



Report to Cambridgeshire County Council and Peterborough City Council

by **Jonathan G King** BA(Hons) DipTP MRTPI
an Inspector appointed by the Secretary of State for Communities and Local Government

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PLANNING AND COMPULSORY PURCHASE ACT 2004
SECTION 20

**REPORT ON THE EXAMINATION INTO THE CAMBRIDGESHIRE AND
PETERBOROUGH MINERALS AND WASTE SITE SPECIFIC PROPOSALS
DEVELOPMENT PLAN DOCUMENT**

Document submitted for examination on 28th July 2010

Examination Hearings held between 28th June and 6th July 2011

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ABBREVIATIONS USED IN THIS REPORT

C & P	Cambridgeshire County and Peterborough City Councils
CLP	Cambridge Local Plan
CS	Core Strategy
Cu m	Cubic metres
DPD	Development Plan Document
HRA	Habitats Regulations Assessment
HRC	Household Recycling Centre
IC	Prefix for Inspector Change
m	Million
M	Prefix for Minor Changes (M1, 2 etc)
mt	Million tonnes
MWDS	Minerals and Waste Development Scheme
¶	Paragraph
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
RS	Regional Strategy
S	Prefix for Significant Changes (S1, 2 etc)
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SM	Scheduled Monument
SNRHW	Stable Non-Reactive Hazardous Waste
SPD	Supplementary Planning Document
SSDPD	Site Specific Proposals DPD
TSA	Transport Safeguarding Area
TZ	Transport Zone
WPA	Waste Planning Authority
WWTW	Waste Water Treatment Works
WWTWSA	Waste Water Treatment Works Safeguarding Area

Non-Technical Summary

This report concludes that the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD provides an appropriate basis for the planning for minerals and waste for the Cambridgeshire and Peterborough area over the next 15 years. The Cambridgeshire County and Peterborough City Councils have sufficient evidence to support the Plan and can show that it has a reasonable chance of being delivered.

A number of changes are needed to meet legal and statutory requirements and to ensure that the DPD is sound. The principal changes can be summarised as follows:

- The deletion of the site allocation for a Household Recycling Centre, south of Addenbrookes Access Road, Cambridge (W1X).
- The reclassification of the borrowpit allocations related to the former A14 road improvements as areas of search.
- The identification of an area of search for landfill at Cottenham (M1A/W2B).
- The removal of Scheduled Monuments from the Pode Hole and Eye / Thorney mineral allocation (M1F).
- The reduction in size of the Dimmock's Cote, Wicken mineral allocation (M8B).
- The reduction in size of the Dogsthorpe Former Brickworks waste allocation (W1I).
- The reclassification of the Warboys Industrial Estate waste allocation (W1AE) as an area of search.
- Revisions to the Implementation and Monitoring framework.
- Consequential amendments and the correction of factual errors and inconsistencies between elements of the Plan.

Most of the changes recommended in this report are based on proposals put forward by the Councils in response to points raised and suggestions discussed during the Examination. The exception relates to the deletion of allocation W1X. The changes do not alter the thrust of the overall strategy.

Introduction

1. This report contains my assessment of the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD (SSPDPD or "the Plan") in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004. It considers whether it is compliant in legal terms and whether it is sound. PPS12 (¶4.51-4.52) [R27] makes clear that, to be sound, a DPD should be justified, effective and consistent with national policy.
2. My approach to this Examination has been to work with the Councils (C & P) and other participants in a positive, solution-orientated and consensual manner aimed at resolving differences and overcoming any potential unsoundness in the Plan.
3. The starting point for the Examination is the assumption that the local authorities have submitted what they consider to be a sound plan. The basis for my examination is the Submission version of the SSPDPD (dated 15th February to 29th March 2010) [C03].
4. C & P have published and revised further schedules of Significant and Minor Changes, incorporating post-publication (Editorial) Changes [C07]. The changes were suggested by the Councils, representors and by me, and were periodically published on the Councils' websites. All have been subject to publicity during the period 8th August to 19th September 2011. I have taken into account the responses received.
5. My report focuses on those changes that are needed to make the Plan sound either because it fails one of the tests of soundness or is factually incorrect or inconsistent in some respect, for example with the Core Strategy as adopted. They are identified in bold in the report [**S..**]. All of these changes with one exception have been put forward and agreed by the Councils and are presented in Appendix A. None materially alters the substance of the Plan and its policies, or undermines the Sustainability Appraisal (SA) and participatory processes.
6. I recommend 2 additional significant changes [**IC1, IC2**] not agreed by the Councils. These are included in Appendix C. Though these materially alter the Plan in that it no longer makes provision for one waste facility, it does not undermine the overall strategy. The Councils have indicated that they would wish to adopt the Plan in the absence of this allocation.
7. Some other changes put forward by C & P are factual updates, corrections of errors or other amendments in the interests of clarity. As these changes do not relate to soundness they are generally not referred to in this report although I endorse C & P's view that they improve the Plan. Some have been incorporated into those in Appendix A for ease of reading of complete passages, but the remainder are compiled into Appendix B, and referenced thus [**M..**]. I am also content for C & P to make any additional minor changes to page, figure, paragraph numbering and to correct any spelling errors prior to adoption.
8. References in my report to documentary sources are shown thus [xx], giving the reference number in the Examination Reference Library.

