



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

18 November 2014

Neighbourhood Planning – Strategic Policies

Purpose

1. To identify the policies in the submitted Local Plan to be regarded as strategic and that a neighbourhood plan would have to comply with.
2. This is a key decision because it is significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the relevant local authority and it was first published in the Corporate Forward Plan on 10 September 2014.

Recommendations

3. It is recommended that the Planning Portfolio Holder agrees to propose to the Local Plan examination inspector the following modifications to the Submission South Cambridgeshire Local Plan, that would be subject to public consultation alongside any other modifications at an appropriate time:
 - a) Include a new appendix to the Submission Local Plan to identify the policies that are strategic for the purposes of neighbourhood planning, as listed in Appendix A of this report. .
 - b) To amend Policy S/7 Development Frameworks of the Submission Local Plan as set out in paragraph 30 of this report.

Reasons for Recommendations

4. It was agreed by Cabinet in May that the strategic policies in the Local Plan that a neighbourhood plan must comply with should be identified and a report brought to a future meeting of the Planning Policy and Localism Holder (now the Planning Portfolio Holder).

Background

5. 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). NP are prepared by local communities, and in the case of parished areas it is Parish Councils that can prepare NP. 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.

6. The NP must support the strategic policies of the district Local Plan for housing and economic development and plan positively to support local development in the local area that is outside the strategic elements of the Local Plan.
7. Neighbourhood planning is optional, but, if a NP is prepared by a parish council 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.

Strategic Policies

8. There is a list of basic conditions in the Town and Country Planning Act 1990 that must be met by a NP before it can be successful at independent examination and ultimately adopted by a LPA. One of these is that any draft NP must be in “general conformity” with the strategic policies contained in the development plan for the district. According to the National Planning Policy Framework (NPPF) a local planning authority should set out clearly the strategic policies for their area (paragraph 184). It was agreed at the May Cabinet meeting that the strategic policies in the South Cambridgeshire Submission Local Plan should be identified and agreed at a future meeting of the Planning Policy and Localism Holder (now the Planning Portfolio Holder. There is guidance within both the NPPF and NPPG as to what is meant by strategic policies.
9. Outside of these strategic policies NPs can devise their own local policies for their areas. The NP only has to be in general conformity with the strategic elements of a Local Plan. Once a NP has found to be in conformity 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. (NPPF para 185)
10. There are currently a limited number of Parish Councils within the district that are preparing neighbourhood plans. It is not anticipated that any of these plans are likely be submitted to the Council before the Local Plan is finally adopted and therefore only the strategic policies in the Submission Local Plan have been identified. If, for whatever reason the adoption of the Local Plan is delayed it may be necessary to bring a report to a future Planning Portfolio Holder meeting to identify strategic policies elsewhere in the development plan.
11. Each of the policies contained within the Submission Local Plan has been considered against the definition provided for Strategic Policies in the NPPF and NPPG. A list indicating which policies are to be considered strategic is included in Appendix A of this report. The adopted Area Action Plans for the district will be carried forward and the policies contained within these plans are considered all to be strategic as they are delivering strategic development within the district.
12. It is proposed that a list of strategic policies be included as an appendix to the Local Plan to provide clarity about the strategic policies for NP purposes and a modification would be required to be made to the Local Plan. This will be reported to the Inspector examining the Local Plan. This may be determined to be a major modification, and require further public consultation before the adoption of the plan.
13. In considering the policies within the Submission Local Plan and how these relate to neighbourhood planning it has become apparent that a community may wish to make allocations for community led proposals in a NP that lie outside of the development framework of a village. The current wording of Policy S/7 Development Frameworks

would not allow for this and therefore consideration should be given as to whether changes should be made to the wording of this policy. The Council has taken the view in the case of parish-led proposals that residential development outside of village frameworks is supported where it received community support capable of being included in a NP. It would therefore be consistent to make a change to the Local Plan to enable other local community to do likewise.

14. It is therefore recommended that the policy be amended to read:

Development and redevelopment of unallocated land and buildings within development frameworks (**as shown on the Policies Map**) will be permitted provided that...

