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1 September 2014

To: Councillor Robert Turner, Portfolio Holder

Henry Batchelor  
Kevin Cuffley

Aidan Van de Weyer

Opposition Spokesman  
Scrutiny and Overview Committee  
Monitor  
Opposition Spokesman

Dear Sir / Madam

You are invited to attend the next meeting of **PLANNING PORTFOLIO HOLDER'S MEETING**, which will be held in **SWANSLEY ROOM, GROUND FLOOR** at South Cambridgeshire Hall on **TUESDAY, 9 SEPTEMBER 2014 at 2.00 p.m.**

Yours faithfully  
**JEAN HUNTER**  
Chief Executive

**Requests for a large print agenda must be received at least 48 hours before the meeting.**

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<b>AGENDA</b>		<b>PAGES</b>
<b>PROCEDURAL ITEMS</b>		
<b>1.</b>	<b>Declarations of Interest</b>	
<b>2.</b>	<b>Minutes of the Planning and Economic Development Portfolio Holder meeting held on 11 June 2014</b> These draft minutes are attached for information, and will be approved by the Economic Development Portfolio Holder (formerly Planning and Economic Development Portfolio Holder). The Planning Portfolio Holder is invited to comment on the planning elements in the minutes so that such comments can be taken into account by the Economic Development Portfolio Holder at his meeting on 10 September 2014.	<b>1 - 4</b>
<b>DECISION ITEMS</b>		
<b>3.</b>	<b>South Cambridgeshire Local Plan: Memorandum of Understanding between Cambridge City Council and South Cambridgeshire District Council - Greater Cambridge Housing Trajectory</b>	<b>5 - 22</b>
<b>4.</b>	<b>Local Plan: Member liaison during the Examination</b>	<b>23 - 26</b>
<b>5.</b>	<b>Neighbourhood Plans: Histon &amp; Impington Area Designation</b>	<b>27 - 42</b>
<b>6.</b>	<b>Neighbourhood Plans - working with Parish Councils (Key)</b>	<b>43 - 68</b>

- |           |   |                |
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| <b>7.</b> | <b>St Neots Neighbourhood Plan - Response to Consultation</b> | <b>69 - 72</b> |
| <b>8.</b> | <b>Government Technical Consultation on Planning</b>          | <b>73 - 98</b> |

**STANDING ITEMS**

- |            |                             |                 |
|------------|-----------------------------|-----------------|
| <b>9.</b>  | <b>Work Programme</b>       | <b>99 - 102</b> |
| <b>10.</b> | <b>Date of Next Meeting</b> |                 |

The next confirmed Planning Portfolio Holder meeting will be on Tuesday 18 November 2014 at 10.00am.

A provisional Planning Portfolio Holder meeting has been scheduled for Friday 19 December 2014 at 10.00am.

Further confirmed and provisional Planning Portfolio Holder meetings will be announced as soon as possible.

**OUR LONG-TERM VISION**

South Cambridgeshire will continue to be the best place to live, work and study in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment.

**OUR VALUES**

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

## **GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL**

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#### **First Aid**

If you feel unwell or need first aid, please alert a member of staff.

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#### **Recording of Business and Use of Mobile Phones**

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#### **Banners, Placards and similar items**

You are not allowed to bring into, or display at, any public meeting any banner, placard, poster or other similar item. Failure to do so, will result in the Chairman suspending the meeting until such items are removed.

#### **Disturbance by Public**

If a member of the public interrupts proceedings at a meeting, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared. The meeting will be suspended until order has been restored.

#### **Smoking**

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#### **Food and Drink**

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# Agenda Item 2

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

Minutes of the Planning and Economic Development Portfolio Holder's Meeting (final meeting on 11 June 2014) held on  
Wednesday, 11 June 2014 at 2.00 p.m.

Portfolio Holder: Nick Wright

### Councillors in attendance:

Scrutiny and Overview Committee monitors and Opposition spokesmen: Bridget Smith

### Officers:

Julie Ayre	Planning Team Leader (East)
Nigel Blazeby	Development Control Manager
Clare Gibbons	Development Officer
Nicole Kritzinger	Development Officer
John Koch	Planning Team Leader (West)
Jo Mills	Planning and New Communities Director
Ian Senior	Democratic Services Officer
Susan Walford	Health Protection Team Leader

## 1. DECLARATIONS OF INTEREST

With regard to Minute 37 (South Cambridgeshire District Council's Support for Village Pubs), Councillor Nick Wright declared a non-pecuniar interest as a Director of the Conington Pub Company, Conington

## 2. MINUTES OF PREVIOUS MEETING

The Planning & Economic Development Portfolio Holder signed, as a correct record, the Minutes of the meeting held on 20 March 2014.

In connection with Minute 28

- **Disposal of St Denis Church, East Hatley** - the Planning and New Communities Director updated the Portfolio Holder as to progress, and was confident that the transfer target date would be met.
- **Tythe Barn, Landbeach** – Cambridge Past, Present and Future would be hosting a workshop on 30 June 2014, for which invitations would be issued shortly. Outcomes would help to formulate a final recommendation to the Planning Portfolio Holder in September (or as soon as possible thereafter).
- **Duxford Chapel** – the keys had been handed over by South Cambridgeshire District Council.

## 3. PLANNING: PRE-APPLICATION CHARGING: MAJOR DEVELOPMENTS

The Planning and Economic Development Portfolio Holder considered a report on the current pre-application process and, in particular, the charging rates. A review was necessary to ensure that:

- Income generated through the pre-application charging structure would fully recover the cost of providing the service; and
- The schedule was more consistent with those of Cambridge City Council and Cambridgeshire County Council.

Those present discussed a number of aspects of the scheme. These included the need to promote the scheme more as a service, not just to agents but to applicants as well, and its relationship to Parish Councils. The principal message had to be that the right advice provided at the right time would save applicants both time and money.

Councillor Bridget Smith questioned the achievability of a next-day service and the value for money of the proposals. On the first point, the Planning and New Communities Director said the Council's aspiration was to be one of the country's leading local planning authorities. On the second point, the Portfolio Holder said that it was important to establish the principle first and then to build on it later.

Officers agreed to continue working on the messages being sent out to applicants and agents, and to defer implementation until October 2014.

The Planning and Economic Development Portfolio Holder **approved**

- (a) The revised fee structure for pre-application advice as set out at Appendix 3 of the report from the Planning and New Communities Director;
- (b) The revised hourly rates for the growth sites and other sites where Planning Performance Agreements are used
- (c) The inclusion of previously 'free of charge' categories identified in appendix 3, namely works needing just listed building consent, demolition of buildings in a conservation area, works to trees, discharge of conditions, applications by small businesses, and accountancy costs;
- (d) The revised fee structure to be implemented from 1 July 2014 other than for the types of application we don't currently charge for listed in (c) above.
- (e) a six-week consultation period with planning agents on the application types the Council has not previously charged for and for the responses to consultation to be considered by the Portfolio Holder before agreeing their introduction on 1 October 2014.
- (f) a six-week consultation period with planning agents on the proposed "one-off" meeting to provide advice and for the responses to consultation to be considered by the Portfolio Holder before agreeing their introduction on 1 October 2014; and
- (g) a further report, to the new Planning Portfolio Holder at a meeting not before September 2014 detailing the results of consultation and evidence of improved service provision.

The Planning and Economic Development Portfolio Holder **rejected** the recommendation of a charge for applications from Parish or Community Councils.

#### **4. ECONOMIC DEVELOPMENT PRIORITIES AND ACTION PLAN**

The Planning and Economic Development Portfolio Holder considered a report updating him about progress with the Economic Development three-year action plan.

Those present discussed the function of the Business Register and how best to improve its effectiveness. It had to be promoted as widely as possible in order to increase its audience and, to this end, there was a discussion about how Members could help to spread the message.

The Planning and Economic Development Portfolio Holder **endorsed** the progress outlined in Appendix to the report from the Planning and New Communities Director.

## **5. SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL'S SUPPORT FOR VILLAGE PUBS**

The Planning and Economic Development Portfolio Holder **received and noted** a report providing an overview of the support available both to current pub businesses and to communities intent on retaining their public house. The report identified a number of possible actions and policy variations which might further support the viability of public houses and thus secure their future within communities.

He also noted a draft format for the Community Pub event, detailed in Appendix 1. of the report from the Planning and New Communities Director.

The Development Control Manager reminded those present that Local Planning Authorities could issue directions under Article 4 of the General Permitted Development Order 1995 (As Amended) thus requiring a planning application when otherwise the applicant would have permitted development rights. In order to be able to rely on Article 4, it was essential to identify a specific reason distinguishing the location or situation in question from similar locations or situations elsewhere in the country.

Those present discussed Article 4 in general terms. The Portfolio Holder expressed anxiety that the value of the public house or other community asset should be kept to what the community could reasonably afford.

The Planning and Economic Development Portfolio Holder **noted** the measures outlined in paragraphs 24 – 27 of the report from the Planning and New Communities Director, including: not to use Article 4 to restrict change of use of pubs, but to keep the Council's position under review and receive a further report in a year's time.

## **6. PLANNING SERVICE IMPROVEMENT PLANS UPDATE**

The Planning and Economic Development Portfolio Holder **received and noted** a report relating to Planning Service performance for 2013-14. The Planning and New Communities Director and Development Control Manager were in attendance to add some detail. They added that the challenge now was to reduce the backlog of work while processing new applications.

The Planning and Economic Development Portfolio Holder and Councillor Bridget Smith welcomed the report and paid tribute to all those involved in achieving the improvement in performance.

## **7. FARMLAND MUSEUM**

The Planning and Economic Development Portfolio Holder **received and noted** a report summarising how the Farmland Museum had updated its business plan to reflect agreed grant funding (Minute 15 refers).

## **8. WORK PROGRAMME**

Officers would prepare a Work Programme for the Economic Development Portfolio Holder.

**9. DATE OF NEXT MEETING**

This had been the final Planning and Economic Development Portfolio Holder meeting. However, a schedule of meetings for the remainder of 2014-15 had already been agreed and Councillor Nick Wright, as the new Economic Development Portfolio Holder, agreed that that schedule should be retained for his future meetings. Accordingly, the first Economic Development Portfolio Holder meeting would be on Wednesday 10 September 2014, starting at 2.00pm.

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**The Meeting ended at 3.45 p.m.**

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# Agenda Item 3



South  
Cambridgeshire  
District Council

**Report To:** Planning Portfolio Holder  
**Lead Officer:** Director of Planning and New Communities

9 September 2014

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## **South Cambridgeshire Local Plan: Memorandum of Understanding between Cambridge City Council and South Cambridgeshire District Council - Greater Cambridge Housing Trajectory**

### **Purpose**

1. To agree a Memorandum of Understanding with Cambridge City Council that as part of the two Local Plan examinations the housing trajectories for the two areas should be considered together as a joint trajectory for the purposes of housing supply, including 5-year land supply.
2. This is not a key decision because it is consistent with the development strategy included in the submitted Local Plans for Cambridge and South Cambridgeshire and with the City Deal signed on 19 June 2014. It was first published in the August 2014 Forward Plan.

### **Recommendations**

3. It is recommended that the Portfolio Holder approves the Memorandum of Understanding between Cambridge City Council and South Cambridgeshire District Council at Appendix 1.

### **Reasons for Recommendations**

4. Changes in circumstances since the submission of the Local Plan, including the signing of the City Deal, the publication of the National Planning Practice Guidance and the recent Waterbeach appeal decisions, indicate that a Memorandum of Understanding between the Councils will demonstrate the soundness of the plans at the examination.

### **Background**

5. The South Cambridgeshire Local Plan was agreed by Council on 13 March 2014 and submitted for examination alongside the Cambridge Local Plan on 28 March 2014. The plans together provide a coherent development strategy for the Greater Cambridge area. Both Councils have committed to meeting their objectively assessed housing development needs in full in their respective areas. The phasing of development outlined in the submitted plans follows the development sequence and carries forward the development strategy from adopted plans. As expected, development is coming forward within the urban area of Cambridge and on the edge of Cambridge early in the plan period with new settlements following later in the plan period as they have a longer lead-in time before the start of delivery. In particular, the fringe sites that were released from the Green Belt in the last round of plan making are now well underway and delivering new homes, jobs and associated infrastructure on the ground. These cross-boundary sites are logically building out from the edge of the existing built-up area with more homes being built in Cambridge in the early part

of the plan period and then moving into South Cambridgeshire later on. This is a logical and appropriate way of delivering sites to meet the combined objectively assessed housing need across the Greater Cambridge area.

6. The Councils are party to a Memorandum of Co-operation agreed in May 2013, under the duty to co-operate, that sets out the continued support of all the Councils in the wider Cambridge Sub Region housing market area (HMA) to the development strategy for the area, including the development sequence. It also confirms those Councils' commitment, together with Peterborough Council, to meet in full the objectively assessed needs of the housing market area, as identified in the Cambridge Sub Region Strategic Housing Market Assessment.

### Considerations

7. Since the Local Plans were submitted, there have been four significant changes in circumstances that together have indicated the need for an additional agreement under the duty to co-operate between the two Councils:
  - i. The Councils signed up to a City Deal agreement on 19 June 2014, along with Cambridgeshire County Council, Cambridge University and the Cambridgeshire and Peterborough Local Enterprise Partnership. This defines the area covered by the two districts as 'Greater Cambridge' and recognises the strong inter relationship between the two areas. In particular it acknowledges that Cambridge City and South Cambridgeshire District Councils, along with Cambridgeshire County Council as the Transport Authority, "have worked closely together on new local plans and associated transport strategy and have aligned plan making processes to achieve the benefits of what amounts to a single overarching development, infrastructure and delivery strategy for Cambridge" (City Deal document page 7<sup>1</sup>). Furthermore, as part of the City Deal arrangements, the Councils have agreed to prepare a joint Local Plan and Transport Strategy starting in 2019.
  - ii. Two section 78 planning application appeals were allowed on 25 June 2014 for sites in Waterbeach village in South Cambridgeshire on the basis that the Inspector concluded that the Council was not able to satisfactorily demonstrate a 5-year supply of housing land as required by the National Planning Policy Framework (NPPF). The Inspector did not consider that it would be the correct approach to take account of the housing supply situation in Cambridge. He commented that this approach is 'without precedent'. The Inspector also concluded that there was no sound basis for taking the Greater Cambridge City Deal into account in the current 5-year housing land supply, which was at that time still to be signed.
  - iii. The National Planning Practice Guidance (NPPG), published on 6 March 2014 and therefore too late to influence the Local Plans submitted on 28 March, provides for the circumstances that where a local planning authority cannot demonstrate a 5-year housing land supply that it can seek agreement with its neighbours under the duty to co-operate to meet that shortfall (paragraph 035).
  - iv. The Councils note that the East Cambridgeshire Local Plan Inspector has endorsed the 2013 Memorandum of Cooperation in his interim conclusions of 14 July 2014<sup>2</sup>. He comments in respect of the approach to part of East Cambridgeshire's objectively assessed needs being met in Peterborough under the duty to co-operate, that he has "seen no substantive evidence that

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<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/321722/Greater\\_Cambridge\\_City\\_Deal\\_Document.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/321722/Greater_Cambridge_City_Deal_Document.pdf)

<sup>2</sup> <http://www.eastcambs.gov.uk/sites/default/files/IN14%20ECLP%20Inspector%27s%20Interim%20Conclusions.pdf>

providing an element of the Cambridge HMA's needs within Peterborough would conflict with the Framework's sustainable development objectives. Indeed, given Peterborough's accessibility, infrastructure availability and range of service provision, the intended arrangement would broadly accord with general sustainable development principles" (paragraph 23) and that "furthermore, given that the intended apportionment of development has been agreed by local authorities working in co-operation as required by the legal duty already discussed, it seems to me that the approach that is now proposed is consistent with the principles of localism. National planning policy allows for circumstances where development requirements from one local authority area will be met in another" (paragraph 24).

8. The proposed Memorandum of Understanding is set out in Appendix 1 and will supplement the Memorandum of Cooperation of May 2013, under which the Councils have committed to meeting in full their objectively assessed needs within their respective areas, as required by the NPPF.
9. This Memorandum of Understanding concerns the phasing of the objectively assessed needs for development in the Greater Cambridge area during the plan period. It formalises the development strategy contained in the submitted Local Plans. It will also ensure that both Councils can demonstrate a continuous 5-year housing land supply as required by the paragraph 47 of the NPPF.
10. The statement would be made without prejudice to the consideration of the housing supply issues at the examination, but with the aim of demonstrating sound plans and appropriate and on-going collaboration in planning across the Greater Cambridge area. The agreement will support the joint development strategy and sequence and is about when (not where) the identified objectively assessed needs will be met.
11. As part of the process for agreeing this Memorandum of Understanding, the Joint Strategic Transport and Spatial Planning Group (JST&SPG) will be meeting at 9.30am on 9 September 2014 to consider this ahead of the Portfolio Holder meeting beginning at 2pm on 9 September 2014. Following on from this, the Memorandum of Understanding will be considered by Executive Councillor for Planning Policy and Transport and Development Plan Scrutiny Sub Committee at Cambridge City Council at 4.30pm on 9 September 2014. The outcome of the JST&SPG will be reported verbally to both meetings to inform discussions.

### **Options**

12. The Council could decide not to sign up to a Memorandum of Understanding. This option is not preferred in the light of the changed circumstances identified in paragraph 6.

### **Implications**

13. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

### **Legal**

14. The Memorandum of Understanding is not a legally binding document but would form part of the Council's evidence to the Local Plan Inspector on how the Council is meeting its legally required duty to co-operate. The Council's legal service supports

the signing of a Memorandum of Understanding and it also reflects independent legal advice received.

***Risk Management***

15. In light of the changes in circumstances identified at paragraph 6, there are risks to the Council's Local Plan through the examination process that will be mitigated as far as possible by the agreement to the Memorandum of Understanding.

**Consultation responses (including from the Youth Council)**

16. This is a technical document that reflects previous Council decisions and no additional consultations have been undertaken. It is envisaged that consultation on the proposed modifications be undertaken at an appropriate point in the examination.

**Effect on Strategic Aims**

**Aim 1 - Ensure that South Cambridgeshire continues to offer an outstanding quality of life for our residents**

17. The development strategy included in the submitted Cambridge and South Cambridgeshire Local Plans aims to meet the housing and employment needs of the Greater Cambridge area while ensuring that the district remains an attractive place to live, work and study.

**Background Papers**

[Cambridgeshire and Peterborough Memorandum of Co-operation: Supporting the Spatial Approach 2011-2031.](#)

[Greater Cambridge City Deal](#)

[East Cambridgeshire Local Plan Examination – Inspector's Interim Conclusions 14 July 2014](#)

**Report Author:** Caroline Hunt – Planning Policy Manager  
Telephone: (01954) 713196



**Appendix 1:**

**Memorandum of Understanding  
between  
Cambridge City Council  
and  
South Cambridgeshire District Council**

**Greater Cambridge Joint Housing Trajectory**



## Purpose of the Memorandum of Understanding

1. This Memorandum of Understanding confirms the agreement between the Councils under the duty to co-operate that the housing trajectories for the two areas should be considered together, including for the purposes of calculating 5-year housing land supply. This is consistent with:

- Paragraph 181 of the National Planning Policy Framework (NPPF, RD/NP/010) which states that local planning authorities will be:

*“expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.”*

- Paragraph 035 of the National Planning Practice Guidance (RD/NP/020) concerns how local planning authorities should deal with past under-supply of housing, stating they should aim:

*“to deal with any undersupply within the first 5 years of the plan period where possible. Where this cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the ‘Duty to Cooperate’.*

## Background

2. There is a close functional relationship between Cambridge and South Cambridgeshire that has long been recognised in planning terms. In accordance with the duty to co-operate, the Councils have worked closely throughout the preparation of their respective Local Plans to prepare complementary plans that together set out a clear development strategy for the Greater Cambridge area. Section Two of the submitted Cambridge Local Plan (RD/Sub/C/010, pages 11 – 37) and Chapter Two of the submitted South Cambridgeshire Local Plan (RD/Sub/SC/010, pages 11 – 42) set out the overall spatial strategy, with key evidence base including:

- Population, Housing and Employment Technical Report, April 2013 (RD/Strat/080)
- Cambridge Sub-Region Strategic Housing Market Assessment (SHMA), 2012 (RD/Strat/090)
- Cambridgeshire and Peterborough Memorandum of Co-operation: Supporting the Spatial Approach 2011-2031, May 2013 (RD/Strat/100)
- Approach to Establishing Objectively Assessed Needs for Additional Housing, March 2014 (RD/Strat/280)
- Cambridge and South Cambridgeshire Development Strategy Review, November 2012 (RD/Strat/040)
- Inner Green Belt Appraisal, May 2012 (RD/Strat/200)
- Inner Green Belt Study Review, December 2012 (RD/Strat/210)
- Transport Strategy for Cambridge and South Cambridgeshire, March 2014 (RD/T/120)
- Cambridge Sub Regional Transport Modelling Report for Cambridge and South Cambridgeshire local Plan, July 2013 (RD/Strat/160)

- Cambridge City Council Sustainability Appraisal of the Cambridge Local Plan 2014. Volume 1 Final Appraisal for Submission to the Secretary of State, March 2014 (RD/Sub/C/030)
  - South Cambridgeshire Draft Final Sustainability Report, March 2014 (RD/Sub/SC/060)
  - Cambridge Strategic Housing Land Availability Assessment, 2012, (RD/Strat/130) 2013, (RD/Strat/140)
  - South Cambridgeshire Strategic Housing Land Availability Assessment, August 2013 (RD/Strat/120).
3. The Councils are party to a Memorandum of Co-operation agreed in May 2013 (RD/Strat/100), under the duty to co-operate, that sets out the continued support of all the Councils in the wider Cambridge Sub Region housing market area to the development strategy for the area, including the development sequence. It also confirms those Councils' commitment, together with Peterborough City Council, to meet in full the objectively assessed needs of the housing market area, as identified in the Cambridge Sub Region Strategic Housing Market Assessment.
  4. As part of that agreement, Cambridge City and South Cambridgeshire District Councils have committed to the development strategy for the Greater Cambridge area and to meeting their respective needs in full in their Local Plans. For Cambridge, Policy 2 and Policy 3 in the submitted Local Plan reflect this position (RD/Sub/C/010, pages 23–26). Policy S/5 and S/6 reflect this position for South Cambridgeshire (RD/Sub/SC/010, pages 25–30).
  5. The Councils considered that the approach they followed in the preparation of the submitted Local Plans already supported the approach to consider the two housing trajectories together. However, a number of changes in circumstance have indicated that a further statement under the duty to co-operate is necessary to confirm that position formally.

