

# **Waterbeach Neighbourhood Plan 2020 - 2031**

## **Submission Plan**

### **Report to South Cambridgeshire District Council of the examination into the Waterbeach Neighbourhood Plan**

by Independent Examiner, Peter Biggers BSc Hons MRTPI

August 2021



Penny O'Shea Consulting

## Contents

<b>Summary and overall recommendation .....</b>	<b>3</b>
<b>1. Introduction .....</b>	<b>5</b>
Background context.....	5
Appointment of the independent examiner .....	6
Role of the independent examiner.....	6
<b>2. The Examination Process .....</b>	<b>8</b>
<b>3. Public Consultation .....</b>	<b>9</b>
Background .....	9
Waterbeach Neighbourhood Development Plan consultation .....	10
<b>4. Preparation of the Plan and Legislative Requirements.....</b>	<b>11</b>
Qualifying body.....	11
Plan Area.....	12
Plan period .....	12
Excluded development .....	12
Development and use of land .....	12
Plan publication following submission .....	12
<b>5. The Basic Conditions.....</b>	<b>13</b>
National policy and advice .....	13
Sustainable development .....	13
General conformity with the development plan .....	14
European Union (EU) obligations .....	15
<b>6. The Neighbourhood Plan – Assessment.....</b>	<b>17</b>
The general form of the Plan .....	17
Introduction.....	19
Policy context .....	20
The Neighbourhood Area .....	20
Key Issues.....	20
Vision and objectives.....	21
Planning policies .....	22
Policy WAT 1 - Securing connectivity between Waterbeach village and key destinations.....	23
Policy WAT 2 - Pedestrian and cycle route from Waterbeach village railway station to the relocated station .....	24
Policy WAT 3 - A walkable village and walkable neighbourhoods .....	25
Policy WAT 4 - Creating and maintaining sustainable access routes to Waterbeach village primary school .....	26

Policy WAT 5 - Creating and maintaining sustainable access routes to Waterbeach New Town schools .....	27
Policy WAT 6 - Improving road safety in Waterbeach village.....	28
Policy WAT 7 - An accessible village and town .....	29
Policy WAT 8 - Managing and mitigating adverse impacts of increased traffic movements on residential amenity.....	30
Policy WAT 9 - Protecting and enhancing the provision and quality of Waterbeach’s walking routes including the Waterbeach Public Rights of Way network and bridleways. ....	31
Policy WAT 10 - Maintaining and enhancing a vibrant Village Heart .....	31
Policy WAT 11 - Public realm improvements in the Village Heart.....	32
Policy WAT 12 - Waterbeach village public realm developer contributions.....	32
Policy WAT 13 - Denny End Industrial Estate and Cambridge Innovation Park...	33
Policy WAT 14 - Waterbeach design principles .....	35
Policy WAT 15 - Development and landscape quality.....	38
Policy WAT 16 - Important edge of settlement sites .....	40
Policy WAT 17 - Protected Village Amenity Area at barracks main entrance, Denny End Road .....	41
Policy WAT 18 - Protected open space in Waterbeach village .....	42
Policy WAT 19 - Development and green infrastructure .....	45
Policy WAT 20 - Sites of value to biodiversity .....	46
Policy WAT 21 - Housing mix .....	47
Policy WAT 22 - Rural exception site affordable housing in Waterbeach parish..	49
Policy WAT 23 - Allocation of affordable housing at Waterbeach New Town .....	49
Policy WAT 24 - Waterbeach park homes .....	50
<b>7. Other Matters .....</b>	<b>51</b>
Other housing proposals put forward in Regulation 16 representations .....	51
Regulation 16 representations regarding local plan allocations.....	52
Regulation 16 representations from Cambridgeshire County Council .....	53
Regulation 16 representations from Forestry Commission.....	53
Regulation 16 representations from Defence Infrastructure Organisation (DIO) .....	53
Regulation 16 representation 68689 in relation to Chittering and Long Drove .....	53
Typographical and formatting corrections .....	54
<b>8. Referendum .....</b>	<b>54</b>
<b>Appendix A - Examiner’s Clarifying Questions and Information Requests put to Waterbeach Parish Council and South Cambs District Council .....</b>	<b>56</b>
<b>Appendix B - Recommendation 27 - Typographical and Formatting Corrections ...</b>	<b>64</b>

## Summary and overall recommendation

Following my examination of the Waterbeach Neighbourhood Development Plan (WNDP), including a site visit to the neighbourhood area on 17 May 2021, it is my view that, subject to modifications, the WNDP reflects the views of the community and will set out a clear vision and suite of policies and proposals for the neighbourhood area.

My report highlights a number of areas where I consider the wording of the Plan as submitted is not in accordance with one or more of the Basic Conditions.

For the most part, the reason for this is that the policies do not wholly meet the requirement of the National Planning Policy Framework at paragraph 16 where it states that policies should be: “clearly written and unambiguous so it is evident how a decision maker should react to development proposals”, and the advice in the Planning Practice Guidance where it states that: “A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence”.

One specific reason why some of the policy wording is not entirely clear is that circumstances in respect of the Waterbeach New Town have moved on since the WNDP was submitted and in particular that planning permissions have now been granted or detailed master planning has been developed. A number of representations received at the Regulation 16 stage relate to this, and it is essential that the WNDP reflects the current permitted position with the new town to avoid confusion over what may no longer be able to be delivered.

Another significant area where the WNDP is potentially confusing and unclear relates to the plan’s approach to the protection of open spaces at Policies WAT 17 and 18. Policy WAT18 introduces another layer of protection at odds with the Basic Conditions and which is not necessary or justified.

I have therefore recommended a number of modifications to the Plan that should be made before the Plan can proceed to referendum. These are intended to ensure that, first and foremost, the Plan can meet the Basic Conditions.

In proposing the modifications, I have tried to ensure that the integrity and value of the WNDP and its vision is retained and that the intention of neighbourhood planning, where the community’s wishes should be central to the Plan, is honoured.

By its nature, the examination has to be rigorous. Any criticism is not at all to undermine the significant community effort that has gone into the Plan. Rather, the purpose of the examination is to ensure that the Neighbourhood Plan meets the Basic Conditions and is as robust as possible and that it can better play its part in planning decisions and managing change in Waterbeach in the future in an effective way.

In addition to the recommended modifications, it should also be noted that there may be a number of consequential changes, for example to referencing and numbering, that will

inevitably be needed as a result of making the modifications. It will also be necessary to ensure all references to current local planning documents are up to date. I have captured some of these, but not necessarily highlighted all these more minor consequential changes.