Assessment of Soundness

Overview

9. The Cambridgeshire and Peterborough Minerals and Waste SSPDPD [C03] is the second element of C & P's Minerals and Waste Development Framework, after the Core Strategy (CS) [E135], which provides its strategic context and which was formally adopted on 19th July 2011. It allocates sites and areas of search for a number of minerals, and for various types of waste management; and designates Transport Zones, Mineral Consultation Areas, Waste Water Treatment Safeguarding Areas, Waste Consultation Areas and Transport Safeguarding Areas. A map on an Ordnance Survey base and a site profile, comprising a description of the site characteristics and implementation issues, is provided for each site allocation. The Plan clearly states that each allocation and designation will be included in the Proposals Maps for the Cambridgeshire district planning authorities. There is also a section relating to implementation & monitoring, which supplements that contained in the CS. There are 3 appendices addressing detailed matters, including a schedule of saved policies [R35, R39] in the present Cambridgeshire Aggregates (Minerals) Local Plan [R34] and the Cambridgeshire and Peterborough Waste Local Plan 2003 [R38] which will be superseded. The SSPDPD is supported by an extensive evidence base, much shared with the CS.
10. The status and weight to be given to Regional Strategy (RS) in the *East of England Plan* [R31] has been the subject of legal action since the Hearings were held into the CS last year. The present position is that the RS continues to be part of the development plan. The courts have held that it would be unlawful for a local planning authority preparing a Plan or for an Inspector when examining one to take into account the Government's stated intention to abolish RS. In the event, no issues have emerged with respect to the RS.
11. Prior to the Hearings, I drew the attention of all representors to the Government statement *Planning for Growth* [SSP Gen6]. On 25th July 2011, the Government published the consultation draft of the *National Planning Policy Framework*. That too was subject to publicity at the same time as publicising the proposed changes and an opportunity has been given for comment. I have taken the responses into consideration.

Main Issues

12. Taking account of all the representations, written evidence and the discussions that took place at the Examination Hearings, I identified 7 main issues upon which the soundness of the plan depends. One related to conformity and compliance with respect to national legislation, policy and guidance; with the requirements and infrastructure investment programmes of other agencies and service providers; with other relevant plans and strategies which influence the delivery of its proposals; and with the Vision and relevant Objectives of the Core Strategy. I do not deal with this as a separate topic, but address conformity and compliance issues as they arise within the other sections of the report.

SITE PROFILES

Issue: Do the site profiles include sufficient and appropriate information in order to guide development?

13. Each allocation is accompanied by a map and a site profile, being a brief statement describing the proposed use(s), site characteristics and implementation issues. Common to the latter is that detailed assessments of development impacts and mitigation techniques are required as part of any individual development proposal. Issues specific to the site are then identified. But they are not to be considered as comprehensive: it is not practical or indeed necessary for every issue to be identified in great detail in the Plan. Despite concerns expressed by representors, by and large they strike an appropriate balance: drawing attention to important matters without undue prescription. These are not policies nor do they need to be. But they contribute to the effectiveness of the Plan and will be of great assistance to potential developers at the time of making planning applications. In general, the site profiles include sufficient and appropriate information in order to guide development.
14. Though the general approach is sound, the way in which the profiles are set out is inconsistent and there are a number of errors, omissions and duplications. There is a lack of clarity as to what constitutes a site characteristic and what is an implementation issue. Similar characteristics do not always lead to the same issues being identified. Some issues do not appear to derive from an identified characteristic. Similar issues are not always expressed in the same way, perhaps giving a confusing impression of relative importance. Some issues unnecessarily require compliance with CS policy or with a Supplementary Planning Document, but not always.
15. Additional or revised implementation issues have also been proposed by representors. Principal amongst these are the need for assessments for transport, flood risk and hydrology / geology; for EIA, and for project-level Habitats Regulation Assessment (HRA). In response C & P have put forward numerous proposed changes, the majority based on agreements reached with major consultees. In addition, both in advance of and during the Hearings sessions, C & P have proposed several other changes to the implementation issues in response to individual representations. Mostly these have been categorised as Minor, providing clarity rather than anything more significant. I do not generally refer to them when considering the allocated sites in this report.
16. Individually, the shortcomings in the site profiles do not raise matters of soundness. However, cumulatively they undermine the effectiveness of the Plan and so, arguably, its soundness. Insofar as the Plan is thereby rendered unsound, this is rectified by the changes. Similarly, the individual changes are not essential to ensure soundness, but cumulatively they amount to a substantial alteration to the Plan. They have been categorised as Minor Changes but, mindful of their number and cumulative effect, they have been subject to the same publicity as the Significant Changes.

MINERALS ALLOCATIONS

Issue: Are the minerals allocations sound and in accordance with the spatial strategy for minerals set out in the Core Strategy?

17. The minerals allocations policies in the Plan designate sites for sand and gravel (SSP M 1); sand and gravel borrowpits (SSP M 2); chalk (SSP M 4); brick clay (SSP M 5); engineering clay borrowpits (SSP M 7); and specialist minerals (SSP M 8). In addition there are 2 "no allocation" policies: for limestone (SSP M 3) and engineering clay (SSP M 6). Together these cover all of the minerals for which policies are included in the CS.
18. All of the allocations have been identified through a comprehensive search and assessment [E092] and SA [C38, C39]. There have been few criticisms of the methodology. The approach is sound.

Sand & Gravel

Conformity

19. 6 sites are allocated [M1A-F], 5 of which were identified as "broad locations" in Core Strategy Policy CS4. Together, these have identified resources of over 21 million tonnes (mt) which, with the strategic allocation at Block Fen / Langwood Fen (Policy CS5), would provide some 45mt of mineral, about half of which would be worked in the Plan period at the rate envisaged in the CS. In terms of both location and capacity, the allocations are in accordance with the CS. Consequently, there is no need to make any additional allocations on quantitative grounds or in order to comply with the spatial strategy.
20. An element of over-provision has been built in, partly through the allocation of an additional small site, Wimblington [M1C]. The resource of about 0.5mt on this dormant site could be sterilised if not worked and the allocation provides some additional flexibility to the Central / Southern production zone. There are no grounds on which to make further allocations in order to provide additional flexibility.
21. So far as the sand and gravel allocations are concerned, the Plan is therefore fundamentally sound. While some other sites put forward by representors, for example that at Hauxton, might provide benefits, for example in terms of proximity to likely future markets in South Cambridge, in the absence of any demonstration of unsoundness, there is no need for any additional or alternative allocations to be made. The CS includes a policy (CS13) under which minerals extraction outside the scope of the strategy may be permitted provided that overriding benefits can be demonstrated. It is by reference to its provisions that proposals for other sites should be judged rather than by making additional allocations in this Plan.

