

# West Wickham Neighbourhood Plan: Regulation 14 Pre-submission Draft

## Response from South Cambridgeshire District Council – June 2021.

1. The following response from South Cambridge District Council is intended to provide constructive assistance for the West Wickham neighbourhood plan team. SCDC has worked closely with West Wickham Parish Council (PC) as they have been preparing their plan. We appreciate the hard work that has gone into getting their neighbourhood plan this far along the process. We have had several meetings with the neighbourhood plan team to discuss the plan as it has evolved. SCDC has provided practical comments to the team at these meetings followed up by detailed notes to assist them in their plan making.
2. The comments we have made on your Plan are provided in two sections –
  - General overarching comments about particular issues that relate to your Plan as a whole
  - More detailed comments in Plan order on each policy and its supporting text.
3. To assist the Parish Council, we have annotated whether our comments are either matters that relate directly to whether, in our opinion, the Plan meets the Basic Conditions or are matters that would help the ease of use of the Plan. Those comments relating to meeting the Basic Conditions test are identified as follows – (BC test) and the other comments as (Non-BC test).

### General overarching comments

#### Clear, unambiguous policies (BC test)

4. 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 applications<sup>1</sup>. 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.

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<sup>1</sup> (Paragraph: 041 Reference ID: 41-041-20140306)

5. 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 permissions were to be shaped and determined in line with these policies 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 is also the possibility of legal challenges to the exact wording of policies where they fail to provide clarity.
6. To test the usability of your policies you may wish to look at recent planning applications within your parish and see whether you are able to assess these applications against your policies. Are they implementable? It may help to have others who have not been involved in writing a particular policy to carry out this task.

### **Policies Map and Figures (BC test)<sup>2</sup>**

7. The maps in your Plan are well presented but some are too small scale to clearly show the designations within the parish especially for those unfamiliar with the settlements. The nature of your parish is that there are separate built up areas which mean that a map showing the whole parish quickly becomes small scale even if it is over a whole page of your Plan. The inset maps (Figure 8 and 9) do help to allow for considering the built up areas of the parish especially for the Policy Map but even with these they are not of a sufficient scale to clearly show the boundaries of some designated sites. The heritage assets are included in the key for the Policy Map but do not appear to be shown on the maps?
8. You may wish to consider having larger scale maps to cover the whole of your parish to provide a comprehensive Policies Map – maybe at A3 scale so that it is easy to read. Alternatively, you could consider the approach used in our Local Plan Policies Map where individual villages can be covered by several A4 maps at legible and easy to read scales. This format has the added advantage of having maps of the village in a portrait format which is easier to read than having landscape ones for any future user of the plan.
9. The NPIERS guidance<sup>3</sup> on examinations also mentions the importance of mapping in a neighbourhood plan. It sets out that the qualifying body should check the following prior to submitting a Plan to the local planning authority (Page 29):
  - 1.7.2. *Plans should be supported by clear mapping, including:*
    - *Accurate delineation of the boundaries of the plan*
    - *The boundaries of any site allocations, and designations made in the plan (preferably including street names).*

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<sup>2</sup> Comments relating to meeting the Basic Conditions test are identified as follows – (BC test) and the other comments as (Non-BC test).

<sup>3</sup> NPIERS Guidance to service users and examiners - <https://www.rics.org/globalassets/rics-website/media/upholding-professional-standards/regulation/drs/drs-services/npiers-planning-guidance-to-service-users-and-examiners-rics.pdf>

10. All maps need to include keys to indicate what the symbols shown on the maps are. There are a number of maps in your Plan that do not include a key. For example Figure 18 has numbers which presumably are the non-designated heritage assets and Figure 21 shows the local green space (LGS) around the village hall but without a key it is difficult to know which green shading shows the LGS.
11. All maps need to ensure that they have the required copyright permissions which needs to be correctly worded especially when you are using OS maps- the copyright and licence information must be clearly readable.