Subject to the recommended modifications in the report being completed, I am satisfied that:

- having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
- prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.

The WNDP also complies with the legal requirements set out in paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990.

With the modifications in place, the WNDP will meet the Basic Conditions and can proceed to a referendum.

When that referendum takes place, I also recommend that the Waterbeach Neighbourhood Area, which covers the administrative area of the Parish, is taken as the area for the referendum.

Peter Biggers BSc Hons MRTPI AIHBC

Independent Examiner

2 August 2021

# 1. Introduction

## Background context

- 1.1. This report provides the findings of the examination into the Waterbeach Neighbourhood Development Plan (referred to as the WNDP throughout this report).
- 1.2. The WNDP was produced by Waterbeach Parish Council (WPC) in consultation with the local planning authority for the neighbourhood area – South Cambridge District Council (SCDC). The local community, interested parties and local stakeholders were also consulted as set out in Section 3 below.
- 1.3. The Waterbeach Neighbourhood Area equates to an area of approximately 9 square miles, covering all of the administrative area of the Parish and with a population of 4420 (2015) living in 2070 dwellings (2015), mostly in Waterbeach itself.
- 1.4. The majority of the neighbourhood area is undeveloped and made up of fenland and farmland. The Fens National Landscape Character Area in the north and east of the Parish is notable for its large-scale, open landscape with extensive vistas to level horizons. It is a large, low-lying, flat landscape with drainage ditches, dykes and the River Cam flowing along the eastern parish boundary. The south-western part of the Plan area falls within the Bedfordshire and Cambridgeshire Claylands National Landscape Character Area. No area of land within the Plan area is more than 10 metres above sea level. The Cambridge Green Belt wraps around Waterbeach village in the southern part of the Parish.
- 1.5. The village of Waterbeach lies in the south of the Parish and is about six miles north of Cambridge. Waterbeach historically had a linear form along the principal routes into the village, which has seen significant expansion mainly around the eastern, western and northern edges of the original village. The Parish also includes the hamlet of Chittering to the north and adjacent to the A10.
- 1.6. The biggest single issue for the Parish is the local plan strategic site allocation of Waterbeach New Town on the former airfield and Barracks site immediately to the north of the existing village on land previously in defence use. Plans for the town to provide a sustainable mixed-use settlement of approximately 8,000 to 9,000 homes are well advanced; although planning permissions already granted mean that the final housing provision is likely to be higher.
- 1.7. This examiner's report provides a recommendation as to whether or not the WNDP should go forward to a referendum. Were it to go to referendum and achieve more than 50% of votes cast in favour of it, then the WNDP would be 'made' by SCDC. In the event of a successful referendum result, the WNDP would immediately carry full weight in the determination of planning applications in the neighbourhood area.

## Appointment of the independent examiner

- 1.8. I was appointed (as a retained independent examiner with Penny O'Shea Consulting) by SCDC, with the consent of WPC, following a competitive procurement process, to conduct the examination and provide this report as an independent examiner. I am independent of the Qualifying Body and the Local Planning Authority. I do not have any interest in any land that may be affected by the WNDP, nor do I have any professional commissions in the area currently, and I possess appropriate qualifications and experience. I have planning and development experience, gained over 40 years across the public and private planning sectors and am a Member of the Royal Town Planning Institute and an Affiliate of the Institute of Historic Building Conservation.

## Role of the independent examiner

- 1.9. It is the role of the independent examiner to consider whether a neighbourhood plan meets the "Basic Conditions". The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (TCPA) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004 (PCPA). They are that \*:
- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
  - d) The making of the neighbourhood plan contributes to the achievement of sustainable development;
  - e) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
  - f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations;
  - g) Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the plan.
- 1.10. Pursuant to Basic Condition g) above, Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018, effective from 28 December 2018, prescribes the following additional Basic Condition for the purpose of paragraph 8(2)(g) of Schedule 4B to the TCPA 1990:
- "The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017".
- Regulation 106(1) of Chapter 8 states that : "a qualifying body which submits a proposal for a neighbourhood development plan must provide such information as

the competent authority may reasonably require for the purposes of the assessment under Regulation 105 (that assessment is necessary where the neighbourhood plan is likely to have a significant effect on a European site or a European offshore marine site either alone or in combination with other plans or projects) or to enable it to determine whether that assessment is required”.

\* NB Basic Conditions b) and c), relating to the desirability of preserving or enhancing listed buildings and conservation areas, are also included in the Basic Conditions. But as these only concern neighbourhood development orders and not neighbourhood plans they are not included in this report.

1.11. In examining the Plan, I have also considered whether the legislative requirements are met, namely:

- The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in section 61F of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.
- The Neighbourhood Plan has been prepared for an area that has been designated under section 61G of the TCPA as applied to neighbourhood plans by section 38A of the PCPA.
- The Neighbourhood Plan meets the requirements of section 38B of the PCPA (the Plan must specify the period to which it has effect, must not include provisions relating to ‘excluded development’, and must not relate to more than one neighbourhood area) and
- The policies relate to the development and use of land for a designated neighbourhood area in line with the requirements of the PCPA section 38A.

1.12. I have examined the WNDP against the Basic Conditions and legislative requirements above and, as independent examiner, I must make one of the following recommendations:

- a) that the Plan should proceed to referendum, on the basis that it meets all legal requirements;
- b) that the Plan, once modified to meet all relevant legal requirements, should proceed to referendum;
- c) that the Plan does not proceed to referendum, on the basis that it does not meet the relevant legal requirements.

1.13. If recommending that the Plan should go forward to referendum, I am also then required to consider whether or not the Referendum Area should extend beyond the Waterbeach Neighbourhood Area to which the Plan relates. I make my recommendation on the Referendum Area at the end of this report (See Section 8).