Site specific matters

Cottenham [M1A]

22. The effect on the success of the overall spatial strategy - which relies heavily on the very substantial allocation at Block Fen / Langwood Fen - of an allocation at Cottenham was addressed in principle at the CS Examination. Though the Cottenham site may be regarded as an intervening opportunity to serve the Cambridge market more conveniently at the expense of mineral sourced from Block Fen / Langwood Fen, there is no evidence to show that, other than perhaps

slowing down the achievement of the benefits of the latter, any significant harm to the strategy would result. In any event it would be a replacement for current workings and in practice the rate of output may be limited by the availability of fill for phased restoration. The Councils have proposed a change to the site profile which highlights this [M31]. There is no justification for limiting the output by reference to tests of soundness. The allocation is sound as it stands.

Needingworth [M1B]

23. Several representations have been made seeking omission or partial omission of the Needingworth allocation, mostly raising concerns of an environmental nature, for example regarding the impact of traffic, and the effect on residential amenity, wildlife, archaeology, landscape and public access. But the implementation issues of the site profile already draw attention to these and other matters. The Councils propose to introduce greater clarity by means of a number of Minor Changes, some made in direct response to representations. Moreover, development would have to comply with the suite of development management policies contained in the CS designed to protect amenity and the environment from the effects of minerals extraction and to ensure appropriate restoration and afteruse. While I fully appreciate the strength of feeling of a number of representors, none of their concerns goes to the question of soundness. The allocation is justified by reference to the CS and would be effective. It is sound.

Pode Hole / Eye/Thorney [M1F]

24. This site is heavily affected by archaeology, with a number of Scheduled Monuments (SM) on or adjacent to it. These include barrows and other surface- and sub-surface features. The implementation issues indicate that the SMs are specifically excluded from the allocated area. This is to be made explicit on the accompanying plan by means of a change [S8]. In order to protect the SMs, the submitted Plan requires a protective buffer of 50 metres around each. This requirement recognises the particular circumstances of the locality where barrows lie within protective fen deposits which would be damaged by desiccation. However, in response to representations from English Heritage, a Minor Change is proposed [M44] to the implementation issues in the site profile, recognising that 50 metres may not be the appropriate radius in every instance. Rather, the size of the buffer should be appropriate to each monument, so that larger or smaller areas may be excluded on archaeological grounds, following assessment. Detailed extraction boundaries would be identified at planning application stage, and the exclusion of the SMs from the allocated area is not too onerous or lacking in flexibility. It is not possible to say whether the protection of the archaeological resource can be totally assured in practice, even given previous experience on this and other sites in the county and the positive attitude of operators. Nonetheless, I have considerable confidence that the intention is to provide protection for SMs commensurate with their status in accordance with national policy in PPS5 *Planning for the Historic Environment* [R23].
25. In principle I share English Heritage's concern that restoration without imported fill would involve some open water that may affect the setting of the SMs. But the monuments are not readily visible in the present modern agricultural landscape. This bears no more similarity to that which existed at the time the monuments were constructed than would be created under future restoration proposals. The most that can be sought realistically is that the enduring character of the flat, fen-edge landscape is retained so far as possible. This ambition is also incorporated into Change M44 consistent with the approach of PPS5. I have no reason to believe that this would not be achievable. I am therefore satisfied that there would be no conflict with the objectives of national policy. The allocation is sound.

Borrowpits

26. Policies SSP M 2 and SSP M 7 respectively allocate 6 aggregates borrowpits (M2A-F) and 9 engineering clay borrowpits (M7A-I) to provide for improvements to the A14 road (Ellington to Fen Ditton). The former derives from CS Policy CS11 and the latter from CS12.
27. There is full recognition from all parties that the A14 suffers serious congestion and that this will need to be addressed, not least in the interests of economic growth. However, following the recent Spending Review, the Government has stated that the planned improvements are unaffordable and the scheme has been withdrawn [R50, R52]. Reviews (*the A14 Study* by the Department of Transport [DoT] and the *A14 Headroom Capacity Study* by the DoT and the Cambridgeshire local authorities) addressing the way forward have commenced and will report within the next year. A range of solutions may be proposed that could include initiatives other than road improvements, but to predict the final outcome would be speculative. What is clear is that there is very little likelihood of the earlier very substantial scheme re-emerging. Nonetheless, some upgrading of parts of the road, with a consequential requirement for bulk materials, cannot be ruled out during the lifetime of the Plan. But until new solutions are agreed upon, it is impossible to predict the quantity of the materials that may be required or the locations from which they would be most appropriately extracted.
28. As submitted, the Plan is unsound because the borrowpit allocations have been made specifically to provide for the now abandoned scheme. They are not justified either by reference to the quantity of mineral or the specific locations. In recognition of this, C & P have put forward a number of changes to policy SSP M 2, the supporting text and the individual site profiles [**S1-4 & S9-S42**]. Chief amongst these is the re-classification of the site allocations as "Areas of Search" which reflects the lack of certainty concerning quantity and location. However, not least because of that uncertainty, I agree with the Councils that there would be no benefit in classifying these areas into a hierarchy of preference. The Monitoring and Implementation tables are also proposed to be amended [**S6** and related Appendix A]. In this way, C & P sensibly seek to maintain flexibility in the Plan so that, whatever the outcome of the reviews, it will be able to respond to any future need. Given the importance of the road to the local economy and the need for development plans to provide for future infrastructure, it would be remiss of the Plan not to do so. Although on the face of it, this may result in making a very considerable over-provision of mineral, only that specifically required to provide for future need associated with any improvement of the A14 would in practice be taken. This is clear from Policy SSP M 2 and the revised site profiles. The presumption against general commercial exploitation of the mineral within the areas of search would remain, unless overriding benefit could be shown by reference to CS Policy CS13.
29. Some of the borrowpits, for example those at Brampton, do not comply with the CS policy of avoiding mineral extraction in the Ouse Valley (Policy CS4). But (if required) they could be justified because of their proximity to where future road improvements may take place. The alternative of transporting a large quantity of low value mineral from distant commercial quarries such as those at Langwood Fen / Block Fen would be environmentally and economically unsustainable, even if it could be provided at the necessary rate.
30. I recognise that residents of communities close to the areas of search may have concerns over the level of uncertainty implicit in the proposed revised approach. But that will reduce as the results of the reviews become known and alternative proposals are drawn up. It may be that some or all of the Areas of Search will

remain untouched, but at present it is not possible to tell. Any proposals for borrowpits that are required will in any event be subject to the suite of development control policies contained within the CS which seek to minimise and mitigate the potential for negative impacts of mineral working and to achieve appropriate forms of restoration and afteruse.