2. Outside development frameworks, only **allocations within Neighbourhood Plans that have come into force and** development for agriculture, horticulture, forestry...will **be** permitted.

Options

15. The Planning Portfolio Holder could decide to delay identifying the strategic policies in the Local Plan. However this would lead to uncertainty for parish councils preparing plans as they would not know which policies in the Local Plan they should conform with.

Implications

16. 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

17. There are no direct financial implications in identifying the strategic policies.

Legal

18. The Council must identify the strategic policies to enable neighbourhood planning to progress within the district.

Staffing

19. Support for neighbourhood planning has been 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.

Equality and Diversity

20. 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

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

Consultation responses (including from the Youth Council)

22. Consultation has taken place with the Sustainable Communities and Partnerships Team.

23. The Legal Team have been consulted on their views of the Strategic Policies identified within the Local Plan and are comfortable with the approach taken and the conclusions arrived at recognising that professional judgement has been made by those undertaking the process of identifying the strategic policies. The criteria from the NPPF and NPPG are correctly identified and support the inclusion of those policies that might be locally significant.

Effect on Strategic Aims

24. **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.

Appendix

A: Strategic Policies in the Local Plan

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.

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

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

Neighbourhood Planning Regulations 2012 - http://www.legislation.gov.uk/uksi/2012/637/pdfs/uksi_20120637_en.pdf

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Appendix A

Strategic policies in South Cambridgeshire

According to the National Planning Policy Framework (NPPF) a local planning authority should set out clearly the strategic policies for their area (para 184). There is guidance provided at national level for identifying strategic policies both within the National Planning Policy Framework (NPPF) – paragraph 156 and the National Planning Practice Guidance (NPPG) (paragraph 074 -077 Ref ID: 41-074-20140306). The Council has used this to identify the strategic policies in the Submission Local Plan.

The Criteria used for identifying Strategic Policies

Extract from NPPF

Local planning authorities should set out the strategic priorities for the area in the Local Plan. This should include strategic policies to deliver:

1. the homes and jobs needed in the area;
2. the provision of retail, leisure and other commercial development;
3. the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
4. the provision of health, security, community and cultural infrastructure and other local facilities; and
5. climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

Extract from NPPG

When reaching a view on whether a policy is a strategic policy the following are useful considerations:

- A. whether the policy sets out an overarching direction or objective
- B. whether the policy seeks to shape the broad characteristics of development
- C. the scale at which the policy is intended to operate
- D. whether the policy sets a framework for decisions on how competing priorities should be balanced
- E. whether the policy sets a standard or other requirement that is essential to achieving the wider vision and aspirations in the Local Plan
- F. in the case of site allocations, whether bringing the site forward is central to achieving the vision and aspirations of the Local Plan
- G. whether the Local Plan identifies the policy as being strategic

These criteria have been used to identify why a policy is considered to be strategic – for NPPF criteria from 1- 5 and for NPPG from A-G. The following table identifies the strategic policies in the Submission Local Plan.

Table identifying Strategic Policies in the Submission Local Plan

All policies in the Submission Local Plan are listed with Strategic Policies highlighted in grey.