1.14. The role of the independent examiner is not to comment on whether the Plan is sound or how the Plan could be improved, but rather to focus on compliance with the

## 2. The Examination Process

- 2.1. It is a general rule that neighbourhood plan examinations should be held without a public hearing; that is by written representations only. However, according to the legislation, when the examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, a public hearing may be held.
- 2.2. I have considered the representations received at the Regulation 16 publicity stage. Whilst there were a considerable number and, in particular, a comprehensive set of representations from South Cambridgeshire District Council, I am satisfied that there is no need for a public hearing in respect of the WNDP. WPC was offered the opportunity to respond to the Regulation 16 representations but indicated on 9 June 2021 by email that they did not propose to make any submissions. I confirm that all Regulation 16 representations on the Plan have been taken into account in undertaking this examination. Where appropriate, I have made specific reference to the person's or organisation's comments in Section 6 of this report.
- 2.3. I undertook an unaccompanied site visit around the neighbourhood area on 17 May 2021, during which I looked at its overall nature, form, character and appearance and at those areas affected by policies and proposals in the Plan in particular.
- 2.4. Subsequent to my reading for the examination and the site visit, I asked a number of factual clarifying questions of WPC, as Qualifying Body, and SCDC relating to the context and intent of policies and proposals of the Plan. This exchange was carried out by email and the questions and the responses received from the Councils are set out in Appendix A to this report and have been uploaded to the Neighbourhood Plan webpages on the SCDC website. I am grateful to the Councils for responding on these matters.
- 2.5. In undertaking this examination, I have considered each of the following documents in addition to the Submission Version of the WNDP:
  1. National Planning Policy Framework (Feb 2019)
  2. National Planning Practice Guidance 2014 (as amended)
  3. Town and Country Planning Act 1990 (as amended)
  4. The Planning and Compulsory Purchase Act 2004 (as amended)
  5. The Localism Act 2011
  6. The Neighbourhood Planning Act 2017
  7. The Neighbourhood Planning (General) Regulations (2012) (as amended)
  8. The South Cambridgeshire Local Plan – Adopted 2018
  9. Waterbeach New Town - A Spatial Framework & Infrastructure Delivery Plan - Supplementary Planning Document Adopted 2019
  10. Waterbeach NDP Basic Conditions Statement Dec 2020
  11. Waterbeach NDP Consultation Statement Jan 2021 and Appendices

12. Waterbeach NDP Strategic Environmental Assessment Screening Determination Statement (Incorporating Habitats Regulation Assessment Screening Determination Statement) March 2020
13. Waterbeach Heritage and Character Assessment - AECOM July 2018
14. Waterbeach Design Principles - AECOM Jan 2019
15. An Analysis of Local Housing Need in Waterbeach Parish - Cambridgeshire ACRE July 2019
16. A Demographic & Socio-Economic Review of Waterbeach
17. Waterbeach Neighbourhood Area Designation Report – February 2015
18. Representations received during the Regulation 16 publicity period post submission -16/02/2021 to 20/04/2021.

### **3. Public Consultation**

#### **Background**

- 3.1. An accessible and comprehensive approach to public consultation is the best way to ensure that a neighbourhood plan reflects the needs, views and priorities of the local community.
- 3.2. WPC submitted a Consultation Statement, as required by Regulation 15 of the Neighbourhood Planning (General) Regulations, to SCDC in January 2021.
- 3.3. Public consultation on the WNDP commenced with early discussions about a neighbourhood plan in 2015. This early consultation was followed by various consultation stages, including:
  - Initial Plan Development 2016
  - Midway Plan Development 2018
  - Advanced Plan Development 2019
  - The pre-submission consultation under Regulation 14 from 13/01/2020 to 24/02/2020
  - The formal, publicity stage, as required by Regulation 16, (the consultation period post submission of the Plan) from 16/02/2021 to 20/04/2021.
- 3.4. The Regulation 16 stage resulted in consultation responses from 28 respondents. The representations raised are considered as necessary within my assessment of the Plan in Section 6 below.

## Waterbeach Neighbourhood Development Plan consultation

- 3.5. The WNDP Neighbourhood Planning Steering Group was set up in 2015 and has carried out consultation with the community and stakeholders throughout the process of plan preparation. The communication methods used included the local paper (Beach News), the Parish Council's Neighbourhood Plan website - together with the SCDC website, notice boards and banners, leaflets and postcards, email drops and Facebook as well as a presence at community events, workshops/drop-ins and questionnaires. Copies of the First Draft Plan, Pre-Submission Draft Plan and Submission Plan were uploaded to the websites and links provided via email. Due to Covid restrictions hard copies were only available by special request from SCDC or via the Parish Council Office.
- 3.6. Following the early stage setting up the governance arrangements and designating the neighbourhood area, the Initial Plan Development stage commenced in summer 2016 with consultation via a survey using Survey Monkey to residents, businesses and voluntary bodies in order to understand community priorities and concerns. Around 250 responses were received. A scoping stage in November 2016 established priorities and evidence gaps and identified a need for evidence in respect of a character assessment and housing needs assessment. A vision statement, priorities and objectives were subsequently developed and consulted on with an online survey in autumn/winter 2017, which received 158 responses. Following this, the evidence base and context for the key themes was developed.
- 3.7. The Midway Plan Development stage saw the approach to the key themes of transport, character and design developed, with the Heritage and Character Assessment produced in autumn 2018. A detailed household survey was carried out in late 2018 and two autumn workshops involving detailed discussions on plan development took place. There were 91 responses to the survey.
- 3.8. Using the survey results, the Advanced Plan Development stage saw the First Draft Plan developed in early 2019, and the District Council and other stakeholders were involved closely at this stage. The Housing Needs Assessment was carried out in summer 2019. The survey resulted in 105 responses from people with Waterbeach links.
- 3.9. The Consultation Statement sets out the form and content of these early consultations. It is clear that full opportunities were available to the community to be involved and that the consultations gave a good basis for the preparation of the Plan.
- 3.10. The pre-submission draft consultation on the Plan, as required by Regulation 14, involved a 6-week period from 13/01/2020 to 24/02/2020. The WNDP was made available online on the Parish and SCDC websites, and links to the Plan provided via email to statutory consultees, local businesses, individuals and groups. Due to Covid restrictions hard copies were only made available on request. The Plan was publicised by banners, posters in shops and on notice boards, postcards to every house and business, by letter and on Facebook. Two workshop sessions were

arranged to help explain the Plan, with 40 people attending. 20 responses from the local community were received, along with 17 from statutory consultees and interested parties. The residents' responses were generally supportive.

- 3.11. Following the pre-submission stage and the analysis of results, the Plan was revised and finalised for submission in February 2021.
- 3.12. The Neighbourhood Planning Regulations are part and parcel of Basic Condition a), and Regulation 15 (2) sets out clearly what the Consultation Statement should include. Having reviewed the Consultation Statement, in particular Tables 7.5, 7.6 and 7.7 setting out the representations at the Regulation 14 stage and how these were answered as well as the appendices to the statement, I am satisfied that the Consultation Statement is compliant with Regulation 15 in demonstrating who was consulted, how they were consulted, what the main issues and concerns were, and what action has been taken in response to these to arrive at the Submission Draft Plan.
- 3.13. A representation (68681) at the Regulation 16 stage raised concerns that consultation measures were insufficient and that the community was not made sufficiently aware of the Plan. However, from the evidence before me, the interest and participation of residents, local businesses and stakeholders in the Plan has been facilitated at the various stages and in a variety of ways. I am satisfied that the communication and consultation which took place provided sufficient opportunity for the community's participation.