31. I conclude that, subject to the proposed changes, this element of the Plan is sound.

Limestone

32. Core Strategy Policy CS6 seeks to maintain a 10 years landbank (at 300,000 tonnes per annum) of limestone. This presently exists but will not do so for the whole of the Plan period. At current levels of production, reserves may become completely exhausted unless additional provision is made. However, owing to the inability of the Councils to identify a suitable site at the CS stage to make up the shortfall, there is no requirement for the SSPDPD to make a specific allocation. To have made such a requirement in the absence of confidence that it could be fulfilled would have made the CS ineffective and unjustified. The lack of an allocation for limestone in the SSPDPD therefore does not render it unsound. Nonetheless, if suitable site(s) could be identified in the context of the SSPDPD, it would be sensible to make allocations(s).
33. One site has been proposed by a representor, at Helpston. This was considered by the Council (SS1 – Site 36) [E092] but rejected as a potential allocation both in the context of the CS and the SSPDPD owing to concerns about the potential for adverse effects on the water environment, wildlife sites and archaeology. Subsequently, road access and landscape impact have also been identified as potential constraints.
34. For a site-specific allocation to be made in a Plan, it is not essential for there to be total certainty over all potential environmental and other impacts, provided that there is sufficient confidence that they can be mitigated satisfactorily. In this case, I am reasonably satisfied that there would be no insuperable problems relating to the potential of extraction to affect the landscape, wildlife and archaeology. Highways improvements could be made to achieve safe access, albeit at some expense, though there would be some environmental consequences associated with heavy traffic. But principally I share the Councils' concern that, in the absence of borehole data there is insufficient knowledge about the quantity and quality of the mineral resource; and, critically, little is known about the geology and hydrology of the site. In the absence of the former, allocation of this site could prove ineffective. Moreover, faulting of the rock could provide hydraulic continuity of the site with polluted groundwater which has resulted from former landfills some distance away. This has required the implementation of a major groundwater remediation scheme which may be required until 2033 [E161]. Given that the site is located above a water source protection zone, I agree with the Councils that, even if the risk is slight, a precautionary approach should be taken. On the basis of present levels of knowledge, it would be imprudent to allocate the site. Core Strategy Policy CS6 sets out criteria against which any future proposals to work this or any other site for limestone would be considered.
35. I conclude that the Plan as submitted is sound and that it would be unsound to allocate the site at Helpston.

Chalk Marl and Brick Clay

36. Policy SSP M 4 makes an allocation for chalk marl extraction at Barrington Quarry (M4A), deriving from CS Policy CS9. Policy SSP M 5 similarly makes an allocation for brick clay at Kings Delph, Whittlesey (M5A), deriving from CS Policy CS8. These allocations are uncontentious in principle and sound.

Engineering Clay

37. Policy SSP M 6 derives directly from CS Policy CS12. It makes no allocation for engineering clay for general use.
38. Consistent with its representation with respect to clay borrowpits, the operator of the Cottenham site [M1A, W2B] seeks its allocation for the production of clay. As indicated above in relation to borrowpits, the amount of material that may be required in connection with any future upgrading of the A14 is unknown. The allocations under Policy SSP M 7 were in themselves not sufficient to meet the total need for clay associated with the former scheme. It was assumed that a proportion of the material would have come from sites such as Cottenham, but that it was unnecessary to include them as allocations. Now that there is considerable uncertainty over the likely requirement, if any, of clay to provide for road improvements, there is even less reason to make such allocations.
39. The Policy is sound as submitted.

Specialist Minerals

40. Policy SSP M 8 makes an allocation for brick clay at *Burwell Brickpits, Burwell* (M8A) and for limestone at *Dimmock's Cote Quarry, Wicken Fen* (M8B) as specialist minerals, consistent with CS Policy CS10. The former is uncontentious. However, part of latter is unavailable during the Plan period. In recognition of this, a proportion of the allocation is proposed to be deleted from the Plan by way of a change [S43]. The Councils are confident that the reduced site will be sufficient to meet the need for the mineral over the Plan period and consequently there is no need to allocate any substitute land. The site profile (as proposed to be changed) includes sufficient general guidance with respect to working and restoration.
41. Subject to the proposed change, the allocations are sound.

WASTE MANAGEMENT ALLOCATIONS

Issue: Are the waste management allocations sound and in accordance with the spatial strategy for waste set out in the Core Strategy?

42. The waste allocations policies in the Plan designate sites for waste recycling and recovery facilities (SSP W 1); inert waste landfill disposal (SSP W 2); Non-hazardous waste landfill disposal (SSP W 3); stable non-reactive hazardous waste landfill (SSP W 4); and waste water treatment works (SSP W 6). In addition there is one "no allocation" policy for general hazardous waste landfill disposal (SSP W 5). Together these cover all of the types of waste management facilities for which polices are included in the CS and are sufficient for the quantities of waste being planned for.

43. As with the minerals sites, all of the waste management allocations have been identified through a comprehensive search and assessment [E093] and SA. The approach is sound.

