



The Planning  
Inspectorate

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# **Report to Huntingdonshire District Council**

by **David Vickery DipT&CP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

23 December 2010

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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

## **REPORT ON THE EXAMINATION INTO THE HUNTINGDON WEST AREA ACTION PLAN DEVELOPMENT PLAN DOCUMENT**

Document submitted for Examination on 9 April 2010

Examination hearings held between 27 July and 4 August 2010

File Ref: PINS/H0520/429/6

## **Non-technical Summary**

This report concludes that the Huntingdon West Area Action Plan (AAP) provides an appropriate basis for the planning of this part of the District over the next 15 years. The Council has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

A limited number of changes are needed to meet legal and statutory requirements. These can be summarised as follows:

- Clarifying how the AAP would provide flexibility and be effective in dealing with the Government's withdrawal of the A14 road improvements in the October 2010 Comprehensive Spending Review and the possibility that the West of Town Centre Link Road might not be implemented;
- Making the AAP effective by detailing how the pedestrian and cycle links in policy HW2 would be implemented;
- Deleting a number of unnecessary Maps;
- Setting out the scale and amount of the retail and employment allocations in policy HW4, and indicating the key factors for development location and future flexibility, so that the policy is consistent with national policy, is effective, seen to be justified, and complies with the Core Strategy;
- Clarifying the access arrangements for various sites allocated in policy HW5 so that they are effective;
- Deleting an unjustified, imprecise and so ineffective alternative uses allocation for parts of Hinchingsbrooke Hospital in policy HW5;
- Making clear how the proposed Country Park extensions and its new car park would be implemented so that policy HW6 is effective;
- Deleting unjustified open space and building sustainability requirements in policies HW8 and HW9;
- Deleting unjustified references to a Hinchingsbrooke Link Road whilst still retaining the possibility of its future investigation; and
- Ensuring that the monitoring section meets Government advice.

All of the changes recommended in this report are based on suggestions put forward by the Council during the Examination in response to points raised by participants. Whilst none of the changes alter the focus of the Council's overall strategy, the main changes (in Appendix A), except PC1 and PC2, have been subject to Sustainability Appraisal. All of the consultation responses have been taken into account.

## Introduction

- i. This report contains my assessment of the Huntingdon West Area Action Plan (the AAP) Development Plan Document (DPD) in terms of Section 20 (5) of the Planning & Compulsory Purchase Act 2004. It considers whether the AAP is compliant in legal terms and whether it is sound. Planning Policy Statement (PPS) 12 at paragraphs 4.51 and 4.52 makes clear that to be sound a DPD should be justified, effective and consistent with national policy.
- ii. The starting point for the Examination is the assumption that the Council has submitted what it considers to be a sound plan. The basis for the Examination is the submitted AAP of December 2009. My approach to the Examination has been to work with the Council and the respondents in a positive, pragmatic and proactive manner, with the aim of resolving differences and any elements of unsoundness in the AAP.
- iii. The report deals with the changes that are needed to make the AAP sound, and they are identified in bold in the report by the letters PC (for Proposed Change) followed by a reference number identifying the exact change in Appendix A, e.g. PC11. All of these changes have ultimately been proposed by the Council. None of these changes should materially alter the substance of the AAP and its policies, or undermine the Sustainability Appraisals and participatory processes undertaken.
- iv. Some additional changes put forward by the Council before and during the Examination are factual updates, corrections of minor errors or other minor amendments in the interests of clarity. These are shown in Appendix B. As these changes are not required to make the AAP sound they are generally not referred to in this report although I endorse the Council's view that they add to the clarity and cohesiveness of the AAP. I am content for the Council to make any further necessary additional minor changes to text, page numbers, maps, paragraph numbering etc., to correct spelling, and to make factual updates which may become apparent during the final editing of the AAP before its adoption.
- v. With two exceptions, all of the changes that the Council has proposed following the submission of the AAP have been subject to public consultation<sup>1</sup>. The two exceptions are, firstly, the Council's changes made as a result of the October 2010 Comprehensive Spending Review decision by the Government to withdraw the A14 improvement scheme and, secondly, the minor changes made by the Council as a result of its consideration of the later public consultation responses. These changes have all been shown on the Council's web site. All but three of the Appendix A changes have also been subject to Sustainability Appraisal. The three exceptions (PC1, PC2 and PC15) again result from the Government's withdrawal of the A14 scheme. I have taken all of the consultation responses into account.
- vi. References in the report to documentary sources are provided in footnotes, such as the one below, using the document's reference number in the Examination's official 'Reference Documents' list.