### **Equality Impact Assessment (EqIA) (BC test)**

12. When you submit your Plan to SCDC it will need to be accompanied by a Basic Conditions Statement which will have to set out how you Plan meets these conditions – one of which is the need to comply with the public sector equality duty. SCDC consider this an important part of your plan making and in our online toolkit we have a template for carrying out an equality impact assessment which we would encourage you to use and include when you submit your Plan to us. The template is included as Appendix 2 in guidance [Note 11 What are the Basic Conditions and How to Meet Them.](#)

### **Accessibility (Non-BC test)**

13. Any documents that are published in future on the South Cambridgeshire website must be accessible to all. We can share with you the current guidance that has been provided to us by our Communications Team at South Cambridgeshire. The current Regulation 14 consultation of your Plan is available from your website. But you will need to be aware of the accessibility requirements once your Plan and all its associated documents is submitted to South Cambridgeshire as they will all need to be published on our website and therefore all need to be accessible.

### **Glossary (Non-BC test)**

14. We welcome the fact that you have included a glossary in your draft as this a good idea to help to explain any planning jargon. It may be easier to find this if it were included as an appendix on its own. You might like to consider expanding the definition of affordable housing so that it more closely aligns with that in the NPPF, which covers a wider range of tenure types, as well as the recently published changes to Government Planning Policy requiring First Homes as part of the delivery of affordable housing.

### **Evidence documents (BC test)**

15. All policies included in your Neighbourhood Plan must have proportionate and appropriate evidence to back them up. You may wish to include more evidence to help to tell the story of the area. It is a delicate balance between providing

too much detail in the Plan but then not having an explanation as to why a policy has certain criteria within it that a planning application would have to be determined against.

### **Structure of your neighbourhood plan and its story (Non-BC test)**

16. The best neighbourhood plans tell a story. It helps if it highlights your overall vision and objectives from which the policies will flow.
17. The Contents page is the first full page that users are likely to see. You might like to consider just having the chapter headings here rather than so many sub-headings? Again, this is just about making the document inviting to read.
18. It may make it easier to navigate the plan if you had chapters for groups of policies rather than them being in one big chapter. Having the three maps that form the Policies Map at the start of Chapter 4 does not seem to flow correctly / read right. Most local plans would have the policies map at the back of the document. This makes it easier for future users of your plan.
19. The overall appearance of your Plan is pleasing to a user and you have obviously given this much thought creating a document that people will want to read. It has a distinct style.

### **Comments on the draft Plan in plan order**

20. The following comments are made working our way through the document. Where we have already made a general comment, we will try not to repeat this in the section below

#### **1. Introduction**

21. About West Wickham – wondered if this should be called Then and Now as it tells the story of the development of the parish to the modern day? The historic development of the built elements of the parish is a key feature that your Plan wishes to preserve and it would be good to show this on an old map for those that are not as familiar with the structure of the settlements. Figure 2 does show the settlements but is there a historical map to help tell the story at this point?
22. Paragraph 1.3 – The last sentence references in a footnote Cambridgeshire County Council as the source – is there a more precise reference?
23. Figure 1 showing the location of the parish in West Wickham needs a key and wondered if it would be better to have the parish in the middle of the map to show how it relates to surrounding councils not just South Cambridgeshire as it is near the edge of the district. This may give a better context to the parish location.
24. Planning context – paragraph 1.11 – By providing a list of only some Local Plan policies the implication is that others are not important which of course is not

the case. If you are summarising what is within these policies, it is always safest to use the actual policy wording as using other words can imply a different meaning.

## **2. Key Issues**

25. Conclusions from Community Engagement and Analysis – There is a lack of paragraph numbering or referencing here that may make referring to elements shown here difficult. For example, if during a consultation someone may wish to comment on a particular strength or at a future date refer to a particular opportunity in these lists of strengths, weaknesses, opportunities etc they will have to count the bullet points to do this.
26. Strengths / Concerns for the future- Was the local community wanting to protect the unique historical layout of the settlements within the parish? Does this come under interesting built environment?