Waste Recycling & Recovery facilities (Non-Landfill)

44. Policy SSP W 1 derives from CS Policy CS14. It allocates 34 sites for waste recycling & recovery (W1A-W1AH). The great majority of representations made concern the content of the individual site profiles, which I have already considered (¶ 5-8). A number of more significant amendments are required to ensure consistency with the table in the parent Policy SSP W1: *Cross Leys Quarry, Wittering* (W1H) [S44]; *Dogsthorpe Former Brickworks* (W1I) [S46]; *Hampton, Peterborough* (W1N) [S47]; *Storey's Bar, Fengate* (W1AA) [S48]. Other site specific matters are addressed as follows:

Cambridge Northern Fringe East [W1F]

45. This large area of search is principally occupied by an operational waste water treatment works (WWTW) and associated unused land. There are also other waste and mineral-related uses, including an aggregates railhead in the vicinity. The allocation is consistent with PPS10 *Delivering Sustainable Waste Management* [R26] and Core Strategy Policy CS15. Anglian Water, the WWTW operators, confirm that the facility is to remain and the allocation is not prejudicial to their interests. In this context, the City Council no longer asserts any "in principle" incompatibility of waste uses with their promotion of employment development in the area. It therefore no longer seeks complete removal or substitution of the allocation.
46. Part of the site may be unavailable because of the City Council's wish to promote high quality employment uses on land within it which they own. However, there can be synergies between some modern forms of waste management and other employment uses, so I see no need to omit it from the allocation on grounds of incompatibility. Not all of the area of search would be required to satisfy the requirement for facilities, so achievement of the objectives of the allocation would not be compromised even if this land were not made available. The allocation is sound.

Dogsthorpe Former Brickworks [W1I]

47. The landowner indicates that part of the site (approximately 2ha out of 21.7ha total) will not be made available under any circumstance and so the allocation is not wholly deliverable and therefore unsound. In response, C & P have agreed to delete the area in dispute; and this is reflected in a proposed change to the allocation plan and in consequential changes to the Waste Consultation Area [S45]. The allocation is sound as proposed to be changed.

South of Addenbrokes Access Road [W1X]

48. This site is allocated for a Household Recycling Centre (HRC) to serve southern Cambridge, one of 3 identified for the city by CS Policy CS16. It is the most contentious allocation in the Plan and I consider it in some detail.
49. Cambridge South is one of the principal growth areas for the city. Reserved matters for 1,292 dwellings in the locality have been approved since August 2010, together with permission for a primary school at Trumpington Meadows. Housing construction at Glebe Farm has already commenced, and the first dwellings in the Clay Farm area are expected to be completed in early 2012.

Although development is unlikely to proceed as fast as had been initially anticipated, this is an area that will in the future experience an increase in demand for local services, including waste management. In January 2006 the Cambridge Southern Fringe Area Development Framework was approved by Cambridge City Council, which identified a need for a HRC [E102]. However, the consequential detailed planning of the area did not leave any potential sites for one within the development area.

50. I conclude first that a facility as proposed is consistent with the CS and required in order to improve present provision and to cater for planned new development; and second, that all realistic potential sites, including W1X, lie outside the development area, and within the Cambridge Green Belt. An HRC would represent inappropriate development in the particular Green Belt sense.
51. PPS10 states that planning strategies should protect Green Belts but recognise the particular locational needs of some types of waste management facilities when defining detailed boundaries. Its Companion Guide adds that, in particular where a local authority's area contains a high proportion of Green Belt land and an inadequate range of suitable sites outside the Green Belt exist, an authority may, exceptionally, wish to consider a limited alteration to the defined Green Belt boundary, to meet a specific, identified need for a waste management facility. Such a proposal should be brought forward through the Local Development Document process, thereby providing greater certainty for the Waste Planning Authority (WPA) in providing sufficient land capacity to meet identified need for waste management facilities and to the waste industry for the purpose of submitting a planning application. There is no dispute that there is such a specific identified need.
52. However, the Companion Guide goes on to say that this process will need to be carefully co-ordinated between the District planning authority and the WPA in two tier authority areas, given that the Green Belt boundary will be defined in the district DPD. Despite co-operation between officers of the different authorities, it is regrettable that it has not been possible to reach agreement.
53. The boundary of the urban area and of the adjoining Green Belt was an important consideration in drawing up the Cambridge Local Plan (July 2006)(CLP) [SSRepD1]. That shows The Addenbrookes Access Road forming a firm, hard boundary between the urban area of Cambridge and its rural surroundings to the South. Permission has been granted for residential development up to the northern side of the road (Glebe Farm) and this is likely to be built in advance of the provision of the proposed facility. The intention that the road and the housing should form a new urban edge and provide an opportunity to improve the character and appearance of the interface between the City and countryside is clear from the Local Plan Inspector's report. [SSRep D6]. The site allocation would take built development beyond the edge, directly at odds with that intention. There is no doubt in my mind about the purpose of identifying the boundary and of its importance to the objectives of the CLP.
54. The CLP (in its Vision and in ¶4.5) identifies compactness as one of the characteristics of the city. Policy 3/2 seeks to protect the setting of the city and the amenity of its urban edge. Together with the identification of a firm southern boundary to the urban area, this chimes with 2 of the 5 purposes of including land in the Green Belt listed in PPG2 *Green Belts* [R19]: *to check the unrestricted sprawl of large built-up areas* and *to assist in safeguarding the countryside from encroachment*. The land in question fulfils both purposes.