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<sup>1</sup> LOC52

## Assessment of Soundness

### Preamble

1. During the Examination on 6 July 2010 the Secretary of State announced the revocation of Regional Strategies with immediate effect, which included the East of England Plan. However, this was challenged by Cala Homes Ltd in the High Court and the outcome, on 10 November 2010, was to quash the 6 July revocation. The Secretary of State has decided not to appeal this decision. As a consequence, the East of England Plan as it stood on 5 July forms an ongoing part of the development plan.
2. At the time of the 6 July revocation the Council said at the Pre-Hearing Meeting that the absence of the East of England Plan would not alter the major component of housing land supply for the AAP, namely the adopted Core Strategy. Moreover, the Council was of the opinion that housing allocations in the AAP were minimal and were not so significant that the absence of the Regional Strategy would have major consequences for the AAP's soundness. There were no other implications of the revocation that might affect the AAP. There were no contrary views from respondents. Thus it makes no difference to the AAP's soundness whether the East of England Plan is revoked or not. However, the AAP complies with the Core Strategy which, in turn, complies with the East of England Plan.

### Main Issues

3. Taking account of all the representations, written evidence and the discussions that took place at the Examination hearings, there are six main issues upon which the soundness of the AAP depends. It will be recalled that the soundness criteria are whether the AAP is justified, effective and consistent with national policy.

#### **Issue 1 – Do the transport schemes in the AAP's proposals have a justified basis, and does the AAP deal adequately with any uncertainty about them so that it is effective?**

4. On 10 June 2010 the Inquiry into the A14 road diversion improvements which would have affected Huntingdon and the AAP area was postponed pending the result of the Government's Comprehensive Spending Review.
5. The Government decided in that Spending Review on 20 October 2010 to withdraw the proposed A14 Ellington to Fen Ditton road improvement scheme. Instead, the Department of Transport will undertake a study to identify cost effective and practical proposals which bring benefits and relieve congestion. The withdrawal of the A14 improvements was a possibility which had been fully canvassed and explored during the Examination at the hearing sessions.
6. The evidence shows that the AAP's proposals could still proceed without the A14 improvements, apart from the reinstatement of the Views Common land (part of policy HW7) and that part of site B in policy HW5 b. which are both presently covered by the A14 viaduct. The Council suggested a number of changes to take account of the Government's A14 decision, which I endorse and which are included in the recommended changes in the Appendices (see below).
7. Those suggestions are: alterations to policy HW1 to delete references to the A14 changes and add the Department of Transport's new A14 study (**PC1**); the deletion of Map 3 showing the now withdrawn A14 changes (the Link Road is

shown on other Maps in the AAP) (**PC2**); an addition to the beginning of the AAP's Appendix 2 (Phasing) (**PC3**); an alteration to its paragraph 2.7 (**PC4**); and the deletion of Map 9 (**PC15**). Without these changes the AAP would be unsound as it would not reflect the fact that the A14 improvements will not take place.

8. The proposed West of Town Centre Link Road is more fundamental to the AAP's proposals, especially those in policy HW4. It is designed to provide access to many of the policy HW4 parcels of development land and the Council said that the Traffic Assessment<sup>2</sup> indicated it would result in a traffic flow reduction of about one third around the nearest part of the town's ring road, thereby enabling better pedestrian and cycle links to the town centre. This will improve accessibility and integration with surrounding areas, which is an Objective of the AAP.

9. The Council stated that it was confident that the Link Road will be constructed and it provided a detailed budget<sup>3</sup> to show that it had the monies available from various reliable and robust sources in order to pay for it. In particular, it was said that the Link Road is Cambridge Horizons' top priority across Cambridgeshire Districts so far as Housing Growth Fund monies are concerned, and that that money is available for the Council to claim. The Council has clearly worked hard with public partners to do all it can to secure funds. Therefore, there is a more than reasonable chance that the Link Road will be constructed within the timescale in the AAP, thereby providing the main necessary infrastructure to implement the proposed development.

