2025. We note the tracked changes incorporated into the revised draft (August 2025), together with the Statement of Consultation report and provide the following representations in response to this re-consultation.

Approach to the Preparation of SPD's

It remains essential that the preparation of this SPD should not obstruct the ability of the Local Plan to support sustainable development over the plan period. We welcome the revised draft SPD (August 2025), which now makes clear that it *does not introduce new planning policy* but instead provides detailed guidance to give effect to adopted Local Plan policies. This clarification more accurately reflects the role of SPDs as set out in national policy.

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)

While the clarification is positive, the SPD must still be carefully drafted to ensure it supplements, rather than alters or extends, adopted policy requirements.

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The Levelling Up and Regeneration Act 2023 also introduced reforms to the plan making system, including the phasing out of SPDs in favour of supplementary plans or design codes. Although the Labour government's approach to implementation remains uncertain, this creates doubt over the long-term role of SPDs. This is particularly relevant as the Councils progress the new Greater Cambridge Local Plan, which will replace the existing Local Plans and may itself be shaped by these wider reforms.

It is therefore essential that the SPD is prepared with sufficient flexibility to remain consistent with both the current adopted Local Plans and any future framework.

Viability

As with our earlier representations, we remain concerned that the SPD is seeking to introduce additional obligations on new developments that were not accounted for at the Local Plan stage. While we highlight specific contributions later in these representations, we note that the Councils stated position is that planning applications are viable given the viability assessment work undertaken to support the adopted Local Plans. However, the revised SPD has not itself been subject to a viability assessment of the new costings or obligations, or if such an assessment has been undertaken it has not been published alongside the consultation. Given the existing Local Plans were adopted in 2018 and the supporting evidence base, including the viability work, would necessarily predate this, it is clear that the previous viability assessment work is now significantly out of date particularly global economic changes over this period.

The absence of viability testing raises serious concerns around the deliverability of existing allocations and other schemes coming forward under adopted policies. Additional or expanded obligations, or requirements for further evidence to support applications, risk rendering schemes unviable or causing significant delays while viability issues are negotiated. This could in turn impact the Councils' ability to maintain a five year housing land supply and frustrate the Government's ambition to deliver 1.5 million new homes in this Parliament, of which Greater Cambridge is expected to play a central role.

It is also important to highlight that both Councils' Local Plans were examined under the National Planning Policy Framework (NPPF) 2012 and therefore were not subject to the more rigorous viability testing at Examination that is now required under the NPPF 2024. The SPD should be updated to recognise this point, particularly given the weight placed on the Local Plan evidence base in justifying the approach to obligations.

Paragraphs 2.57-2.58 of the revised SPD confirm that the Councils may require the inclusion of a viability review mechanism where a reduced level of contribution is agreed at the application stage. Whilst such mechanisms may be appropriate in limited and exceptional circumstances, they should not be applied as a matter of course. Regular use of review mechanisms would introduce uncertainty into the planning process and could materially delay the delivery of sites, contrary to the stated aim of the SPD to provide greater clarity and speed up decision-making.

Community Infrastructure Levy ('CIL')

We reiterate our previous representations that noted neither Council has adopted a CIL charging schedule, although both have consulted on one in the past. Paragraphs 1.18-1.19 of the SPD confirm that the Councils are continuing to review whether a CIL should be introduced to support delivery of the emerging Greater Cambridge Local Plan. Should a CIL be progressed, it is essential that this is underpinned by proportionate viability testing and that its operation is carefully coordinated with S106 obligations to avoid duplication or 'double counting'. We also note the uncertainty around wider national reforms to developer contributions and would encourage the Councils to keep this under review to ensure the SPD remains consistent with any changes to the statutory framework.

Geographic Extent of the SPD

We note the SPD states that developments in one authority could be required to contribute towards infrastructure in the other. While we acknowledge that impacts may cross administrative boundaries, the current drafting is too broad and risks implying that obligations could be sought on a generalised basis. Any cross-boundary contributions

must be clearly justified against the statutory tests. The SPD should therefore be amended to confirm that such obligations will only be sought where there is robust evidence of a direct functional link between the development and the infrastructure.