55. It is inherently undesirable that an allocation in one Plan should be inconsistent with a principle or objective of another. PPS12 *Local Spatial Planning* [R27] says in the context of deliverability that plans should ensure that what is in the plan is consistent with other relevant plans and strategies. Though this is stated by reference to core strategies and neighbouring plans, its thrust logically applies equally to site allocations on overlapping plans. I share the City Council's view that the proposed allocation is inconsistent with the objectives of its Local Plan and the intentions of PPS12.
56. A further purpose of Green Belts listed in PPG2 is *to preserve the setting and special character of historic towns*. PPS5 *Planning for the Historic Environment* [R23] also emphasises the importance of the setting of heritage assets. The landscape and visual assessment for the site [E154] acknowledges that it forms part of the historic city and that its development would affect the character of an important approach to it, concluding that it would be fairly obtrusive in the context of its setting. The historic centre of Cambridge is not visible when approaching from the south in the vicinity of the site. Rather, the appearance of the urban fringe here is one of modern development, including well-lit major roadways and substantial and extensive development. However, insofar as Cambridge has kept its historic clear distinction between the city and the flat rural area which provides its setting, and sought to maintain this by the firm boundary defined in the CLP and on the ground, the proposed facility would be contrary to that Green Belt purpose and to the broad objectives of PPS5.
57. PPG2 also defines 6 objectives for the use of land in the Green Belt. The proposed facility would not contribute to the achievement of any of them and would directly militate against 2: *to retain attractive landscapes and enhance landscapes, near to where people live; and to retain land in agricultural, forestry and related uses*. It adds that the fundamental aim of Green Belt policy is *to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness*. Whether openness is defined by reference to absence of development or exposure to view, it would be significantly reduced by the facility proposed.
58. The Councils acknowledge that the location is sensitive [SSPCRIN2], with the landscape visual assessment [E154] rating the landscape character sensitivity as being *medium / high*, though this may be an under-estimate as it took no account of the impact on the proposed housing to the north. The capacity to accommodate the proposed use (even with mitigation) was rated as *medium / low*. The Councils' own assessment [E093] concedes that the site lies within an open farmland setting; that the development would be a new feature in the open arable landscape and would change the approach into Cambridge. I note the conceptualisation proposal put forward in support of the development [E094] and accept that, in time, planting might limit views of the building and associated activities. However, I am unconvinced that, overall, it would provide an opportunity to enhance the urban edge, as the assessment [E093] suggests. Indeed, even screen planting could be a discordant feature in the flat open landscape. C & P's positive conclusions as to visual impact are not borne out by the evidence.
59. Although location in the Green Belt was taken into account in the assessments of alternative sites, there is no evidence that shows that the comparable degree of harm to the Green Belt, and to its purposes and objectives, was assessed in reaching the decision to allocate site W1X. I conclude that the development of the site as proposed in the Plan would be very significantly inconsistent with Green Belt policy.

60. A considerable proportion of the Waste Consultation Area for the site allocation includes land which is to be developed for housing. The CS says that new neighbouring development can impact on waste management sites and make it problematical for them to continue to deliver their important function. It adds that other forms of occupied development may be incompatible with waste management development and prejudice existing or future operations. In short, this recognises the potential incompatibility of waste management uses with residential development. In this case, the proposed facility would be very close to the future Glebe Farm housing. Some will have a frontage to Addenbrookes Access Road directly opposite the facility and its access. This would be incompatible with the purpose of identifying Waste Consultation Areas, both from the point of view of protecting residential occupiers from the environmental effects of the facility and in order to prevent future prejudice to its operation.
61. I recognise that, in the interests of sustainability, a facility of this kind should be located as close as reasonably possible to its catchment area. This site is well-placed in that context. I am also aware that improvements in design and operation have reduced the potential for waste management facilities to affect the amenity of local residents. The Councils have recently adopted a Supplementary Planning Document *The Location and Design of Waste Management Facilities* [E157] that includes design principles which were taken into account in the selection of the site. My attention has been drawn to other new waste facilities (such as the new HRC being built near Witchford) that I am told has been designed to operate close to housing without causing harm to the living conditions of residents. However, I remain concerned that a facility located where proposed to the south of Addenbrookes Access Road, could be perceived as a "bad neighbour" to the nearby residents.
62. I acknowledge the very considerable amount of effort that has gone into identifying the site; that a considerable number of alternative sites have been considered; and the fact that all were in the Green Belt. Some conflict with that policy would therefore be unavoidable. I appreciate the need for a new facility, not least to serve the future occupiers of new housing locally. I also note the Councils' commitment to high quality design. But, important as these considerations are, they have to be balanced against others.
63. Judgments with respect to the Green Belt and heritage assets are explicitly on balance; and so is the overall question of soundness. The Councils have conceded that the case for this allocation is finely balanced. Moreover, there is no pressing need to make replacement provision in the early years of the Plan. Indeed, it appears that owing, amongst other things, to the slow-down in development locally and the funding of the facility being at least in part by way of developer contributions, provision is likely to be made later than initially planned. Though the present household recycling provision for South Cambridgeshire is less than ideal, it is acknowledged to be presently adequate. The argument in favour of the site in terms of need is thereby reduced.
64. Having regard to all of these matters, I take the view that the proposed allocation is unsound by reference to lack of consistency with national policy with respect to the Green Belt and PPS5; lack of conformity with the objectives and policies of the Cambridge Local Plan; and lack of consistency with the purposes of identifying Waste Consultation Areas in the Core Strategy.
65. On that basis, I conclude that the allocation is unsound, and I recommend its deletion from the Plan [IC1]. Consequentially, the related Waste Consultation Area should also be deleted [IC2], together with the Minor Changes put

forward with respect to this allocation, which I have removed from the relevant schedule.

66. Although this recommendation means that C & P will have to undertake another search exercise, a task which I know will not be easy, I believe there is time for this to be done without the waste strategy of the CS being compromised. Given the focused nature of the exercise, there would be no need for it to be as prolonged as hitherto. In the context of PPS10 it has been suggested to me by C & P that I could assist any future search for a suitable site by requesting that the current reviews of the Cambridge Local Plan and South Cambridgeshire Local Development Framework must consider removing land from the Green Belt for this specific waste management purpose, which could then be taken forward for allocation through a closely targeted partial review of the SSSPDPD. I see no benefit in making any such observation, since such a request would carry no weight in practical terms. Nonetheless, I strongly encourage the Councils to work together to identify a suitable site through their respective Plans.