### **Changes in Circumstances**

6. Since the Local Plans were submitted, there have been four significant changes in circumstances that together have indicated the need for this additional Memorandum of Understanding between the two Councils:
  - i. The Councils signed up to a City Deal agreement on 19 June 2014, along with Cambridgeshire County Council, Cambridge University and the Cambridgeshire and Peterborough Local Enterprise Partnership. This defines the area covered by the two districts as 'Greater Cambridge' and recognises the strong inter-relationship between the two areas. In particular, it acknowledges that Cambridge City and South Cambridgeshire District Councils, along with Cambridgeshire County Council as the Transport Authority, "have worked closely together on new local plans and associated transport strategy and have aligned plan making processes to achieve the benefits of what amounts to a single overarching development, infrastructure and delivery strategy for Cambridge" (City Deal document page 7, RD/Strat/300<sup>1</sup>). Furthermore, as part of the City Deal arrangements, the Councils have agreed to prepare a joint Local Plan and Transport Strategy starting in 2019.

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<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/321722/Greater\\_Cambridge\\_City\\_Deal\\_Document.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/321722/Greater_Cambridge_City_Deal_Document.pdf)



- ii. Two section 78 planning application appeals were allowed on 25 June 2014 for sites in Waterbeach village in South Cambridgeshire on the basis that the Inspector concluded that the Council was not able to satisfactorily demonstrate a 5-year supply of housing land as required by the National Planning Policy Framework (NPPF). The Inspector did not consider that it would be the correct approach to take account of the housing supply situation in Cambridge. He commented that this approach would be 'without precedent'. The Inspector also concluded that there was no sound basis for taking into account the Greater Cambridge City Deal in the current 5-year housing land supply calculation. The City Deal had not been signed at the time.
- iii. The National Planning Practice Guidance (NPPG, RD/NP/020), published on 6 March 2014 (and therefore too late to influence the Local Plans submitted on 28 March), provides that in certain circumstances where a local planning authority cannot demonstrate a 5-year housing land supply, it may be able to seek agreement with its neighbours under the duty to co-operate, to meet that shortfall (paragraph 035).
- iv. The Councils note that the East Cambridgeshire Local Plan Inspector has endorsed the 2013 Memorandum of Cooperation in his interim conclusions of 14 July 2014 (RD/Strat/310)<sup>2</sup>. He comments in respect of the approach to part of East Cambridgeshire's objectively assessed needs being met in Peterborough under the duty to co-operate, that he has "seen no substantive evidence that providing an element of the Cambridge HMA's needs within Peterborough would conflict with the Framework's sustainable development objectives. Indeed, given Peterborough's accessibility, infrastructure availability and range of service provision, the intended arrangement would broadly accord with general sustainable development principles" (paragraph 23) and that "furthermore, given that the intended apportionment of development has been agreed by local authorities working in co-operation as required by the legal duty already discussed, it seems to me that the approach that is now proposed is consistent with the principles of localism. National planning policy allows for circumstances where development requirements from one local authority area will be met in another" (paragraph 24).

### **The Agreement between the Councils**

7. This Memorandum of Understanding supplements the Memorandum of Cooperation of May 2013 (RD/Strat/100), under which the Councils have committed to meeting in full their objectively assessed needs within their respective areas, as required by the first bullet of paragraph 37 of the NPPF.
8. This additional memorandum is specifically about the phasing of the delivery of housing to meet objectively assessed needs in the Greater Cambridge area during the plan period. It formalises the development strategy contained in the submitted Local Plans. It will also ensure that both Councils can demonstrate a continuous 5-year housing land supply as required by the second bullet of paragraph 47 of the NPPF. Consequential modifications to both local plans maybe be required; and the Councils commit to these as necessary.

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<sup>2</sup> <http://www.eastcambs.gov.uk/sites/default/files/IN14%20ECLP%20Inspector%27s%20Interim%20Conclusions.pdf>

9. Both Councils have already committed to meeting their objectively assessed needs in full. That commitment is unchanged. Both Councils are determined to have sound strategies to achieve the necessary delivery through their combined Local Plans. This statement is made without prejudice to the consideration of the above housing supply issues at the examination, but with the aim of demonstrating sound plans and appropriate and on-going collaboration in planning across the Greater Cambridge area. This agreement supports the joint development strategy and sequence and is about when needs will be met, appropriate to that strategy. Cambridge City Council confirms and is demonstrably delivering housing within the urban areas and urban fringe sites in the early and middle parts of the plan period. South Cambridgeshire District Council confirms it is committed to delivery of housing in the urban fringe sites and at new settlements, with an emphasis on the middle and latter parts of the plan period, but with an element of village housing allocations to provide some early delivery. This is a logical and appropriate way of delivering sites that meet the combined housing need across the Greater Cambridge footprint area. This agreement is also a duty to co-operate statement under paragraph 035 of the NPPG.
10. The phasing of development outlined in the submitted plans follows the development sequence and carries forward the strategy from the adopted plans. As expected, development is coming forward within the urban area of Cambridge and on the edge of Cambridge early in the plan period with new settlements following later in the plan period as they have a longer lead-in time before the start of delivery. In particular, the fringe sites that were released from the Green Belt in the last round of plan making are now well underway and delivering new homes, jobs and associated infrastructure on the ground. These cross-boundary sites are logically building out from the edge of the existing built-up area with more homes being built in Cambridge in the early part of the plan period and then moving into South Cambridgeshire later on.
11. This is evidenced by two key illustrations at Appendices A and B (note that these are based on the figures included in the housing trajectories available at the time of submitting the Local Plans, that will be updated for the examination):
  - Appendix A shows the overall trend in delivery rates in each district overlaid with each other. This demonstrates that Cambridge is providing more than its annualised average figure early on, tapering down later, and South Cambridgeshire is building up towards its annualised average early in the plan period and delivering significantly more later in the plan period. Considering the two trajectories together is logical, and recognises an appropriate and more even delivery of housing across the Greater Cambridge area, over the plan period as well as a continuous 5-year housing land supply.
  - Appendix B shows the emphasis on delivery of the fringe sites predominantly in Cambridge in the early part of the plan period and then predominantly in South Cambridgeshire.
12. Taking account of the changes in circumstances identified in the previous section, in particular paragraph 035 of the NPPG, as evidenced through Appendices A and B, the Councils now confirm through the signing of this additional Memorandum of Understanding that they commit, under the duty to co-operate, to their housing trajectories being considered together, including for the purposes of calculating 5-year housing land supply.
13. The Councils recognise that this agreement may be without precedent, as noted by the Waterbeach appeals Inspector. However, this area is unique as it is the only place in the country where one administrative area completely surrounds another with very tightly drawn boundaries around an entire urban area. The agreement is consistent

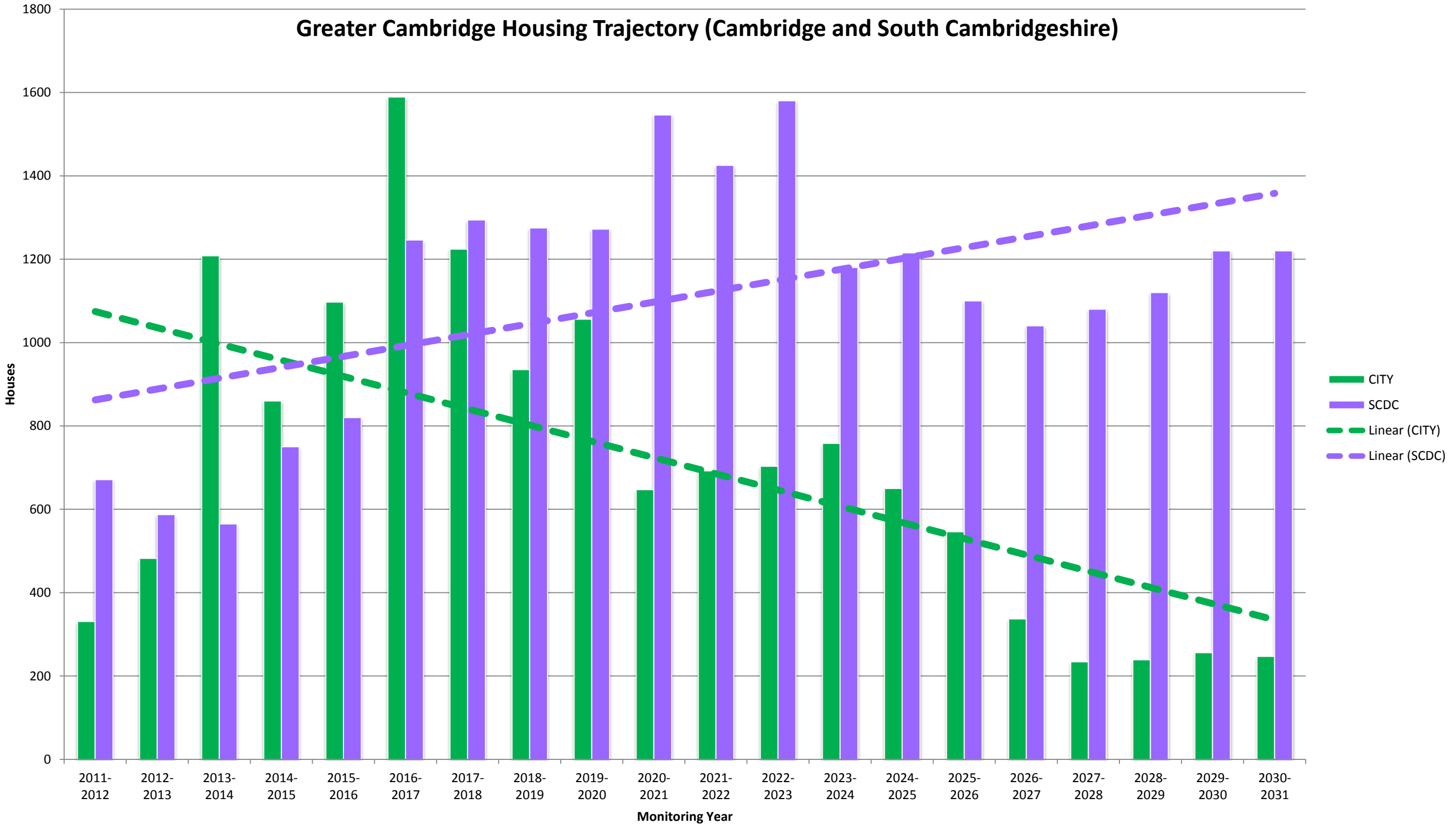
with the Greater Cambridge City Deal, in which the Government recognises the strong inter-relationship between the two areas and the appropriateness of working on a Greater Cambridge footprint basis, such that a statutory combined authority is to be constituted for certain functions, with a commitment through that formal process to preparing a single Local Plan for both areas, with work starting by 2019. The Councils consider that the approach in this agreement should be considered on its merits and that it is consistent with the NPPF and the NPPG under the duty to co-operate on plan making. It is also consistent with the process of moving towards a single Local Plan for the Greater Cambridge area.

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Greater Cambridge Housing Trajectory (Cambridge and South Cambridgeshire)

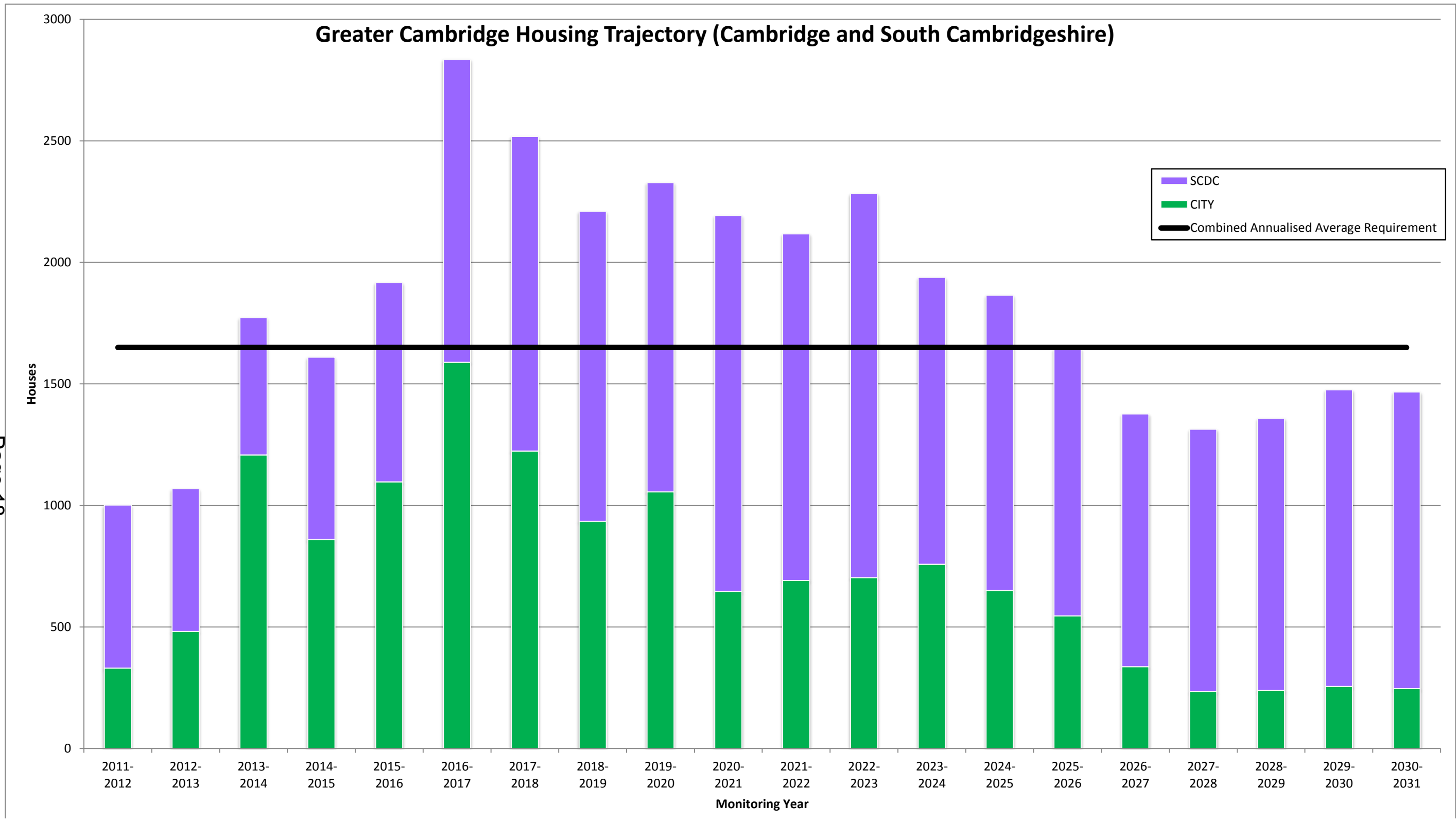
Year	COMPLETIONS		PROJECTED COMPLETIONS																	
	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031
SCDC	671	587	565	750	820	1,246	1,294	1,275	1,272	1,546	1,425	1,580	1,180	1,215	1,100	1,040	1,080	1,120	1,220	1,220
CITY	331	482	1208	860	1097	1589	1224	935	1056	647	692	703	758	650	546	337	234	239	256	247
Total	1,002	1,069	1,773	1,610	1,917	2,835	2,518	2,210	2,328	2,193	2,117	2,283	1,938	1,865	1,646	1,377	1,314	1,359	1,476	1,467

Greater Cambridge Housing Trajectory (Cambridge and South Cambridgeshire)



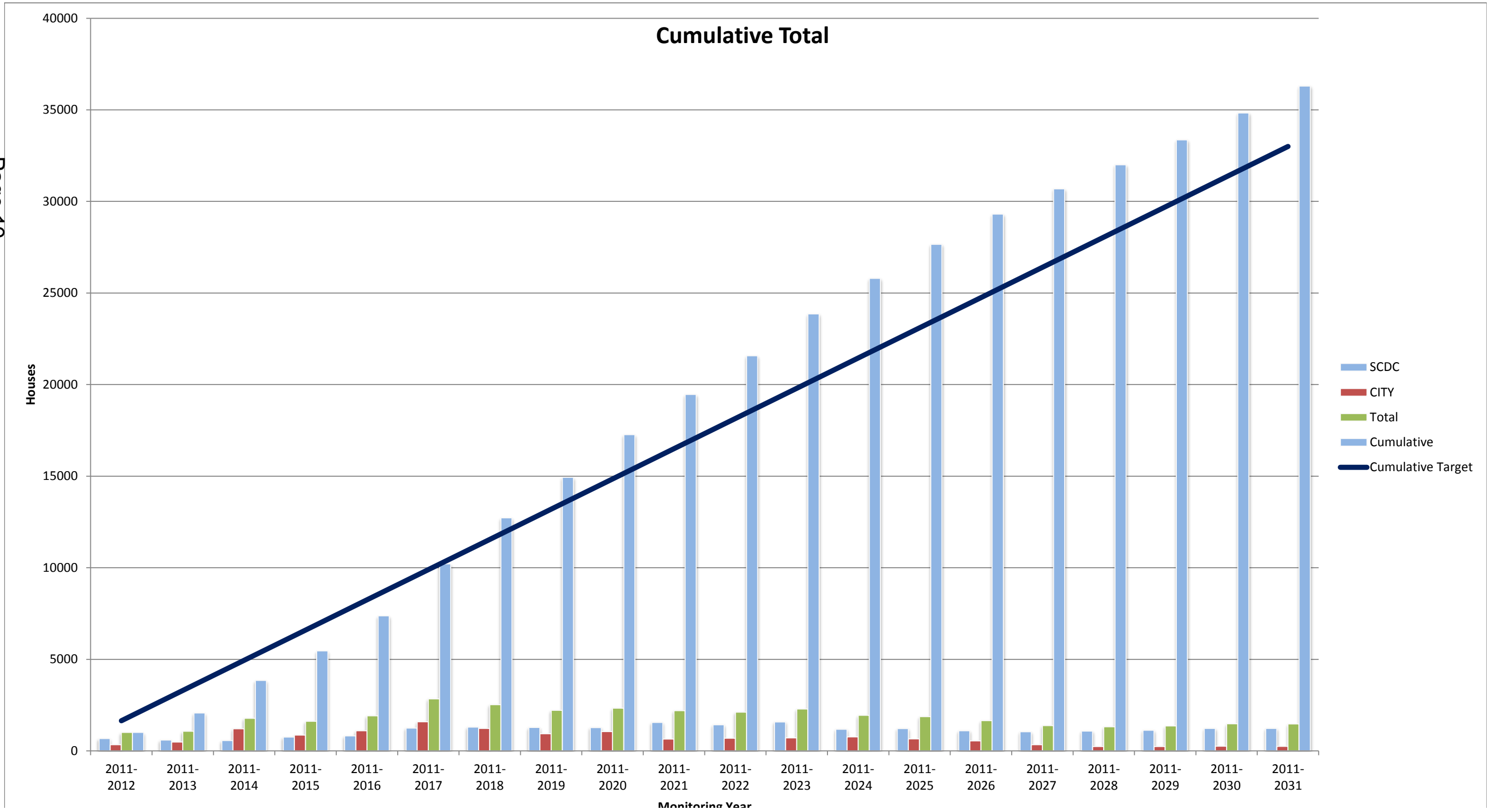
Greater Cambridge Housing Trajectory (Cambridge and South Cambridgeshire)