Policy in Proposed Submission Local Plan	NPPF Guidance (Para 156)	NPPG Defining strategic policies	Comments
S/1 Vision		A	Overarching vision of plan
S/2 Objectives of the Local Plan	1,2,3,4,5	A	Overarching objectives of plan
S/3 Presumption in Favour of Sustainable Development		ABC	Policy setting out an overarching objective
S/4: Cambridge Green Belt		AC	Policy setting out an overarching objective. Essential to delivery of development strategy of plan
S/5 Provision of New Jobs and Homes	1	AC	Strategic to delivery of homes and jobs
S/6 The Development Strategy to 2031	1	ABCEF	Policy setting out an overarching objective
S/7 Development Frameworks	1	BCE	Policy setting out an overarching objective
S/8 Rural Centres		BCE	Strategic to deliver development strategy of Local Plan
S/9 Minor Rural Centres		BCE	Strategic to deliver development strategy of Local Plan
S/10 Group Villages		BCE	Strategic to deliver development strategy of Local Plan
S/11 Infill Villages		BCE	Strategic to deliver development strategy of Local Plan
S/12 Phasing, Delivery and Monitoring	1	A	Policy setting out an overarching objective of plan
SS/1 Orchard Park	1,2,3,4,5	DFG	Strategic to delivery of homes and jobs. Site allocation
SS/2 North West Cambridge - Land between Huntingdon Road and Histon Road	1,2,3,4,5	DFG	Strategic to delivery of homes and jobs. Site allocation
SS/3 Cambridge East	1	DFG	Strategic to delivery of homes and jobs. Site allocation. Needs to be read with Cambridge East Area Action Plan.
SS/4 Cambridge Northern Fringe East and land surrounding the proposed Cambridge Science Park Station	1,2,3,4,5	DFG	Strategic to delivery of homes and jobs. Site allocation
SS/5 Waterbeach New Town	1,2,3,4,5	DFG	Strategic to delivery of homes and jobs. Site allocation
SS/6 New Village at Bourn Airfield	1,2,3,4,5	DFG	Strategic to delivery of homes and jobs. Site allocation
SS/7: Northstowe Extension	1	DFG	Strategic to delivery of homes and

Policy in Proposed Submission Local Plan	NPPF Guidance (Para 156)	NPPG Defining strategic policies	Comments
			jobs. Site allocation
SS/8: Cambourne West	1,2,3,4,5	DFG	Strategic to delivery of homes and jobs. Site allocation
CC/1 Mitigation and Adaptation to Climate Change	5	ABEG	Strategic to deliver climate change mitigation and adaption
CC/2 Renewable and Low Carbon Energy Generation	5	BE	Strategic to deliver climate change mitigation and adaption
CC/3 Renewable and Low Carbon Energy in New Developments	5	BE	Strategic to deliver climate change mitigation and adaption
CC/4 Sustainable Design and Construction	3,5	ABC	Policy setting out an overarching objective. Policy seeking to shape broad characteristics of development
CC/5 Sustainable Show Homes	5	E	Strategic to deliver climate change mitigation and adaption
CC/6 Construction Methods		AC	Policy seeking to shape broad characteristics of development
CC/7 Water Quality	5	ABDE	Policy setting out an overarching objective
CC/8 Sustainable Drainage Systems	5	ABDE	Policy setting out an overarching objective
CC/9 Managing Flood Risk	3,5	ABCDE	Policy setting out an overarching objective
HQ/1 Design Principles		ABCE	Policy seeking to shape broad characteristics of development
HQ/2 Public Art and New Development			Policy that local community could review to be specific for their area.
NH/1: Conservation Area and Green Separation at Longstanton	5	B	Strategic to the setting of new town of Northstowe
NH/2 Protecting and enhancing Landscape Character	5	ABDE	Policy setting out an overarching objective
NH/3 Protecting Agricultural Land	5	ADE	Policy setting out an overarching objective
NH/4 Biodiversity	5	ADE	Policy setting out an overarching objective
NH/5 Sites of Biodiversity or Geological Importance	5	ADE	Policy setting out an overarching objective
NH/6 Green Infrastructure	5	ABCE	Policy setting out an overarching objective
NH/7 Ancient Woodlands and Veteran Trees	5	ADE	Policy setting out an overarching objective
NH/8 Mitigating the Impact of Development in and adjoining the Green Belt	5	ABDE	Policy setting out an overarching objective.
NH/9 Redevelopment of	5	ABDE	Policy setting out an overarching