## **3. Vision and Objectives**

27. You may wish to make the overall vision clearer within the text – is it the wording in paragraph 3.1?
28. Writing a vision unique to a particular area is very difficult – is it possible to revise this to be more unique to West Wickham mentioning the unique historical development?
29. We support objective 1 and recognise that it is in accordance with local plan policy and government guidance.
30. The chart showing the objectives needs to have a title – Chart under paragraph 3.3. Also, the table of policies needs one too and there appear to be two paragraphs labelled as 3.3!

## **4. Plan Policies**

31. This section could be divided into groups of policies based on themes (landscape, heritage, etc) to make it easier to navigate.
32. For the benefit of future users of your plan we would prefer if all the maps were orientated northwards, although we do appreciate that it is difficult to create a map showing the whole parish at just A4 size.
33. Protecting village character etc Paragraph 4.5 – This paragraph does not sit comfortably in this section of the plan. This is an important piece of your evidence base and deserves a better introduction earlier in the plan to help tell the story of your parish – maybe near the planning context in the introduction you could include the main findings of the study.

### Policy WWK/1: Settlement patterns and identity

34. All four key points in this policy are consistent with the aim of protecting and enhancing the historic environment and with local plan policy in this respect.
35. Conserving gateways in bullet c / Views mentioned in bullet d: Have each of the gateways and views been assessed and this work included in the evidence base for this policy? You will need to identify what makes the gateways to the village distinctive and worthy of protection – are there key landmarks? Examiners are now looking to ensure that this work is done to add weight to such designations. Figure 11 refers to important village gateways – are these the same as the views referred to in bullet d in Policy WWK/1? To avoid confusion, you may wish to decide which term to use and then consistently cross refer to it or if they are distinctly different make this clear. The Policy Map seems to refer to gateways when showing these views. The policy title may benefit from including gateways in it too.
36. These views and gateways will need to be clearly shown on a map and the orientation of the view clearly indicated. Are the gateways as you come into the village or as you go out with views towards countryside? Or both? Your policy should not be open to interpretation.
37. Bullet d: Suggest that the followed is added ‘...not adversely impact on the key features of views from public areas into .....
38. Paragraph 4.11 – The draft plan is correct to emphasis the importance of the historic linear settlement pattern.

### Policy WWK/2: Built environment characteristics

39. It would help the implementation of the policy if you specified more clearly the features in each character area that makes them distinctive that you wish through this policy to be reflected in new developments. How would a planning officer determining a planning application know what to look for in a new scheme to ensure it reflected the character of the local built environment in that part of the parish.
40. Both our Development Management officers and urban design officers making comments on this policy has said it would be preferable if this policy was more specific in its wording. The policy wording refers to how local built environment characteristics (building lines, density, height and building materials), as described in the ‘*West Wickham Character Study*’, should be reflected in new development. It would be preferable to be more specific in the policy wording e.g. how high, how dense, what materials built form should be in particular locations (within the Parish) in the different character areas that are mentioned in that study. It would make the policy wording stronger and provide clarity to the reader.
41. For the last sentence in the policy wording, where it writes “*Trees, walls and hedges which contribute to the street scene should be retained and enhanced*”,

we suggest that it may be better to write “*which contribute **positively** to the street scene.*”

42. Paragraphs 4.18-4.20. Our conservation officer has noted that neither these paragraphs nor the Character Assessment makes any specific reference to the Platts Farm site. As this site is so prominent in the core section of the village, it perhaps merits more specific consideration either here or elsewhere in the plan.
43. This policy is consistent with policy NH/14 of the local plan and the objective of protecting the historic environment.
44. Policy – The last sentence about trees, walls and hedges is important, but the policy is silent on the issue of new boundary treatments. Possibly it should be explicit about how new boundary treatments have an important role in the appearance of the village. This policy is also silent on the issue of roads, pavements and drives. The muted treatment of hard surfaces and their edges is important to the character of the village, especially in the historic core, Streetly End and Burton End. The absence of footways and kerbstones and the low height of kerbs where they do exist, are positive features of the conservation area and the setting of many of the listed buildings. Insensitive or aggressive engineering, both in the public highway, and on private drives, and the points where they meet the highway, could cause harm to the historic environment. The policy might make reference to this.