Year	COMPLETIONS		PROJECTED COMPLETIONS																	
	2011-2012	2012-2013	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031
SCDC	671	587	565	750	820	1,246	1,294	1,275	1,272	1,546	1,425	1,580	1,180	1,215	1,100	1,040	1,080	1,120	1,220	1,220
CITY	331	482	1208	860	1097	1589	1224	935	1056	647	692	703	758	650	546	337	234	239	256	247
Annual Average	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650	1650
Total	1,002	1,069	1,773	1,610	1,917	2,835	2,518	2,210	2,328	2,193	2,117	2,283	1,938	1,865	1,646	1,377	1,314	1,359	1,476	1,467



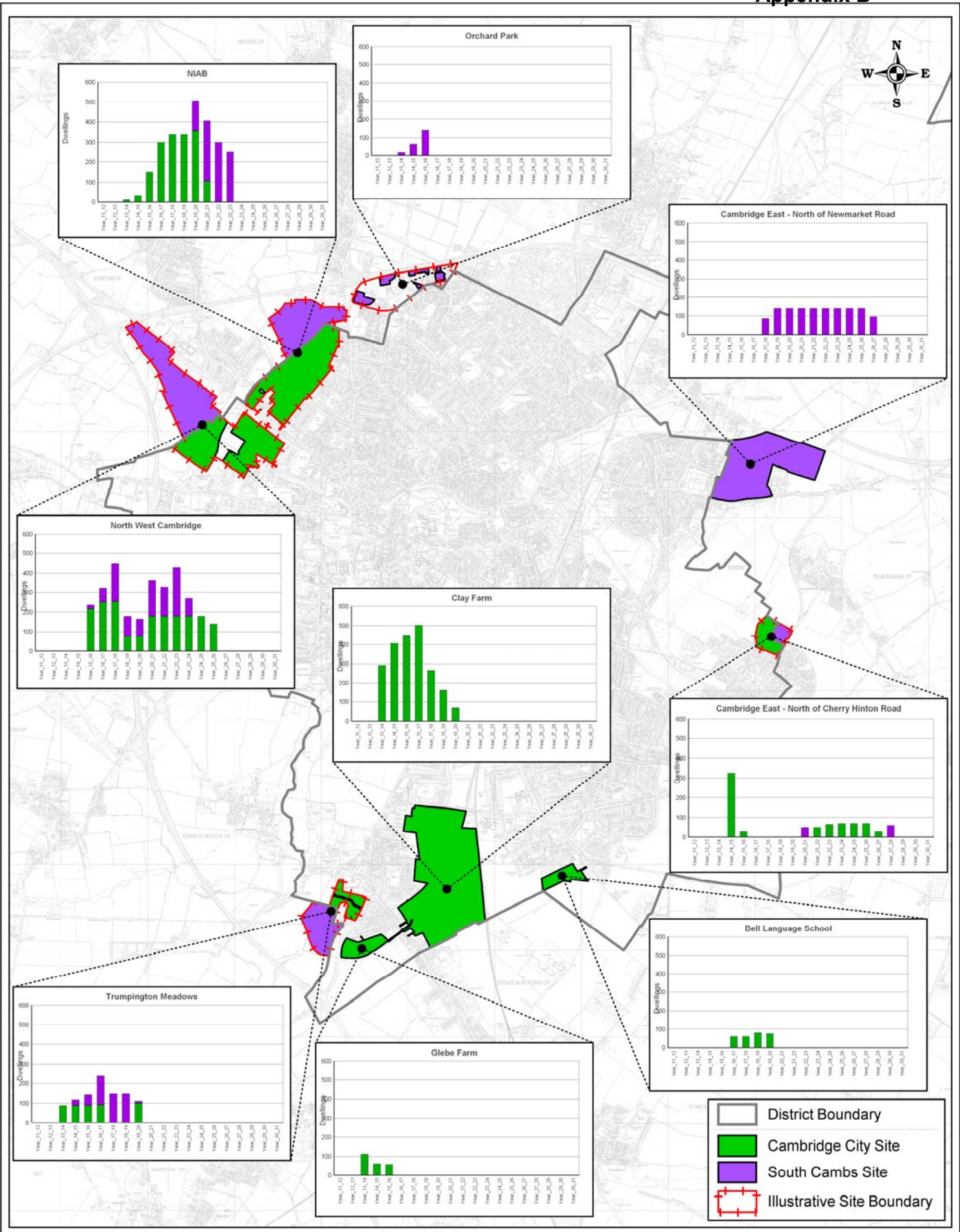
Cumulative Total

Year	COMPLETIONS			PROJECTED COMPLETIONS																
	2011-2012	2011-2013	2011-2014	2011-2015	2011-2016	2011-2017	2011-2018	2011-2019	2011-2020	2011-2021	2011-2022	2011-2023	2011-2024	2011-2025	2011-2026	2011-2027	2011-2028	2011-2029	2011-2030	2011-2031
Cumulative	1,002	2,071	3,844	5,454	7,371	10,206	12,724	14,934	17,262	19,455	21,572	23,855	25,793	27,658	29,304	30,681	31,995	33,354	34,830	36,297
Cumulative Target	1,650	3,300	4,950	6,600	8,250	9,900	11,550	13,200	14,850	16,500	18,150	19,800	21,450	23,100	24,750	26,400	28,050	29,700	31,350	33,000



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 Service: Planning Policy  
 Scale: 1:40000 @ A3

## Predicted Dwellings Completions on Edge of Cambridge Sites

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# Agenda Item 4



South  
Cambridgeshire  
District Council

**Report To:** Planning Portfolio Holder  
**Lead Officer:** Director, Planning and New Communities

9 September 2014

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## Local Plan – Member Liaison during the Examination

### Purpose

1. To consider Member Liaison during the Local Plan Examination.
2. This is not a key decision.

### Recommendations

3. It is recommended that the Portfolio Holder confirms the methods of liaison with Members during the Local Plan Examination set out in paragraph 8.

### Reasons for Recommendations

4. To ensure that Members are kept informed about the progress of the Local Plan Examination and have an opportunity to provide a steer as necessary within the overall Local Plan framework agreed by Council on 13 March 2014.

### Background

5. The Local Plan was submitted for independent Examination on 28 March 2014. The appointed Inspector, Miss Laura Graham, is holding a Pre Hearing Meeting at 2pm on 11 September jointly with the Cambridge Local Plan at the Guildhall, Cambridge.
6. The Inspector has issued initial draft issues for the first five matters. These have been placed on the dedicated Local Plan Examination page of the Council's website. The Inspector has published guidance notes for the Examination that are also available to view on the website. Those notes indicate that further matters and the programme for the Examination will be made available ahead of the Pre Hearing Meeting and potentially discussed at that meeting.

### Considerations

7. The Examination process is led by the Inspector. There will be a programme of hearings on the matters and issues the Inspector identifies as ones she wishes to explore with the Council and objectors. The start date for the hearings will be confirmed at the Pre Hearing Meeting and is not expected to be before the middle of October.

8. It is proposed that Member Liaison will take two forms during the Examination process. Decision making will take place under the Councils' Constitution.
- (a) Regular Updates and Briefings –
    - (i) Weekly email updates to all Members outlining the matters to be examined the following week, and providing a summary of the previous week's hearings. This will be issued each Friday, unless circumstances arise which necessitate a change, in which case Members will be kept informed.
    - (ii) The Portfolio Holder will have monthly informal meetings with Group Leaders to provide a regular opportunity for feedback and discussion.
    - (iii) The Portfolio Holder will be kept informed of progress throughout the Examination and ensure other liaison as appropriate, for instance, an All Member Briefing.
  - (b) Formal Portfolio Holder meetings –
    - (i) Formal meetings will be arranged each month for the duration of the Examination hearings. These will be held as necessary or cancelled if not needed.
9. The Planning Inspectorate has adopted a more iterative approach under its latest approach to plan making. This means that the Inspector may ask officers at the hearings to indicate whether the Council is minded to make modifications to the Local Plan in order to make the plan sound. This approach enables progress to be maintained, and assists the efficient running of the Examination. It is recommended that the Council's representatives at the Examination use their professional discretion to indicate whether the Council may be willing to accept changes. In all cases, changes will need to be consistent with the objectives of the Local Plan. When appropriate, the views of the Portfolio Holder will be sought during the course of the Examination.
10. At the end of the hearings, or at an appropriate point in the Examination process, a formal decision will need to be made on any Modifications that the Council wishes or is prepared to publish for public consultation. The Council's normal decision making rules will apply to this decision.

### **Options**

11. The recommended option for informal liaison is outlined in paragraph 8(a) above. The Examination will be intense. The weekly 'look forward' will help Members to decide which Examination sessions to attend; and the weekly 'looking back' will bring Members up to speed with the progress of the Examination.
12. Alternative means of informal liaison could be used, such as weekly all member briefings. This is not recommended. Verbal briefings would not reach all Members, and would introduce greater potential for lack of clarity. As stated above, the Portfolio Holder has discretion to arrange an all-member briefing at any time.
13. The monthly Formal Portfolio Holder meetings will provide opportunity for all Members to discuss the progress of the Examination, and any modifications that have been requested. These meetings will be used for decision-making. As the

Examination progresses, the extent of requested modifications to the Local Plan will become clear. If appropriate, decisions regarding consultation on modifications may be made by Cabinet.

### **Implications**

14. There are no direct implications arising from this report in terms of any key issues including financial, legal, staffing, and climate change. The risks associated with the Local Plan are captured in the Corporate Risk Register, and actively managed through agreed mechanisms including reports to Portfolio Holder meetings.

### **Consultation responses (including from the Youth Council)**

15. No consultations have been undertaken.

### **Effect on Strategic Aims**

16. The Local Plan is a key document for the Council, and effective engagement with Members has been and remains an important part of its development, consultation, Examination and adoption.

### **Background Papers**

None.

**Report Author:** Caroline Hunt – Planning Policy Manager  
Telephone: (01954) 713196

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**Report To:** Planning Portfolio Holder's Meeting  
**Lead Officer:** Director, Planning and New Communities

9 September 2014

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## Neighbourhood Plans: Histon and Impington Area Designation

### Purpose

1. To make a decision regarding the application to designate part of the parish of Histon and Impington as a Neighbourhood Area (see Appendix A).
2. This not a key decision and the Planning Portfolio Holder has delegated authority to make decisions on Neighbourhood Planning matters.

### Recommendations

3. It is recommended that the Planning Portfolio Holder
  - (a) delegates authority to the Director, Planning and New Communities, to approve the Histon and Impington Area Designation following the closure of the consultation on 12 September assuming there are no objections received.
  - (b) makes a decision outside of a meeting, which can be subject to call-in, if any objections are received.

### Reasons for Recommendations

4. There are currently no objections to the application to designate part of the parish of Histon and Impington as a Neighbourhood Area. A delegated officer decision, assuming there are no objections received, will ensure that a timely decision is made and allow the parish to progress the development of their Neighbourhood Plan. If any objections are received a record of decision completed by the Portfolio Holder outside of a meeting, which can be subject to call-in, would also ensure that the parish is able to progress more swiftly than waiting for the next Portfolio Holder meeting on 18 November 2014.

### Background

5. A neighbourhood area must be designated before a parish council can prepare a neighbourhood plan. There are national regulations guiding how this designation should be carried out and in the Cabinet Report of 8 May 2014 the approach, that South Cambridgeshire District Council is to use is set out as follows:
  - (a) Parishes are asked to complete the 'application for area designation' form, which can be found at [www.scambs.gov.uk/neighbourhood-planning](http://www.scambs.gov.uk/neighbourhood-planning). The form asks questions about the proposed area and the early consultation that the parish has undertaken.
  - (b) The Council, as the Local Planning Authority (LPA), must publicise and consult on the application for not less than six-weeks. The form of consultation to be guided by its normal practice for development plan documents and supplementary planning documents as set out in its adopted statement of community involvement (SCI).

- (c) The Council takes representations into consideration and decides whether to designate the area. This decision has been delegated to the Planning Portfolio Holder.
- (d) Following designation, the Council publicises its decision on its website, including the name of the parish council(s) nominating it, and a map showing the area.

### **Considerations**

- 6. Histon and Impington Parish Council have decided they would like to prepare a Neighbourhood Plan (NP) for their area. They have applied to the Council for the majority of their parish to be designated as a Neighbourhood Area supplying a map of the area to be designated, and a statement explaining why the area should be designated. The consultation was extended to last for longer than 6 weeks so as to take into account the fact that part of the consultation has been during August when many people are away and unable to make comments. (4 July 2014 – 12 September 2014).
- 7. Consultation on the area application was undertaken by the District Council as required, with support from the parish:
  - (a) Prior to the application for area designation, the parish council held open meetings to discuss proposals for, and requirements of, a Neighbourhood Plan for the area.
  - (b) Discussions were held between Histon and Impington Parish Council and community members to determine which areas were in and out of scope for the Neighbourhood Area application.
  - (c) The application letter and associated area map from Histon and Impington Parish Council, which includes a statement of why the area should be designated, was published on the District Council's website on Friday 4 July 2014 and gave a closing date of 12 September 2014. Representations could be submitted on the consultation in a number of ways, namely via the online consultation system, by email or post. A link to the consultation was also added to the front page of the website to make people aware of it
  - (d) The application to designate the Histon and Impington Neighbourhood Area was available during this period at the District Council offices and at the Parish Council Office, Histon and Impington Recreation Ground, New Road, Impington, Cambridge, CB24 9LU.
  - (e) The Council consulted with all the Specific and relevant General Consultees that are used for Local Plan consultations.
  - (f) The Council wrote to all parish councils within a three mile buffer zone of the boundary with Histon and Impington Parish as well as Cambridge City and Cambridgeshire County Councils.
  - (g) With assistance from the Parish Council, the Council also contacted local groups, businesses, landowners and schools in order to meet the requirement to bring the consultation to the attention of people who live, work or carry out business in the proposed Neighbourhood Area.
  - (h) The District Council issued a press release regarding the consultation on 21 July 2014.
  - (i) Posters were displayed across the proposed Neighbourhood Area in key locations throughout the consultation period.
  - (j) The Parish Council also included the consultation on their website.
  - (k) An item advertising the consultation was placed in the Planning Policy monthly update, which goes out to all parishes across the district.



8. Six representations have been received to date, none objecting to the area designation. Although the consultation is yet to close, this is considered to be a good rate of response given that it was not a consultation on a NP itself with policies and proposed site allocations. Of the representations received so far Sport England, Natural England and the Woodland Trust have all offered general support to neighbourhood planning and web links to relevant advice they have to assist parish councils in preparing a plan. The representations received between 4 July 2014 and 29 August 2014 are attached as Appendix B.
9. At this point in time there is clear local support for the proposed area designation and the application is considered valid. There are no planning reasons to refuse the application. The part of the parish excluded from the Neighbourhood Area is detached from the remainder of the parish by the A14 and more closely relates to the urban area of Cambridge. Note that if it is decided that the application to designate should be refused that reasons have to be given for the refusal. The NPPG advises that the Council should avoid pre-judging what a parish council may decide to put in its neighbourhood plan.

### **Options**

10. The Portfolio Holder could
  - (a) delegate authority to the Director, Planning and New Communities, to approve the Histon and Impington Area Designation following the closure of the consultation on 12 September assuming there are no objections received,
  - (b) make a decision outside of a meeting, which can be subject to call-in, if any objections are received, or
  - (c) defer a decision on the application to designate part of the parish of Histon and Impington as a Neighbourhood Area until the next Planning Portfolio Holder Meeting on 18 November 2014.

### **Implications**

11. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

#### ***Financial***

12. Local planning authorities are able to claim for up to 20 area designations (£100,000) in each financial year. In the 2014/15 financial year, claims can be made at the end of each quarter. For all areas, the basic level of funding per NP is £30,000, to be paid for which £5,000 can be claimed for designation of a Neighbourhood Area.

Separate support is available for communities.

<http://mycommunityrights.org.uk/neighbourhood-planning/direct-support/>

#### ***Legal***

13. The Planning Portfolio Holder has delegated authority to make decisions on Neighbourhood Planning matters.

#### ***Staffing***

14. Initially support for neighbourhood planning will be delivered within existing resources by the Planning Policy Team and the Sustainable Communities and Partnerships Team, drawing upon the expertise of other staff as required. Depending on demand,

and other work priorities, the Council may need to revisit the level of advice and guidance available to parishes or consider additional resources in the future.

**Equality and Diversity**

15. Equality and diversity issues will be considered during the preparation of the NP as appropriate to its content.

**Climate Change**

16. Climate change issues will be considered during the preparation of the NP as appropriate to its content.

**Consultation responses (including from the Youth Council)**

17. Consultation responses on the proposed neighbourhood area are set out in Appendix B.

**Effect on Strategic Aims**

**Aim 1 - Engagement: engage with residents, parishes and businesses to ensure we deliver first class services and value for money**

18. Neighbourhood planning engages local people in the planning process by giving them a tool to guide the future development, regeneration and conservation of an area. Parish councils lead on the preparation of Neighbourhood Development Plans and local residents and businesses are engaged throughout the process.

**Background Papers**

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

**Report Author:** Alison Talkington – Senior Planning Policy Officer  
Telephone: (01954) 713182

## **Appendix A**

Histon and Impington Parish Council's application to designate part of Histon and Impington as a Neighbourhood Area.

- The Application Form
- The Map indicating the proposed area.

# Neighbourhood Planning

## Application to designate a Neighbourhood Area



### Town and Country Planning Act 1990 Neighbourhood Planning (General) Regulations 2012

Within South Cambridgeshire District only parish councils and Neighbourhood Forums (\*see guidance note) can apply for Neighbourhood Area designation. These will be the 'relevant body' in this District – a term used in the regulations for Neighbourhood Planning. By completing this form you confirm that you represent the parish council and give us permission to publish the form on the Local Authority's website. If you need help to complete this form please contact Sustainable Communities on 03450 450 500.

**Please complete this form using information we can publish on our website if necessary**

1	Name of parish (or lead parish where there is more than one)	Histon
2	Address	The Parish Office, Histon & Impington Recreation Ground, New Road, Impington, Cambridge CB24 9LU
3	Contact name & position	Mrs Angela Young, Clerk Histon & Impington Parish Council
4	Telephone number	01223 235906
5	E-mail	clerk@hisimp.net
6	Additional parish contact details If applicable, please list all parishes involved in this application and provide contact details for the clerks of each	Histon  Impington  Mrs A J Young is the Clerk to the grouped Council Histon & Impington Parish Council
7	Name of Neighbourhood Area In many cases this will reflect the name of the parish/es it covers	Histon & Impington
8	Consultation Please provide information about how you have determined the area you are applying to designate and who you have consulted – e.g. residents, landowners, businesses	The 2 parishes of Histon and Impington are treated as one community and since 2012 a grouped Parish Council has been in place.  The Parish Council has agreed to apply to designate that part of Histon & Impington north of the A14 and has consulted with resident members of the Kings Meadow Committee and agreed this approach  We have also held a number of open meetings for invited groups, interest groups and residents to attend when the area we hope to designate has been outlined

9 Proposed Neighbourhood Area  
Please state why this area should be designated. This is especially important if it is not the full extent of the parish or includes part of another parish. Please also provide an Ordnance Survey Map showing clearly the boundary of the proposed Neighbourhood Area.

If you need help to prepare a map please contact Sustainable Communities on 03450 450 500

The Neighbourhood Area is the parishes in their completeness north of the A14. The area of Impington south of the A14 has very different needs and requirements which could not successfully be captured in a Neighbourhood Plan covering all parts of the parishes

10 Declaration

I/we hereby apply to designate a Neighbourhood Area as described on this form and accompanying map

Please ensure all parishes involved have signed this application form. Continue on another sheet if necessary

Name: Angela Young

Signature:



Parish (lead parish where there is more than one):  
Histon

Date : 06/06/14

Name: Angela Young

Signature:



Parish: Impington

Date : 06/06/14

11 Supplementary information - optional

Please tell us what you hope to achieve through the development of a Neighbourhood Plan.

**Note:** Any information given in this section will in no way influence the decision to designate the proposed area. It will simply help officers understand your objectives as they currently stand - it is expected that your ideas will be subject to change until the formal planning process is complete. However, any information given will help us ensure that a Neighbourhood Plan is the correct vehicle for you to achieve your objectives.

We aim to develop a Community-led neighbourhood plan, covering Histon and Impington (north of the A14) that can be used to guide and inform planning decisions and unlock additional funding coming to the parish as a result of local development.

More importantly the Neighbourhood Plan will describe and communicate the current facilities and ethos of the villages and set out a vision of what the community want for the villages over the next 10 years.

We have already in Impington lost the major portion of employment in the Parish. We are arguing for a sustainable community - with both housing **and** employment. And preferably employment for all types of skills - not just R&D/paper based. We have to recognise that what has happened in Impington could happen in Histon - and we should be doing all we can to prevent that.

Secondly, once housing development becomes inevitable, our role must be to ensure that that development meets the needs of our new residents, That parking is right, broadband is in place, combined work/live units are available, that the

quality of what is designed and built is right, and fits with what is around.

And, of course, that infrastructure is in place. It would be nice to think that we could ensure that infrastructure was delivered before the people needing it arrive to live here

And finally, the working groups on traffic, drainage & High Street may need the implementation of planning related policies to deliver their aspirations.