#### **4. Preparation of the Plan and Legislative Requirements**

- 4.1. In terms of the procedural tests set out in paragraph 1.11 of this report, my findings are:

##### **Qualifying body**

- 4.2. Waterbeach Parish Council, as the duly elected lower tier council, is the qualifying body for preparation of the Plan.
- 4.3. The same representation (68681) at the Regulation 16 stage also raised concerns that the Neighbourhood Plan was not properly constituted, as it had not been approved and signed off at each stage by the full Parish Council. In the light of this, as part of the examiner's questions (see Appendix A), I requested that the Parish Council supply copies of the formal minutes showing the decision to proceed to prepare the Plan, approving the Plan at pre-submission stage for consultation, and approving the Plan for submission to SCDC. The Parish Council has provided these minutes (see link at Appendix A), and I am satisfied that the requirements set out in the Localism Act (2011) and in section 61F(1) and (2) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) have been met.

## Plan Area

- 4.4. An application was made by WPC in June 2015 to designate the Waterbeach Neighbourhood Area. The area sought covered the administrative area of the Parish. This neighbourhood area was approved by SCDC, following consultation, on 10 August 2015.
- 4.5. This satisfies the requirement under section 61G (1) (2) and (3) of the TCPA (as applied to neighbourhood plans by section 38A of the PCPA) and Regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations as amended.

## Plan period

- 4.6. A neighbourhood plan must specify the period during which it is to have effect. The WNDP clearly states on the title page and in paragraph 1.6 that it covers the period 2020 - 2031.
- 4.7. The plan period aligns with the end point of the South Cambridgeshire Local Plan (SCLP), which sets out the strategic policies for the neighbourhood area. The intended time period satisfies the requirements of Section 38B of the PCPA as amended.

## Excluded development

- 4.8. The Plan does not include policies or proposals that relate to any of the categories of excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure, or any matters set out in Section 61K of the TCPA 1990. The WNDP, as proposed to be modified in Section 6 below, relates solely to the neighbourhood area and no other neighbourhood area, and there are no other neighbourhood development plans in place within the neighbourhood area. This satisfies the requirements of section 38B of the PCPA, as amended.

## Development and use of land

- 4.9. The Neighbourhood Plan should only contain policies relating to the development and use of land. Subject to the modifications proposed below in Section 6, the WNDP policies would be compliant with this requirement of section 38B of the PCPA, as amended, and all relate to the development and use of land.

## Plan publication following submission

- 4.10. SCDC undertook a validation check of the WNDP following its submission in February 2021. The Council was satisfied that the Plan could proceed to be publicised under Regulation 16 and proceed to this independent examination even

though, subsequently, it has itself raised issues of concern at the Regulation 16 stage.

## 5. The Basic Conditions

### National policy and advice

- 5.1. The main document that sets out national policy is the National Planning Policy Framework (the NPPF). A revised version of the NPPF was published in July 2021. The WNDP was prepared in the context of its predecessor dated July 2019. However, because the revised NPPF is being brought in with immediate effect I have based my consideration of the extent to which the WNDP meets Basic Condition a), in Section 6 below, against NPPF 2021, along with legislation and regulations. In essence the changes within the revised NPPF are not extensive and fundamentally its provisions and requirements remain the same.
- 5.2. The NPPF explains that neighbourhood plans should support the delivery of strategic policies and set out non-strategic policies and plan positively to shape, direct and help to deliver sustainable development that is outside the strategic elements of the Local Plan.
- 5.3. The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words, neighbourhood plans must be in general conformity with the strategic policies of the development plan. They should not promote less development than that set out in the strategic policies of the development plan or undermine those strategic policies.
- 5.4. The NPPF indicates that plans should contain policies that are clearly written and unambiguous, so that it is clear how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area. This is an issue which arises as a significant matter in the assessment in Section 6 below.
- 5.5. National advice on planning is set out in the Planning Practice Guidance (PPG), which includes specific advice regarding neighbourhood plans. I have considered the advice of the PPG as part of assessing the Plan against Basic Condition a).

### Sustainable development

- 5.6. A qualifying body must demonstrate how a neighbourhood plan would contribute to the achievement of sustainable development. The NPPF as a whole constitutes the Government's view of what sustainable development means in practice for planning. The NPPF explains that there are three overarching objectives to sustainable development - economic, social and environmental.
- 5.7. There is no legal requirement for a formal Sustainability Appraisal (SA) to be carried

out in respect of neighbourhood plans. However, SA is an established method of demonstrating how a neighbourhood plan will contribute to achieving sustainable development.

- 5.8. In this case, WPC has only included in the Basic Conditions Statement a commentary in tabular form (Table 4.2) on how the Plan meets the three main sustainability objectives in the NPPF. This has not been done against a suite of sustainability objectives (reflecting the environmental, social and economic dimensions of sustainability) to test the WNDP policies, which would have been the more usual procedure. However, the table includes sufficient information to confirm at a high level that the effect of the policies of the Plan would be generally positive in terms of sustainability. However, in my opinion, Table 4.2 underplays the contribution of a number of policies to the environmental dimension of sustainability, notably WAT 14 - 17. I consider the contribution of specific policies to sustainable development below in Section 6.

## General conformity with the development plan

- 5.9. The WNDP has been prepared in the context of the SCLP adopted in 2018, and the WNDP must be in general conformity with its strategic policies, the most significant of which for Waterbeach is the strategic allocation of land north of Waterbeach village for a new town in Policy SS/6.
- 5.10. The PPG provides the following definition of general conformity:
- 5.11. “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:
- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;
  - the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;
  - whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;
  - the rationale for the approach taken in the draft neighbourhood plan or order and the evidence to justify that approach.”
- 5.12. I consider the extent to which the policies and proposals of the WNDP are in general conformity with the strategic policies of the SCLP in detail in Section 6 below.

## European Union (EU) obligations

- 5.13. A neighbourhood plan must be compatible with EU obligations, as incorporated into UK law, in order to be legally compliant. Notwithstanding the United Kingdom's departure from the EU, these obligations continue to apply unless and until repealed or replaced in an Act of Parliament.