Policy in Proposed Submission Local Plan	NPPF Guidance (Para 156)	NPPG Defining strategic policies	Comments
Previously Developed Sites and Infilling in the Green Belt			objective
NH/10 Recreation in the Green Belt	5	ABDE	Policy setting out an overarching objective
NH/11 Protected Village Amenity Areas			Local communities may have parish specific policy for protecting green spaces within their area.
NH/12 Local Green Space			Local communities may have parish specific policy for protecting green spaces within their area.
NH/13 Important Countryside Frontage			Local communities may have parish specific policy to protect views for their area.
NH/14 Heritage Assets	5	AB	Policy setting out an overarching objective
NH/15 Heritage Assets and Adapting to Climate Change	5	AB	Policy setting out an overarching objective
H/1 Allocations for Residential Development at Villages	1	CF	Strategic to delivery of homes and jobs. Site allocation
H/2 Bayer CropScience Site, Hauxton	1	F	Strategic to delivery of homes and jobs. Site allocation
H/3 Papworth Everard West Central			Local community may have parish specific aspirations for this area
H/4 Fen Drayton Former Land Settlement Association Estate			Local community may have parish specific aspirations for this area.
H/5 South of A1307, Linton			Local community may have parish specific aspirations for this area.
H/6 Residential Moorings	1		Site allocation
H/7 Housing Density	1	ABC	Policy seeking to shape broad characteristics of development
H/8 Housing Mix	1	ABC	Policy setting out an overarching objective
H/9 Affordable Housing	1	ACDE	Policy setting out an overarching objective
H/10 Rural Exception Site Affordable Housing	1	ACDE	Policy setting out an overarching objective
H/11 Residential Space Standards for Market Housing	1	ABC	Policy setting out an overarching objective
H/12 Extensions to Dwellings in the Countryside	1	ABC	Policy setting out an overarching objective
H/13 Replacement Dwellings in the Countryside	1	ABC	Policy setting out an overarching objective
H/14 Countryside Dwellings of Exceptional Quality	1	ABC	Policy setting out an overarching objective
H/15 Development of Residential	1	ABC	Policy setting out an overarching

Policy in Proposed Submission Local Plan	NPPF Guidance (Para 156)	NPPG Defining strategic policies	Comments
Gardens			objective
H/16 Re-use of Buildings in the Countryside for Residential Use	1	ABC	Policy setting out an overarching objective
H/17: Working at Home	1	ABC	Policy setting out an overarching objective
H/18 Dwellings to Support a Rural-based Enterprise	1	ABC	Policy setting out an overarching objective
H/19 Provision for Gypsies and Travellers and Travelling Showpeople	1	ACE	Policy setting out an overarching objective
H/20 Gypsy and Traveller Provision at New Communities	1	ABE	Policy setting out an overarching objective
H/21 Proposals for Gypsies, Travellers and Travelling Showpeople Sites on Unallocated Land Outside Development Frameworks	1	AE	Policy setting out an overarching objective
H/22 Design of Gypsy and Traveller Sites, and Travelling Showpeople Sites	1	ABC	Policy setting out an overarching objective
E/1 New Employment Provision near Cambridge – Cambridge Science Park	1	F	Strategic to delivery of homes and jobs. Site allocation
E/2 Fulbourn Road East (Fulbourn)	1	F	Strategic to delivery of homes and jobs. Site allocation
E/3 Allocations for Class B1 Employment Uses	1	F	Strategic to delivery of homes and jobs. Site allocation
E/4 Allocations for Class B1, B2 and B8 Employment Uses	1	F	Strategic to delivery of homes and jobs. Site allocation
E/5 Papworth Hospital	1	F	Strategic to delivery of homes and jobs. Site allocation
E/6 Imperial War Museum at Duxford	2,4,5	B	Museum as special case as nationally important.
E/7 Fulbourn and Ida Darwin Hospitals	1,5	ABF	Strategic to delivery of homes and jobs. Site allocation
E/8 Mixed-use development in Histon & Impington Station area			Local community may have parish specific aspirations for this area.
E/9 Promotion of Clusters	1	ABD	Policy setting out an overarching objective
E/10 Shared Social Spaces in Employment Areas	1	AB	Policy setting out an overarching objective
E/11 Large Scale Warehousing and Distribution Centres	1	AB	Policy setting out an overarching objective
E/12 New Employment Development in Villages	1	AB	Policy setting out an overarching objective

