

Appendix A

Waterbeach Neighbourhood Plan: Regulation 14 Pre-submission Draft

Response from South Cambridgeshire District Council – February
2020

1. The following response from South Cambridge District Council is intended to provide constructive assistance for the Waterbeach Neighbourhood Plan Steering Group and Parish Council. It fully appreciates the effort that has gone into its preparation and supports its aspirations to secure the future of Waterbeach in so far as allowed by the planning system. The comments we have made on your Plan are provided in two sections –
 - i. General overarching comments about particular issues that relate to your Plan as a whole
 - ii. A schedule which is set out in Plan order with more detailed comments on each policy and its supporting text.

General overarching comments

Clear, unambiguous policies

2. Once your neighbourhood plan has been successful through examination and received a favourable vote at referendum it will become part of the statutory development plan for South Cambridgeshire. The Plan will then be used in determining planning applications in your parish. The on-line national planning practice guidance states that policies in a neighbourhood plan should be clear and unambiguous and be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning

applications¹. Developers, members of the local community and others submitting planning applications; development management officers and members at South Cambridgeshire District Council considering these must be able to know through the policies in your plan what the aims and objectives are and what you wish to achieve through your plan. Your policies must be workable and clear.

3. In reading through your plan, we are aware that there are some policies which do not have this clarity. There is a risk that if planning permission was gained as result of these policies being used to determine an application the future development may not achieve what the parish council in preparing the plan had intended. There should not be room for a reasonable person to be able to misinterpret your aspirations. There have been legal challenges to the exact wording of policies.
4. Policies in a neighbourhood plan should be “positively” written to enable development. Some of the policies in your Plan would seem to be unnecessarily restrictive. You may wish to review this when you are considering the comments made during this consultation so that your Plan wherever possible has a positive, supportive approach to new development as required by the National Planning Policy Framework..

Policies Map and Figures

5. The Plan would be easier to read and understand if a comprehensive Policies Map were included for the whole of the Plan Area alongside more detailed “inset” or “insets” for the parts of your parish where there are policy designations. It would then be necessary to indicate within each policy of your Plan that the site/area is ‘... as shown on the Policies Map.’

¹ (Paragraph: 041 Reference ID: 41-041-20140306)

6. It is crucial that the lines on the map to show the intention of policies in the Plan are accurate and at a scale large enough to be clearly seen. A developer, Development Management officer or Planning Appeals Inspector considering a planning application should not have any cause to have to guess where a line on a map runs to understand whether a site is affected by a particular policy in your Plan.

Glossary

7. The current draft does not include a comprehensive glossary. As planning uses a number of specific terms that may not be widely known by your local community it may be beneficial for you to consider including a glossary. The adopted Local Plan for South Cambridgeshire has a glossary which could help you define some of the commonly used words. This is Appendix D in this plan. There is also a glossary at the back of the NPPF which could provide you with useful definitions.

Updating for Submission

8. Your neighbourhood plan should take account of the most recent NPPF which was published in February 2019 (updated June 2019).
<https://www.gov.uk/government/collections/revised-national-planning-policy-framework>
9. The on-line planning practice guidance has been updated for neighbourhood planning in May 2019:
<https://www.gov.uk/government/collections/planning-practice-guidance>

Repeating Local Plan policies

10. In a neighbourhood plan it is not necessary to repeat policies included in the adopted Local Plan. Unless they have a specific local element to

them there is a risk that the independent examiner will remove such policies from your Plan.

Accessibility

11. All public sector bodies have to ensure that their websites and documents posted on their websites meet accessibility standards². Before work gets underway on the submission Neighbourhood Plan we are available to offer advice and guidance on how your documents must be formatted to meet this requirement.

Policy review

12. For each policy in the Plan we have considered whether it meets the basic conditions set out in national legislation, which are as follows:
 - a. Has regard to national policies and advice
 - b. Contributes to the achievement of sustainable development
 - c. General conformity with the strategic policies contained in adopted Local Plan - The neighbourhood plan will be tested for conformity with the strategic policies in the adopted Local Plan for South Cambridgeshire District Council (SCDC). This plan contains a list of the strategic policies in Appendix E.
 - d. Does not breach and is otherwise compatible with EU obligations
13. The response provided in the following schedule is set out in Plan order to assist you in considering the comments from SCDC. The sections where comments are made on the actual policy are indicated and comment made as to whether the Council considers that the policy will meet the basic condition tests.

² <https://www.gov.uk/guidance/accessibility-requirements-for-public-sector-websites-and-apps>

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Schedule of comments

The following comments are in plan order. Suggested new text is enclosed by << >> symbols and deleted text is shown with a ~~strikethrough~~.

Contents - pages 2-4.

Suggest inserting page numbers.

Reason: to make it more useful to the reader.

Introduction

Page 5 paragraph 1.4

Suggest amending the second line to read as follows: '<< District Council Local Plan and the national planning policy context set out in the National Planning Policy Framework >>.

Reason: For clarity.

Policy Context

Page 6 paragraph 2.4

3rd line after 'contradict these' add the words '<< having to be in general conformity with them >>.

Reason: to improve clarity.