10. However, the Council was prudent and right to suggest a change to Appendix 2 to deal with the possibility, however unlikely, that the Link Road might not be built for whatever reason. This change (**PC5**) allows for the possibility of some small scale development in parts of the AAP, the safeguarding of the Link Road route, and the option for the Council to trigger a review of the AAP to deal with the changed situation. Without this change the AAP would be unsound as it would not say how the possible absence of the Link Road would be handled.

11. As submitted the AAP is not effective because it does not clearly explain how the proposed pedestrian and cycle links in policy HW2 are to be implemented, and so it would be unsound. So I endorse the Council's suggested change (**PC6**) to Appendix 2 which corrects this by saying that these links would be provided as part of development and with proposals in the Huntingdon & Godmanchester Market Town Transport Strategy<sup>4</sup>. Despite some respondents' concerns about the effectiveness of these links, I consider that they are understandable and logical, and would improve accessibility in the area. No other alternatives were suggested, but if some are subsequently identified there is no reason why they could not be incorporated into any review of the Market Town Transport Strategy.

12. Policy HW3 is a generalised facilities and transport links enhancement policy for the railway station. Map 5 as submitted is confusing as the new car park nearest the station and the possible temporary car park have now been implemented; it does not explain or aid understanding of the policy; and its other features are covered elsewhere in the AAP. Map 5 should therefore be deleted as the Council suggest because it harms policy HW3's effectiveness (**PC7**).

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<sup>2</sup> INF22

<sup>3</sup> LOC51

<sup>4</sup> INF15

**Issue 2 – Is policy HW4 (George St/Ermine St) consistent with national policy, clear in its requirements so that it is effective, and in conformity with the Core Strategy?**

13. The underlying principles for the HW4 site are laid out in the Core Strategy. Policy CS8 sets out the mixed use nature of the site's development that is to be implemented in this AAP; the minimum ("at least") amount of retail development to be achieved; and the requirement that retail development here should be complementary and appropriate so that it does not jeopardise the delivery of the further redevelopment of Chequers Court in the town centre.

14. HW4 is the key policy in the AAP as it covers the largest and most complex AAP allocation of over 6 hectares of land to the north-west of the town centre through which the Link Road will run. It is to be redeveloped for a variety of mixed uses such as residential, retail and employment. The policy wording as submitted is vague in its intentions, and the concept map, by its very nature, does not purport to set out in detail the policy's implementation. Although the policy sets out the range of dwelling numbers to be achieved (and specifies other uses), it does not indicate the quantum of employment or retail development – and it is this last failing which is the root cause of why the policy is unsound without amendment. The next four paragraphs set out the key reasons for the policy's unsoundness when judged against the PPS12 criteria.

15. Policy HW4 (and its associated text) as submitted is not consistent with national policies because it:

- does not identify the appropriate scale of development for the employment and retail elements of this mixed use site (PPS12 and PPS4);
- fails to specify the amount and type of retail floorspace and so does not take account of the quantitative need for additional floorspace for different types of retail development in Huntingdon (PPS4);
- appears to leave the identification by sequential assessment of a suitable site for retail development to a future planning application (PPS4);
- the lack of retail detail leaves uncertain its impact on the Core Strategy prioritised redevelopment of Chequers Court in the town centre (PPS4); and
- leaves to a masterplan the task of allocating the principal development uses of the various parcels of land within this mixed use site (PPS12).

16. The policy is not justified because:

- the amount and type of retail development in the Chequers Court town centre redevelopment has not been quantified and so the impact of the retail element of this policy upon it cannot be properly assessed; and
- the traffic modelling for the Link Road assumes a quantum of development which was not quantified in the policy, and so its favourable traffic impact conclusions were not assured.

17. The policy is not effective because of the above concerns, and so it is unlikely to be delivered in accordance with the requirements of Core Strategy policy CS8.

18. The policy is not in conformity with the Core Strategy as there is no reasonable certainty what employment and retail developments would be provided, and a judgement cannot be made as to whether it would jeopardise the delivery of the Chequers Court town centre development.

19. However, the Council commendably recognised these unsoundness issues and addressed them by suggesting changes (**PC8**) which primarily specified the proposed retail and employment allocations and set out an explanation of the methodology of calculating the retail floorspace. The changes did not alter the policy's principles, but used existing evidence and information produced by respondents to provide clearer details of its intentions.