We strive for a vision, a vision that the community supports, of where Histon & Impington should be going

Our vision should also address the core objectives of Sustainability, "Digital Village", Diversity & Inclusivity and Heritage and be appropriate for all age groups.

## Guidance Note

### Applying for Neighbourhood Area designation

The first formal step in Neighbourhood Planning is the submission of the proposed Neighbourhood Area to the local authority for designation. South Cambridgeshire District Council has prepared this form to make it simple to apply for this designation.

### Filling out the form

Contact details - the address used on this form should be the main contact for future communication on the Neighbourhood Plan. Please be aware when completing the form that the information given may need to be published online.

Map of the area – if you need help to prepare a map showing the Neighbourhood Area please contact Sustainable Communities on 03450 450 500. Once completed, the form should be returned to:

Kathryn Hawkes, Development Officer  
Sustainable Communities  
South Cambridgeshire District Council  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
Cambridgeshire  
CB23 6EA

### What happens next?

The Council must publicise the area application on its website and in such other manner as they consider is likely to bring it to the attention of people who live, work or carry out business in the area to which the application relates. There will be a period of not less than 6 weeks of public consultation when the Council will invite comments on the application.

The Council will decide whether to designate the Neighbourhood Area. To do this it will consider:

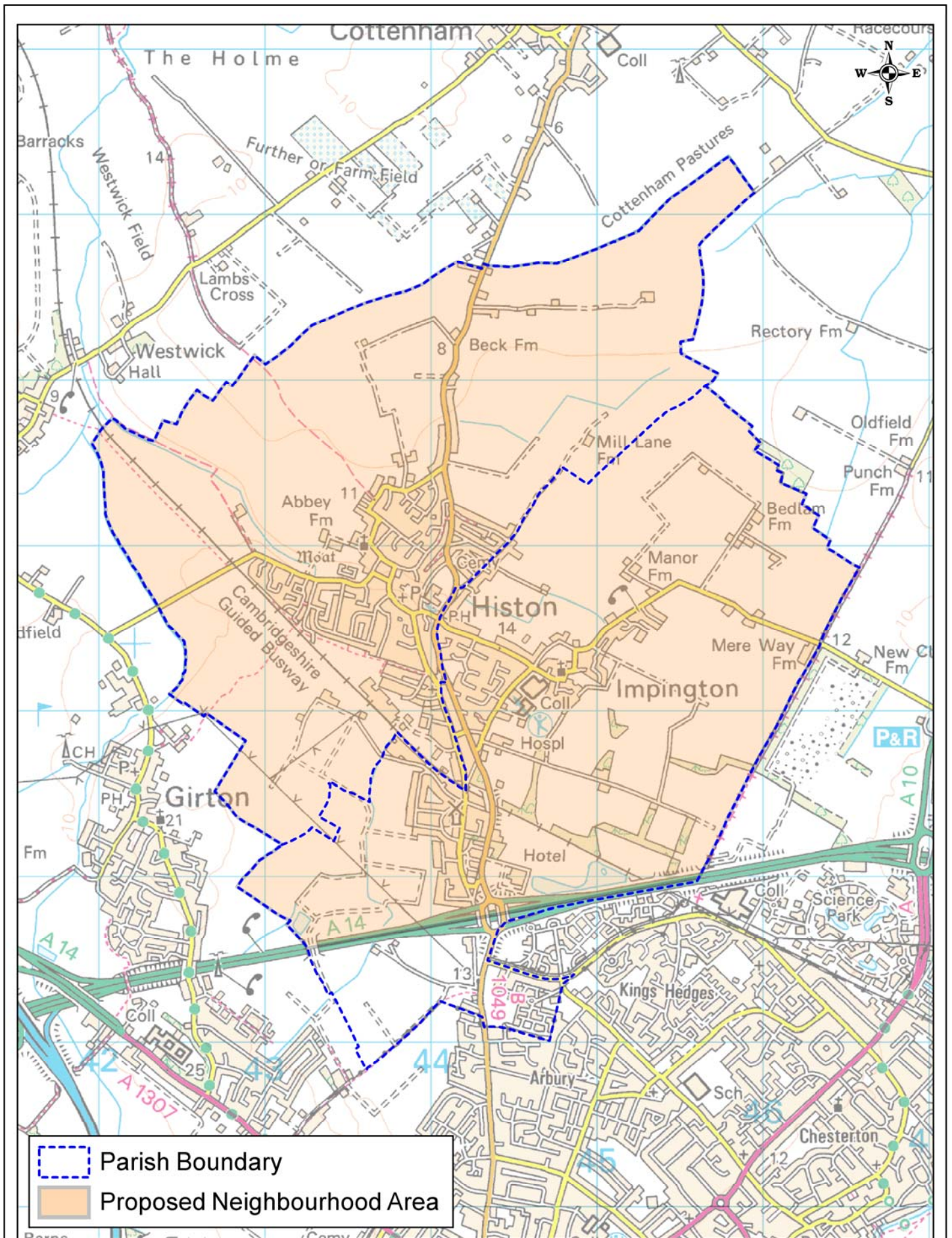
- if the application is valid. A valid application will:
  - have a map showing the area
  - have a statement explaining why it is considered an appropriate Neighbourhood Area
  - be from the 'relevant body'
- all representations made during the consultation
- whether the proposed area is appropriate and does not overlap with other areas – only one Neighbourhood Plan is permitted per Neighbourhood Area.

The Council may modify the application with the parish's consent if it is considered the Neighbourhood Area is not appropriate.

### Designation of the area

The Council will notify the parish and publish decisions on its website and within the Neighbourhood Area. Reasons will be given if the application is not successful within the decision document.

***\*In areas where there is no parish council, parish meetings can either get involved with the Neighbourhood Planning in an adjoining parish or develop a Neighbourhood Forum with the authority to lead on their own Plan. For more information contact Sustainable Communities on 03450 450 500***



Date:	30/06/2014
Produced by:	Michael Sexton
Service:	Planning Policy
Scale:	1:30000 @ A4

## Histon & Impington Proposed Neighbourhood Area





## Appendix B

### Representations received up to 29 August 2014

Rep ID	Details
64723	<p><b>(Support) Histon and Impington Designation of Neighbourhood Area - Histon and Impington Designation of Neighbourhood Area (July 2014)</b></p> <p>Respondent: <b>Individual</b> Received: <b>20/7/2014 via Web</b></p> <p>Histon &amp; Impington north of the A14 are a well defined, cohesive, community. The remainder of the Parish of Impington south of the A14 is very different in nature, and are/will be pure urban extensions of Cambridge with different needs and opportunities.</p> <p><b>Full Text:</b> (Show Full Text) Histon &amp; Impington north of the A14 are a well defined, cohesive, community. The remainder of the Parish of Impington south of the A14 is very different in nature, and are/will be pure urban extensions of Cambridge with different needs and opportunities.</p>
64840	<p><b>(Support) Histon and Impington Designation of Neighbourhood Area - Histon and Impington Designation of Neighbourhood Area (July 2014)</b></p> <p>Respondent: <b>Cambridgeshire County Council</b> Received: <b>15/7/2014 via Email</b></p> <p>The County Council will need to be involved to ensure that any proposed policies take account of services and infrastructure that the County Council may be required to deliver.</p> <p>We note the desire to see early provision of infrastructure to support development and a vision towards a Digital Village. Whilst officers broadly support these measures, it is important that if any policies require developer contributions, they meet the statutory planning tests for such contributions.</p> <p>We support the need for an appropriate balance between monies being locally spent and ensuring that there is sufficient funding for strategic infrastructure required to mitigate the impacts of the development.</p> <p><b>Full Text:</b> (Show Full Text) A NP , if implemented, has the authority the establish general planning policies for new homes and where they should be built, which may require new infrastructure such as schools and roads. The County Council will need to be involved in the development of any plan to ensure that any proposed policies take account of services and infrastructure that the County Council may be required to deliver.</p> <p>We understand that South Cambridgeshire District Council as the local planning authority(lpa) has a duty to support communities making their neighbourhood plan and that in due course there may be an examination in which the County Council may be involved. We understand that the lpa can claim funding to support completed plans.</p> <p>We also note in the application supplementary information provided by the Parish Council the desire to see early provision of infrastructure to support development and a vision towards a Digital Village. Whilst officers broadly support these measures, it is important that if any policies require developer contributions, they meet the statutory planning tests for such contributions and do not unduly impact on the viability of the development proposal. County officers would be happy to work with the Parish Council in helping to identify spending priorities.</p> <p>We support the need for an appropriate balance between monies being locally spent and ensuring that there is sufficient funding for strategic infrastructure required to</p>

	mitigate the impacts of the development.
64841	<p><b>(Support) Histon and Impington Designation of Neighbourhood Area - Histon and Impington Designation of Neighbourhood Area (July 2014)</b></p> <p>Respondent: <b>The Woodland Trust</b> Received: <b>14/7/2014 via Email</b></p> <p>The Woodland Trust are very supportive of the concept of neighbourhood planning and we are very keen to see these plans progress. We would very much appreciate it if you could pass the link to our Neighbourhood Planning microsite on to the Histon and Impington Steering Group.</p> <p><b>Full Text:</b> (Show Full Text) Many thanks for consulting the Woodland Trust on the proposed Histon and Impington Neighbourhood Area. The Woodland Trust are very supportive of the concept of neighbourhood planning as an important mechanism for embedding woods and trees into local communities, as such we are very keen to see these plans progress. We would like to take this opportunity to draw your attention to the Woodland Trust's neighbourhood planning microsite: <a href="https://www.woodlandtrust.org.uk/campaigning/neighbourhood-planning/">https://www.woodlandtrust.org.uk/campaigning/neighbourhood-planning/</a> this site sets out how woods and trees can help communities meet the aims of their plans. We would very much appreciate it if you could pass this link on to the Histon and Impington Steering Group.</p>
64842	<p><b>(Support) Histon and Impington Designation of Neighbourhood Area - Histon and Impington Designation of Neighbourhood Area (July 2014)</b></p> <p>Respondent: <b>Individual</b> Received: <b>10/7/2014 via Email</b></p> <p>I would like to place on record my full support for Histon and Impington Parish Council and the development of their community led neighbourhood plan. I look forward to working with them on this in the coming months.</p> <p><b>Full Text:</b> (Show Full Text) I would like to place on record my full support for Histon and Impington Parish Council and the development of their community led neighbourhood plan. I look forward to working with them on this in the coming months.</p>
64843	<p><b>(Comment) Histon and Impington Designation of Neighbourhood Area - Histon and Impington Designation of Neighbourhood Area (July 2014)</b></p> <p>Respondent: <b>Natural England</b> Received: <b>11/7/2014 via Email</b></p> <p>Natural England is a statutory consultee in neighbourhood planning. Must be consulted where proposals likely to affect a SSSI or 20hectares or more of best most versatile agricultural land. Also consult on Strategic Environmental Assessments.</p> <p>General advice offered on following subjects with relevant web links Protected landscapes; Protected species; Local Wildlife Sites; Best Most Versatile Agricultural Land; and Opportunities for enhancing the natural environment.</p> <p><b>Full Text:</b> (Show Full Text) Thank you for notifying Natural England of the neighbourhood designation request.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p>

Natural England is a statutory consultee in neighbourhood planning. We must be consulted on draft Neighbourhood Development Plans where the Town/Parish Council or Neighbourhood Forum considers our interests would be affected by the proposals. We must be consulted on draft Neighbourhood Development Orders and Community Right to Build Orders where proposals are likely to affect a Site of Special Scientific Interest or 20 hectares or more of Best and Most Versatile agricultural land. We must also be consulted on Strategic Environmental Assessments, Habitats Regulations Assessment screening and Environmental Impact Assessments, where these are required. Your local planning authority will be able to advise you further on environmental requirements

The following is offered as general advice which may be of use in the preparation of your plan/ order.

Natural England, together with the Environment Agency, English Heritage and Forestry Commission has published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans and development proposals. This is available at: <http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>

Local environmental record centres hold a range of information on the natural environment. A list of local records centre is available at: <http://www.nbn-nfbr.org.uk/nfbr.php>

#### Protected landscapes

If your neighbourhood planning area is within or adjacent to a National Park or Area of Outstanding Natural Beauty (AONB), we advise that you take account of the relevant National Park/AONB Management Plan for the area. For Areas of Outstanding Natural Beauty, you should seek the views of the AONB Partnership.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. Their boundaries follow natural lines in the landscape rather than administrative boundaries, making them a good decision making framework for the natural environment.

<http://www.naturalengland.org.uk/publications/nca/default.aspx>

#### Protected species

You should consider whether your plan or proposal has any impacts on protected species. To help you do this, Natural England has produced standing advice to help understand the impact of particular developments on protected or Biodiversity Action Plan species should they be identified as an issue. The standing advice also sets out when, following receipt of survey information, you should undertake further consultation with Natural England.

Natural England Standing Advice -

<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/default.aspx>

#### Local Wildlife Sites

You should consider whether your plan or proposal has any impacts on local wildlife sites, eg Site of Nature Conservation Importance (SNCI) or Local Nature Reserve (LNR) or whether opportunities exist for enhancing such sites. If it appears there could be negative impacts then you should ensure you have sufficient information to fully understand the nature of the impacts of the proposal on the local wildlife site.

#### Best Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably. Paragraph 112 of the National Planning Policy Framework states that:

'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality'.

General mapped information on soil types is available as 'Soilscapes' on the

	<p>www.magic.gov.uk and also from the LandIS website;  <a href="http://www.landis.org.uk/index.cfm">http://www.landis.org.uk/index.cfm</a> which contains more information about obtaining soil data.</p> <p>Opportunities for enhancing the natural environment</p> <p>Neighbourhood plans and proposals may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment, use natural resources more sustainably and bring benefits for the local community, for example through green space provision and access to and contact with nature.</p> <p>Opportunities to incorporate features into new build or retro fitted buildings which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes should also be considered as part of any new development proposal.</p> <p>Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again at <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a></p>
64844	<p><b>(Comment) Histon and Impington Designation of Neighbourhood Area - Histon and Impington Designation of Neighbourhood Area (July 2014)</b></p> <p>Respondent: <b>Sport England</b>  Received: <b>4/7/2014 via Email</b></p> <p>Planning can play important role in encouraging communities to become more physically active. Positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.</p> <p>Neighbourhood Plan must reflect national policy set out in NPPF and be aware of Sport England's role in protecting playing fields.  Link to guidance on development policy for sport. Need evidence of need for facilities - Local Plan for area may have assessments / Playing Pitch Strategy that NP can reflect. Design guidance available for new facilities.</p> <p><b>Full Text:</b> (Show Full Text)  Thank you for consulting Sport England on the above Neighbourhood Plan.</p> <p>Planning Policy in the National Planning Policy Framework identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process and providing enough sports facilities of the right quality and type and in the right places is vital to achieving this aim. This means positive planning for sport, protection from unnecessary loss of sports facilities and an integrated approach to providing new housing and employment land and community facilities provision is important.</p> <p>It is important therefore that the Neighbourhood Plan reflects national policy for sport as set out in the above document with particular reference to Pars 73 and 74 to ensure proposals comply with National Planning Policy. It is also important to be aware of Sport England's role in protecting playing fields and the presumption against the loss of playing fields (see link below), as set out in our national guide, 'A Sporting Future for the Playing Fields of England - Planning Policy Statement'.  <a href="http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/">http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/</a></p> <p>Sport England provides guidance on developing policy for sport and further information can be found following the link below:  <a href="http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/">http://www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/</a></p> <p>Sport England works with Local Authorities to ensure Local Plan policy is underpinned by robust and up to date assessments and strategies for indoor and outdoor sports delivery. If local authorities have prepared a Playing Pitch Strategy or other</p>

	<p>indoor/outdoor sports strategy it will be important that the Neighbourhood Plan reflects the recommendations set out in that document and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support the delivery of those recommendations.</p> <p><a href="http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/">http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/</a></p> <p>If new sports facilities are being proposed Sport England recommend you ensure such facilities are fit for purpose and designed in accordance with our design guidance notes.</p> <p><a href="http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/">http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</a></p>
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# Agenda Item 6



South  
Cambridgeshire  
District Council

**Report To:** Planning Portfolio Holder  
**Lead Officer:** Director, Planning and New Communities

9 September 2014

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## Neighbourhood Plans – working with Parish Councils

### Purpose

1. To agree for consultation a proposed protocol that South Cambridgeshire District Council will follow when working with Parish Councils within the district that wish to produce neighbourhood plans for their areas.
2. This is not a key decision because it is agreeing a document for consultation.

### Recommendations

3. It is recommended that the Planning Portfolio Holder
  - a) Approves for consultation with parish councils the Service Level Agreement as set out in Appendix B to be used as a model agreement between South Cambridgeshire District Council and Parish Council/s within the district who are preparing neighbourhood plans for their areas. The results of the consultation to be reported back to the next Planning Portfolio Holder Meeting.
  - b) Agrees that a review of the approach for neighbourhood planning is taken by the Council in a year's time

### Reasons for Recommendations

4. It was agreed by Cabinet in May this year that a process for supporting neighbourhood planning within South Cambridgeshire should be prepared. The recommendation is intended to establish this process, and that this approach should be reviewed in a year's time to see if it has been successful. Cabinet determined that future decisions on Neighbourhood Planning matters be delegated to the Planning Policy and Localism Portfolio Holder (now the Planning Portfolio Holder).

### Executive Summary

5. Neighbourhood planning was introduced in 2011 and there is national guidance to assist parish councils wishing to prepare a neighbourhood plan (NP) for their area. Neighbourhood Plans must be in general conformity with the strategic policies in a Local Plan. There are certain statutory responsibilities that a local planning authority (LPA) must carry out in regards to neighbourhood planning. A LPA is required by law to provide advice and assistance to a parish council(s) when they are preparing a NP. The stages in preparing a NP are in Appendix A of this report.
6. Until recently few parish councils within the district have shown an interest in neighbourhood planning. It was agreed by Cabinet in May that a model Service Level Agreement (SLA) be drafted. A draft SLA is included in this report as Appendix B to provide a clear document that sets out how the Council will undertake its statutory

duties, the level and extent of the technical advice and guidance that the Council will provide and how the parish council will aim to progress the NP. It is considered appropriate to give parish councils an opportunity to comment on this draft template. The Portfolio Holder is asked to agree this consultation.

7. Difficult to estimate the level of demand on Council resources for assisting parish councils. There are statutory obligations that must be carried out. Although grants are available for both LPA and parish councils these may not cover all the costs of preparing a NP. It is suggested that the South Cambs' approach for neighbourhood planning be reviewed in a year's time to review the SLA and resource requirements.

### **Background**

8. Neighbourhood Plans (NP) were introduced by the Localism Act 2011 to provide a planning tool for local people to use to guide the future development, regeneration and conservation of an area. Government policy and practice guidance for neighbourhood planning is set out in the National Planning Policy Framework (NPPF) and in National Planning Practice Guidance (NPPG). The preparation of all such plans must follow specific legal regulations set out in the Neighbourhood Planning (General) Regulations 2012 and the Neighbourhood Planning (Referendums) Regulations 2012.
9. A NP must be in general conformity with the strategic policies of the district Local Plan. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans should not promote less development than set out in the Local Plan or undermine its strategic policies. It is proposed to bring a report to the November Portfolio Holder meeting to recommend those Local Plan policies that are strategic policies for NP purposes.
10. Neighbourhood planning is optional, but, if a NP is prepared and adopted by the Council, it has legal force and becomes part of the statutory planning framework for the area (the development plan), and planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. Once a NP has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict.
11. A Local Planning Authority (LPA) must take decisions at key stages in the neighbourhood planning process - these stages are set out in the NPPG. The LPA must provide advice or assistance to a parish council that is producing a NP as required by paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

### **Neighbourhood planning in South Cambridgeshire**

12. Up until now Parish Councils in South Cambridgeshire have been offered the opportunity to put forward proposals within their area through the local plan process as an alternative to the preparation of NPs. Some Parish Council Proposals have as a result been included in the Submission Local Plan, or recommended as Major Modifications to it, but only where there has been clear local support.
13. The Council has a duty to assist parish councils preparing a NP. Appendix A sets the stages in preparing a NP and indicates which tasks have to be carried out by South



Cambridgeshire District Council (SCDC) and which by a Parish Council/s preparing a plan.