Page 7 Table 2.1

Policy NH/14 should be referred to by its title 'Heritage Assets'. In the 'implications' column delete the word '~~ancient~~'. The land parcels affected are correctly called scheduled monuments.

Reason: To avoid future confusion and improve accuracy.

The Neighbourhood Area

Page 10 paragraph 3.4. Missing full stop at end.

Page 11 paragraph 3.10. Query whether it is correct to say that the remainder of the new town site is owned by RLW Estates. Suggest deletion of the words '~~owned by~~' and insertion of the words '<< the subject of a planning application from >>.

Page 12 paragraph 3.15 line 4. Suggest deletion of the word '~~into~~' and replacement by '<< within >>', given that Waterbeach is located in South Cambridgeshire.

Reasons: To improve clarity and accuracy.

Key Issues

Page 21 1st line. Delete '~~identify~~' and insert '<< identity >>.

Vision and Objectives

Page 23 vision statement. References in the vision to new development not being overbearing or overwhelming are unclear in applicability to the new town as are references to development complementing rural vistas and the existing Fen Edge landscape. Reference should be made to the vision for the new town included in the Waterbeach New Town Supplementary Planning Document (SPD).

Policy WT5 Creating and Maintaining Sustainable Access Routes to Waterbeach New Town

Page 39. The references in part 2 of the policy to the location of schools and that children should not have to cross primary and secondary roads to get to school are not considered to be practicable or in general conformity with the Local Plan policy SS/6 'Waterbeach New Town' sections 1 and 17 which states that an SPD will be prepared for the new town to establish the broad location of key components of the new town or with the spatial framework diagram which identifies school locations and a primary and secondary road layout.

Suggest that section 2 of the policy be amended as.

2. 'To assist this << as far as practicable >> school entrances should not be located beside through roads. Additionally, the spatial framework of the new town should be arranged << as far as practicable and in general conformity with the Spatial Framework Diagram included in the Waterbeach Supplementary Planning Document >> such that children can avoid having to cross primary and secondary roads to attend school. Designs should minimise conflict between children on their way to school and vehicles as much as possible'.

Reason: To ensure the policy is in general conformity with the Local Plan policy SS/6 for Waterbeach New Town which makes specific reference in sections 1 and 17 to the preparation of an SPD to inform the implementation of the new town.

Policy WT7 – An Accessible New Town

Page 45 Part 1b of the policy. Query whether the requirement for a bus shuttle service to the new railway station can be justified by appropriate evidence regarding need for the service and viability as is generally required

by national planning policy and advice. Reference could be made in the policy to ensuring access to the new station by mobility scooters along suitable routes and the provision at the station of suitable and secure mobility scooter parking.

Reason: The new railway station was granted planning permission without such provision and no evidence has been referenced in respect of the need for such provision or its effect on viability.

Policy WDCH13 – Waterbeach Design Principles

Page 68. The way that this policy is currently worded attempts to give two supporting evidence base documents the weight of planning policy namely the Waterbeach Heritage and Character Assessment, and the Waterbeach Design Principles document. This approach does not permit any challenge to those documents by interested stakeholders and is unlikely to be found to be in accordance with national planning policy and advice.

It is suggested that the second paragraph of the policy be amended as follows: delete '~~in a positive way~~' and insert '<< have regard to >>.

Reason: To clarify the status of these evidence base documents.

Schedule 1 Waterbeach Design Principles.

Pages 66-67. It is suggested that the status of the design principles would be clearer if they were to be included within the policy rather than in the explanatory text of the policy.

Reason: To clarify their planning status.

Design Principles WDP1, WDP4, WDP8, and WD14

Page 66-67. These design principles seek to guide and restrict the design, layout and use of materials in the new town by reference to the existing village of Waterbeach despite the new town on completion being considerably larger in area and population and a clearly a construct of the 21st century rather than of organic growth over many centuries. In practice the new town will have its own distinct identity and character as is made clear by sections 2 and 9 of Local Plan policy SS/6 Waterbeach New Town.

In order for the Neighbourhood Plan to be in general conformity with policies SS/6 and HQ1 Design Principles of the Local Plan these particular design principles should not apply to the development of the new town. The Local Plan and the Waterbeach New Town SPD already contain suitable policies and guidance to guide the future design, layout, landscaping and use of materials in its development.

Reason: To clarify the planning status of the Design Principles.

Design Principles WDP5

As written this policy would apply to uncontroversial domestic extensions and alterations to modern 'suburban' type buildings with limited heritage, aesthetic or cultural value (in circumstances where planning permission is required), and so be unduly burdensome to local residents and businesses. The safeguards it is seeking to secure are already addressed by the policies of the Local Plan and by other elements of WHCD13. Suggest that this design principle be deleted or made more specific.

Reason: To ensure that the policy remains in general conformity with Local Plan policy HQ/1 Design principles and to avoid adding an unreasonable burden to local residents and businesses.

Policy WDCH14 – Development and Landscape Quality

Page 71. The way that this policy is currently worded attempts to give two supporting evidence base documents the weight of planning policy namely the Waterbeach Heritage and Character Assessment, and the Waterbeach Design Principles document. This approach does not permit any challenge to those documents by interested stakeholders and is unlikely to be found to be in accordance with national planning policy and advice.