20. The employment floorspace suggested figure has been guided by the area shown on the concept map (Map 6e) which is approximately 0.57 hectares. This is not a certain figure as there may also be employment uses mixed in with other uses elsewhere, and vice versa. The Link Road's Transport Assessment<sup>5</sup> model for employment traffic generation would not be exceeded as it assumed a similar employment area of around 0.57 hectares. This level of employment floorspace would be in conformity with the Core Strategy in its policy CS7. To allow for flexibility in the amount of employment, the Council's suggested change sensibly indicates in a footnote that this is a maximum figure, and outlines the factors which would need to be considered for any proposed higher figure.

21. The derivation of the suggested retail floorspace figure is more complex. Put simply, the latest information from the main landowners (Sainsbury's and Churchmanor Estates) on the size of the Chequers Court redevelopment has been subtracted from the total potential need figure for retail development in Huntingdon from the March 2010 retail study<sup>6</sup>. The Council produced a table showing this calculation<sup>7</sup>, which gave a maximum figure of 5,350 square metres [m<sup>2</sup>] of new comparison and convenience floorspace for the HW4 site. This would be below the assumed traffic modelling figure of 9,000 m<sup>2</sup> of retail development on this site, and so it would not affect the Transport Assessment's favourable outcome.

22. As with the employment figure, to allow for flexibility the Council's suggested change indicates in a footnote that this is a maximum retail floorspace figure, and outlines the factors which would need to be considered for any proposed higher figure. All this is necessary for soundness in order to prevent larger amounts of employment or retail development having unforeseen harmful consequences on the town and its shopping centre.

23. The Council's retail study is up-to-date and assesses quantitative and qualitative needs up to 2021 and, more indicatively, up to 2026. For comparison goods the study estimated a potential for around 17,400 m<sup>2</sup> in Huntingdon up to 2026. The study explained that it had recommended concentrating this amount of development in Huntingdon due to a lack of suitable sites in and around St Neots' town centre. This higher figure would still be in conformity with the Core Strategy as the floorspace areas mentioned in policy CS8 are minimum figures only, and that policy does not stipulate a specific proportionate split or exact amount to be shared between each of these two settlements. It is up to the Council in other DPDs to meet the requirement for St Neots' retail provision set out in policy CS8, or conversely to explain why this cannot be achieved.

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<sup>5</sup> INF22

<sup>6</sup> RET4

<sup>7</sup> LOC51

24. For retail convenience goods the study estimated a need for 2,050 m<sup>2</sup> for Huntingdon by 2026. It also identified the need for enhanced convenience retail provision towards the south or west of Huntingdon, which it said this site could satisfy. I am satisfied that the retail study forms a reliable and credible evidence base on which floorspace requirements for this site can be based.

25. The Core Strategy requirement is that any retail development on the HW4 site should be complementary and appropriate, and not jeopardise the delivery of the Chequers Court redevelopment. The two principal land owners of the Chequers Court site took part in the Examination, and the floorspace estimate of that potential redevelopment was based on their figures. So I am satisfied that this is a credible figure so far as can be judged at the present early stage of redevelopment plans for Chequers Court. The suggested retail development floorspace figures for the policy have been calculated by taking away the floorspace estimate of Chequers Court from the retail study's floorspace estimate. Therefore, policy HW4's retail floorspace would not jeopardise Chequers Court in the plan period and so the AAP would conform with the Core Strategy in this respect.

26. Long term retail forecasting is imprecise and the forecast evidence for the last five year period up to 2026 is indicative only. Even so, Government advice in the PPS4 Practice Guidance is that forecasts for development plans should be prepared for intermediate five year intervals, as has been done here. In addition, in the medium term there is a possibility that a large retail development on this site could adversely affect the viability of the Chequers Court redevelopment. But the Core Strategy and the AAP are clear on the priority of Chequers Court, and this is the guiding principle for the AAP retail allocation. The completion of the HW4 retail development is likely to be in the middle of the AAP period (between 2012 and 2020) and so a longer term retail forecast view to 2026 is justified, tempered by the flexibility to reduce or increase floorspace. In the final analysis this, as the PPS4 Practice Guide says, is a matter of planning judgement, and I am satisfied that the policy as changed is sound. This judgement is partly based on the flexibility of the policy as recommended to be changed, as explained below.