14. Parish Councils are only just starting to show an interest in neighbourhood planning in South Cambridgeshire. There is currently one designated neighbourhood area for Linton and Hildersham (as a single neighbourhood area) and one area being consulted on – proposed by Histon and Impington Parish Councils for the part of the parish north of the A14 (see separate report on this agenda). There is a need to establish the South Cambridgeshire approach to neighbourhood planning so that Parish Councils are clear about what support the Council will give and what that the Council may expect from them. In a report to Cabinet on 8 May 2014 it was agreed to develop a Service Level Agreement (SLA) which is the method that has been used by other local planning authorities regarding neighbourhood planning. Such an agreement could provide a clear document that sets out for both parties how the Council will undertake its statutory duties, the level and extent of the technical advice and guidance that the Council will provide and how the parish council will aim to progress the NP.
15. A draft SLA template has been prepared to provide clear guidance to Parish Councils on the type and level of support South Cambridgeshire will offer to a parish council(s) on the preparation of a NP and also how the parish council will aim to progress the NP. This draft SLA is included as Appendix B of this report. The Planning Advisory Service (PAS) which provides national on-line guidance to planners has an example template which is a combination of best practice used by other local authorities. This template has been used to as the basis for preparing a South Cambs SLA that is capable of being adapted to meet local circumstances depending on the nature and scale of the NP proposed by a parish or group of parish councils. It has been adapted to provide clearer guidance on the stages of NP preparation and the level of support that will be provided by the Council at each stage. The SLA would provide a signed commitment between the parish council and the district council.
16. As parish councils will be asked to sign up to the SLA, it is considered appropriate to provide parish councils with an opportunity to give their views on the draft template. It is proposed to consult all the parish councils in the district to invite their comments on the draft SLA and to report back to the next Planning Portfolio Holder Meeting and to agree any subsequent amendments to the SLA. Information about the consultation will be included in both the Weekly Bulletin and the Planning Policy Monthly update.
17. It would be beneficial to set up a review process to see how the proposed approach to neighbourhood planning is progressing within the district, and to review the success of the SLA. This is proposed to be carried out in a year's time.

### **Resources**

18. It is difficult to predict what the future demand will be from parish councils for assistance from the Council and what future resources may be required for neighbourhood planning purposes. Up to this point those parish councils that have made enquiries about NP have had meetings with Council officers who have explained the emerging South Cambridgeshire approach. Parish councils have been pointed to national guidance on neighbourhood planning. A number of national organisations such as Locality and the Council for the Protection of Rural England have produced detailed guidance of how to prepare a NP which are simple to understand and are useful for non-planners. The Council has added these as links on the neighbourhood planning pages on the South Cambs website:  
<https://www.scams.gov.uk/neighbourhood-planning>.

19. There are differences across England in the level of locally specific guidance that district councils are providing about neighbourhood planning. Some District Councils who have been involved in neighbourhood planning from its introduction such as Broadlands DC and Herefordshire Council have detailed guidance specific to their districts. However other councils like Huntingdonshire District Council have decided that the national guidance provides sufficient support to those preparing NP. It is proposed that at this stage it is not necessary to prepare specific guidance beyond that included in the SLA, for example the NP process table. This can be considered further in the proposed review in a year's time, when more is known about how many parish councils are likely to want to prepare a NP, and how those parish councils preparing early neighbourhood plans found the existing guidance.
20. LPAs are able to claim for up to 20 area designations (£100,000) in each financial year. In the 2014/15 financial year, claims can be made at the end of each quarter. For all areas, the basic level of funding per NP is £30,000, to be paid following:
- designation of the Neighbourhood Area (£5,000)
  - publication of the final pre-examination version of the NP, prior to examination (£5,000)
  - successful completion of the NP examination (£20,000)

This funding is provided to cover the costs incurred by the LPA in supporting the neighbourhood planning process, including the cost of consultations, examinations and referendums.

21. In addition to the funding from DCLG mentioned above, £30,000 has been included in Precautionary Items for 2014/15. As it is not yet clear how many neighbourhood plans may be submitted and what the resource requirements might be, it is suggested that £30,000 be similarly included in Precautionary Items for 2015/16 and that this be considered as part of the review proposed for a year's time.
22. Separate support is available for communities. They can apply for direct support and/or grants of up to £7,000 to help them develop a NP. This can be applied for in tranches of a minimum of £500 at a time. Direct support (equivalent to a further £9,500) can be applied for via Locality and delivered by Locality and Planning Aid England, supplying expert advice. This service has been in high demand and the eligibility criteria has been refined:  
<http://mycommunityrights.org.uk/neighbourhood-planning/direct-support/>
23. There is no certainty as to the level of funding that will be available in the future for both the LPA and for local communities carrying out neighbourhood planning. There has been a high demand for the funding available to local communities. For a LPA the need for resources is highest once a NP has been submitted to them. The LPA is responsible for the examination and the referendum carried out on a NP.
24. Advice from other LPAs who have more experience of neighbourhood planning have suggested that if many NP are in preparation, the funding from DCLG may not be sufficient to cover all costs. These LPAs have found that the biggest area of work for them has been assisting parish councils meet the Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) requirements for their plans. A NP must comply with environmental legislation. Unless a parish decides to employ an independent consultant the LPA may find itself asked to carry out the scoping work on behalf of the parish council. The current draft SLA states that South Cambridgeshire Council will not carry out SA or environmental assessments. The Government is currently carrying out a technical consultation which includes

neighbourhood planning and indicates that the NP regulations will be reviewed to provide clarity on SEA obligations for NP to ensure that when a NP is submitted to the LPA it is clear what level of assessment work has been carried out. The SLA would have to be reviewed to reflect any future changes.

### **Options**

25. The Planning Portfolio Holder could decide not to have a SLA or could delay agreeing the approach to neighbourhood planning until such time as there is more experience of neighbourhood planning within the district. However this would lead to uncertainty as to what level of support parish councils could expect from the Council and impact on what resources they may subsequently need to prepare a NP.

### **Implications**

26. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:

#### ***Financial***

27. The resource implications of carrying out neighbourhood planning are considered in paragraph 19-25 of this report.

#### ***Legal***

28. The Council must provide advice or assistance to a parish council that is producing a neighbourhood plan. The extent of this assistance is not set out clearly in the Localism Act or national guidance on neighbourhood planning and therefore it is important for the Council to consider how it will meet its legal obligations.
29. There are however a number of tasks within the preparation of a NP that the Council has a statutory obligation to carry out and the SLA provides a time scale within which the Council will meet these.

#### ***Staffing***

30. Support for neighbourhood planning has been delivered within existing resources by the Planning Policy Team giving advice on planning matters and the Sustainable Communities and Partnerships Team providing advice on grants and community engagement, drawing upon the expertise of other staff as required. Depending on demand, and other work priorities, the Council may need to consider in an annual review of neighbourhood planning, the level of advice and guidance available to parishes or consider the need for additional resource.

#### ***Equality and Diversity***

31. Equality and diversity issues will be considered during the preparation of each NP as appropriate to their content. An equality assessment would have to be carried out on a draft NP in order to meet the basic conditions required before it can be adopted.

#### ***Climate Change***

32. Climate change issues will be considered during the preparation of each NP as appropriate to their content.

### **Consultation responses (including from the Youth Council)**

33. Consultation has taken place with Gemma Barron and Kathryn Hawkes in the Sustainable Communities and Partnerships Team, Susan Garner-Craig regarding

staffing implications and John Garnham on resource implications. The Legal Team has been consulted on the draft SLA.

### **Effect on Strategic Aims**

34. **Aim 1 – Engagement: engage with residents, parishes and businesses to ensure we deliver first class services and value for money**

Neighbourhood planning engages local people in the planning process by giving them a tool to guide the future development, regeneration and conservation of an area. Parish councils lead on the preparation of Neighbourhood Plans and local residents and businesses are engaged throughout the process.

### **Appendices**

- A. Stages in preparing a Neighbourhood Plan indicating who is responsible for each task.
- B. A Model Service Level Agreement for South Cambridgeshire.

### **Background Papers**

PAS – Legal Compliance Checklist – Meeting your authority’s legal requirements for Neighbourhood Development Plans [http://www.pas.gov.uk/web/pas-test-site/neighbourhood-planning/-/journal\\_content/56/332612/4113731/ARTICLE](http://www.pas.gov.uk/web/pas-test-site/neighbourhood-planning/-/journal_content/56/332612/4113731/ARTICLE)

PAS Local authority /neighbourhood agreements - [http://www.pas.gov.uk/neighbourhood-planning/-/journal\\_content/56/332612/4079060/ARTICLE](http://www.pas.gov.uk/neighbourhood-planning/-/journal_content/56/332612/4079060/ARTICLE)

Locality – Neighbourhood Planning Roadmap Guide - <http://planning.communityknowledgehub.org.uk/resource/neighbourhood-plans-roadmap-guide>

CPRE – how to shape where you live – a guide to neighbourhood planning - <http://www.cpre.org.uk/resources/housing-and-planning/planning/item/2689-how-to-shape-where-you-live-a-guide-to-neighbourhood-planning>

National Planning Practice Guidance - <http://planningguidance.planningportal.gov.uk/>

Neighbourhood Planning Regulations 2012 - [http://www.legislation.gov.uk/ukxi/2012/637/pdfs/ukxi\\_20120637\\_en.pdf](http://www.legislation.gov.uk/ukxi/2012/637/pdfs/ukxi_20120637_en.pdf)

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: - (a) at all reasonable hours at the offices of South Cambridgeshire District Council; (b) on the Council’s website; and (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

**Report Author:** Alison Talkington – Senior Planning Policy Officer  
Telephone: (01954) 713182



## Appendix A

### Stages in the preparation of a neighbourhood plan

Stages	By SCDC	By Parish Council
<b>Designation of neighbourhood area</b>		<b>Application for designation of neighbourhood area</b> Submission of proposed neighbourhood area to SCDC with map of area and reason for boundary.
	<b>Publicising neighbourhood area application</b> SCDC must put the proposed neighbourhood area on its website for not less than six weeks so local people who live and work in area are aware of application and can comment	
	<b>Determining the application for neighbourhood area</b> SCDC decides whether to agree area	
	<b>Publicising designation of neighbourhood area</b> SCDC publishes area on its website	
<b>Preparation of the Neighbourhood Plan</b>	<b>Tasks to help Parish Council</b> SCDC should provide advice and assistance in the preparation of the plan.	<b>Tasks to prepare a neighbourhood plan</b> <ul style="list-style-type: none"> <li>• Build an evidence base</li> <li>• Community engagement</li> <li>• Decide on vision and objectives</li> <li>• Write the plan</li> <li>• Scoping for need for environmental assessment</li> <li>• Carry out sustainability appraisal if appropriate.</li> </ul>
<b>Pre-Submission Stage</b>		<b>Consultation by the parish council</b> Before submitting the Plan to SCDC there must be a six week period of consultation
<b>Submission Stage</b>		<b>Submission of Plan to SCDC</b> A Parish Council submits a plan proposal to SCDC. It must include <ul style="list-style-type: none"> <li>• Map or statement identifying the neighbourhood area</li> <li>• Consultation Statement stating who was consulted; how consulted; main issues and how these were addressed</li> <li>• Proposed Neighbourhood Plan</li> </ul>

Stages	By SCDC	By Parish Council
		<ul style="list-style-type: none"> <li>• Statement explaining how the NP meets the basic conditions</li> <li>• Where appropriate – information to enable appropriate environmental assessment if required eg Habitat Reg or Environmental Assessment</li> </ul> <p>(Regulation 15 requirements)</p>
	<p><b>Receipt and assessment of submission Plan by SCDC – Decision statement 1</b>  SCDC will check whether the submitted Plan is not a repeat Plan and that it meets all the procedural and legal requirements (i.e. meets the ‘basic conditions’ and the submitted plan meets requirements included in Regulation 15.)</p> <p>SCDC will notify parish council of decision and will issue a decision statement.</p>	
	<p><b>Publicising / Consultation on the Plan</b>  If SCDC accepts the Plan it will publicise the submitted Plan and notify bodies referred to in the submitted consultation document for six week period during which formal representations can be made.</p>	
<b>Examination</b>	<p><b>Arrangements for examination</b>  SCDC is responsible for making arrangements for the examination. Once satisfied with the Plan, SCDC will appoint examiner with consent of Parish Council.</p> <p>SCDC will submit the Plan and all supporting documents to the examiner including representations from the submission consultation.</p>	

Stages	By SCDC	By Parish Council
	<p><b>Examiner's report</b> When SCDC has received the report it will arrange publication of the report as soon as possible.</p> <p>SCDC will consider each recommendation and decide what action to take to respond. Does Plan need modifications?</p>	
	<p><b>Decision to take Plan forward – Decision Statement 2</b> SCDC must make formal decision about whether Plan meets the 'basic conditions', is compatible with the Convention of rights and meets legal and procedural requirements.</p> <p>SCDC decides whether Plan ready for referendum or needs modifications. Publish decision and reasons in decision statement. If modification are different from those recommended by the examiner further consultation is required before a referendum can take place.</p> <p>SCDC to send copy of decision statement to parish council.</p>	
<b>Referendum</b>	<p><b>Arrangements and publicity of referendum</b> SCDC is responsible for making arrangements for the referendum to take place.</p> <p>SCDC will publish detailed information about the referendum on its website 28 days before the referendum is to take place.</p>	
	<p><b>Results of referendum – Decision Statement 3</b> If a referendum results in more than half those voting (i.e. 50% plus 1), voting in favour of the proposal SCDC must 'make' (ie. adopt) the Plan as soon as reasonably practical.</p> <p>SCDC must publish decision</p>	<p>If the referendum results in a 'no' vote for the NP the Parish Council will have to repeat the plan-making process. It cannot simply resubmit the same NP for examination.</p>

<b>Stages</b>	<b>By SCDC</b>	<b>By Parish Council</b>
	statement about referendum.	
<b>Making of Plan</b>	<p><b>Publicising the Plan</b> As soon as possible after SCDC has decided to 'make' the Plan it will be published, and people notified that it has been made.</p> <p>Also any environmental statements to be published and consultation bodies notified of relevant matters including how significant effects will be monitored.</p> <p>Monitoring results should be published in the Council's monitoring report.</p>	



## Appendix B

### Model Template for Service Level Agreement between South Cambridgeshire District Council and a parish council for the purposes of producing a Neighbourhood Plan

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#### Service Level Agreement between South Cambridgeshire District Council and XXXX Parish Council(s) for the purpose of producing a Neighbourhood Plan

### The Agreement

This **Agreement** is between:-

- a) **South Cambridgeshire District Council, and**
- b) ..... **Parish Council**
- c) [Additional lines to be added if more than one parish council]

### Introduction and Purpose

#### Introduction

The Localism Act 2011 introduced the following provisions into the planning process:-

- Neighbourhood Development Plans
- Neighbourhood Development Orders
- Community Right to Build Orders

In South Cambridgeshire Neighbourhood Plans and Neighbourhood Development Orders can only be undertaken by a Parish Council.

Under the provisions of the Localism Act 2011 South Cambridgeshire District Council is responsible

- a. fulfilling certain statutory requirements and
- b. the provision of advice and assistance to Parish Councils<sup>1</sup>

#### Purpose

The purpose of this agreement is to establish the working relationship between the Parish Council and South Cambridgeshire District Council.

This agreement confirms:

- a. How South Cambridgeshire District Council will undertake its statutory duties
- b. The level and extent of the technical advice and assistance that South Cambridgeshire District Council will provide
- c. How the Parish Council will aim to progress the Neighbourhood Plan
- d. How the Parish Council will engage with South Cambridgeshire District Council.

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<sup>1</sup> Parish Council refers to a parish council or group of parish councils that decide to prepare a Neighbourhood Plan.

## **The Memorandum of Agreement:**

This Agreement is between:-

South Cambridgeshire District Council

Signature of Director of Planning and New  
Communities

date

and

xxxxx Parish Council

Signature of chairman of the parish council

date

[Additional lines to be added if more than one parish council]

## **Date and duration of Agreement**

This Agreement will commence once the document has been signed and dated by the selected representatives of both parties. It will come into affect once a neighbourhood area has been designated following submission to South Cambridgeshire District Council (SCDC).

Once an application for a neighbourhood area has been submitted to South Cambridgeshire District Council a 6 week consultation period will be undertaken by the Council regarding the appropriateness of the area. A decision about the area will be made by the Planning Portfolio Holder as soon as possible after the end of the consultation.

It is expected that this Agreement will run until the neighbourhood plan is either made or abandoned with a review after 12 months by both parties with respect to its continuation or both parties agree to its abandonment.

## **Working Relationships**

The parties to this agreement seek:

- a. an open and constructive working relationship
- b. to respect each other's views, and where different, after discussion to ensure proper understanding of the reasons for such differences
- c. to have a 'no surprises' policy, based on notifying each other well in advance, where possible, of significant announcements and developments in policy
- d. to minimise duplication of activity wherever possible
- e. to inform other stakeholders about our relationship so as to reduce uncertainty.

## **Roles and Responsibilities**

### **Background**

Neighbourhood Planning was introduced by the Localism Act 2011. The associated Regulations (The Neighbourhood Planning (General) Regulations 2012) require South Cambridgeshire District Council to undertake certain provisions. In addition the Council is also required to provide technical advice and support.

This Agreement sets out how the Council will meet its statutory obligations and the level of assistance it will offer to parish councils.

## The Neighbourhood Plan Flow Chart

The statutory obligations for a local planning authority and for a parish council carrying out a neighbourhood plan are set out within the [Neighbourhood Planning \(General\) Regulations 2012](#) and within the Town and Country Planning Act 1990 as amended by the Localism Act 2011.

The following chart sets out the different stages in the preparation of a neighbourhood plan and clearly shows what tasks are the responsibility of SCDC and what tasks are the responsibility of the parish council preparing a neighbourhood plan.

The chart shows what support will be offered by SCDC to parish councils and how the Council will meet its statutory obligations. It also indicates what will be expected from parish councils to enable SCDC to fulfil its obligations. The non statutory stages have a shaded background and the statutory stages are unshaded.

<b>Stages</b>	<b>By South Cambridgeshire District Council (SCDC)</b>	<b>By Parish Council</b>
<b>Making a decision to prepare a neighbourhood plan.</b>	<p><b>Initial meeting</b> Held once a Parish Council advises SCDC that it has decided to prepare a neighbourhood plan.</p> <p><u>SCDC help and advice</u> SCDC is willing to meet with any Parish Council considering preparing a neighbourhood plan to discuss the requirements of preparing a plan and any other options that might also be available to meet local objectives to ensure the parish council has the necessary information to decide what approach would be best for them.</p>	<p><b>Initial meeting</b> Once a Parish Council decides to prepare a neighbourhood plan it requests an initial meeting with SCDC to discuss whether a neighbourhood plan is the right option for delivering the Parish Council's vision for their area and then .... If the decision is taken to start a neighbourhood plan -</p> <p><u>Parish Council commitment</u> To provide SCDC with contact details of local consultees (e.g. local businesses, residents groups, and community organisations) ready for the consultation on the designation of the neighbourhood area.</p>
<b>General neighbourhood planning advice</b>	<p>Provide advice on the SCDC website as first port of call for enquiries about neighbourhood planning - <a href="http://www.scambs.gov.uk/neighbourhood.planning">www.scambs.gov.uk/neighbourhood.planning</a></p>	

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<p>Providing links to on-line resources about neighbourhood planning such as:</p> <ul style="list-style-type: none"> <li>• Government legislation/regulations</li> <li>• PAS (Planning Advisory Service)</li> <li>• Community Led organisations e.g. Locality CPRE</li> <li>• Planning professionals - RTPI; Planning Aid</li> </ul> <p>A 'live' Frequently Asked Questions resource based on the Council's up to date experience of preparing neighbourhood plans with other parish councils.</p> <p>Basic templates for posters, and documents – signpost to good examples from other councils.</p>	
<b>Designation of neighbourhood area</b>		<p><b>Application for designation of neighbourhood area</b>                      Submission of proposed neighbourhood area to SCDC with map of area and reason for boundary.  <i>Regulation 5</i></p>
	<p><b>Publicising area application</b>                      SCDC must put the proposed neighbourhood area on its website for not less than six weeks so local people who live and work in area are aware of application and can comment  <i>Regulation 6</i></p>	
	<p><b>Determining the application for neighbourhood area</b>                      SCDC decides whether to agree area  <i>In accordance with Section 61G and H of the TCPA 1990</i></p> <p><u>SCDC's commitment</u>                      A decision about the area will be made by the Planning Portfolio Holder as soon as possible after the end of the consultation.</p>	
	<p><b>Publicising designation of neighbourhood area</b>                      Publish on SCDC website  <i>Regulation 7</i></p>	

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<p><u>SCDC's commitment</u>                      SCDC will notify the results of the designation to all the consultees that were involved in the consultation.</p>	
<p><b>After the neighbourhood area is designated</b></p>	<p>SCDC and the Parish Council sign up to a Service Level Agreement</p> <p><u>SCDC support and advice</u>                      Professional advice will be provided to the Parish Council as they prepare their neighbourhood plan</p> <ul style="list-style-type: none"> <li>• For advice and technical support on neighbourhood planning contact the Planning Policy Team on Tel: 01954 713183</li> <li>• For advice on community engagement and grants contact the Partnership Team on Tel 01954 713290</li> </ul> <p>Email – <a href="mailto:neighbourhood.planning@scambs.gov.uk">neighbourhood.planning@scambs.gov.uk</a></p>	<p><u>Parish Council Commitment</u>                      The Parish Council will establish a <b>Steering Group</b> to develop the Neighbourhood Plan. This group should</p> <ol style="list-style-type: none"> <li>a. Consider including a range of people from the local parish area (not just the Parish Council) to ensure the wider community is involved and that the best use is made of all the skills available in the local community</li> <li>b. Have a clear terms of reference with a clear reporting link to the Parish Council</li> <li>c. Convene as a group on a regular basis throughout the period of preparation of the Neighbourhood Plan and its examination.</li> </ol> <p>From the start the Steering Group will need to commit adequate resources to the task.</p>
<p><b>First Planning Meeting between SCDC and Parish Council</b></p>	<p><u>SCDC support and advice</u>                      SCDC will attend and provide an overview on the procedures and issues and answering any questions that the Parish Council may have on neighbourhood planning The advice will be appropriate to the nature of the proposed neighbourhood plan This could include:</p> <ul style="list-style-type: none"> <li>• The scope of a neighbourhood plan</li> <li>• Relationship with the South Cambridgeshire Local Plan</li> <li>• The legal procedures to be followed</li> <li>• Managing the neighbourhood plan project</li> <li>• Methods of consultation and engagement</li> </ul>	<p><u>Parish Council commitment</u>                      Arrange an initial meeting between SCDC and the Steering Group. An opportunity to ask questions about neighbourhood planning and to understand the SCDC approach.</p>