## Strategic Environmental Assessment and Habitat Regulations Assessment

- 5.14. Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment has a bearing on neighbourhood plans. This Directive is often referred to as the Strategic Environmental Assessment (SEA) Directive. Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively) aim to protect and improve Europe's most important habitats and species and can have a bearing on neighbourhood plans.
- 5.15. Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a SEA is submitted with a neighbourhood plan proposal or a determination obtained from the responsible authority (SCDC) that the Plan is not likely to have 'significant effects.'
- 5.16. A screening opinion was prepared by Place Services on behalf of SCDC in consultation with the statutory bodies in 2020. The screening concluded that full SEA was not required because the WNDP did not allocate land for development and therefore was unlikely to have any significant adverse effects. I am satisfied that any effects from additional development beyond that allocated through the SCLP (already subject to SEA) would be small scale and local, as it would be limited under the SCLP strategic policy approach in minor rural centres to no more than 30 houses within development frameworks (ie the settlement limits). In addition, any impacts would be offset by the positive benefits of the policies within the Neighbourhood Plan seeking to achieve more sustainable development.
- 5.17. Regarding Habitats Regulations Assessment (HRA), the test in the additional Basic Condition under Regulation 32 now essentially mirrors that in respect of SEA and requires an Appropriate Assessment to be carried out where a plan is likely to have a significant effect on a European site (either alone or in combination with other plans or projects) or a determination obtained from the responsible authority (SCDC) that the plan is not likely to have a 'significant effect'. A screening opinion was similarly carried out by consultants Place Services on behalf of SCDC in February 2020 and a determination prepared.
- 5.18. Two European sites - Wicken Fen Special Area for Conservation and RAMSAR and Fenland Special Area for Conservation - are within scope in the screening given their zone of influence vis a vis the neighbourhood area; Wicken Fen is particularly close at only 1 kilometre from the neighbourhood area. The Waterbeach Neighbourhood

Area therefore lies within the Impact Risk Zone. However, as the Plan does not propose to introduce any significant additional development and any sites are likely to be small in scale, centred in Waterbeach village and guided by WNDP's policies to ensure sustainable outcomes, the conclusion of the Council's determination was that, either alone or in combination with other plans or projects, the WNDP was unlikely to have a significant effect on any European sites. Consequently, the Plan is not considered to require Appropriate Assessment under Article 6 or 7 of the Habitats Directive.

- 5.19. Both the determinations regarding SEA and HRA have been confirmed by Natural England and Historic England as statutory consultees. The Environment Agency raised no objections but indicated that they did not have the resources to assess what had been submitted. I have no reason to reach a different view to the statutory consultees.

### **European Convention on Human Rights (ECHR)**

- 5.20. The Human Rights Act 1998 encapsulates the Convention and its articles into UK law.
- 5.21. An Equalities and Human Rights Impact Assessment has not been specifically carried out for the WNDP. Instead, the Basic Conditions Statement briefly assesses the potential impacts of the WNDP in relation to the protected characteristics as identified in the Equality Act 2010 and concludes that the WNDP has regard to the fundamental rights and freedoms guaranteed under the ECHR.
- 5.22. In respect of Article 1 of the first protocol - the right of everyone to the peaceful enjoyment of possessions - although the WNDP includes policies that would restrict development rights, this does not have a greater impact than the general restrictions on development rights provided for in national law. The restriction of development rights inherent in the UK's statutory planning system is demonstrably in the public interest by ensuring that land is used in the most sustainable way, avoiding or mitigating adverse impacts on the environment, community and economy.
- 5.23. In respect of Article 6 of the Convention's Rights and Freedoms - the right to a fair hearing in determination of an individual's rights and obligations - the process for preparing the WNDP is fully compatible with this Article, allowing for consultation on its proposals at various stages, and incorporating this independent examination process.
- 5.24. In respect of Article 14 of the Convention's Rights and Freedoms - the enjoyment of rights and freedoms without discrimination on any ground - the policies and proposals of the WNDP have been developed in consultation with the community and wider stakeholders to produce as inclusive a document as possible.
- 5.25. I conclude that, given the nature of the plan policies and proposals, there would be unlikely to be any detrimental impact on the 'protected characteristics' set out in the

Equality Act and in the table on page 49 of the Basic Conditions Statement, and generally the Plan would bring positive benefits. Whilst the Plan does not directly address needs in respect of particular protected characteristics within the plan area, other than in the transport policies where older residents and those with mobility impairments are referred to, the WNDP generally is not prejudicial to any group in its policies.

- 5.26. No concerns or objections on the grounds of human rights or equalities have been raised during the consultation stages of the Plan. I am satisfied on the basis of the above that, across the Plan as a whole, no sectors of the community are likely to be discriminated against. The policies together would generally have public benefits and encourage the social sustainability of the neighbourhood.
- 5.27. I am satisfied therefore that the Plan does not breach, and is otherwise compatible with, the ECHR.
- 5.28. I am not aware of any other European Directives which apply to this particular neighbourhood plan and no representations at pre- or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the WNDP is compatible with EU obligations and therefore with Basic Conditions f) and g).

## **6. The Neighbourhood Plan – Assessment**

- 6.1. The Neighbourhood Plan is considered against the Basic Conditions in this section, following the structure and headings in the Plan. Given the findings in Section 5 above that the Plan as a whole is compliant with Basic Conditions f) (EU obligations) and g) (Other prescribed conditions including that under Regulation 32), this section largely focusses on Basic Conditions a) (Having regard to national policy), d) (Contributing to the achievement of sustainable development) and e) (General conformity with strategic policies of the development plan).
- 6.2. Where modifications are recommended, they are presented and clearly marked as such.

### **The general form of the Plan**

- 6.3. The structure of the WNDP is generally logical and clear with early sections setting the context both in respect of policy and background to the neighbourhood area and the key issues facing it, before setting out the vision and objectives and the policy sections.
- 6.4. The Plan distinguishes between the policies themselves and their justification by boxing and emboldening the policies. Each policy is accompanied by supporting text setting out the policy context, rationale and intent as well as the strategic policy context.