27. On that matter of flexibility, the AAP would have sufficient built-in safeguards for the Council to be able to manage any necessary floorspace alterations as the Chequers Court redevelopment details become clearer. The new footnote makes it clear that any increase above the approximate floorspace figure would require justification. If the Council considers that a lesser floorspace figure would be more appropriate in the circumstances of the time, then that also would be possible. Thus with these changes the new retail element of the policy would be flexible and able to respond to changing economic circumstances, particularly the need to ensure the delivery of the Chequers Court redevelopment. The retail floorspace quantum is not "cast in stone".

28. The precise balance of comparison and convenience retail floorspace between the HW4 site and Chequers Court cannot be quantified at present because this depends on the retail offer in the Chequers Court redevelopment. So this, as policy HW4 indicates, is a matter which will have to be resolved during the consideration of any planning application on the HW4 site, and will be dependant on the circumstances at the time.

29. It was said at the hearings that the AAP should be changed so that planning permission for retail development would not be granted on the HW4 site until

planning permission had been granted for the Chequers Court redevelopment and, as a possible additional proviso, that the Chequers Court permission had been implemented. But this is not what the Core Strategy requires, and the AAP is a subordinate Plan whose main purpose is to implement the spatial strategy and policies of the Core Strategy as it relates to this part of Huntingdon. It is not possible to impose either a more onerous or a less restrictive requirement than that in the Core Strategy. In any event, a more restrictive policy as advocated would not be effective as it could result in none of the much needed retail development taking place in Huntingdon if Chequers Court did not obtain permission (or was not implemented). This would not be in the best interests of the people of Huntingdon as it could result in no improvement in the retail offer in the town, and it would also be an unreasonable constraint on the delivery of the HW4 site.

30. In the event of a planning application on the HW4 site for retail development being considered before any Chequers Court site application(s), then the Council will have to decide what to do in the light of the Core Strategy policy CS8 and HW4 requirements not to jeopardise the delivery of Chequers Court. This seems to me to be entirely reasonable, realistic, practical and workable. Thus I am satisfied that policy HW4 is in conformity with the Core Strategy so far as the prioritised delivery of Chequers Court is concerned.

31. The use of the term "sequential analysis" in the AAP as submitted implies that retail development on the HW4 site has not been properly considered as required in PPS4 *Planning for Sustainable Economic Growth*. The retail evidence base for the Core Strategy<sup>8</sup> came to the conclusion that the general HW4 area was "edge-of-centre" under the then similar Government retail guidance. It also concluded that this area "will represent the next sequentially preferable location for comparison sector retail development in Huntingdon" (paragraph 9.27). The Inspector's report on the Core Strategy did not disagree with this conclusion. Indeed, Core Strategy policy CS8 could not have directed "appropriate" retail development to this site unless it had been concluded that it was sequentially acceptable. Therefore, to suggest the contrary in the AAP would be unsound as this would not be in conformity with the Core Strategy which has already decided that the HW4 site is the next sequentially preferable location. And it would also result in a confusing and a less effective and deliverable policy.

32. The Council said that the phrase "sequential analysis" as used in the AAP (most notably in policy HW11, but also in paragraph 10.10 and in Appendix 2 paragraph 2.4) was meant to indicate the factors which would guide the exact location of retail development on this large site. These factors have caused the HW4 policy to prefer a probable retail location at the site's southern end near to George Street, as set out at the end of paragraph 7.4. It follows, for all the above reasons, that I support and welcome the Council's suggested changes to delete the words "sequential analysis" from the AAP, and instead to set out the AAP's key factors by which the location of any planning application for retail development would be judged, and to include that explanation in paragraph 7.4 (**PC9**). This makes the policy sound on this point, and also allows reasonable and sufficient flexibility in the future to decide on the exact location of any retail proposals.

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<sup>8</sup> RET1

33. As proposed to be changed by the Council, policy HW4 sets out the key principles of development on this mixed use site and the approximate scale for its main developments. The policy refers to a concept map (Map 6e) which, together with the text, provides sufficient guidance for the production of a masterplan to flesh out the detail of the HW4 mixed use allocation. The concept plan and the policy wording jointly provide adequate flexibility to deal with changing circumstances and to consider the exact boundaries and disposition of its various mixed uses following a more detailed site assessment. So the Council's suggested changes in **PC8** and **PC9** make the policy sound and resolve the unsoundness concerns previously set out in the box above.