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<ul style="list-style-type: none"> <li>• Consultation with the 'Consultation Bodies'</li> <li>• The requirements of other legislation such as Human Rights Act, the Habitats Regulations, Sustainability Appraisals and Environmental Assessments</li> <li>• Update on funding and grants available</li> </ul>	
<p><b>Preparing a neighbourhood plan</b></p>	<p>SCDC has a duty to provide advice and assistance to a Parish Council preparing a neighbourhood plan.</p> <p><u>SCDC advice and support</u>            SCDC will advise on the following :</p> <ul style="list-style-type: none"> <li>• Assist with methods of community engagement and consultation. Contacts for statutory undertakers or other key consultees.</li> <li>• Provide conformity advice and up to date information on the South Cambridgeshire Local Plan</li> <li>• Provide advice on potential delivery issues</li> <li>• Up to date information on any grant funding available</li> <li>• Advice on any requirement for Environmental Assessment; Sustainability Appraisals and Habitats Regulation Assessment</li> <li>• Provide comments on emerging drafts of the plan</li> <li>• Assist in digitising the final proposals/policy maps</li> <li>• Provide advice in getting the best from any paid support from contracted consultants</li> </ul> <p>South Cambridgeshire District Council will <b>not</b>:</p> <ul style="list-style-type: none"> <li>• Write documents</li> <li>• Draft policies</li> <li>• Design and print documents, graphics etc.</li> <li>• Undertake or pay for community survey work</li> <li>• Carry out or pay for statutory and non statutory</li> </ul>	<p>Tasks that a Parish Council needs to do to prepare a neighbourhood plan</p> <ul style="list-style-type: none"> <li>• Build an evidence base.</li> <li>• Community engagement</li> <li>• Decide on vision and objectives</li> <li>• Write the plan</li> <li>• Scope for need for environmental assessment</li> <li>• Carry out sustainability appraisal if appropriate.</li> </ul> <p><u>Parish Council commitment</u>            Prepare a <b>Project Plan</b> for the preparation of the Neighbourhood Plan. This should include -</p> <ul style="list-style-type: none"> <li>• A indicative timetable for completion of the Neighbourhood Plan</li> <li>• The provision of regular updates on progress to the Council with SCDC</li> <li>• Budget planning</li> </ul> <p>PAS neighbourhood plan project management tool link  <a href="http://www.pas.gov.uk/neighbourhood-planning/-/journal_content/56/332612/4079048/ARTICLE">http://www.pas.gov.uk/neighbourhood-planning/-/journal_content/56/332612/4079048/ARTICLE</a></p>

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<p>assessments.</p> <ul style="list-style-type: none"> <li>• Carry out Sustainability Appraisals or Environmental Assessments</li> <li>• Attend every meeting</li> <li>• Attend every consultation event</li> <li>• Provide direct financial support</li> </ul>	
<p><b>Prior to starting the pre-submission consultation.</b></p>	<p><u>SCDC support and advice</u>                      Before the Parish Council starts its pre-submission consultation SCDC will provide advice and support about:</p> <ul style="list-style-type: none"> <li>• Conformity of the plan and whether in their view it meets the basic conditions</li> <li>• Suitability of the Consultation Statement</li> <li>• Suitability of any Environmental Assessment; Sustainability Appraisal or Habitats Regulations Assessments undertaken</li> <li>• Conformity with other legislative requirements eg Equality Assessments</li> <li>• Conformity with the OS mapping requirements (including copyright issues)</li> </ul>	<p><u>Parish Council commitment</u>                      The Parish Council will seek the views of SCDC on the documents that the Parish Council intend to use for the pre-submission consultation. This should be done in a timely manner so no surprises to delay the pre-submission consultation.</p>
<p><b>Pre-Submission Stage</b></p>		<p><b>Consultation by the Parish Council</b>                      Before submitting the Plan to SCDC there must be a six week period of consultation  <i>Regulation 14</i></p> <p><u>Parish Council commitment</u>                      The Parish Council will provide SCDC with the following:</p> <ul style="list-style-type: none"> <li>• The Pre- Submission Plan in electronic format.</li> <li>• Copies of any Environmental Assessment / Sustainability Appraisals undertaken to date</li> <li>• Consultation Statement highlighting list of statutory bodies consulted</li> </ul>



Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
<p><b>Submission Stage</b></p>		<p><b>Submission of Plan to SCDC</b>                      A Parish Council submits a plan proposal to SCDC. It must include</p> <ul style="list-style-type: none"> <li>• Map or statement identifying the neighbourhood area</li> <li>• Consultation Statement stating who was consulted; how consulted; main issues and how these were addressed</li> <li>• Proposed Neighbourhood Plan</li> <li>• Statement explaining how the NP meets the basic conditions</li> <li>• Where appropriate – information to enable appropriate environmental assessment if required eg Habitat Reg or Environmental Assessment</li> </ul> <p><i>Regulation 15</i>  <i>The Conservation of Habitats and Species Regulations 2010 as amended by Schedule 2 of the Neighbourhood Planning (General Regulations) 2012. i.e Regs 102 and 102A</i></p> <p><u>Parish Council commitment</u>                      The Parish Council will provide SCDC with the following:</p> <ul style="list-style-type: none"> <li>• An electronic version of the Submission Plan A consultation statement</li> <li>• List of consultees used during pre-submission with contact details</li> <li>• Final copies of any Environmental Statements or Assessments and any Sustainability Appraisals undertaken</li> <li>• Copy of ‘basic condition’ statement</li> <li>• Evidence documents used to inform the Submission Plan</li> </ul>

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<p><b>Receipt and assessment of submission Plan by SCDC – Decision statement 1</b></p> <p>SCDC will assess the neighbourhood plan to consider -</p> <ol style="list-style-type: none"> <li>1. Whether the parish council is authorised to act</li> <li>2. Whether the proposal and accompanying documents                             <ol style="list-style-type: none"> <li>a. Comply with the rules for submission to the Council (Regulation 15’), and</li> <li>b. Meet the ‘definition of an NP’                                      “A plan which sets out policies (however expressed) in relation to the development use and of land in the whole or any part of a particular neighbourhood area specified in the plan”</li> </ol> </li> </ol> <p>and</p> <ol style="list-style-type: none"> <li>c. Meet the ‘scope of NP provisions’ which are -                             <ol style="list-style-type: none"> <li>1. The NP must specify the period for which it is to have effect</li> <li>2. It cannot include provision about development that is ‘excluded development’</li> <li>3. It cannot relate to more than one neighbourhood area or repeat an existing planning permission</li> </ol> </li> </ol> <p>and</p> <ol style="list-style-type: none"> <li>3. Whether the parish council has undertaken the correct procedures in relation to consultation and publicity.</li> </ol> <p>SCDC can refuse to take forward a plan if it does not meet all the requirements.  <i>TCPA 1990 Act Schedule 4B para 6 38 A and B;</i>  <i>Definition of NP - 2004 P &amp; CP Act as amended by</i>  <i>Localism Act Section 38 A (2); Scope of NP provisions 2004 Act s 38B (1 &amp; 2) (4)</i></p> <p>SCDC will notify Parish Council of decision and will issue a decision statement.</p>	

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<p><i>TCPA 1990 Act Schedule 4B para 6 (4)</i> <i>Regulation 19.</i></p> <p><u>SCDC's commitment</u> The Planning Portfolio Holder (PPH) will make a decision as to whether the Council is satisfied that the plan meets the necessary requirements – as this is a key decision there will need to be a minimum of 28 days from the day the Plan is submitted to the Council and then to find the first available PPH meeting after this period for the decision to be made.</p> <p>The decision statement will be sent to the Parish Council within two weeks of the Portfolio Holder decision being made to allow for call in period on the decision.</p>	
	<p><b>Publicising/ Consultation of the Plan</b> If SCDC accepts the Plan it will publicise the submitted Plan and notify bodies referred to in the submitted consultation document for six week period during which formal representations can be made. <i>Regulation 16</i></p> <p><u>SCDC commitment</u> The Council will start the consultation within four weeks of the Planning Portfolio Holder confirming the submission documents meet the requirements.</p>	
<p><b>Examination</b></p>	<p><b>Arrangements for examination</b> SCDC is responsible for making arrangements for the examination. Once satisfied with Plan SCDC will appoint examiner with consent of parish council. <i>TCPA 1990 Act Schedule 4B para 6</i></p> <p>SCDC will submit the Plan and all supporting documents to the</p>	<p>Parish Council to work with SCDC to agree the appointment of an examiner.</p> <p>Parish Council should keep their local community up to date with the progress of the Plan through the examination process.</p>

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<p>examiner including representations from the consultation.  <i>Regulation 17</i>  <i>Regulation 102A Conservation of Habitats and Species Regulations 2010.</i></p> <p><u>SCDC commitment</u>                      SCDC will appoint an examiner within four weeks of the end of the consultation. Once the examiner is appointed the representations will be sent to the independent examiner.</p>	
<p><b>Considering the examiner's report</b></p>	<p><b>Examiner's report</b>                      The examiner must make a report with recommendations, the reasons for them and a summary of findings. The examiner's report can recommend that either -</p> <ul style="list-style-type: none"> <li>• the draft NP is submitted for referendum or</li> <li>• modifications specified in the examiner's report are made and the revised draft Plan is submitted to referendum.</li> </ul> <p>When SCDC has received the report it will arrange publication of the report as soon as possible.</p> <p>SCDC will consider each recommendation and decide what action to take to respond.</p> <p><u>SCDC commitment</u>                      Within 1 week of receiving the examiner's report the Council will publish the report on its website.                      The Council will consult with the Parish Council for its views on the examiner's recommendations before a decision is made by the Planning Portfolio Holder.</p>	

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<p><b>When SCDC proposes to make a decision that differs from the examiner's recommendation</b>                      ....and the reason for the difference is (wholly or partly) as a result of new evidence or a new fact or a different view taken by SCDC as to a particular fact</p> <ol style="list-style-type: none"> <li>1. notifies all those identified on the consultation statement of the parish council and invites representations</li> <li>2. may refer the issue to an independent examination if they think it appropriate.</li> </ol> <p>SCDC cannot make a decision that differs from the examiners' recommendations about the referendum area.  <i>TCPA 1990 Act schedule 4B para13</i></p> <p><u>SCDC commitment</u>                      If SCDC decides to propose changes to the NP that are different from the examiner they will consult with the Parish Council before the Planning Portfolio Holder formally makes a decision.</p>	
<p><b>Decision to take Plan forward for referendum</b></p>	<p><b>Decision Statement 2</b>                      SCDC must make formal decision about whether Plan meets the basic conditions, is compatible with the Convention of rights and meets legal and procedural requirements.</p> <p>SCDC decides whether Plan ready for referendum or needs modifications. It will publish its decision and reasons in a decision statement. If modifications are different from those recommended by the examiner further consultation is required before a referendum can take place.</p> <p>SCDC to send copy of decision statement to the Parish Council.</p>	

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<p><i>TCPA1990 Act schedule 4B para 12 (11 &amp; 12)</i> <i>Regulations 18 &amp; 19</i></p> <p><u>SCDC commitment</u> Within 8 weeks of receipt of the examiner’s report the Planning Portfolio Holder will decide whether the plan is ready for referendum or if modifications are needed. This is a key decision.</p> <p>The decision statement will be sent to the Parish Council within two weeks of the Portfolio Holder decision being made to allow for call in period on the decision.</p>	
<p><b>Referendum</b></p>	<p><b>Arrangements and publicity of referendum</b> SCDC is responsible for making arrangements for the referendum to take place.</p> <p><i>Regulation 17+4 of the Neighbourhood Planning (Referendums) Regulations 2012- and as amended by the Neighbourhood Planning (Referendums) (Amendment) Regulations 2013</i></p> <p><u>SCDC commitment</u> The referendum to take place within 60 days of the ‘Decision Statement 2’ upon the Examiner’s Report being published. SCDC will publish detailed information about the referendum on its website 28 days before the referendum is to take place</p>	
	<p><b>Results of referendum – Decision Statement 3</b> If a referendum results in more than half those voting (i.e. 50% plus 1), voting in favour of the proposal SCDC must ‘make’ i.e. formally adopt, the Plan as soon as reasonably practical. <i>2004 Act s38A (4) (6)</i></p>	<p>If the referendum results in a ‘no’ vote for the NP the Parish Council will have to repeat the plan-making process. It cannot simply resubmit the same NP for examination.</p>

Stages	By South Cambridgeshire District Council (SCDC)	By Parish Council
	<p>SCDC must publish a decision statement about the referendum  <i>2004 Act s 38A (9)(10) Regulation 19</i></p> <p><u>SCDC Commitment</u>                      As this is a key decision there will need to be at least a 28 day period before the Plan can be considered and then it will be at the first available meeting of Cabinet/ Council following a positive referendum vote where SCDC will 'make' the Plan.</p>	
<p><b>Making of Plan</b></p>	<p><b>Publicising the Plan</b>                      As soon as possible after SCDC has decided to make the Plan it will be published, and people notified that it has been made.</p> <p>Also any environmental statements to be published and consultation bodies notified of relevant matters including how significant effects will be monitored.</p> <p>Monitoring results should be published in the Councils monitoring report.  <i>Regulation 20 Regulation 16 and 17 of Environmental Assessment of Plans and Programmes Regulations 2004.</i></p> <p><u>SCDC commitment</u>                      Within two weeks of the Cabinet / Planning Portfolio Holder meeting the Council will publish the neighbourhood plan on its website.</p>	<p><u>Parish Council commitment</u>                      Following successful examination the Parish Council will provide SCDC with the results of any primary source data which would be helpful to the Local Plan Team.</p>

## **Progress and Review Process**

The progress on the Neighbourhood Plan and success of the support from South Cambridgeshire District Council will be reviewed every 6 months, against this agreement and in a face to face meeting between the Council and the Parish Steering Group.

## **Dispute settlement**

In the unlikely event of a dispute it is expected that these will be resolved at the working level at which they arise. If this is not possible then the relevant signatories to this agreement will discuss the matter and decide on the action to take.





**Report To:** Planning Portfolio Holder's Meeting  
**Lead Officer:** Director, Planning and New Communities

9 September 2014

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## St Neots Neighbourhood Plan – Response to Consultation

### Purpose

1. To agree the response to the pre-submission consultation on the St Neots Neighbourhood Plan 2014-2029. The deadline for comments is 9 September 2014.
2. This not a key decision.

### Recommendations

3. It is recommended that the Planning Portfolio Holder  
(a) Agree the response to the St Neots Neighbourhood Plan as set out in paragraph 14 to 16 of this report.

### Reasons for Recommendations

4. St Neots is a settlement within Huntingdonshire District Council (HDC) and shares a boundary with South Cambridgeshire. Proposals within the neighbourhood plan could impact on our district and when it is adopted the plan will become part of the statutory development plan for HDC. Therefore it is considered beneficial to respond to the consultation to ensure that any issues within the St Neots Plan are compatible with the Local Plan for South Cambridgeshire.

### Background

5. St Neots Town Council has prepared a neighbourhood plan for their area and has submitted the plan along with supporting document to Huntingdonshire District Council as the relevant local planning authority to carry out a statutory six week period of consultation. This is one of the first neighbourhood plans within Cambridgeshire to reach this stage of development.
6. The Town Council has itself carried out a six week period of consultation earlier this year. South Cambridgeshire District Council was not formally included as a consultee to this and therefore has not made any comments to date on this plan.
7. St Neots is a market town within Huntingdonshire District Council. It is to the west of South Cambridgeshire within the A428 corridor.
8. The Plan includes six themed sections –
  - *Aesthetics* – concerned with the conserving the history and character of the town. It includes policies on enhancing the public realm of the Town Centre; improving the gateway into St Neots with a design led policy; encouraging high quality design to retain local distinctiveness:
  - *Entertainment and Leisure* – contains specific proposals for an outdoor theatre, a bandstand and a swimming pool.

- *Parking and Traffic* - promotes the use of sustainable modes of transport and encourages development proposals to include Travel Plans, supports proposals to improve facilities at the railway station, has policies about both residential and public car parking and a policy promoting working with Huntingdonshire DC and Cambridgeshire County Council to explore road projects which include dualling of the A428
- *Parks and Open Spaces* – includes policies identifying local green space, protecting existing open space and the setting of the River Great Ouse, a policy about flood prevention
- *Rejuvenation* - includes a policy to protect existing employment sites from changing to alternative uses, one to encourage high quality employment, business start ups and creative industries to the Eastern expansion employment allocation and a policy about encouraging lifelong learning
- *Shops and Services* – includes policies about proposals for the town centre and the services that should be delivered in new residential developments.

### Considerations

9. There are a number of reasons why it is important for South Cambridgeshire DC to respond to the consultation on the neighbourhood plan for St Neots
  - (i) The plan will be part of the statutory development plan for Huntingdonshire DC
  - (ii) The town is within the A428 corridor and contains a policy relating to the dualling of this road. South Cambridgeshire District is also within this corridor and the submitted Local Plan proposes strategic scale developments at Bourn Airfield new village and Cambridge West that require improvements to the A428 corridor.
10. Many of the policies in the Neighbourhood Plan are specific to St Neots and would not directly impact on our district however it is those relating to roads and transport that are the ones most likely to impact on South Cambs and therefore it is appropriate to comment upon these.
11. **Policy PT1** - Promotes the use of sustainable modes of transport, encourages development proposals to include Travel Plans and supports proposals for improved facilities at the railway station. This policy is consistent with the similar policy in the Submission Local Plan for South Cambridgeshire (Policy TI/2 Planning for Sustainable Travel). As St Neots is within the A428 corridor and car traffic generated from within this area will impact on the road network used by people who live and work in South Cambridgeshire the Council is pleased to see this policy.
12. The railway station in St Neots is for many who live or work in the west of the district their local station so the Council would welcome the positive support shown in Policy PT1 to improvements to the facilities at the station. Access to the station by more sustainable forms of transport could also be considered in this policy.
13. **Policy PT4** - States the Town Council will work with Huntingdonshire DC and Cambridgeshire County Council to explore a number of road projects including dualling of the A428. However there is a caveat within the policy that states the Town Council will not support any of these projects if they will result in road safety issues or adversely affect an environmentally sensitive site. The Cambridge and South Cambridgeshire Transport Strategy that supports the submitted South Cambridgeshire Local Plan identifies the A428 Caxton Gibbet to Black Cat improvements as an important part of the strategy to support the development

proposals in the A428 corridor, including the new village at Bourn Airfield and Cambourne West and the Council supports the wider consideration of improvements to the A428 corridor.

### **Proposed Response**

14. **Support Policy PT1.** As St Neots is within the A428 corridor and car traffic generated from within this area will impact on the road network used by people who live and work in South Cambridgeshire the Council is welcomes this policy. The successful implementation of this policy should reduce car traffic on the wider road network.
15. **Support Policy PT1 – Railway station improvements** - The railway station in St Neots is for many who live or work in the west of the district their local station so the Council would welcome the positive support shown in the neighbourhood plan to improvements to the facilities at the station. However the Town Council may wish to include in the policy consideration of improving sustainable travel links to the station e.g. cycle paths.
16. **Support Policy PT4- part (d).** South Cambridgeshire DC welcomes the inclusion of the Town Council being willing to work with Huntingdonshire DC and Cambridgeshire County Council about dualling the A428. Improving the traffic flow on this road by dualling from the A1 to Caxton Gibbet would help the road network within the district to move more efficiently. It is one of the critical corridors for development within the county with planned development at St Neots, West Cambourne and Bourn Airfield. The Cambridge and South Cambridgeshire Transport Strategy recognises the A428 corridor as one that needs improvement to accommodate planned growth.

### **Options**

17. The Portfolio Holder could decide not to respond to the consultation. This could result in a missed opportunity to respond to a plan that after a successful referendum would be part of the statutory development plan for Huntingdonshire District Council.

### **Implications**

18. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered: -

#### ***Legal***

19. The St Neots Neighbourhood Plan could in the future be part of the statutory development plan for Huntingdonshire and therefore the implementation of the policies contained within it could impact on the planning in South Cambridgeshire.