- 6.5. The NPPF at paragraph 16 requires the Plan to be “clearly written and unambiguous so it is evident how a decision maker should react to development proposals” and to “serve a clear purpose avoiding unnecessary duplication of policies that apply to a particular area”.
- 6.6. SCDC has raised three general formatting points in its Regulation 16 representations to ensure the Plan better reflects the NPPF objective of being clear and unambiguous.
- First SCDC request that the tables at the start of the Plan that list the policies, maps, figures and tables are paginated for ease of use. This would be a sensible addition and I recommend it is added.
  - Secondly, it suggests that the Plan would be clearer if the maps of individual proposals were combined into one policies map. As a principle, I support the value of being able to see all the policies that apply to a particular site together rather than having to search through the Plan. However, I recognise that for Parish Councils this may be technically difficult. Provided SCDC assist the Parish in the preparation of the combined policies map I do recommend that it is included.
  - Thirdly, SCDC suggests that it would aid clarity if the glossary of terms and abbreviations at the back of the Plan was more comprehensive. I agree that there are a number of terms which would be helpful if defined, for example, and just to select three that would be relevant - ‘major development’, ‘strong local connection to the Parish’ and ‘park homes’.
- 6.7. Neighbourhood plans are not to include matters that do not relate to the development and use of land. The WNDP, as with many neighbourhood plans, has in the course of its preparation attracted many comments and proposals from the community that they would like to see the Parish Council take action on but which are not directly to do with the development and use of land. Whilst WPC has acknowledged that these ‘Community Aspirations’ are not matters that the Neighbourhood Plan can address, they are nevertheless presented in the body of the Plan in Section 8 and are part of it, potentially leading to confusion. They should be separated out and relocated in an appendix to the Plan with a paragraph simply referencing the appendix.
- 6.8. The format of the supporting text includes helpful cross-referencing to the relevant SCLP policies. However, in respect of some WNDP policies this is absent. The approach should be consistent throughout the Plan and these references should be added where they are missing.
- 6.9. Finally, the specific relationship between the strategic proposals for the Waterbeach New Town (WNT) and aspirations for the WNDP raises a particular issue. Inevitably, the strategic allocation has progressed on its own timetable, which is not necessarily entirely aligned with the WNDP timetable. This means that there are areas where

new town proposals are now established or shortly to be established through planning permissions. Aspirations of the WNDP may not therefore be able to be implemented exactly as envisaged. It is important that at the time the Plan goes to referendum there is no ambiguity in approach and that the text of the WNDP reflects the current planning situation with WNT and that where permissions and legal agreements are in place these are acknowledged in the Plan. I note in response to an examiner's question asked of SCDC that, at the time of writing, the permission and related S106 agreement for ref S/2075/18/OL for the eastern part of WNT have not been completed, but it is likely that this will have been completed by the time the Plan is finalised for the referendum stage. This point was raised by Boyer Planning in its Regulation 16 representation.

6.10. I recommend the following modifications.

### **Recommendation 1**

- 1A Provide page numbering for the listings of policies, maps, figures and tables on pages 4-7.
- 1B SCDC to assist the Parish in the preparation of a combined Policies Plan for the Neighbourhood Plan.
- 1C The glossary at the end of the Plan to be developed into a more complete definition of abbreviations and specific terms than is currently the case. In particular, to define 'major development', 'strong local connection to the Parish' and 'park homes'.
- 1D Relocate the whole of Section 8 after the first paragraph to a new Appendix 1 at the end of the Plan.  
Revise the last sentence of paragraph 8.1.1 to read:  
"They are included in Appendix 1 to the plan to explain how the community ... aims of the neighbourhood plan".
- 1E Ensure the supporting text sets out the relevant SCLP policies in respect of each policy.
- 1F Ensure all references to planning permissions and legal agreements in respect of WNT are up to date and that the proposals of the WNDP do not create ambiguity or lack of clarity.

### **Introduction**

- 6.11. This section provides a brief introduction to the Plan and the legislative context and requirements.
- 6.12. This is largely a factual section and there is no need for any changes other than to update paragraph 1.3 to reflect what will be the stage reached post examination.

## Recommendation 2

- 2 Update paragraph 1.3 to reflect the Plan moving forward a stage - post examination.

## Policy context

- 6.13. Section 2 provides background to the planning context nationally and at district level.
- 6.14. SCDC in its Regulation 16 representation expresses concern that Table 2.1 does not reflect all the policies that the Council would consider to be the strategic policies of the Local Plan which the Neighbourhood Plan must be in general conformity with. SCDC state that they have provided a list of strategic policies and those that are relevant to Waterbeach should be referenced in Table 2.1. I agree that, although relevant policies are referenced throughout the Plan, if Table 2.1 is to be included it should include all those strategic policies of the SCLP relevant to Waterbeach Parish.
- 6.15. SCDC also express concern that Maps 2.1 and 2.2 are not at a large enough scale. However, I am satisfied that in providing a Waterbeach village insert at Map 2.2 the policy extents relevant to Waterbeach Parish are clear.

## Recommendation 3

- 3 Add additional strategic policies relevant to Waterbeach Parish to Table 2.1, along with the implications of each policy for the Parish.

## The Neighbourhood Area

- 6.16. Section 3 of the Plan sets out the geographic and socio-economic context to the neighbourhood area. It is largely factual and raises no issues in respect of the Basic Conditions and no need for any changes.

## Key Issues

- 6.17. The Plan at Section 4 sets out the key issues that have arisen out of the preparation of the Plan and in particular the community's input to the process. Six key issues have been identified which lead into the neighbourhood plan vision and objectives to deliver the vision and provide the basis for the policies. Again, the section is largely factual. I have a concern about key issue 2ii regarding the capacity of the volunteering sector, as this is not a matter relating to the development and use of land. However, as I note that it is not carried forward into the vision and objectives section or the policies and is a factual record of a constraint on social infrastructure within the Parish it can remain. No other matters relate to Basic Conditions.

## Vision and objectives

- 6.18. Being able to demonstrate the thread from issues to vision and objectives and from objectives to policies is an important part of evidencing the Neighbourhood Plan as required in the PPG, and it is clear in the WNDP that the key issues lead into the vision for the Parish and the objectives.
- 6.19. The vision looks to protect the identity and character of existing communities to ensure they are a great place to live and work, where quality of life is improved and there is access to sustainable infrastructure. The vision, in particular, stresses the importance of new development not overwhelming the fen-edge landscape.
- 6.20. The Plan has regard to the PPG advice that it “provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people.”
- 6.21. The vision and objectives also encapsulate and generally reflect the vision set out in the SCLP at paragraph 2.25 and the specific objectives a)-f) set out in paragraph 2.26. Moreover, the impact of pursuing the vision and objectives would contribute to the achievement of sustainable development.
- 6.22. Boyer Planning in its Regulation 16 representation raise a specific concern regarding the references in the objectives for a sustainable community (1v. and vi) and transport (2i.) to the links between Waterbeach village and WNT. Boyer considers that these objectives are overly restrictive on the transport network. As explained by Boyer, the access arrangements now permitted for the new town mean that the link routes cannot in all cases meet the objectives, but they accept that non-car modes and public transport should be prioritised. Boyer considers that objective 1v, for example, as written implies that there will be no direct routes for motorised vehicles. However, as written I am not persuaded that this is the case. The objective seeks provision of non-motorised routes, but it does not rule out vehicular routes. I do not consider 1v needs to be modified.
- 6.23. In respect of objective 1vi, Boyer considers that the implication that the links should be convenient but not direct is at best ambiguous and at worst in conflict with both the SCLP strategic Policy SS/6 and the Waterbeach New Town Supplementary Planning Document (SPD) as well as the planning permission already granted for the new station ref S/0791/18/FL in that direct links are planned to the new station. Boyer suggest an alternative phrasing that suggests the routes should be traffic managed. Policy SS6 at paragraph 3 refers to:

.... “limited and controlled opportunities for direct road access from the wider new town to Waterbeach with emphasis on connections by public transport, cycle and on foot.”

This implies more flexibility than objective 1vi and I agree that reference to

management and control would more closely reflect the intention of Policy SS/6.

- 6.24. With regard to objective 2i, Boyer consider that rather than stating routes will be non-vehicular the emphasis should be on prioritising for non-motorised modes of transport. I agree that as the overall aim of objective 2 is to provide accessible cycle and pedestrian links, the wording of 2i is contradictory because, de facto, a bicycle is a vehicle.
- 6.25. Ordinarily, as the vision and objectives have been set through discussion with the community, I would be reluctant to amend these. However, this is an example of a problem discussed above where progress in implementing the new town since the Neighbourhood Plan was submitted has created one or two situations where the Neighbourhood Plan cannot be implemented exactly as submitted. In as much as the changes sought by Boyer to objectives 1vi and 2i are minor and the spirit and intent of the objectives prioritising sustainable transport modes can still be delivered, minor adjustments to reflect what has now been permitted would be acceptable.
- 6.26. The objectives section should reflect the strategic policy SS6 and the current proposals where these are either already permitted or permitted in principle pending S106 agreements and I recommend the following minor modifications.

#### **Recommendation 4**

- 4A Amend objective 1vi by deleting the words ‘this access should not be direct’ and replace with the words “these routes should be managed and controlled to limit opportunities for direct access”.
- 4B Amend objective 2i by deleting the words ‘non-vehicular routes or public transport routes...’ and replace with the words “non-motorised or public transport modes...”  
Make the same amendment where the objective is repeated on page 38.

#### **Planning policies**

- 6.27. Section 6 of the Plan sets out the policies contained in the Plan.

#### **Transport Policies**

- 6.28. Generally, this section of the WNDP is aimed at encouraging sustainable transport and making Waterbeach village, in particular, safer given high volumes of traffic and congestion. In practice, this can be a difficult area for neighbourhood plans to be effective and many plans end up dealing with this in their community projects section. However, for the most part, policies WAT 1-8 have been drafted in a way that ties the policy objective to development and therefore they pass the test of policies only being acceptable where they deal with the development and use of land.

## Policy WAT 1 - Securing connectivity between Waterbeach village and key destinations

- 6.29. Policy WAT 1 sets out proposals for specific pedestrian, walking and cycling routes linking key destinations and explains how these will be secured principally through planning obligations. The policy has regard to section 9 of the NPPF and in particular to paragraphs 104 and 106 seeking to prioritise provision for sustainable modes. The policy also is in general conformity with strategic policy SS6 of the SCLP which prioritises sustainable transport links between WNT, the immediate locality, Waterbeach village and Cambridge and also with Policy TI/2 encouraging sustainable transport generally.
- 6.30. However, there are a couple of areas in Policy WAT 1 that are not clear and unambiguous as required by the NPPF and PPG. First the clause 1 requirement is likely to be a shared responsibility between developers for different parts of WNT. As such, the requirement should be that development coming forward will 'contribute to provision'. It would be unreasonable for any one development sector to exclusively provide the links referred to. Secondly, in clause 2 the wording 'where applicable and proportionate to the proposed scheme' is an incomplete reference to the tests for a planning obligation under S106 and therefore the requirement is not clear.
- 6.31. Boyer and David Lock Associates in their Regulation 16 representation raise concerns with the detailed wording of clause 1 where, as a result of permissions granted or about to be granted, the exact requirements of the policy cannot be met. First regarding 1a), Boyer make the point that access to the station has been permitted incorporating pedestrian, cycle, public transport and some motor vehicle access. It is not necessarily segregated over the whole route and, moreover, the plans for the eastern section of WNT may not allow full segregation and therefore the requirement for segregated routes may not be deliverable. As an aspiration, a segregated route will always be better than a shared route; however, reflecting the fact that existing designs have already been approved, it would be preferable to refer to a 'dedicated' route that may or may not be fully segregated. David Lock Associates make the point in respect of 1c) that the link to the Cambridge Research Park may not be exclusively non-motorised as it will be crossing roads and junctions, and that the indicative route shown in Map 6.1 follows principal access routes and therefore would be contrary to what the policy is trying to achieve. Also, the route does not reflect the Waterbeach New Town SPD Framework diagram, nor what has actually been permitted. I accept that it is important that the indicative route reflects a routing that can actually achieve a safe pedestrian and cycle link. Whether it can be 'non-motorised' will depend on the route chosen. Usually, any cycle and pedestrian route will, at some point, interface with road junctions and at that point will be shared with motorised traffic. I therefore agree that inserting non-motorised may not be deliverable and use of the word 'dedicated' as above in respect of clause 1a) would be consistent and more accurate. David Lock Associates also make the point in respect of 1d) that the route referred to has already been permitted to be accessed by some private vehicles, so the clause is misleading. I accept that if permission has

been granted on the basis that some emergency and private vehicles accessing existing residential properties in the Barracks area will use the route the clause should be modified. The Parish Council has also requested that the clause could cross-refer to the KP1 Framework Site Access Strategy already in place and agreed and I accept this would be appropriate for the avoidance of doubt.