**Issue 3 – Is policy HW5 (Hinchingsbrooke) clear in its requirements and thereby effective?**

34. The College and Water Tower sites within policy HW5 already have planning permissions for various uses, but the policy allocates them for alternative uses should the permissions not be implemented. The Council therefore suggested that the Proposals Map should be altered to reflect these AAP allocations, which should be done as the Proposals Map should geographically represent the policy's intentions. The Regulations do not empower me to recommend this change, but unless the Proposals Map is altered in this way inconsistency would result that would make the AAP unsound.

35. The HW5 policy as submitted is unclear about how a number of the sites would be accessed, which make it less effective as there could be problems with their deliverability. The Council resolved this unsoundness by suggesting a series of necessary changes (**PC10**) to the explanatory text and to Appendix 2 (paragraph 2.5). These set out the various access arrangements for site A and the College site (joint access to be determined), and site B and the Water Tower site (joint access).

36. The policy in part d. contemplates parts of the very large hospital site being considered for office and non-residential uses (D1). However, it does not specify which parts, the size of the potential allocation or when this might happen. This makes it unsound as it would not be effective or justified. The Council had no further information it could put into the policy on these points as this had only been a possibility which had not yet been fully resolved. The Council therefore suggested that part d., and its associated explanatory text in paragraph 7.17, be deleted (**PC11**).

37. The changes make the policy and its associated explanatory text in the AAP sound. The words and concept map (Map 7d) in the AAP provide the subsequent required masterplan with sufficient guidance to work up the detailed implementation of these proposals.

**Issue 4 – Are policies HW6 (Country Park), HW7 (Views Common), HW8 (Open Space) and HW9 (Design) clear in their requirements and thus effective?**

38. Extending the Country Park in policy HW6 is a continuation of a similar Local Plan proposal, but the AAP adds two other areas of land. The Council suggested that the way in which the Country Park would be extended in stages should be set out in the explanatory text at paragraph 8.2. I endorse this as otherwise the policy would be unsound as it would not set out how it would be implemented (**PC12**).

Similarly, the Council suggested a change to Appendix 2 in its paragraph 2.1 to show how the implementation of the County Park extension would be handled and its timing (**PC13**). I welcome this change as it makes the policy effective and so sound in its application.

39. The Council suggested a change to paragraph 8.3 to make clear the intention that a new car park will be pursued (**PC14**). I endorse this change as it makes effective an otherwise vague and uncertain part of the policy. All these changes make policy HW6 coherent, effective and sound.

40. Policy HW7 (Views Common) to retain and enhance the area as open space will not be as effective as submitted due to the Government's withdrawal of the A14 scheme (the A14 embankment currently runs across it). The Council's suggested changes to the policy and to delete Map 9 recognise that the A14 will remain in the medium term and are necessary to make the policy sound and effective (**PC15**). The open space allocation is, in any event, shown on the Proposals Map and so Map 9 is not necessary.

41. The explanatory text to policy HW8 (Open Space) in paragraph 8.9 set out a requirement for open space expressed as an area related to a specified population increase. However, there was no evidence to justify this requirement and so it is unsound. The Council explained that it is preparing a fully justified open space standard in its forthcoming Development Management DPD, and so it suggested the deletion of this open space stipulation from the AAP (**PC16**). This is the correct course of action to make the AAP sound.

42. Policy HW9 (Design) set out some standards for the sustainability of buildings in matters such as energy efficiency in its parts 1, 2 and 3. However, none of these were justified with supporting evidence as required in the PPS1 Climate Change Supplement and so they are unsound. The Council said that the standards would form part of the future Development Management DPD where the necessary evidence would be produced, and so it was not necessary to retain them in the AAP. For these reasons I endorse the Council's suggested change to delete these parts of the policy and the supporting text in paragraphs 9.2 to 9.4 (**PC17**).

**Issue 5 – Does the AAP give sufficient guidance on infrastructure; and are the phasing provisions realistic and sufficiently flexible so that they can deal with slippages in the delivery of development proposals?**

43. The Council submitted during the Examination a schedule of the AAP's infrastructure<sup>9</sup> to implement its proposals which contained an estimated timeframe, cost and the main funder(s), based on the Local Investment Framework<sup>10</sup>. Whilst some of the costs are estimates, it is not essential to be absolutely exact. What the Council's evidence shows, particularly for the Link Road, is that there is a very good and reasonable likelihood that the necessary infrastructure can be economically provided for the AAP's development proposals within the stated timescale in Appendix 2. On the basis of these figures I agree with the Council that the necessary infrastructure costs would be within the normal range of expected contributions from any development within the district.

