

South Cambridgeshire District Council's response to public consultation on submission version of Great Abington Former Land Settlement Association Estate Neighbourhood Plan

South Cambridgeshire District Council (SCDC) welcomes the opportunity to make comments on the submitted Great Abington Former Land Settlement Association (LSA) Estate Neighbourhood Plan. The Council commends the Parish Council and local community for the time and effort that they have put into preparing this Neighbourhood Plan.

Great Abington Parish Council felt that there was a need for additional planning guidance for the former LSA estate, as a result of an inconsistency in the decisions made by SCDC and planning inspectors considering planning applications, appeals and enforcement cases for new dwellings and/or outbuildings within the former LSA estate. An application to designate the former LSA estate as a Neighbourhood Area was submitted by Great Abington Parish Council to SCDC in May 2016 and the Great Abington Former LSA Estate Neighbourhood Area was designated on 5 September 2016. Great Abington Parish Council is the qualifying body for this Neighbourhood Plan.

SCDC is fully supportive of Great Abington Parish Council's decision to prepare a Neighbourhood Plan and officers have been supporting the Parish Council in the plan's preparation. The comments provided at this stage reiterate and supplement comments made previously by officers, both formally during the pre-submission consultation and informally on earlier versions of the plan, where they remain relevant and appropriate.

The pre-submission health check undertaken by an independent examiner considered the Neighbourhood Plan against the Basic Conditions, and provided some recommendations to the neighbourhood plan group. Officers supported the conclusions of the health check in their formal response on the pre-submission Neighbourhood Plan, and recommended that the examiner's suggested amendments were given careful consideration. The submission version of the Neighbourhood Plan takes account of the findings of the pre-submission health check and also the comments made by SCDC officers.

SCDC supports the intentions of the Great Abington Former LSA Estate Neighbourhood Plan to provide clear, consistent and transparent planning policies for the future development of the area. The Council welcomes the refinements to the plan that have been made since the pre-submission version.

The following comments are provided without prejudice to any future decisions which the examiner may make in respect of the Great Abington Former Land Settlement Association Estate Neighbourhood Plan.

Basic Conditions

SCDC has the following comments based on an assessment of the submission Neighbourhood Plan against the 'basic conditions':

a. Has regard to national policies and advice

The Council considers that the Neighbourhood Plan is consistent with national policies and advice in that the core land use planning principles set out in the National Planning Policy Framework (NPPF) have been embodied in the Neighbourhood Plan. Specifically, the Neighbourhood Plan:

- empowers local people to shape their surroundings through a succinct Neighbourhood Plan that sets out a positive vision for the future of the area (paragraph 17);
- seeks to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings (paragraph 17);
- recognises the intrinsic character and beauty of the countryside whilst supporting the community within it (paragraph 17);
- contributes to conserving and enhancing the natural environment (paragraph 17);
- helps plan for a mix of housing based on demographic trends and the needs of different groups in the community (paragraph 50);
- promotes housing to enhance or maintain the vitality of the rural community (paragraph 55);
- sets out the quality of development that will be expected based on an understanding and evaluation of the defining characteristics within the area (paragraph 58);
- seeks to contribute to and enhance the natural and local environment, including by protecting the landscape (paragraph 109); and
- provides a tool for local people to ensure they get the right types of development for their community (paragraph 184).

b. Contributes to the achievement of sustainable development

The Council considers that the Neighbourhood Plan contributes to the achievement of sustainable development, specifically by:

- enabling the delivery of housing required to meet the needs of present and future generations;
- seeking to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings; and
- contributing to the protection and enhancement of the natural, built and historic environment of the former LSA estate.

c. General conformity with the strategic policies contained in the development plan for the area

The development plan for South Cambridgeshire consists of the adopted South Cambridgeshire Local Development Framework (LDF) and the new South Cambridgeshire Local Plan. The South Cambridgeshire LDF¹ comprises of seven Development Plan Documents or Area Action Plans adopted between 2007 and 2010. The new South Cambridgeshire Local Plan was submitted to the Secretary of State in March 2014², and examination hearings have been held. Public consultation on the Main Modifications³ that the Inspectors consider may be necessary in order for the Local Plan to be found 'sound' was undertaken between 5 January and 16 February 2018. The Council has provided the representations received to the Inspectors.

¹ Local Development Framework: www.scambs.gov.uk/ldf

² South Cambridgeshire Local Plan: www.scambs.gov.uk/content/what-new-local-plan

³ Main Modifications to the South Cambridgeshire Local Plan: www.scambs.gov.uk/mainmods

SCDC has used the guidance set out in the NPPF and national planning practice guidance to identify the strategic policies in both the adopted South Cambridgeshire LDF and the new Local Plan. Lists of the strategic policies are set out in Guidance Note 12 (Strategic Policies)⁴ of the Council's Neighbourhood Planning Toolkit. A modification to include the list of strategic policies in the new Local Plan was submitted to the Inspector in November 2016, and was subject to public consultation in January-February 2018. The Basic Conditions Statement, submitted by Great Abington Parish Council, considers the strategic policies in both the adopted South Cambridgeshire LDF and new Local Plan.