### **Consultation responses (including from the Youth Council)**

20. No consultation has been carried out on this response.

### **Effect on Strategic Aims**

#### **Aim 1 - Engagement: engage with residents, parishes and businesses to ensure we deliver first class services and value for money**

21. Neighbourhood planning engages local people in the planning process by giving them a tool to guide the future development, regeneration and conservation of an area.

## Background Papers

Link to the St Neots Neighbourhood Plan

[http://consult.huntingdonshire.gov.uk/portal/pp/nps/stn-np\\_1?tab=list](http://consult.huntingdonshire.gov.uk/portal/pp/nps/stn-np_1?tab=list)

Link to the St Neots neighbourhood planning website

<http://www.stneots-tc.gov.uk/stneotsplan>

Where [the Local Authorities \(Executive Arrangements\) \(Meetings and Access to Information\) \(England\) Regulations 2012](#) require documents to be open to inspection by members of the public, they must be available for inspection: -

- (a) at all reasonable hours at the offices of South Cambridgeshire District Council;
- (b) on the Council's website; and
- (c) in the case of documents to be available for inspection pursuant to regulation 15, on payment of a reasonable fee required by the Council by the person seeking to inspect the documents at the offices of South Cambridgeshire District Council.

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# Agenda Item 8



South  
Cambridgeshire  
District Council

**Report To:** Planning Portfolio Holder  
**Lead Officer:** Director - Planning and New Communities

9 September 2014

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## Government Technical Consultation on Planning

### Purpose

1. To agree a response to the Government's wide-ranging consultation on reforming the planning system. The consultation addresses changes to planning processes including neighbourhood planning, permitted development rights, use of planning conditions, consultation with statutory consultees, environmental impact assessment thresholds and nationally significant infrastructure schemes.
2. This is not a key decision because it is responding to a government consultation, but it raises important issues related to planning policies in the Local Development Framework and Local Plan, Neighbourhood Planning and Development Management.

### Recommendations

3. It is recommended that the portfolio holder agrees the response to the consultation set out in Appendix 1.

### Reasons for Recommendations

4. This is an important and wide-ranging consultation, as the proposed changes will affect planning in South Cambridgeshire for 'town centre' uses, leisure, retail, employment and residential development, and the control the Council has over change of use. It also reviews the processes for Neighbourhood Planning and Nationally Significant Infrastructure. Some of these proposed changes could have significant implications for the district.

### Background

5. The Government made a priority of reforming a planning system that it considered had become convoluted, confusing, expensive and in many cases ineffective. It has already introduced neighbourhood plans and provided revised and streamlined national policy guidance in the National Planning Policy Framework. In 2013 Government made changes to the permitted development process to allow greater flexibilities for development to change use without needing planning permission. It now proposes to build on these reforms by expanding permitted development, together with a number of other more wide-ranging changes to planning procedures.
6. The Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 1995 (as amended) allow change of use between land uses that have similar impacts, without the need to apply for planning permission.

7. A series of changes made in 2013 provide greater flexibility for certain employment uses, and allow change of use of office premises (B1(a)) to residential use (C3) for a three year period using a prior approval process, as well as greater flexibility to re-use redundant agricultural buildings for employment purposes. Later in 2013 the Government introduced further flexibilities between use classes to support change of use from certain agricultural and retail uses to residential.
8. The Government is currently consulting on a number of further changes to the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) Order 1995, as well as a number of other more wide-ranging changes to the planning process:
  - Making it easier for residents and businesses to produce a Neighbourhood Plan or Neighbourhood Development Order.
  - Proposals to expand Permitted Development Rights to support housing, high streets and growth.
  - Proposals aimed at improving the use of planning conditions and enabling development to start more quickly once permission is granted.
  - Improving engagement with statutory consultees.
  - Raising the screening threshold for Environmental Impact Assessment for industrial estates and urban developments located outside sensitive areas.
  - Making improvements to the Nationally Significant Infrastructure planning regime.

### **Considerations**

9. The following section outlines the main issues for South Cambridgeshire arising from the 'Technical Consultation on Planning' document, and summarises the proposed response:

#### **Neighbourhood Planning:**

- Proposal to introduce a statutory time limit of 10 weeks for local planning authorities to make a decision on whether to designate a neighbourhood area.

This timescale would be challenging considering the preparatory work necessary for undertaking consultation, the statutory minimum period of 6 weeks for undertaking consultation, allowing time for considering responses and reporting to the Portfolio Holder for decision. As a result the Council would like this period to be more flexible or extended.

- Removing the current statutory requirement for undertaking a minimum of 6 weeks pre-submission consultation and introducing a new statutory requirement to test the extent of consultation during the preparation of a Neighbourhood Plan or Order.

It is recommended that the Council supports this approach, as it should provide greater flexibility for groups preparing neighbourhood plans to undertake consultation that is proportionate to the nature and scale of the proposals within their plan, whilst the new 'test' will ensure adequate consultation is undertaken.

## **Reducing planning regulations to support housing, high streets and growth:**

- Allowing change of use from light industrial buildings (B1(c)) and storage and distribution buildings (B8) to residential (C3) and making permanent the permitted development right allowing change of use from office (B1(a)) to residential (C3) from May 2016.

The Council previously objected (in 2013) to the Government's proposal allowing temporary permitted development right to change from offices to residential. Concerns remain about the loss of employment in villages. The Council's adopted Local Development Framework seeks to protect employment land, and a similar policy is included in the submitted Local Plan. The changes proposed undermine the Council's ability to assess the impact of the proposed loss of employment uses in individual circumstances against the policy tests, and if appropriate to resist their loss. The addition of a prior approval test to consider loss of the most strategically important office accommodation would be a positive improvement.

There are also concerns over the suitability of extending the permitted development rights to light industrial uses and storage and distribution buildings, in particular regarding the suitability of the buildings for conversion and potential impacts on remaining neighbouring uses. The prior approval scheme only allows consideration of flooding, transport, contamination and noise. A further consideration of impact of a residential use being introduced into an existing industrial / employment area is being proposed. This would be vital.

- Making permanent the permitted development right allowing larger extensions to dwellings.

The Council has received 53 prior approval applications through the neighbour consultation scheme. However, the cumulative impacts overtime has yet to be seen. A key concern is the increased level of complexity the prior approval scheme has introduced, with variations in the tests that can be applied to different types of development.

- The Government seeks to provide increased flexibilities on the high street by making amendments to the permitted development order:
  - Combining the existing A1 (shops) and A2 (financial and professional services) use classes and introducing a new A2 use class for betting shops and pay day loan shops.
  - Allowing change of use to the new wider A1 (retail) use from A2 (betting shops and payday loans), A3 (restaurants and cafes), A4 (drinking establishments) and A5 (hot food takeaways) use classes.
  - Allowing change of use from the existing A1 (shops) and A2 (financial and professional services) and some 'sui generis' uses to restaurants and cafes (A3).
  - Allowing change of use from A1 (shops), A2 (financial and professional services) and some 'sui generis' uses to assembly and leisure (D2).

The principle of increasing flexibility to help the high street is supported. However, the impact on villages may be greater than urban areas, particularly in villages with only one of two convenience stores meeting local needs. The Council's Development Plans have sought to protect vital village shops and

these proposals may undermine the Council's ability to do so. Government needs to consider what can be done to protect and support village shops.

- The Government wants to enable high street retailers to improve their retail offer, building on the existing permitted development rights to allow them to create space for 'click and collect' services and increase the size of mezzanine floors.

The Council supports, in principle, measures to help shops compete with on-line retailers if it aids their viability and helps provide an increasingly valuable local service. However, the prior approval is too narrow, and does not address impact on available car parking, traffic generation, disturbance, or impact on residential amenity.

- Introduce a new permitted development right to support installation of photovoltaic panels on non-domestic buildings with a capacity up to one megawatt.

Support in principle, proposals to help address climate change, but the prior approval process should consider appearance as well as siting and design.

- Making permanent the permitted development right allowing larger extensions to businesses.

Support the principle of enabling businesses to meet their aspirations. However, in a rural area business premises in villages need to be carefully controlled to minimise adverse impacts on their rural communities. This is not proposed as a prior approval process, therefore there is potential for residential amenity or other impacts to take place without being tested.

#### **Improving the use of planning conditions:**

- The Government considers Local Planning Authorities use too many conditions, and there are delays in their discharge. The Government proposes changes to ensure timely discharge of conditions, including 'deemed discharge' where after six weeks of seeking discharge of a condition, an applicant can serve notice on the council, giving them two weeks to determine or it will be deemed discharged. It proposes that it would not apply to some key issues, such as flood risk.

The Council uses planning conditions only where necessary, and seeks to work cooperatively with applicants to deliver the best outcome and this change should not alter this. The use of conditions is often helpful for applicants, allowing them the certainty of a decision before addressing some detailed matters. The discharge of conditions is reliant upon receiving sufficient quality of submissions and, instead of speeding up the process, there is a risk that changes may lead to delays and in certain instances more refusals of planning applications and appeals. If implemented it should not apply to conditions that are key to safety or environmental impact, such as flood risk management.

- In addition, Government proposes sharing draft conditions with applicants for major developments before a decision is made.

The Council already undertakes this practice and there are benefits to all parties in doing so. However, the Council is concerned that imposing a



specific regulation may be counter productive and may actually cause delays in cases where consents could be issued more quickly.

#### **Planning application process improvements:**

- Changes to statutory consultee involvement in the planning application process to tackle unnecessary consultation.

The intention to ensure statutory consultees are only consulted where necessary is supported. However, the proposal for some consultees to only be involved at initial stages should be used with caution, as proposals can change significantly later in the planning process.

- The Government is keen to improve the information it has about the total time it takes for developments to be delivered.

This would allow greater understanding of the time it takes to deliver development, including those parts of the process outside the Council's control, which would be welcomed. However, this may be more onerous on the Council in terms of monitoring planning applications.

#### **Environmental Impact Assessment Thresholds:**

- The Government is concerned that too many development proposals which are not likely to give rise to significant environmental effects are being subject to the more onerous requirements of the European Directive. It proposes to raise the screening threshold for urban development projects and industrial estate development outside sensitive areas.

Such amendments to thresholds could help to speed up the planning process.

10. A more detailed breakdown of all of the Government's proposed changes, together with an assessment of the potential impacts on South Cambridgeshire and a recommended response to the consultation is included in Appendix 1.

#### **Options**

11. Alternative options would be for the Council not to respond, but given the potential impact of the proposals this is not recommended. A further alternative would be to support the proposals, but given the potential issues that have been identified this is also not recommended.
12. The portfolio holder is recommended to agree the proposed response to the consultation outlined in Appendix 1.

#### **Implications**

13. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, the following implications have been considered:

##### ***Financial***

14. Lower fee income to consider prior approval proposals compared to planning applications.

### ***Legal***

15. Potential impacts are highlighted in the appendix to the report.

### ***Staffing***

16. Potential impact as a result of reduced planning applications, but a prior approval scheme could also require staffing to implement.

### ***Risk Management***

17. A number of potential risks have been highlighted in the draft response.

### ***Equality and Diversity***

18. There could be inequitable impacts on people who do not have a car and end up living in housing in areas far from local facilities and infrastructure.

### ***Climate Change***

19. Potential impacts through residential development in unsustainable locations and loss of village shops, and through provision of solar panels on non-commercial properties.

### **Consultation responses (including from the Youth Council)**

20. The Development Management and Partnerships Teams have been consulted in the preparation of the report.

### **Effect on Strategic Aims**

#### **Aim 3 - We will make sure that South Cambridgeshire continues to offer an outstanding quality of life for our residents**

21. The changes could impact on how the Council is able to consider proposals for change of use of shops, and residential developments in rural areas.

### **Background Papers**

The Government's Technical Consultation on Planning document can be viewed here: <https://www.gov.uk/government/consultations/technical-consultation-on-planning>

The Government's consultation on change of use (August 2013) can be viewed here: <https://www.gov.uk/government/consultations/greater-flexibilities-for-change-of-use>

Council's response to Government's consultation on change of use (September 2013): <http://scams.moderngov.co.uk/ieListDocuments.aspx?CId=1024&MId=6157&Ver=4>

The Government's consultation on change of use from commercial to residential (January 2013) <https://www.gov.uk/government/speeches/change-of-use-promoting-regeneration>

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Impact of the Technical Consultation on Planning on SCDC and the Council's Proposed Response

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
<p><b>Section 1 Neighbourhood Planning</b></p>	<p><b>Time limit for taking decisions on the designation of a neighbourhood area</b></p> <p>We are proposing to set a statutory time limit of 10 weeks (70 days) within which a Local Planning Authority (LPA) must make a decision on whether to designate a neighbourhood area that has been applied for. This time limit will apply where the area applied for follows parish or electoral ward boundaries and there is no existing designation or outstanding application for designation, for all or part of the area for which a new designation is sought.</p>	<p>A 10 week period to carry out a consultation would be challenging. Documentation has to be prepared before consultation starts and contact details need to be found for local consultees for each individual neighbourhood area. Consultation itself takes a statutory 6 weeks. SCDC intends to take a report to the Planning Portfolio Holder (PPH) at the end of a neighbourhood plan consultation. Being restricted to 10 weeks to undertake the whole process may prove difficult if the timing of the next PPH meeting is outside of the time period. It is unreasonable to then suggest that if the 10 week period is not met the neighbourhood area is considered designated.</p>	<p>South Cambridgeshire District Council considers that a 10 week period for taking decisions on the designation of a neighbourhood area is challenging. The statutory 6 week consultation period does not leave much time for the Local Planning Authority to prepare consultation material or consider responses received before making a decision on whether to designate an area. The Council proposes that the time period has some flexibility rather than being a set 10 weeks. Alternatively, if a specific time must be given then a 12-16 week would be preferred.</p>
	<p><b>Pre-submission consultation</b></p> <p>We propose removing the current statutory requirement for a minimum of six weeks of consultation and publicity by those preparing a neighbourhood plan or Order.</p>	<p>The duplication of this consultation followed by the requirement for the Council to carry out consultation will inevitably lead to consultation fatigue in the neighbourhood</p>	<p>The Council supports the removal of the pre-submission consultation if, as the Government proposes, a basic condition is introduced to test the extent of consultation undertaken. The degree of</p>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
		area. There needs to be a robust consultation process undertaken for any neighbourhood plan and it should be appropriate to the nature and scale of proposals in the plan. Parish Councils could still choose to carry out the 6 week consultation if they wish.	consultation undertaken should be appropriate to the nature and scale of the proposals within the neighbourhood plan.
	<p><b>Consulting landowners</b></p> <p>We propose to require those preparing a neighbourhood plan to consult certain landowners; those with an interest in land which may be allocated for development.</p>	Having certainty over the delivery of development proposals is a relevant part of plan making. It is therefore beneficial for landowners to be consulted about proposals in a neighbourhood plan.	If land is being proposed for development within a neighbourhood plan it is appropriate that the landowner should be consulted. This will ensure certainty over the deliverability of proposals in the plan.
	<p><b>Introducing an additional basic condition to test the extent of consultation</b></p> <p>We intend to introduce a new statutory requirement (basic condition) to test the extent of the consultation undertaken during the preparation of a neighbourhood plan or Order (including a community right to build order).</p>	This proposal is supported as it will ensure that the appropriate consultation is carried out on a draft plan.	The Council supports the introduction of a new basic condition to test the extent of consultation to ensure that appropriate consultation has been undertaken.
	<p><b>Strategic Environmental Assessment</b></p> <p>We intend to clarify the information that should be submitted with a neighbourhood plan in order that its compatibility with obligations under the Strategic Environmental Assessment Directive can be assessed. We will do this in regulations.</p>	This clarification would be useful as currently the regulations are not clear on this matter.	The Council welcomes this change as the current regulations are unclear.
<b>Section 2 Reducing planning</b>	<b>Proposal A: Creating new homes from light industrial and warehouse Buildings</b>	Potential loss of light industrial uses. SCDC Local Plan policies seek to protect employment	The Council objected to the temporary permitted development right to change from offices (B1(a))

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
<p><b>regulations to support housing, high streets and growth</b></p>	<p>Proposes new permitted development right to allow light industrial buildings (B1(c)) and storage and distribution buildings (B8), which were in that use at the time of the 2014 Budget, to change use to residential (C3) use.</p> <p>Seeks views on whether it should include a floorspace limit.</p>	<p>land, particularly in villages to maintain their vitality.</p> <p>Question suitability of buildings for conversion (materials &amp; style) and location (often clusters on an industrial estate on edge of a village) – issues of poor design and sustainability.</p>	<p>to Residential (C3).</p> <p>The Council remains concerned about the loss of employment land and buildings. Employment land in villages is a scarce resource, which helps maintain them as sustainable places. The loss could harm firms, and increase pressure for greenfield development.</p> <p>Policies in successive development plans have sought to protect this resource. The changes to permitted development rights undermine the ability of the Council to do this.</p> <p>The addition of a prior approval to consider loss of the most strategically important office accommodation would help, particularly with preserving the science parks close to Cambridge, but would not address the issue of a gradual loss in villages.</p> <p>The addition of light industrial and storage uses adds concerns about the suitability of these buildings for conversion. A prior approval process would not be sufficient to test this.</p> <p>If light industrial uses are added, a low floorspace threshold should be</p>
	<p><b>Proposal B: Creating new homes from sui generis uses</b></p> <p>Proposes new permitted development right for launderettes, amusement arcades/centres, casinos and nightclubs, which were in that use at the time of the 2014 Budget, to change to residential use (C3).</p>	<p>Unlikely to be significant.</p>	
	<p><b>Proposal C: Office to residential permitted development rights</b></p> <p>Government proposes making a permanent permitted development right for change of use from office to residential from May 2016 (at the end of the current temporary period).</p> <p>Does not apply to listed buildings, but can be done in conservation areas.</p> <p>Prior approval will continue to consider the impact of the proposed development in relation to highways and transport, flooding and contamination.</p> <p>Additionally prior approval will now consider the potential impact of the significant loss of the most strategically important office accommodation.</p>	<p>Potential loss of rural office buildings. SCDC Local Plan policies seek to protect employment land.</p> <p>Since its introduction last year take up has been limited, with only 3 cases.</p>	

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
			<p>imposed, as these would most likely be the more suitable buildings for conversion.</p> <p>Conversions could impact on the remaining users of a site, hindering their ability to continue to use sites for employment. A prior approval issue to consider this is vital.</p>
	<p><b>Proposal D: Extensions to dwellings</b></p> <p>Introduced new permitted development rights for householders in May 2013, increasing the size limits allowed for single storey rear extensions on dwelling houses. It is proposed that these permitted development rights be made permanent.</p>	<p>To date there have been 53 prior approval applications through the neighbour consultation scheme. Full impacts are not known.</p>	<p>No significant objection, although the prior approval scheme has introduced complexity.</p>
	<p><b>Proposal E: Increasing flexibilities for high street uses</b></p> <p>We propose that the retail offer is strengthened by incorporating into a revised wider A1 use class the majority of financial and professional services currently found in A2.</p> <p>Government proposes to make changes to the GPDO 1995 to remove the existing permitted development rights to the A2 use class.</p> <p>Betting shops are proposed to remain in the A2 use class and pay day loan shops added, and both will not benefit from the flexibilities.</p> <p>Proposes that permitted development rights will enable the change of use to the wider retail (A1)</p>	<p>SCDC Local Plan policies seek to protect village shops.</p> <p>Potentially easier to change use within the new wider A1 use class – greater potential for loss of village shops without testing through a planning application.</p> <p>May help protect shops if it is harder to change use to betting shop or pay day loan shop.</p> <p>Potential impact on the variety of services and facilities in villages. SCDC Local Plan policy seek to protect village facilities.</p>	<p>Support flexibility for the high street. However, there is a particular concern for villages where they may have only one or two convenience shops meeting local needs. Successive Development Plans have included policies seeking to protect these shops. Greater flexibility undermines the ability of the Council to do this.</p> <p>The Government should consider what can be done to protect and support village shops.</p>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p>class from betting shops and pay day loan shops (A2), restaurants and cafés (A3), drinking establishments (A4), and hot food takeaways (A5).</p>		
	<p><b>Proposal F: Supporting a broader range of uses on the high street</b></p> <p>Proposes to introduce a new permitted development right for the change of use from existing A1 and A2 use classes, and some sui generis uses to restaurants and cafés (A3).</p> <p>Does not apply to listed buildings, but can be done in conservation areas.</p> <p>The right will apply a size threshold of 150 m<sup>2</sup> to focus on smaller premises.</p> <p>Prior approval in form of a neighbour notification scheme, which would allow those immediately adjacent to make representations in respect of local amenity (noise, odour, traffic, hours of opening).</p> <p>The right will provide safeguards where the retail premise is a local service, or its loss will have an adverse impact on the shopping area.</p>	<p>Potential loss of rural shops to cafes. SCDC Local Plan policies seek to protect village shops. More of an issue in rural areas where it could lead to loss of vital local shop.</p>	<p>See response to Proposal E above.</p>
	<p><b>Proposal G: Supporting the diversification of leisure uses on the high street</b></p> <p>Proposes that a new permitted development right is introduced to enable the change of use from A1, A2 and some sui generis uses to assembly and leisure (D2) without the need for a planning application.</p> <p>Does not apply to listed buildings and within</p>	<p>Potential (but unlikely) loss of village shops to leisure uses - cinemas, music and concert halls, gyms and swimming pools.</p>	<p>See response to Proposals E above.</p>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p>conservation areas.</p> <p>The right will exclude any size restriction.</p> <p>Prior approval will continue to consider the impact of the proposed development in relation to highways and transport, flooding and contamination.</p>		
	<p><b>Proposal H: Expanded facilities for existing retailers</b></p> <p><u>Supporting retail facilities</u> Proposes to build on existing permitted development rights and allow erection of small, ancillary buildings which could facilitate 'click and collect' services.</p> <p>Does not apply to listed buildings and within conservation areas.</p> <p>Buildings should not exceed 4m in height, have a cumulative gross floorspace of 20m<sup>2</sup>, or be erected within 2m of a shop's curtilage boundary.</p> <p>Prior approval to consider design, siting and external appearance.</p> <p>Also proposes to make it easier for retailers to increase their back of house loading bay capacity, allowing them to store more goods for home delivery and 'click and collect'. The size of an existing loading bay cannot increase by more than 20%.</p> <p><u>Mezzanine floors</u> Proposes to increase the limit to allow retailers to build a mezzanine floor and welcome views on what</p>	<p>Could be implemented by shops in the district.</p>	<p>Support, in principle, measures to help shops compete with on-line retailers. This proposal has the potential to aid their viability through additional footfall and enables them to provide an increasingly valuable service to the local community.</p> <p>The Council is concerned there could be potential issues with (lack of) space and possible impact on available car parking, traffic generation and disturbance, or impact on residential amenity. These are not addressed in the proposed prior approval process.</p> <p>The proposal for prior approval to consider design, siting and external appearance of any new structure introduces another list of prior approval issues for one specific type of development, adding to complexity.</p>



Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	size would be appropriate. This will give greater opportunity for retailers to make best use of their existing premises and to diversify their retail offer to support the town centre.		
	<p><u>Maximum parking standards</u> Government wishes to understand whether more action is needed to tackle on-street parking problems. We want to understand whether local authorities are stopping builders from providing sufficient parking space to meet market demand. We also want to ensure that local authorities in their Local Plans have properly reviewed their parking policies and brought them up to date.</p>	New Local Plan includes designed approach to car parking rather than maximum standards, which should enable to address issues on a case by case basis.	No comment.
	<p><b>Proposal I: Permitted development right for the film and television Industries</b></p> <p>Proposes to introduce a new permitted development right to allow for commercial filming and the associated physical development on location. The right will be for a maximum of 9 months in any rolling 27 month period and will includes prior approval.</p> <p>Does not apply to listed buildings and within conservation areas.</p> <p>These proposals will work independently of the existing general permitted development rights for temporary use Part 4, Schedule 2, Class B. We will amend Part 4 to ensure those rights cannot be added to the time limit proposed for the new filming right.</p>	Likely to be limited impact on SCDC.	No comment.
	<b>Proposal J: Solar PV panels for commercial properties</b>	The scale proposed would effectively mean solar panels on commercial properties would be	Support, in principle, proposals to help address climate change.