#### Policy WWK/3 Heritage Assets

45. Figures 17 and 18 – We suggest that these maps would benefit from being at A4 / whole page size to ensure they are more easily read by future users of the Plan. Figure 17 needs OS copyrights adding to it.
46. In the light of recent examination experience, we would suggest some slight amendments. The non-designated assets will need firming up and their location identifying on the Policies Map – whilst the key of the set of policies maps includes heritage assets they do not appear to have been plotted on the maps or if they are there it is not clear as the scale of the maps is quite small to show small features. Examiners are now looking closely at the evidence to support the identification of non-designated heritage assets and it is suggested that, should you wish to identify them, a separate assessment is made to demonstrate the qualities of each non-designated asset and that this is included in the evidence documents for your Plan.
47. Second part of policy - We suggest the following amended wording - Where proposals have any impact, a balanced judgement will be applied having regard to the significance and scale of any harm or loss.
48. The policy considers non designated heritage assets, the Roman Road and archaeological remains of value. We consider that these separate features should be clearly described in the supporting text and their value clearly stated as to why they are worthy to be included in the policy. At present paragraph 4.24 mentions them all together. It would help to give a paragraph to each

feature so that it is clear why each is within the policy. The non-heritage assets are given a fuller description and the Roman Road would benefit from having such a description rather than just a mention.

49. Also, if these three features are to be included in the policy, they must be marked on the Policies Map or reference made in the policy to the relevant maps showing their extent. This has been done for the non-heritage assets but not the other two. Is the extent of the Roman Road shown on any map in the Plan? Clearly the archaeological remains are important too but from Figure 17 it is unclear whether the location of each test pit is the key locator for the remains? Should there be a map indicating an area within which remains may be found and it is within this area that finds may occur and so development be aware of and not disturb / allow time for excavations?
50. Our conservation officer has commented that the list of non-designated heritage assets suggested here is reasonable. Possibly other buildings and structures might be included. No.3 High Street (Former White Horse PH) is one example.
51. Policy – Our conservation officer considers that the second part of the policy might read more unambiguously if it were worded as follows:

*Where proposals would have a harmful effect on any of the following, a balanced judgement will be applied having regard to the significance of the asset and the scale of the harm.*

1. A non-designated heritage asset as shown in Figure 18
2. The Roman Road
3. Archaeological remains of value identified by Cambridgeshire Historic Environment Record

52. You may wish to consider the approach taken in the recently made Histon & Impington Neighbourhood Plan which looks to review the list of non designated heritage assets included in its plan – See Policy HIM02 - <https://www.scambs.gov.uk/media/17547/made-histon-impington-np.pdf>

#### **Policy WWK/4: Local Green Space**

53. The Local Green Spaces are shown on the Policy Maps and this should be referred to in the Policy.
54. Have you included more full analysis of the assessment of these sites in the evidence documents for the Plan? You will need clear justification as to why some have remained as PVAAs and others are worthy of LGS designation. We can find that Green Spaces Consultation results but not further assessment work which will be needed.
55. Paragraph 4.32 – It may benefit the assessment of this site to use some of the terms from the NPPF – that the land is considered to be demonstrably special



by the local community. We could share with you the assessment forms we used for considering the potential local green space sites in the local plan. It is likely that the Examiner will want to assess how these spaces meet the criteria in Para 66 of the NPPF.

