

**South Cambridgeshire District Council
Record of Executive Decision**

This form should be used to record key and other decisions made by individual Lead Cabinet members. The contact officer will ensure that the signed and completed form is given to Democratic Services as soon as reasonably practicable after the decision has been taken.

A key decision shall not be taken unless notice of the item has been published at least 28 days before the decision is to be taken except where:

- a General Exception notice has been published under Rule 15 of the Access to Information Procedure Rules and the Chairman of Scrutiny and Overview Committee has been informed in writing; or
- a Special Urgency notice has been published under Rule 16 of those Rules and the Chairman of Scrutiny and Overview Committee has agreed the decision is urgent.

Unless permission has been obtained from the Chairman of Council and the Chairman of the Scrutiny and Overview Committee that this decision may be treated as a matter of urgency under Rule 12.19 of the Scrutiny and Overview Committee Procedure Rules, this decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless called in under Rule 7 of the Budget and Policy Framework Procedure Rules or Rule 12 of the Scrutiny and Overview Committee Procedure Rules. Where consent has been obtained to exempt the decision from call-in, this will be specified below.

Lead Cabinet Member	Lead Cabinet member for Planning
Subject Matter	Waterbeach Neighbourhood Plan - response to consultation on the submission plan
Ward(s) Affected	Milton & Waterbeach
Date Taken	Thursday, 8 April 2021
Contact Officer	Alison Talkington, Senior Planning Policy Officer 01954 713182 / 07514 926521 (alison.talkington@scambs.gov.uk)
Date Published	Thursday, 8 April 2021
Call-In Expiry/Exempt from call-in	Thursday, 15 April 2021
Key Decision?	No
In Forward Plan?	No
Urgent?	No

Purpose / Background

Purpose

1. The purpose of this report is to agree the Council's response to the public consultation on the submission version of the Waterbeach Neighbourhood Plan. The consultation runs for 9 weeks from 16 February until 20 April 2021.

Background

2. The Waterbeach Neighbourhood Area was designated on 10 August 2015. The neighbourhood area is for the whole parish of Waterbeach and therefore includes the strategic new town allocation from the adopted Local Plan 2018. At the same time as the neighbourhood area was designated a 'Joint Working Agreement' was formally agreed between the Parish Council and South Cambridgeshire District Council (SCDC) which set out how the two councils would work together.
3. Officers provided informal comments on earlier drafts of the Neighbourhood Plan ahead of the formal pre-submission consultation process and recognise the hard work that those on the steering group of the neighbourhood plan have put into preparing the Plan. This group has strived to ensure that the whole village had an opportunity to have an input into the final Plan.
4. A Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening was undertaken on a draft version of the Neighbourhood Plan, and a screening determination was published in March 2020.
5. Pre-submission public consultation on the draft Neighbourhood Plan was undertaken by the Parish Council from 13 January to 24 February 2020. Officers provided a formal response to the consultation, providing constructive comments about the Neighbourhood Plan to assist the neighbourhood plan group with finalising the Neighbourhood Plan. Officers have met with the steering group to discuss how these comments and the current submitted Plan has taken most of them into account. The parish has taken their plan forward in a positive way.
6. The parish council has also had an independent health check of their Plan carried out once they had prepared a revised version of their Plan following the pre-submission consultation. This was carried out by an experienced neighbourhood plan examiner, Ann Skippers, who considered the Plan to be presented well with clear differentiation of planning policies and a clearly articulated vision. She considered each policy and suggested some changes to the Plan that have been considered by the parish council in preparing the submission version of their Plan.
7. On 2 February 2021, Waterbeach Parish Council submitted their Neighbourhood Plan to SCDC. Officers have confirmed, as set out in the Legal Compliance Check for the Neighbourhood Plan that the submitted version of the Neighbourhood Plan and its accompanying supporting documents comply with all the relevant statutory requirements at this stage of plan making.
8. We therefore were able to carry out a consultation on the Waterbeach Neighbourhood Plan from 16 February until 20 April 2021.
9. Officers, in conjunction with Waterbeach Parish Council, are in the process of appointing an independent examiner to consider this Neighbourhood Plan. All comments submitted

during the public consultation on the submission version of the Neighbourhood Plan will be provided to the examiner for their consideration.