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p>Government proposes to introduce a new permitted development right to support the installation of photovoltaic panels on non-domestic buildings with a capacity up to one megawatt.</p> <p>Does not apply to listed buildings or and with conservation areas.</p> <p>Prior approval to consider the siting and design.</p>	permitted development.	Concerned that the consultation proposes prior approval for siting and design, but not appearance.
	<p><b>Proposal K: Extensions to business premises</b></p> <p>The rights to build larger extensions were initially introduced for a three-year period, and the Government committed to keep them under review to determine whether they should be extended. To maintain that flexibility for businesses Government proposes to make these permitted development rights permanent.</p>	May help businesses meet their aspirations but could be contrary to the 'character and scale' clause in Local Plan policy.	<p>Support the principle of enabling businesses to meet their aspirations. However, in a rural area, business premises in villages need to be carefully controlled to minimise adverse impacts on their rural communities.</p> <p>This is not proposed as a prior approval process, therefore there is potential for impact on residential amenity or other impacts to take place without being tested.</p>
	<p><b>Proposal L: Permitted development rights for waste management facilities</b></p> <p>Proposes to introduce permitted development rights for those waste management facilities currently 'sui generis', by enabling the carrying out of operations for the replacement of any plant or machinery and buildings on land within the curtilage of a waste management facility and which is ancillary to the main waste management operation.</p>	A matter for the County Council as Waste Management Authority.	No comment.
	<p><b>Proposal M: Equipment housings for sewerage undertakers</b></p>	A matter for the County Council as Waste Management	No comment.

Section	Government's Proposed Change	Impact on South Cambs District Council Authority.	Council's Proposed Response
	<p>Proposes that a permitted development right equivalent to that for water undertakers should apply to sewerage undertakers. This would allow sewerage undertakers to carry out the installation of a pumping station, valve house, control panel or switchgear house into a sewerage system.</p>	<p>Authority.</p>	
<p><b>Section 3 Improving the use of planning conditions</b></p>	<p><b>Issue 1: a tendency of local planning authorities to impose too many conditions at the decision making stage</b></p> <p>It is vital to ensure that conditions are only imposed where they meet the six tests in the NPPF. It is also important to have effective dialogue between the local planning authority and the applicant about how conditions will impact on the planned delivery of the development. Particular care is needed when using a pre-commencement condition.</p> <p><b>Issue 2: local planning authority delays in discharging conditions</b></p> <p>Government has already taken action aimed at addressing delays and costs. The NPPG must be considered by the LPA each time they take a decision to grant planning permission subject to conditions.</p> <p>Government now propose to go further:</p> <p><u>Deemed discharge for certain types of conditions where the local planning authority does not make a timely decision</u></p>	<p>Potential impacts on the way the LPA would use planning conditions.</p>	<p>South Cambridgeshire District Council is aware of the need to deal with conditions in a timely manner. It seeks to work cooperatively with applicants, to deliver the best outcome. The Local Planning Authority also uses conditions only when they are necessary.</p> <p>It is noted that deemed discharge would only apply where instigated by the applicant. This would allow a process of cooperation to continue where it is to the benefit of both parties.</p> <p>In some circumstances a deemed discharge system could actually slow the planning process:</p> <ul style="list-style-type: none"> <li>• It could lead to more refusal of planning applications, and more appeals. Particularly if evoked where the LPA feels the quality of submission is not sufficient for discharge.</li> </ul>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p>Failure to discharge conditions with minimum of delay does not in reality give the applicant an 'implementable planning permission'. We are seeking enabling powers in the Infrastructure Bill to introduce a 'deemed discharge'.</p> <p>We are seeking views on whether an exemption should apply to all the conditions requiring discharge in the planning or only to those conditions that relate to the reason for the exemption.</p> <p>We propose that a deemed discharge would only be activated by the applicant serving a notice on the LPA, rather than applying automatically.</p> <p>We propose that the applicant's option to notify the LPA they intend to treat the condition as discharged would be available any time after the expiry of six weeks from the day after the application to discharge the condition was received by the LPA. The LPA would have two weeks to respond.</p> <p>We also propose that the deemed discharge would not apply to the approval of details for outline planning permissions required by reserved matters.</p> <p>The deemed discharge will not impact on the ability of the LPA to act early to seek the views of third parties.</p> <p>We propose to amend regulation 16 to reduce the time limit for return of the fee from 12 weeks to 8 weeks, beginning on the date on which the authority received the request.</p>		<ul style="list-style-type: none"> <li>• It could lead to an LPA delaying granting consent until issues with the potential to be addressed by condition are largely resolved, to avoid risk of failing to discharge complex conditions quickly. This may not be in the interest of the applicant, who wants to secure the certainty of a permission as quickly as possible.</li> <li>• Discharging conditions is dependent on receiving sufficient quality of submissions from applicants. Imposing time limits, and shorting periods for the return of fees may encourage refusals, rather than encouraging the LPA to work to resolve the issue with the applicant and help them to improve their submission.</li> </ul> <p>If implemented it should not apply to conditions that are key to safety or environmental impact, such as flood risk management.</p>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p><u>Sharing draft conditions with applicants for major development before a decision is made.</u></p> <p>Propose to amend the Development Management Procedure Order to require that LPA share a draft of the proposed conditions with an applicant before making a decision for all major developments.</p> <p>A potential approach is to require a LPA share draft conditions at least 10 working days before permission is granted. Alternatively, five working days. We also propose some flexibility by allowing a different period to be agreed in writing between LPA and applicant.</p> <p>We are also interested to hear views on what approach should be taken where a LPA needs to change, or add to, the draft conditions after they have been shared with the applicant.</p> <p>Government is keen to hear views on what more could be done to ensure that conditions that require further action to be undertaken by an applicant before an aspect of the development can go ahead are used appropriately and that the timing is suitable and properly justified.</p>	<p>SCDC already generally seeks to share conditions in advance with applicants for major developments.</p>	<p>South Cambridgeshire District Council already seeks to share conditions in advance, as there are benefits to all parties.</p> <p>However, imposing a specific regulation could actually cause delay. If a consent was ready to be issued, but the time for sharing conditions had not been met, it could lead to the LPA delaying the decision in order to comply with the regulation. If the time limit was applied to any changes to those conditions, this would be compounded.</p>
<p><b>Section 4: Planning application process improvements</b></p>	<p><b>Part A – Statutory consultee involvement in the planning application process</b></p> <p>The purpose is to review the legislative requirements themselves, with the intention of removing or modifying the regulations to tackle instances of unnecessary consultation. Reducing such unnecessary regulatory burdens would allow</p>	<p>Changes to procedures, relatively minor.</p>	<p>Support the Government's aim of removing unnecessary burden on statutory consultees to enable them to focus their resources and expertise where they can add most value.</p> <p>Concern that the removal of 2km</p>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p>statutory consultees to focus their resources and technical expertise on those applications where they can add most value to the decision-making process and other activities such as strategic planning.</p> <p><u>Environment Agency</u> We are not proposing to alter their consultation arrangements until decisions have been made regarding the commencement of Schedule 3 of the Flood and Water Management Act 2010 which establishes an approval mechanism for sustainable drainage systems.</p> <p><u>Health and Safety Executive</u> We do not propose to alter the requirements for LPAs to consult the H&amp;SE, which are being considered more broadly in the context of implementing the Seveso III Directive (2012/18EU).</p> <p><u>Natural England</u> Remove 2km consultation zone around SSSI.</p> <p>Retain requirement for Natural England to be consulted on proposed developments "in or likely to affect a site of special scientific interest".</p> <p><u>Highways Agency</u> Change requirement to consult to: 'Development, other than minor development, likely to result in an adverse impact on the safety of, or queuing on a trunk road.'</p> <p><u>English Heritage</u> Introduce a new consultation requirement for</p>		<p>consultation zone around SSSI will add to complexity and uncertainty.</p>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p>registered battlefields.</p> <p>Remove the need to notify EH of applications for planning permission affecting the setting of Grade II (unstarred) listed buildings.</p> <p>The notification requirement reduces the current requirement to those applications which have potential for greatest impact on character and appearance of conservation areas.</p> <p>Adds requirement to Notify EH of local authorities' own applications for planning permission for relevant demolition in conservation areas</p> <p><u>Secretary of State</u> EH's own applications for listed building consent for properties of any grade in its ownership, guardianship, under its control or of which it is the prospective purchaser shall be determined by the LPA rather than the Secretary of State (except applications affecting Grade I and II* listed buildings and Grade II (unstarred) listed buildings involving demolition).</p> <p><u>Other heritage related consultations</u> We do not propose any material changes to the arrangements to notify the National Amenity Societies on certain listed building consent applications and to consult the Garden History Society on planning applications affecting registered parks and gardens.</p>		
	<p><b>Further measure to streamline statutory consultation arrangements</b></p>		<p>Proposals can change significantly from the pre-application stage.</p>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p><u>The value of pre-application engagement</u> We are exploring how an existing flexibility within the Development Management Procedure Order could be used to encourage more meaningful pre-application engagement, while reducing unnecessary consultation at the application stage. Specifically, we are considering whether pre-application discussions could be used to encourage greater use of the power for statutory consultees already have to indicate that they do not wish to be consulted on applications.</p> <p><u>Exemptions from the requirement to consult</u> We are considering how pre-application discussions could provide the 'trigger' for statutory consultees to invoke the existing discretionary power not to be further consulted on an application.</p> <p>Where a statutory consultee was satisfied that it had no further comment to make on a scheme, it could choose to issue an applicant with a confirmation that it did not wish to be consulted. Such a confirmation could then accompany the subsequent planning application and act as the 'article 16(1)(c) notice' advising the LPA not to consult the statutory consultee. If the scheme changed since the notice was issued, consultation would take place as normal. Similarly, if the particular circumstances of the case meant that a statutory consultee was not comfortable issuing an article 16(1)(c) notice following pre-application discussions, it would not have to.</p>		<p>Changes to the consultation arrangements would need to be carefully applied to ensure only in cases where there is no possibility of further issues arising were statutory consultees consulted only at the pre-application stage.</p>



Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p><u>Considerations for implementation</u>            We do not believe a change to the Development Management Procedure Order is required in order for this flexibility to be used more frequently. However, we are interested in what practical changes need to be made to facilitate more frequent use of this existing discretionary power.</p> <p>We consider that this point could be clarified in planning guidance. In addition, we could amend the 1APP form so that where an article 16(1)(c) notice accompanies a planning application, the applicant would be asked to confirm that the letter related to the same development as proposed in the application.</p> <p>We also envisage that a statutory consultee's confirmation that it did not wish to be consulted would be time-limited. The confirmation would need to require submission of the planning application within a reasonable period (such as six months).</p>		
	<p><b>Part B – Proposal to notify railway infrastructure managers of planning applications for development near railways</b></p> <p>We propose that local planning authorities (LPA) should notify railway infrastructure managers of all planning applications where any part of a proposed development is within 10 metres of a railway. We consider that this requirement should be in the form of notification by the LPA, which would require an amendment to the Development Management Procedure Order.</p>	Changes to procedures, relatively minor.	No comment.
	<p><b>Part C – Consolidation of the Town and Country</b></p>		Support the proposed consolidation

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p><b>Planning (Development Management Procedure) Order 2010 and measurement of the end-to-end planning process</b></p> <p><b>The Town and Country Planning Development Order 2010</b></p> <p>The original order has now been amended several times. In the interests of clarity and certainty we propose to consolidate these amendments to produce a single order.</p>		<p>of amendments to the Town and Country Planning Development Order 2010 into one single order to provide greater clarity and certainty.</p>
	<p><b>Measurement of the end-to-end planning process</b></p> <p>Government is keen to improve the information it has about the total time it takes for developments to be delivered including the pre-application and post-permission stages so that we can more accurately measure the time it takes to deliver development. Government is keen to hear views on how other stages, outside of the determination period, could be measured without adding unnecessary burdens or distracting from the delivery of development.</p>	<p>Potential for additional monitoring requirements.</p>	<p>Support the Government's intention to improve the information it has about the total time it takes for developments to be delivered including the pre-application and post-permission stages so that we can more accurately measure the time it takes to deliver development.</p> <p>However, this could add additional work to the monitoring of applications. It also needs to be clear that not all stages of the development process are within the gift of the LPA to control (e.g. timing of submissions for discharging conditions).</p>
<p><b>Section 5: Environmental Impact Assessment Thresholds</b></p>	<p><b>Environmental Impact Assessment Thresholds</b></p> <p>Government is concerned that too many development proposals which are not likely to give rise to significant environmental effects are being subject to the more onerous requirements of the</p>	<p>Could significantly reduce the number of application subject to EIA.</p>	<p>Support the Government's proposal to amend the requirements for Environmental Impact Assessments to reduce the onerous and unnecessary burden on smaller developments and those outside of</p>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p>European Directive. It is considered likely that this is leading to unnecessary delays in the delivery of new homes and jobs in local communities.</p> <p>Projects outside of sensitive areas and which fall below the new thresholds because they are not considered likely to give rise to significant environmental effects within the meaning of the European Directive, will not need to be screened. They will however continue, as appropriate, to be subject to the strong environmental protection provisions of the NPPF and other relevant environmental legislation.</p> <p><b>Raise the screening threshold for industrial estate development</b></p> <p>Proposes raising the screening threshold to five hectares. Having considered the Schedule 3 criteria, we do not consider that industrial estate development of this scale, which is outside sensitive areas, is likely to give rise to significant environmental effects within the meaning of the Directive.</p> <p><b>Raise the screening threshold for urban development projects</b></p> <p>We propose to raise the screening threshold for the development of dwelling houses of up to five hectares, including where there is up to one hectare of non-residential urban development.</p> <p>Our objective is to move closer to the existing</p>		sensitive areas.

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	indicative threshold for 'likely significant effects' for housing of 1,000 dwelling units (around 30 hectares at average density).		
<b>Section 6 Improving the nationally significant infrastructure planning regime</b>	<p><b>Development Consent Orders</b></p> <p><b>Making a non-material change</b></p> <p>We propose to amend the 2011 Regulations so the applicant is required to publicise and consult on their application rather than Secretary of State. This would allow preparations for the publication and consultation to be undertaken by the applicant while preparing their application. The notice could then be published and sent out to fulfil the consultation duty at the same time as the application is submitted to the Secretary of State. (If taken forward, some further minor amendments to the regulations on publicising the application and the duty to consult would be needed, together with guidance for applicants.)</p> <p><b>Making a material change</b></p> <p>Government is proposing to make a series of amendments to the procedures for making material changes to consents to make the process for handling a change simpler and quicker than that for handling a full application and proportionate to the nature of the change being proposed.</p> <p>Government is proposing to amend the 2011 Regulations covering the duty to consult on a proposed application. The applicant would be required to consult those persons who could be</p>	<p>The A14 Improvements are going to be proposed through a DCO application.</p> <p>Changes proposed seek to simplify the application process, and will have limited impacts on SCDC.</p>	<p>No comment.</p>

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p>directly affected by the change proposed if consent for the change was given.</p> <p>Government proposes to remove the requirement to prepare a statement of community consultation where an application is being proposed for a material change.</p> <p>Government proposes to remove the current requirement for formally publicising proposed applications in advance of them being made.</p> <p><u>Need to hold an Examination</u> Government is proposing that the 2011 Regulations should be amended to provide for a new regulation that allows the Secretary of State not to hold an examination into an application for change if he considers that one is not necessary. Where the an examination is not required, it is proposed there be an opportunity for anyone who has made a relevant representation to submit further representations before the Secretary of State reaches a decision on the application.</p> <p><u>Safeguards</u> Government has included an amendment to 2008 Act in the Infrastructure Bill which would provide a power to refuse to determine an application for material change if the Secretary of State considers that the development that would be authorised as a result of the change should properly be subject to a full application for development consent.</p> <p><u>Guidance on procedures</u></p>		

Section	Government's Proposed Change	Impact on South Cambs District Council	Council's Proposed Response
	<p>It is not proposed to undertake any formal consultation on draft guidance, but the Government would welcome further views on the issues that the guidance should cover.</p> <p><b>Streamlining the consenting process</b></p> <p>Government wishes to offer developers more choice over how they seek approval to build nationally significant infrastructure projects, by streamlining the way in which they can apply for consents.</p> <p>Government proposes to streamline arrangements so that ten more non-planning consents can be included within just one nationally significant infrastructure planning application process instead of requiring separate applications to be submitted to different consenting bodies.</p>		

## Planning Portfolio Holder – Work Programme 2014-15

Date of meeting	Title of Report	Key or Non-Key?	Reason Key Specify no(s) listed below	Purpose of Report, ie For Recommendation / Decision / Monitoring	Lead Officer / Report Author
18 November 2014 – 10am	Mid-Year Performance Report	Non key		Monitoring	Jo Mills
	Service Plan Priorities	Non key		Decision	Jo Mills
	Pre-Application Service	Key		Decision	John Koch
	Annual Monitoring Report (Non key) – This will almost certainly not be the whole AMR but needs to be the part on housing supply and updated trajectory				

	Cambridge Northern Fringe East Area Action Plan – Issues and Options Consultation				
	Neighbourhood Plans – working with parish councils				
	Local Plan update (provisional item – could potentially be key)				
	Neighbourhood Plans – Strategic Policies (Key)				
	Affordable Housing Supplementary Planning Document – Consultation (Non key – Ian – we think that’s right?) – Timing will depend on examination				
	Flood and Water Management Supplementary Planning Document - Consultation – Timing dependent on County				



19 December 2014					
January 2015					
February 2015	Pre Application Fees Review	Non-key		Decision / Monitoring	Jo Mills/Nigel Blazeby/Jane Green
	Design Review Panel – Annual Review	Non-key		Decision / Monitoring	Jane Green
March 2015					
April 2015					

May 2015					
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### Key Decisions

1. it is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates, or
2. it is likely to be significant in terms of its effects on communities living or working in an area of the District comprising two or more wards.  
In determining the meaning of 'significant' for the purposes of the above, the Council must have regard to any guidance for the time being issued by the Secretary of State in accordance with section 9Q of the 2000 Act (guidance)).