Warboys Industrial Estate [W1AE]

67. The industrial estate at Warboys comprises a group of vacant units to the west of the A141 and B1040 junction and a group of smaller, occupied units to the rear. The draft of the as-yet unsubmitted Huntingdonshire Development Management DPD seeks to retain both these areas for employment purposes. The SSPDPD allocates the former together with an area of land between the two areas for waste recycling and recovery uses specified in the site profile. At the Hearings, C & P acknowledged that there was no justification for including In-Vessel Composting amongst the potential uses, as this would be inconsistent with the CS which seeks just one facility of this type to serve the Peterborough area. Moreover, in view of the allocation [W1V] for inert waste recycling at *Puddock Hill*, also in Warboys, which would make a contribution to the restoration of the associated void, there is no justification for another facility of that type on the industrial estate. Consequently, the allocation as described is unsound.
68. In response, C & P propose a number of changes [**S5, S49**] to the site profile to reflect their concessions. In recognition that not all of the site would be required and that there could be synergies between future waste and employment uses, the allocation is also proposed to be reclassified as an area of search. That would be in line with the policy of PPS10 and should go a substantial way to allaying local concerns that the presence of waste activities would be harmful to the future employment at this location. Indeed, it may be complementary to that ambition. As proposed to be changed, the allocation is sound.

Inert waste landfill

69. Policy SSP W 2 allocates 6 sites for inert waste landfill (W2A-F), pursuant to CS Policies CS14 and CS15. They are largely uncontroversial and sound.

Cottenham [W2B]

70. As submitted, the landfill allocation is limited to only part of the site allocated for mineral extraction [M1A], for the purposes of restoration. The detail of the form of the restoration is not presently known but, in order to achieve a comprehensive scheme, it is possible that fill may be required in the area omitted. C & P acknowledge that the boundary is arbitrary. For that reason,

the present allocation is unsound by reason of ineffectiveness and lack of justification. However, this may be overcome by way of changes [S7, S50] agreed between C & P and the operators. These identify the area of extraction to the north of the landfill allocation as an area of search for landfill that would contribute to the overall restoration of the site. The related Waste Consultation Area is also proposed to be revised in the interests of consistency. As the whole of the site was subject to SA at an early Plan preparation stage, no further SA is required to accommodate these changes, which permit the allocation to be found sound.

Non-hazardous waste landfill disposal

71. The general approach to the provision of non-hazardous waste landfill disposal is set out in CS Policy CS21, which identifies the limited circumstances in which additional provision may be made. Policy SSP W 3 allocates a fairly small amount of additional void (some 430,000 cubic metres, amounting to about 4 years additional filling) at an existing site at *Puddock Hill, Warboys* [W3A]. This would be created by extension and re-engineering of one of the cells in order to ensure long-term stability and to avoid risk of pollution, 2 of the specified circumstances in Policy CS21. Permission has already been granted.
72. Following representations from the operator of *Thornhaugh I quarry* (see next section), an agreed change has been put forward [S51] adding non-hazardous waste landfill to the W4B allocation for that site. This is consistent with Policy CS21 which allows complementary landfill where this is required in order to maintain the long-term viability of an existing or allocated Stable Non-Reactive Hazardous (SNRHW) waste facility.
73. Subject to the change referred to, these allocations are consistent with the CS and are sound.

Stable Non-Reactive Hazardous Waste Landfill

74. Policy SSP W 4 identifies 2 existing sites for SNRHW landfill: at *Grunty Fen, Wilburton* (W4A) and *Thornhaugh I* (W4B), based on CS Policies CS14, CS15 and CS19. CS19 states that limited extensions to SNRHW capacity will be made within existing landfill sites where there is a demonstrated need. The CS identifies (2009) a remaining void for SNRHW of 600,000 cubic metres, sufficient for some 40 years at the estimated minimum rate of 14,000 cubic metres per annum. There is consequently no pressing need to identify further SNRHW void. However, as some of the void at *Thornhaugh* will be taken up with non-hazardous waste in order to ensure its continued viability, the actual provision will be less. At present, it is the only site in the county taking this kind of waste. Therefore I also agree with the Councils that, notwithstanding the lack of a quantitative requirement for additional provision, it not unreasonable to allocate *Grunty Fen*, an existing non-hazardous landfill, to provide better geographical coverage and flexibility.
75. These allocations are consistent with the CS and are sound.

Hazardous Waste Landfill

76. Policy SSP W 5 makes no allocations for general hazardous waste landfill disposal, consistent with CS Policy CS19. It is sound.

Waste Water Treatment Works

77. Policy SSP W 6 allocates an Area of Search for a WWTW at Ely (W6A) in line with CS Policy CS17. The area is large and extends both to the north and south of the Ely to Peterborough railway line. Concern has been expressed in representations that if the works were to be located in the southern part, this could be prejudicial to housing proposals which are being put forward within the Ely Masterplan. However, that is a non-statutory plan which in terms of housing provision in this area goes well beyond what is included within the East Cambridgeshire Core Strategy [E146]. There is presently no certainty over how many houses may be built or precisely where, though it is possible that a proportion may be within the southern part of the WWTW area of search.
78. Changes are now proposed by C & P to the site profile for the area which provides Anglian Water, who would be the operators of the works should it be built, with flexibility to meet operational requirements, while also giving sufficient comfort to the landowner that there would be no substantial prejudice to the implementation of a range of housing scenarios. The changes [M165, M166] do not go to the question of soundness and are therefore categorised as Minor. The Plan is sound as submitted, though the changes provide greater clarity.

SAFEGUARDING & CONSULTATION AREAS

Issue: *Are the Safeguarding and Consultation Area designations sound and in accordance with the principles set out in the Core Strategy?*

79. In some parts of the Plan and in the key to the maps, the expressions "safeguarding" and "consultation" in relation to these designations have been mixed. Though this amounts to drafting errors, the 2 are not interchangeable. Minor Changes have been proposed to correct this. In order to ensure effectiveness of the related policies in the CS, changes have also been proposed to the Implementation and Monitoring section [S6 and related Appendix A].