Considerations

10. The Waterbeach Neighbourhood Plan has been prepared by Waterbeach Parish Council to provide planning policies for development in the area, with the aim of providing greater clarity when determining planning applications in the area. The Neighbourhood Plan includes 24 planning policies that cover a range of issues including:
 - (i) Securing connectivity between Waterbeach village and key destinations;
 - (ii) Creating and maintaining sustainable access routes to the relocated railway station and to Waterbeach village Primary School and to the new town's schools;
 - (iii) Maintaining and enhancing a vibrant village heart
 - (iv) Denny End Industrial Estate and Cambridge Innovation Park
 - (v) Waterbeach Design Principles
 - (vi) Important edge of settlement sites in Waterbeach village
 - (vii) Protecting village amenity areas and open space
 - (viii) Sites of value to biodiversity
 - (ix) Housing mix
 - (x) Rural exception site affordable housing in Waterbeach parish
 - (xi) Allocation of affordable housing at Waterbeach New Town

11. To successfully proceed through its examination to a referendum, a Neighbourhood Plan must meet a number of tests known as the 'Basic Conditions'. These tests are different to the tests of soundness that a Local Plan must meet. The Basic Conditions are set out in national planning guidance and are summarised as follows:
 - (a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan.
 - (b) the making of the Neighbourhood Plan contributes to the achievement of sustainable development.
 - (c) the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area.
 - (d) the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and
 - (e) prescribed conditions are met in relation to the Neighbourhood Plan, including that the making of the neighbourhood plan is not likely to have a significant effect on a European wildlife site or a European offshore marine site either alone or in combination with other plans or projects.
 - (f) the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

Our Neighbourhood Planning Toolkit includes Guidance Note 11 (What are the Basic Conditions and How to Meet Them), which sets out further details on each of the Basic Conditions. When a Neighbourhood Plan is submitted to the local planning authority it must be accompanied by a Basic Conditions Statement that sets out how the Parish Council considers that their Neighbourhood Plan meets the Basic Conditions.

12. When considering a Neighbourhood Plan, the examiner will assess whether or not the Neighbourhood Plan meets the Basic Conditions. When an examiner recommends that

the Neighbourhood Plan should proceed to referendum (if it meets the Basic Conditions, with or without modifications), the examiner's report must also set out whether the referendum area should be extended beyond the neighbourhood area. Comments made during the current consultation on the submission version of the Neighbourhood Plan, which will be provided to the examiner for their consideration, should therefore address whether the submitted Neighbourhood Plan meets the Basic Conditions and can also address whether the referendum area should be extended beyond the neighbourhood area.

13. SCDC is fully supportive of Parish Councils bringing forward Neighbourhood Plans for their areas, including Waterbeach Parish Council's decision to prepare a Neighbourhood Plan, and officers have been supporting the Parish Council in the plan's preparation. The Council's proposed response to this public consultation on the submission version of the Neighbourhood Plan is set out in Appendix 1.
14. SCDC is supportive of the aims of the Waterbeach Plan and our comments are intended to help the Plan to be successful at examination as well as delivering policies that are clear in their meaning and are unambiguous in their interpretation. SCDC recognise the achievement of Waterbeach PC in reaching this stage of submitting their Plan to us for examination. We are aware that alongside the preparation of the neighbourhood plan there have been many other planning issues for the parish council to discuss - planning applications for the proposed new town for them to comment upon and this will have taken time for them to consider the implication for their local community.
15. 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 designated Neighbourhood Area as the planning policies included in the plan would not have a substantial, direct or demonstrable impact beyond the parish.

Declaration(s) of Interest

Record below any relevant interest declared by any executive Member consulted or by an officer present in relation to the decision.

None

Dispensation(s)

In respect of any conflict(s) of interest declared above, record below any dispensation(s) granted by the Council's Standards Committee.

None

Consultation

Record below all parties consulted in relation to the decision.

Ward Councillors.

Other Options Considered and Reasons for Rejection

The option of not sending a response from SCDC was rejected as this Council has a duty to provide advice and assistance to groups preparing neighbourhood plans.

Final decision	Reason(s)
To agree the response from SCDC set out at Appendix 1.	The response is intended to provide the independent examiner with SCDC's comments on the Waterbeach Neighbourhood Plan.

Signed	Name (CAPITALS)	Signature	Date
Lead Cabinet Member	Signed copy available upon request from Democratic Services (democratic.services@scambs.gov.uk)		
Chief Officer			

Further Information
<p>Appendix 1: SCDC response to the Waterbeach Submission Neighbourhood Plan</p> <p>Background documents</p> <p>Formal Agreement between Waterbeach Parish Council and SCDC – August 2015</p> <p>Waterbeach Neighbourhood Plan – Submission version Jan 2021</p>