The Council considers that Policies 1-3 of the Neighbourhood Plan are in general conformity with the strategic policies in the adopted South Cambridgeshire LDF and the new South Cambridgeshire Local Plan. When considering the general conformity between the policies in the Neighbourhood Plan and the strategic policies in the new Local Plan, this included taking account of the proposed modifications to these strategic policies (as submitted to the Inspector by the Council during the examination process).

Policy 1 (Original Dwellings)

Within the adopted LDF, Policies DP/2 (Design of New Development), HG/6 (Extensions to Dwellings in the Countryside) and HG/7 (Replacement Dwellings in the Countryside) are considered by the Council to be strategic policies for the purposes of neighbourhood planning. Policy DP/2 seeks to deliver new developments of a high quality design that preserve and enhance the character of the local area, provide a sense of place and respond to the local context, and are appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area. Policies HG/6 and HG/7 seek to ensure that careful consideration is given to the impact of any new development in the countryside on the landscape and its surroundings, and also by including size restrictions these policies seek to prevent a gradual reduction of small and medium sized dwellings in the countryside.

The proposed replacement policies in the new Local Plan, Policies HQ/1 (Design Principles), H/12 (Extensions to Dwellings in the Countryside) and H/13 (Replacement Dwellings in the Countryside) are also considered by the Council to be strategic policies for the purposes of neighbourhood planning. Emerging Policies H/12 and H/13 do not include specific size restrictions for either an extension or replacement dwelling.

The new Local Plan also includes Policy H/11 (Residential Space Standards for Market Housing) which is considered by the Council to be a strategic policy for the purposes of neighbourhood planning. The policy seeks to ensure the delivery of new dwellings that meet or exceed the nationally described space standards.

Policy 1 of the Neighbourhood Plan is generally aligned with these policies in that it allows extensions to or the rebuilding of dwellings in the countryside, provided that specific criteria taking account of local circumstances are met. The maximum size thresholds included in the policy exceed the minimum sizes set out in Policy H/11.

SCDC consider that Policy 1 is in general conformity with the strategic policies contained in the adopted LDF and new Local Plan as:

⁴ SCDC Neighbourhood Planning Toolkit: www.scambs.gov.uk/npguidance

- the Neighbourhood Plan policy would support and uphold the general principle that the strategic policies are concerned with;
- the Neighbourhood Plan policy provides an additional level of detail and distinct local approach to that set out in the strategic policies without undermining those policies; and
- there is a rationale for the approach taken in the Neighbourhood Plan and evidence to justify the approach.

Policy 2 (Additional Dwellings)

Within the adopted LDF, Policies DP/2 (Design of New Development) and DP/7 (Development Frameworks) are considered by the Council to be strategic policies for the purposes of neighbourhood planning. Policy DP/2 seeks to deliver new developments of a high quality design that preserve and enhance the character of the local area, provide a sense of place and respond to the local context, and are appropriate in terms of scale, mass, form, siting, design, proportion, materials, texture and colour in relation to the surrounding area. Policy DP/7 seeks to prevent the development of additional dwellings in the countryside, except where they can be permitted by Policies HG/8 (Conversion of Buildings in the Countryside for Residential Use) and HG/9 (Dwelling to Support a Rural Based Enterprise).

The proposed replacement policies in the new Local Plan, Policies HQ/1 (Design Principles) and S/7 (Development Frameworks) are also considered by the Council to be strategic policies for the purposes of neighbourhood planning. A modification has been proposed to Policy S/7 to enable development to be permitted outside of development frameworks if it has been allocated within a made Neighbourhood Plan.

The new Local Plan also includes Policies H/8 (Housing Mix) and H/11 (Residential Space Standards for Market Housing) which are considered by the Council to be strategic policies for the purposes of neighbourhood planning. These policies seek to secure 5% of homes on developments of 20 dwellings or more built to the accessible and adaptable homes standard and require that new dwellings meet or exceed the nationally described space standards.

Policy 2 of the Neighbourhood Plan departs from the approach set out in Policy DP/7 because it takes a more flexible approach to the provision of new dwellings in the countryside. However, the policy is generally aligned with Policy S/7 (as proposed to be modified), as although the Neighbourhood Plan does not specifically allocate a site for housing, the Neighbourhood Plan creates a special policy area for the former LSA estate that is akin to an allocation.

SCDC consider that Policy 2 is in general conformity with the strategic policies contained in the adopted LDF and new Local Plan as:

- the Neighbourhood Plan policy would support and uphold the general principle that the strategic policies are concerned with;
- the Neighbourhood Plan policy provides an additional level of detail and distinct local approach to that set out in the strategic policies without undermining those policies; and
- there is a rationale for the approach taken in the Neighbourhood Plan and evidence to justify the approach.

Policy 3 (Road usage limitation in the Neighbourhood Plan area)

Within the adopted LDF, Policies TR/1 (Planning for More Sustainable Travel) and TR/3 (Mitigating Travel Impact) are considered by the Council to be strategic policies for the purposes of neighbourhood planning. These policies seek to locate developments where there are opportunities for using sustainable forms of transport, to mitigate any travel impacts of new developments, and to prevent developments that will give rise to a material increase in travel demands.