56. Paragraph 4.32 - It might be helpful to refer to White Gables (The former White Hart PH) also as 104 High St – it is easier to locate on maps that way. It might also be helpful to identify the extent of the registered village green in front of this building on Figure 20.
57. Paragraph 4.33 – You will need to clearly show boundaries of the LGS to ensure that this does not conflict with your village hall policy and the desire to expand this facility. LGS protection is intended to last beyond the lifetime of a plan so not to be amended within a few years. We suggest that your LGS boundary does not cover land that may at a future date be needed for the village hall project. (Policy WWK/11)
58. Policy WWK/4 –It may be easier to see which of the sites mentioned in the supporting text are to be proposed as LGS if they were added into the policy as bullet points.
59. You have successfully included photographs of the important countryside frontages and the gateways which helps to explain your policies. It may help to include photographs of the local green spaces.

#### **Policy WWK/5 Important Countryside Frontages**

60. Policy WWK/5 – Your policy does not need to repeat that it wishes to be retained the Important Countryside Frontage designated in the Local Plan within the parish.
61. Did the Character Assessment carried out to support the Plan include mention of the value of the new ICF or was it concentrating on the built form of the parish?
62. Figures 23 and 24 are very helpful in showing the views – would it be possible to mark on the relevant map which direction these views are from for those who may not be as familiar with your parish.
63. Has an assessment been carried out to justify why this important countryside frontage is important? Are there any particular landscape features or landmarks that can be seen from views from the High Street?

#### **Policy WWK/6: Dark landscape**

64. Paragraph 4.41 – Reference is made in this paragraph to planning practice guidance – what is this? You need to identify which guidance.
65. Paragraph 4.54 - Our Trees officer has suggested that it may be useful in your glossary clearly to define the differences between notable, veteran and ancient

trees as many find this confusing. Also to define what is meant by ancient hedgerow as this differs from an 'important hedgerow' (as defined by the Hedgerow Regs '97). In the glossary the term aged tree is noted but this is not used in the document.

66. Also, the Trees Officer checked the Ancient Tree Inventory (managed by Woodland Trust) for ancient and veteran trees in relation to your parish and found that currently there are none registered for your parish on this database. You could look on the Tree Register of the British Isles, which although less rooted in planning designations may include trees for their more cultural recognition. Magic Maps is a useful source of information and if the designations are now out of date, let Natural England know and they may update the registers.
67. We are unclear as to how would planning officers be expected to implement this policy.
68. Bullet 1 – how would a planning officer determine that the lighting proposed is the minimum necessary – how would this be measured?
69. Bullet 3 – How would this be calculated or measured? What is a significant adverse effect? Does this require more guidance for developers to comply and for planning officers to determine?
70. Second part of policy: How would a developer know what a lighting scheme looks like?

#### **Policy WWK/7: Protecting and Enhancing the Natural Environment**

71. Paragraph 4.43 and Figure 27 –it is helpful to have maps showing particular features being described in the plan alongside the supporting text or policy.
72. Figures 29 and 30 – We note that many of the features listed as 'other important wildlife sites in paragraphs 4.49 – 4.56 are plotted on these two maps. Have you included justification in the evidence to accompany the plan as to why all these features should be protected under the policy? In our meeting we mentioned the possibility of providing linkages between the different elements to create a green infrastructure but recognise that many sites are isolated.
73. What is a notable tree or notable pond as shown in the key for figure 30? Are all the ponds shown on the map shown on an Ordnance Survey base? Are they always with water in? Is a notable tree different from a veteran tree? Who has decided what is notable for both these features? You would need to justify their inclusion.
74. Figures 29, 30, 31 and 32 - The scale of these maps is quite small to show exact lines and boundaries. It would be better to include larger scale maps to show these features.