Approach to Planning Obligations – Viability Considerations

We note that paragraph 2.52 of the draft SPD confirms that a fee will be charged to cover the Councils' costs of reviewing financial viability assessments. However, the document does not set out the scale of such a fee or how it will be calculated. In our view, it is inappropriate for the SPD to introduce an open-ended charge without transparency or clarity, particularly given the potential for significant costs to arise on complex schemes. The Councils should provide clear guidance on the basis for any such fees, ensure they are proportionate and confirm that they will only recover reasonable costs directly incurred.

At paragraph 2.56, the SPD also states that viability assessments should be prepared on the basis that they will be made publicly available, other than in exceptional circumstances. While we acknowledge the drive for greater transparency, it must also be recognised that viability assessments typically contain commercially sensitive information. A presumption of publication risks undermining the confidentiality of development proposals. We consider that the Councils should confirm that requests for confidentiality will be reasonably considered on a case by case basis, with the opportunity for sensitive material to be redacted where justified.

Specific Planning Obligations by Type

The SPD usefully highlights potential contribution amounts across a range of obligations. However, in several instances the evidence underpinning the stated costs is either absent or insufficiently detailed. We are particularly concerned that potential cost differences between Cambridge City and South Cambridgeshire have not been explored, despite clear variation in land values and development costs between the two areas. In addition, a number of the contributions appear to extend beyond adopted Local Plan requirements, yet there is no evidence that these have been subject to viability testing.

We set out our detailed comments on specific obligations and contributions below.

Affordable Housing

We note that under Affordable Housing Sizes the SPD states that *"the Councils' expectations are that the affordable housing provision will mirror the housing mix being promoted across the development proposal, unless there is clear evidence that an alternative mix would better meet local affordable housing needs."*

This approach is inconsistent with existing policy, which requires that the affordable housing mix responds to identified local housing needs rather than mirroring the market mix. Both Cambridge City Local Plan Policy 45 and South Cambridgeshire Local Plan Policy H/10 set percentage requirements for affordable housing but do not prescribe that the affordable mix should reflect the market mix. The Greater Cambridge Housing Strategy 2024-2029 highlights an acute need for smaller affordable units and family homes, which may not align with the market-led housing mix. The SPD wording risks creating an expectation that could conflict with adopted policy. We therefore request that the SPD is amended to clarify that the affordable housing mix should be informed by identified local affordable housing needs in the first instance, with regard to the evidence base.

The SPD also states that during the negotiation of affordable housing, *"the councils will seek all development sites of over 10 homes to be policy compliant. The affordable housing should be discussed with the Housing Strategy Team during the pre-application stage..."* We note that while early discussion with officers is encouraged, the pre-application process is not a mandatory requirement under national or local planning policy. The current wording risks creating an effective requirement for pre-application engagement. We suggest this is amended to more flexible wording.

The SPD highlights that *“the terms of payment in lieu will be financially neutral in respect of the benefit to the applicant relative to onsite provision requirements. A valuation will be undertaken by an independent valuer commissioned by the Council.”* We question whether a valuer appointed solely by the Council can be considered truly independent, particularly as the applicant will bear the costs of the valuation. To ensure transparency, it would be more appropriate for the valuer to be jointly agreed between the Council and the applicant, with costs met by the applicant.

Biodiversity

We note that the re-consultation version of the SPD introduces a requirement that *“an ecology monitoring contribution appropriate to the scale and nature of the BNG being provided will be required to be paid to the LPA to oversee these.”* However, no indicative amounts or formula are provided. We therefore submit that the SPD should be amended to provide clear guidance on the scale of contribution expected or publish indicative ranges to allow developers to plan effectively.