The proposed replacement policy in the new Local Plan, Policy TI/2 (Planning for Sustainable Travel) is considered by the Council to be a strategic policy for the purposes of neighbourhood planning.

Policy 3 of the Neighbourhood Plan is generally aligned with these policies in that it seeks to prevent developments that would result in significant travel and highways impacts.

SCDC consider that Policy 3 is in general conformity with the strategic policies contained in the adopted LDF and new Local Plan as:

- the Neighbourhood Plan policy would support and uphold the general principle that the strategic policies are concerned with;
- the Neighbourhood Plan policy provides an additional level of detail and distinct local approach to that set out in the strategic policies without undermining those policies; and
- there is a rationale for the approach taken in the Neighbourhood Plan and evidence to justify the approach.

d. Does not breach and is otherwise compatible with EU obligations

The Council considers that the submission version of the Neighbourhood Plan does not breach and is compatible with EU Obligations.

Strategic Environmental Assessment and Habitat Regulations Assessment: a Strategic Environmental Assessment screening has been undertaken that determines that the Neighbourhood Plan is unlikely to result in significant environmental impacts and therefore does not require a Strategic Environmental Assessment. A Habitat Regulations Assessment screening has also been undertaken that indicates that the Neighbourhood Plan is not predicted to have significant effects on any European site, either alone or in conjunction with other plans and projects. These conclusions are supported by the responses from the statutory bodies.

Human Rights: an assessment has been undertaken to examine the impact of the Neighbourhood Plan policies on persons who have a 'protected characteristic' and the results of this assessment are included in the Basic Conditions Statement. The Council is supportive of the assessment which concludes that the Neighbourhood Plan will not result in negative effects on persons who have a 'protected characteristic' and that there may be positive impacts on persons with a 'protected characteristic'.

Specific Comments on the policies in the submission version of the Great Abington Former LSA Estate Neighbourhood Plan

Policy 1 (Extensions to and Rebuilding of Original Dwellings)

The Council welcomes the amendments to Policy 1 (and its supporting text) that have been made to provide clarity on the intentions and interpretation of the policy in light of the comments officers submitted on the pre-submission Neighbourhood Plan. The Council is pleased that additional evidence has been provided on dwelling sizes to justify the chosen approach on maximum dwelling sizes set out in the Neighbourhood Plan and to demonstrate that the policy meets the aims and objectives of the Neighbourhood Plan.

SCDC is supportive of Policy 1 (and its supporting text) given that it is supported by the evidence in and conclusions from the accompanying Character Assessment and Evidence on Dwelling Sizes.

Policy 2 (Additional Dwellings)

The Council welcomes the amendments to Policy 2 (and its supporting text) that have been made to provide clarity on the intentions and interpretation of the policy in light of the comments we submitted on the pre-submission Neighbourhood Plan. The Council is pleased that additional evidence has been provided on dwelling sizes to justify the chosen approach on maximum dwelling sizes set out in the Neighbourhood Plan.

The Council is pleased that a Transport Statement has been prepared to assess the likely transport and highways implications associated with development envisaged by the Neighbourhood Plan, and that the conclusions of this assessment have been used to amend the policies in the Neighbourhood Plan.

SCDC is supportive of Policy 2 (and its supporting text) given that it is supported by the evidence in and conclusions from the accompanying Transport Statement, Character Assessment and Evidence on Dwelling Sizes.

Policy 3 (Road usage limitation in the Neighbourhood Plan area)

The Council understands that Policy 3 (and its supporting text) is intended to be used when considering any proposals within the neighbourhood area, both proposals envisaged by the Neighbourhood Plan in its other policies and other residential or non-residential proposals that may come forward during the plan period.

The Council welcomes the amendments to Policy 3 (and its supporting text) that have been made to provide clarity on the intentions and interpretation of the policy in light of the comments submitted by both ourselves and the Highways Authority on the pre-submission Neighbourhood Plan. The Council is pleased that a Transport Statement has been prepared to support the Neighbourhood Plan and to assess the likely transport and highways implications associated with development envisaged by the Neighbourhood Plan.

SCDC is supportive of Policy 3 (and its supporting text) given that it is supported by the evidence in and conclusions from the accompanying Transport Statement and Character

Assessment. For clarity, it is suggested that minor amendments are made to the wording of the policy as follows:

*Where a development proposal triggers the need to make minor improvements to the estate roads in order to make the development acceptable, no development will happen until the details of these works and **the** timetable for **their** implementation has been submitted **to** and approved by the local planning authority in consultation with the body responsible for managing the roads (the AEML).*

Comments on the Referendum area for the Great Abington Former LSA Estate Neighbourhood Plan

If the examiner is minded to recommend that the Neighbourhood Plan should proceed to referendum, the Council does not feel that the referendum area needs to be extended beyond the Neighbourhood Area. The planning policies included in the Neighbourhood Plan would not have a substantial, direct or demonstrable impact beyond the Neighbourhood Area.