It is suggested that the first paragraph of the policy be amended as follows: delete '~~they accord with~~' and insert '<< have regard to >>'.</p></div>
<div data-bbox="145 413 820 456" data-label="Text">
<p>It is also suggested that additional wording is provided in paragraph two on the third line after 'views' as follows: '<< out to the north and east >>'.</p></div>
<div data-bbox="145 487 794 530" data-label="Text">
<p>Reason: To clarify the status of these evidence base documents, and to provide additional clarity as to the application of policy.</p></div>
<div data-bbox="145 561 840 587" data-label="Section-Header">
<h2>Schedule 2 Working with the Landscape Principles.</h2></div>
<div data-bbox="145 608 848 678" data-label="Text">
<p>Pages 70. It is suggested that the status of the landscape principles would be clearer if they were to be included within the policy rather than in the explanatory text of the policy.</p></div>
<div data-bbox="145 707 848 726" data-label="Text">
<p>Table 6.5 page 76. It is unclear why some rows are 3 cells wide and others 4?</p></div>
<div data-bbox="145 757 693 776" data-label="Text">
<p>Reason: To clarify their planning status and to ensure clarity.</p></div>
<div data-bbox="484 904 514 923" data-label="Page-Footer">
<p>10</p></div>

Policy WGI18 – Development and Green Infrastructure

Page 80 paragraph 6.16.3 line 1. Should the reference to policy WGI17 be a reference to WGI18?

Reason: Possible incorrect policy reference.

Policy WGI19 – Sites of Value to Biodiversity

Page 82. There is no evidence presented to justify the protection of all of the existing areas of deciduous woodland shown on Map 6.11. Note that the River Cam is a County Wildlife Site.

Reason: A policy which cannot be justified is unlikely to prove effective. To add a missing County Wildlife Site.

Policy WH20 – Housing Mix

At page 84 the policy is numbered WH20, but on page 89 it is numbered WH19.

Paragraph 6.18.6. The housing mix of a new town of approximately 8,000-9,000 dwellings cannot sensibly be determined by the household characteristics of a much smaller existing village of 2,070 dwellings. The new town is intended to address local and sub-regional needs over a number of decades and the second bullet point of the policy which requires 40% of market homes and a majority of affordable homes to comprise 1 or 2 bedroom homes is considered to be too rigid and inflexible in respect of both the market and affordable housing mix and should be deleted. Needs and demand can change over time and can be influenced by external factors such as the 'bedroom tax' which could potentially change in the future.

Reason: The proposed policy approach is not considered to be in general conformity with Local Plan policy H/9 Housing Mix.

Policy WH21 – Allocation of Affordable Housing at Waterbeach New Town

The principle of a development such as Waterbeach New Town bringing some direct benefits to local residents in housing need is worthy of support, provided that the policy provides as appropriate balance between meeting local needs and wider district and sub regional needs. This is not however the case as the policy is currently worded. The affordable homes at Waterbeach could eventually number up to 4,000 dwellings (40% of 10,000 homes) whilst the number of homes in the entire existing village in 2015 was only 2,070.

It is proposed that the policy be reworded as follows to provide a more appropriate balance between wider needs and the extent of demonstrated local needs (paragraph 6.20.2 refers to a November 2019 local need of 92 units):

Policy WH 21 – Allocation of Affordable Housing at Waterbeach New Town

To be supported, residential development proposals at Waterbeach New Town must make a meaningful contribution towards meeting affordable housing needs in Waterbeach parish.

This means that people with a strong local connection to Waterbeach parish (through residence, employment or close family) whose needs are not met by the open market will be << given priority of allocation >> (be first to be offered the tenancy or shared ownership of the home) << for >> a proportion of affordable homes being delivered at Waterbeach New Town as follows:

- 50% of the << first 200 affordable homes for rent >> ~~Affordable Rent units~~ within the first 5 years << from the first new-build dwelling completion on site >> ~~of the build out~~;
- 25% of the << first 50 intermediate affordable >> ~~Low Cost Home Ownership~~ homes within the first 5 year <<s from the first new-build dwelling completion on site >> ~~of the build out~~.

If, after the first five years << from the first new-build dwelling completion on site >> ~~of build out~~, the Waterbeach affordable housing needs, are not yet satisfactorily addressed, << an appropriate >> local connection criteria ~~should~~ << may >> continue to be applied to a proportion of the affordable homes << based upon evidence of local need and the take up of affordable completions from the first new-build dwelling completion on site >> until it is.

<< The above provisions will be subject to a cascade mechanism so that if a completed affordable dwelling has not been taken up within a reasonable time period it will be made available to address wider affordable housing needs >>.

A proposal comprising a different percentage (to that set out in this policy) of affordable homes to be tied to a local connection criteria will be supported where this is justified through provision of up to date evidence on anticipated housing completion figures and affordable housing needs in the parish.

Reason: To ensure that the policy is in accordance with national policy and advice, will provide for sustainable development and is in general conformity with the policies of the Local Plan.