75. Policy – Bullet 4 – Is it all ponds or just the notable ones shown in the figures?
76. Third part of policy – first sentence – It is not usual to provide examples in the policy wording. Could the policy say ‘Development should provide a net gain in biodiversity which could include :.....’

#### Policy WWK/8 Access to the Countryside

77. Figure 33 – This is hard to read which are footpaths and there is no key to help – is it the blue or green lines?
78. A suggestion has been made that the policy may be more likely to be used if it stated that enhancement is encouraged from development within 300m of a public right of way.

#### Policy WWK/9: Smaller properties

79. Table 1 (page 47) We suggest that you add that the Housing needs survey was carried out in January 2017.
80. Table 2 – You may wish to include the completion month of Burton End Development – November 2020.
81. Paragraph 4.69 – The last sentence of this paragraph on page 48 appears to have created a new paragraph 4.70 (formatting error)
82. Policy title - It might be better to re-name the policy title ‘Smaller dwellings in development proposals’ to be clearer as the policy wording is not about non-residential properties.
83. Much of the last sentence of the policy is repeating the thrust of the first. We suggest that it be revised to say:
  - Residential development proposals within the development framework ~~on suitable sites~~ which help address the current low stock of two bedroom homes will be supported. in the parish are strongly encouraged

~~To be supported, all residential development proposals~~ Proposals that create a new dwelling must demonstrate (through reference to the most up to date evidence on parish housing stock and local needs) how the dwelling size, type and mix proposed is appropriate while having regard to local site-specific circumstances. ~~prioritising wherever possible the delivery of smaller homes over larger homes.~~
84. Where would the most up to date information that sets out the need for smaller homes be found? Will it be possible to provide evidence annually on such housing need? If up to date information is not available, it makes the implementing of this policy challenging.

### **Policy WWK/10: Brownfield sites**

85. Policy Title - it might be better to re-name the policy title “Consideration of Parish specific housing needs” for more clearly representing the content of the policy.
86. The policy is generally well aligned with Local Plan Policy S/11. There is likely to be an issue with the delivery of “smaller affordable homes” as these are specifically defined in the NPPF. It may be that the policy will have to lose the word “affordable” to make its intent clear. Planning officers who consider planning applications are concerned about the inclusion of the term affordable.
87. We are concerned again with the inclusion of the term ‘an up to date assessment’ unless this can be provided as evidence annually.

### **Policy WWK/11 The Village Hall Site**

88. Figure 37 – It is a bit difficult to see the boundary of the development framework.
89. We would suggest that you are very clear about boundaries and the extent of any proposed expansion so that this policy does not conflict with the proposed local green space designation of the recreation ground. It would help if Figure 37 were to show the clear boundaries of the LGS.
90. You could write more in the context about pedestrian access considerations from the High Street to the hall, the play area, allotments, recreation ground and pond and the track path (next to 65. High Street) which seems to run close to the hall, shown in fig 37.
91. Figure 37 does not show the full extent of the recreation ground area to the north. You could annotate the map with details about access, soft and hard landscaping to provide more information about the current site and add a photograph of the site to better inform the reader.

## **5. Community Aspirations**

92. Cycling and Walking Routes/ Road safety – We are aware that the groups promoting horse riding often request consideration of additional bridleways within a parish. They may wish to be considered under these headings.

## **6. Monitoring**

## **7. Appendices**

93. It is not usual in structuring a document to have the appendices as a chapter. The different elements of ‘Chapter 7’ could be separate appendices. I am not sure how credits are usually added to figures – under the maps? This seems to be a stray bit of information. The glossary is valuable enough to be on its own in the document.

94. Important Wildlife Sites in Steetly End and West Wickham – Has this section been referenced in the main body of the document. It was a surprise to find these maps and assessment work in chapter 7. The photographs help explain the hedgerows your Plan wishes to protect and may be better placed next to the relevant policy WWK/7.

## **8. References**

95. Again, it is not usual to include references as a separate chapter but rather usually it is an appendix.