Indoor Sports, including Swimming

We note that the draft SPD now states that off-site contribution costs *“are guided by the Sport England Facilities Calculator and may be subject to change.”*

Whilst we support the principle of using the Sport England Facilities Calculator as an evidence base, the current drafting introduces ambiguity for applicants. If figures in the SPD differ from updated outputs of the calculator, it will not be clear which should be relied upon in the determination of planning applications. It is important that the SPD provides a clear mechanism for how updated costs will be applied, so that applicants, officers and decision-makers can proceed on a consistent basis.

Emergency Services

We note the additional text at paragraph 18.12 which suggests that larger strategic sites may be required to provide on-site operational touchdown space, police interview suites and fire service equipment. These requirements go beyond adopted Local Plan policy and are not set out in national planning policy or building regulations. In the case of fire hydrants and pumps, such matters are already addressed through Building Regulations and should not be duplicated in the SPD. Any additional obligations must be supported by clear evidence, robust costings and viability testing, and must meet the statutory tests in Regulation 122 of the CIL Regulations. We therefore request that paragraph 18.12 is revised to confirm that building regulations requirements will continue to apply, and that additional emergency service contributions will only be sought where explicitly justified by Local Plan policy and supporting evidence.

Burial Space

We welcome the clarification that burial space contributions apply only to South Cambridgeshire District Council and that Paragraph 13.5 has been amended accordingly. However, key concerns remain. The SPD relies on the Constitutional Affairs Select Committee Eighth Report (2006) to justify burial requirements, which is now almost twenty years old and cannot be regarded as a robust evidence base. The Council should explore whether more current national or local data exists, such as registration statistics, capacity studies, or industry guidance.

The SPD also assumes a burial density of 3,000 plots per hectare, exceeding the Government’s 2023 guidance of 2,500 plots per hectare without clear justification beyond land values. This approach risks inconsistency with national guidance and has not been subject to viability testing. Similarly, the cost assumptions for land acquisition (£240,000/ha) and preparation (£100,000/ha) are not evidenced in the Costing Report and remain unexplained, despite likely variation between Cambridge City and South Cambridgeshire.

While we do not object in principle to seeking burial space provision, the SPD must be underpinned by transparent, up to date evidence on need, density, and costs and subject to viability testing. We therefore request that the Councils revisit the evidence base and amend the SPD to ensure consistency with national guidance.

Healthcare

We welcome the Council's acknowledgement of our concerns but remain of the view that the cost assumptions for primary healthcare infrastructure have not been subject to sufficient scrutiny in terms of viability. The Council's response refers to viability testing undertaken at the Local Plan stage (2018 adoption) and subsequent benchmarking prepared for the First Proposals of the emerging Local Plan. However, neither of these viability assessments has been published alongside this SPD consultation, and it remains unclear whether the specific costs associated with the obligations set out have been fully tested in the current market context. Furthermore, as discussed more generally in relation to viability above, the previous testing is now significantly out of date, particularly in the context of the global economic changes that have been experienced over this period.

We therefore reiterate our concern that the requirements have the potential to place a significant burden on larger developments, and that further evidence and viability testing is required to justify the costs set out. Without this, there is a real risk that otherwise deliverable sites may be delayed or rendered unviable through extended negotiations on healthcare obligations.

We also note with concern the obligations introduced relating to emergency services provision. In particular, paragraph 18.12 refers to the provision of operational touchdown spaces and interview suites within new developments. These requirements could impose significant additional costs, particularly where dedicated on-site space is required within schemes.

As with healthcare, these costs have not been evidenced through viability testing, nor do they appear to have been accounted for at Local Plan stage. It is essential that any such requirements are fully justified by up to date cost evidence and properly viability tested to ensure they do not undermine housing delivery.

Summary

It remains clear that the Councils have not adequately tested the viability implications of the additional and expanded requirements set out in the revised SPD. We are particularly concerned about the impact these obligations may have on the deliverability of existing allocations and other planned development. More broadly, the SPD continues to lack sufficient detail and transparency around the evidence and costings that underpin many of the proposed obligations. We would welcome the opportunity to meet with the Councils to discuss these matters further.

Yours sincerely,

Josh Walne
Assistant Planner

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