Policy in Proposed Submission Local Plan	NPPF Guidance (Para 156)	NPPG Defining strategic policies	Comments
E/13 New Employment Development on the Edges of Villages	1	AB	Policy setting out an overarching objective
E/14 Loss of Employment Land to Non Employment Uses	1	AD	Policy setting out an overarching objective
E/15 Established Employment Areas	1	AB	Policy setting out an overarching objective
E/16 Expansion of Existing Businesses in the Countryside	1	AB	Policy setting out an overarching objective
E/17 Conversion or Replacement of Rural Buildings for Employment	1	AB	Policy setting out an overarching objective
E/18 Farm Diversification	1	AB	Policy setting out an overarching objective
E/19: Tourist Facilities and Visitor Attractions	1,2	AD	Policy setting out an overarching objective
E/20 Tourist Accommodation	1,2	AD	Policy setting out an overarching objective
E/21 Retail Hierarchy	1,2	A	Policy setting out an overarching objective
E/22 Applications for New Retail Development	1	AB	Policy setting out an overarching objective
E/23 Retailing in the Countryside	2	ACE	Policy setting out an overarching objective
SC/1 Allocation for Open Space			Only proposed sites put forward by parish councils allocated in local plan. Did not use results of Recreation Study to allocate sites in villages where under provision of open space. Local community may have parish specific aspirations.
SC/2 Health Impact Assessment	4	ABC	Policy setting out an overarching objective
SC/3 Protection of Village Services and Facilities	2,4	ABD	Policy setting out an overarching objective
SC/4 Meeting Community Needs	2,4	ABD	Policy seeking to shape broad characteristics of development
SC/5 Hospice Provision	2,4	ABD	Policy setting out an overarching objective
SC/6 Indoor Community Facilities	2,4	ABE	Strategic as minimum standard to ensure provision in new developments
SC/7 Outdoor Play Space, Informal Open Space and New Developments	2,4	BCE	Strategic as minimum standard to ensure provision of open space in new developments
SC/8 Open Space Standards	2,4	BCE	Strategic as minimum standard to ensure provision of open space in new

Policy in Proposed Submission Local Plan	NPPF Guidance (Para 156)	NPPG Defining strategic policies	Comments
			developments
SC/9 Protection of Existing Recreation Areas, Allotments and Community Orchards	2,4	AB	Policy setting out an overarching objective
SC/10 Lighting Proposals	5	BD	Policy seeking to shape broad characteristics of development
SC/11 Noise Pollution	5	BD	Policy seeking to shape broad characteristics of development
SC/12 Contaminated Land	5	BD	Policy seeking to shape broad characteristics of development
SC/13 Air Quality	5	BD	Policy seeking to shape broad characteristics of development
SC/14 Hazardous Installations	5	BD	Policy seeking to shape broad characteristics of development
SC/15 Odour and other fugitive emissions to air	5	BD	Policy seeking to shape broad characteristics of development
TI/1 Chesterton Rail Station and Interchange	3	F	Strategic to delivery of homes and jobs. Site allocation
TI/2 Planning for Sustainable Travel	3	ABC	Policy setting out an overarching objective
TI/3 Parking Provision	3	ABE	Policy setting out an overarching objective
TI/4 Rail Freight and Interchanges	3	AC	Policy setting out an overarching objective
TI/5 Aviation-Related Development Proposals	3	AC	Policy setting out an overarching objective. Policy seeking to shape broad characteristics of development
TI/6 Cambridge Airport Public Safety Zone	3	AC	Policy setting out an overarching objective. Essential to have public safety zone around airport
TI/7 Lord's Bridge Radio Telescope	3	AC	Policy setting out an overarching objective. Essential to protect operation of internationally important telescope.
TI/8 Infrastructure and New Developments	2,3,4	ABCE	Policy setting out an overarching objective. Vital for delivery of development strategy of plan.
TI/9 Education facilities	4	ACE	Policy setting out an overarching objective
TI/10 Broadband	3	ACE	Policy setting out an overarching objective

Area Action Plans:

The adopted Area Action Plans (AAP) that are part of the Local Development Framework for the district are considered to be strategic to the delivery of homes and jobs within the district and therefore all policies within them are considered strategic. The adopted AAPs are Northstowe AAP; Cambridge East AAP; Cambridge Southern Fringe AAP; and NW Cambridge AAP. Policies in any new Area Action Plans prepared and adopted will also be considered strategic.