Mineral Consultation Areas

80. Policy SSP M 9 derives from Core Strategy Policy CS26. It designates Mineral Consultation Areas for all mineral sites allocated in the Plan, and in relation to permitted reserves and operational sites. The minor matters raised in the few representations that have been made to the individual areas do not go to the question of soundness. These designations are sound as submitted.

WWTW Safeguarding Areas

81. Pursuant to Core Strategy Policy CS31, Policy SSP W 7 designates 49 WWTW Safeguarding Areas (W7A – W7AW). The principle, general extent and application of the designation were discussed during the CS Examination. It is not appropriate to re-open that debate. There is no need to revise the extent of the WWTWSAs where they include land committed or allocated for development. Rather, the designation should draw attention to the presence of the WWTW when the land comes to be developed. These designations are sound as submitted.

Waste Consultation Areas

82. In order to implement Core Strategy Policy CS 30, Policy SSP W 8 designates Waste Consultation Areas in relation to all of the waste allocations in the Plan,

together with a further 32 permitted and operational sites described as making a significant contribution to managing waste. None are opposed. They are sound.

Sustainable Transport Zone & Transport Safeguarding Areas

- 83. The principle of *Transport Protection Zones* as existing or planned areas where sustainable transport of minerals and / or waste is or will be taking place was set out in the submission version of Core Strategy Policy CS23, but this was subsequently subject to change, by substituting the designation *Transport Zones* (TZ), covered and surrounded by *Transport Safeguarding Areas* (TSA). These alterations are reflected throughout the SSPDPD in Minor Changes.
- 84. Policy SSP T 1 as proposed to be changed designates a single TZ (T1A) on land North of Chesterton Sidings, Cambridge associated with the existing WWTW (see allocation W1F). This directly reflects part of Policy CS23, the intention of which is to ensure the continued existence of a railhead for aggregates in Cambridge over the Plan period. The principle is therefore not in dispute. It would not compromise the requirements of the WWTW. Concerns expressed about allocation W1F itself are addressed in the implementation issues of the site profile. The allocation is sound.
- 85. As proposed to be changed, Policy SSP T 2 designates 8 TSAs (T2A-H). The Councils acknowledge that the background information on the map relating to site T2G (*Whitmoor, March*) is out of date, not least because the area identified as being a locally-designated nature conservation site has been built over. It would be advisable to update the map but, as its purpose is simply to designate the TSA, this does not raise issues of soundness.

IMPLEMENTATION & MONITORING

Issue: Are the monitoring / implementation arrangements fit for purpose?

- 86. The Plan includes monitoring and implementation frameworks for the policies and allocations in the DPD. They supplement the framework contained in the CS and are also related to its policies and objectives. No representations have been made to them. A number of changes are proposed in order to ensure their effectiveness [**S6** & related Appendix A].
- 87. Overall, as proposed to be changed, this part of the Plan is sound.

Legal Requirements

Issue: Does the Plan meet the statutory and procedural requirements?

- 88. My examination of the compliance of the CS with the legal requirements is summarised in the table below. It meets them all.

LEGAL REQUIREMENTS	
Minerals and Waste Development Scheme (MWDS) & Local Development Scheme (LDS)	The SSPDPD is identified within the approved Cambridgeshire MWDS of March 2009 [R06] which sets out an expected adoption date of February 2012 and the Peterborough LDS of January 2010 [R49] which indicates that it will follow on from the Core Strategy being found sound. The content and timing

	of the SSPDPD are compliant with the MWDS and the LDS.
Statement of Community Involvement (SCI) and relevant regulations	The Cambridgeshire SCI [C24] was adopted in October 2006 and the Peterborough City Council SCI [C25] was adopted in February 2008 and consultation has been compliant with the requirements therein [C14, C15].
Sustainability Appraisal (SA)	SA has been carried out at all stages during the preparation of the SSPDPD and at submission [C38, C39, E013, E026, E034].
Appropriate Assessment	A Habitats Regulations Assessment [C34] has been carried out and has concluded that for all proposed minerals and waste sites in the SSPDPD no adverse impacts were identified on European or Ramsar sites that cannot be avoided by legally enforceable measures.
National Policy	The SSPDPD complies with national policy except where indicated and changes are recommended.
Regional Spatial Strategy	The former East of England regional assembly confirmed that the SSPDPD is in general conformity with the approved East of England Plan [E079].
Sustainable Community Strategy (SCS)	Satisfactory regard has been paid to the SCSs of the relevant local authorities [R03, R09, R12, R17, R32, R41].
2004 Act and Regulations (as amended)	The SSPDPD complies with the Act and the Regulations, including the arrangements for publication and making available the necessary documents.

Overall Conclusion and Recommendation

89. **I conclude that with the changes proposed by the Councils set out in Appendix A and with my change in Appendix C below, the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals DPD satisfies the requirements of s20(5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the plan be changed accordingly. For the avoidance of doubt, I also endorse the Councils' proposed Minor Changes, set out in Appendix B.**

Jonathan G King

Inspector

This report is accompanied by:

Appendix A (separate document) Councils' Changes that go to soundness

Appendix B (separate document) Councils' Minor Changes

Appendix C (attached) Change that the Inspector considers is needed to make the plan sound

Appendix C – Changes that the Inspector considers is needed to make the plan sound

<i>Inspector Change No.</i>	<i>Policy</i>	
<i>IC1</i>	<i>Policy SSP W 1 Site allocation W1X</i>	<i>Delete waste allocation W1X for a Household Recycling Centre, south of Addenbrookes Access Road, Cambridge from Policy SSP W 1, the associated site profile and Map 60.</i>
<i>IC2</i>	<i>Policy SSP W 8 Waste Consultation Area W8AV</i>	<i>Delete Waste Consultation Area W8AV around allocation W1X (Map 60) for a Household Recycling Centre, South of Addenbrookes Access Road, Cambridge.</i>