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<sup>9</sup> LOC51

<sup>10</sup> INF4

44. The AAP as submitted says that a local access road ("link road") into the Hinchingsbrooke area would be investigated. However, this was said to be only a possibility, and that it was not needed in order to deal with the extra traffic that would be generated by the AAP's developments. Therefore, the mention of developer contributions towards it in paragraph 1.5 of Appendix 2 is unsound as this requirement is presently unjustified and contrary to statute and Government advice. I therefore endorse the Council's suggestion to remove that requirement (**PC18**), together with necessary updating following the A14 scheme withdrawal. For the same reasons, I support the Council's suggested changes to delete references to the Hinchingsbrooke link road in the third paragraph of policy HW11 and in paragraph 10.9 (**PC19**).

45. Therefore, with these changes, the infrastructure policy HW10 and its associated Appendix 1 are sound as they are founded on robust evidence.

46. The restrictive second paragraph of policy HW11 (phasing and implementation) is contrary to the evidence which is, as previously mentioned, that most of the AAP's developments can take place without the A14 road improvements. To make the policy factually correct and thus sound I therefore endorse the Council's suggested change to delete this paragraph together with the associated and similar explanatory text in paragraph 10.8 (**PC20**), with an addition to indicate the 'nil detriment' basis for proposals' traffic flows on the A14.

47. This report has previously set out some necessary changes to Appendix 2 (Phasing) to ensure soundness for the transport aspects and the development proposals in the AAP. With those changes both policy HW11 and the fuller explanation in Appendix 2 deal clearly and effectively, and so soundly, with the proposed phasing and implementation of the AAP. The phasing timings are sufficiently flexible to deal with known possible delays in the provision of major infrastructure, such as the Link Road.

### **Issue 6 – Are the mechanisms in the AAP for monitoring sufficiently clear, detailed and meet national policy requirements?**

48. The monitoring chapter as submitted lacks detail because key indicators, timescales and targets are not clearly set for each policy. These deficiencies render the monitoring ineffective and unsound. The Council recognised this problem and submitted an amended monitoring chapter as a suggested change.

49. In line with paragraph 4.4 of PPS12, the revised monitoring chapter shows for each policy (as far as is practicable) when, where and by whom a list of identified actions will take place to ensure effective delivery. This will enable transparent and effective monitoring. 'SMART' targets (specific, measurable, achievable, realistic and time-bound) have been set having regard to the availability of data and to the Council's resources.

50. This suggested change is reasonable and appropriate, and I endorse it to secure soundness in terms of effectiveness (**PC21**).

## **Legal Requirements**

51. My examination of the compliance of the AAP with the legal requirements is summarised in the table below. I conclude that the AAP meets all the legal requirements.

Local Development Scheme (LDS)	The AAP is identified within the approved LDS February 2010 which sets out an expected adoption date of January 2011. This is achievable and the AAP is generally compliant with the LDS.
Sustainability Appraisal (SA)	SA has been carried out, independently verified, and is adequate.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in November 2006 and consultation has been compliant with its requirements, including the consultation on the post-submission SA and suggested changes.
Appropriate Assessment (AA)	The Habitats Regulations Assessment (November 2009) put forward some recommendations for the avoidance and mitigation of a number of adverse impacts, and these were included in the submitted AAP. The AA thus concluded that the AAP would not have an adverse effect on European sites.
National Policy	The AAP complies with national policy except where indicated, and changes are recommended to correct this.
Regional Strategy (RS)	The AAP is in general conformity with the RS.
Sustainable Community Strategies (SCS)	Satisfactory regard has been paid to the District and County SCSs.
Core Strategy	The AAP conforms with the Core Strategy except where indicated, and changes are recommended to correct this.
2004 Act and Regulations (as amended)	The AAP complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

**52. I conclude that, with the changes proposed by the Council set out in Appendix A, the Huntingdon West Area Action Plan DPD satisfies the requirements of section 20 (5) of the 2004 Act and meets the criteria for soundness in PPS12. Therefore I recommend that the AAP be changed accordingly. And, for the avoidance of doubt, I endorse the Council's proposed minor changes set out in Appendix B.**

*David Vickery*

Inspector

This report is accompanied by:

Appendix A (separate document); and Appendix B (separate document)