### **Recommendation 5**

- 5A In clause 1 line 2 of Policy WAT 1 amend the wording ‘to make provision for’ to read:  
“to contribute to provision for:”
- 5B Amend clauses 1a) and 1c) to read:  
“a dedicated, direct, safe and high-quality pedestrian and cycle route ...”
- 5C Amend clause 1d) to read:  
“a direct, motorised route principally for public transport vehicles and managed access for private vehicles from Waterbeach village to Waterbeach New Town in accordance with the approved KP1 Framework Site Access Strategy.”
- 5D Delete the words ‘where applicable and proportionate to the proposed scheme’ from lines 1-2 of clause 2. Insert after the word ‘destinations’ in line 5 the words:  
“where necessary to make the development acceptable and where directly, fairly and reasonably related in scale and kind to the proposed development. This may include:  
a)...”
- 5E Ensure that Map 6.1 illustrates a safe route that reflects the intentions of the Waterbeach New Town SPD and, most importantly, the design work already carried out and approved for the new town.

6.32. With these modifications, Policy WAT 1 meets Basic Conditions a) and e) and, given the focus on creating sustainable transport links, it will contribute strongly to the achievement of sustainable development.

### **Policy WAT 2 - Pedestrian and cycle route from Waterbeach village railway station to the relocated station**

- 6.33. Policy WAT 2 makes a specific proposal and safeguards the proposed route between the existing railway station at Waterbeach and the site of the new station. Part of this route north of Bannold Road along Bannold Drove already has permission as part of the development of the new station (ref S/0791/18/FL); however, the section between the existing station and Bannold Road does not.
- 6.34. The WNDP makes the case for this route on the basis that it is essential to cater for those residents living near and using the existing station who are inconvenienced by the relocation of the station to the north.

- 6.35. Initially, this seems a strange routing as only a small section of the village closest to Station Road would appear to benefit. Residents from the majority of the south and west of the village are unlikely to cycle or walk to the existing station site simply to access the dedicated route north to the new station. They will intercept it further north. It therefore seems surprising that no additional links into this route from the main section of the village to the west are proposed. However, in the context of the wider Greenway proposal from Waterbeach into Cambridge, which proposes this section of route in Phase 2, the proposal makes more sense, including facilitating cycle journeys from WNT into Cambridge. As such, it would be helpful if the text did not imply that the main purpose of this link was for access to the new station for those inconvenienced by the relocation of the station. However, as this is not directly a Basic Conditions issue, I make no formal recommendation to modify.
- 6.36. Waterbeach Charity, in its Regulation 16 representation, argue that acquisition of land for the route is not viable and the proposal would be better in association with the railway corridor. However, as the Plan reflects the Greenway proposal it would be for this project to pursue the best means of implementation and I make no recommended modification.
- 6.37. Finally, Network Rail express concern in its Regulation 16 representation that the proposal for the route will encourage increased use of the Burgess Drove level crossing, which is not automated. However, given the very limited development east of the railway on Burgess Drove, I do not share Network Rail's view that there would be significant increase in use of the non-automated crossing merely as a result of the proposed cycle route to the new station.
- 6.38. I propose no modification to this policy other than a typographic correction; see Appendix B.

### Policy WAT 3 - A walkable village and walkable neighbourhoods

- 6.39. Policy WAT 3 seeks to ensure that new development sites are well provided internally with footpath links, but also that links with the wider neighbourhood are maximised. Inasmuch as a key objective of section 8 of the NPPF on promoting healthy and safe communities and section 9 promoting sustainable transport are about maximising pedestrian permeability, Policy WAT 3 has regard to the NPPF. However, as with other policies, WAT 3 is not wholly compliant with the need for policies to be clear and unambiguous. Given that the focus of the policy is pedestrian links, clauses 1ii) and 1iii) should make it clear that the requirement is limited to direct footpath connections.
- 6.40. Anglian Water, in its Regulation 16 representation, requests that for clarity the policy makes it clear that it is relating to residential development. However, it is not clear from the policy and supporting text that WAT 3 is designed to relate only to residential development, although I accept this will probably be the main focus. As such, I am not persuaded that the policy text should be modified in this way.

6.41. With these clarifications, Basic Condition a) would be met. The policy would be in general conformity with the SCLP at Policy TI/2 and would contribute to the achievement of sustainable development. Basic Conditions d) and e) are therefore also met.

### **Recommendation 6**

6A Amend clause ii) of Policy WAT 3 to read: “provide direct footpath connections ...”

6B Amend clause iii) of Policy WAT 3 to read: “improve connectivity across the wider neighbourhood through the provision of new footpath links.”

### **Policy WAT 4 - Creating and maintaining sustainable access routes to Waterbeach village primary school**

6.42. Policy WAT 4 looks to safeguard the roads around Waterbeach primary school as a walking-to-school route, and to manage new developments that would impact on this. Again, given the focus of the NPPF and the SCLP at Policy TI/2 on promoting sustainable transport options, the objective of the policy has regard to the NPPF and is in general conformity with the SCLP.

6.43. However, I have a concern regarding clause 2 which affects the clarity of the policy. At present, the wording would apply to any development which would result in increased traffic movements. This would result, for example, in a single infill house on these routes being resisted if it did not propose prioritisation measures. This is an unreasonable requirement on this scale of development and the policy should be clarified to confirm that it will apply where there is a *significant* increase in vehicular movements.

6.44. In its Regulation 16 representation Boyer is concerned that the extension of the network of roads in Map 6.3, particularly the Denny End Road and Bannold Road, requires further justification. However, the proposed modification above to acknowledge that the requirement will relate to significant increases in vehicular movements would balance the effect of the slightly extended area, and I am satisfied that no further modification is required.

6.45. Finally, SCDC make the point in their Regulation 16 representation that Map 6.3 should be enlarged so that the road names identified are clearer. I have no objection to this and if the map focussed more tightly on the red routes it could be converted to A4 portrait format allowing it to be enlarged.

### **Recommendation 7**

7A Insert the word “significant” in line 1 of clause 2 of Policy WAT 4 before the word ‘increases’.

7B Increase the size of Map 6.3 by converting to a portrait format to improve clarity of road names.

## Policy WAT 5 - Creating and maintaining sustainable access routes to Waterbeach New Town schools

- 6.46. Policy WAT 5 seeks to ensure sustainable access to WNT schools but goes further in Part 2 by making specific requirements regarding positioning, and particularly positioning entrances to avoid busy through-routes. Whilst the overall objective of use of sustainable modes to school has regard to the NPPF objectives to promote sustainable travel and is also in general conformity with the SCLP, Part 2 has attracted objections at the Regulation 16 stage. Both Boyer Planning on behalf of developers and SCDC object that the requirements in Part 2 are overly restrictive, particularly regarding entrance positioning and that more flexibility is required. SCDC go further and argue that the clause requiring the design of the WNT to be arranged to avoid the need for children to cross primary and secondary roads is unduly influencing design and layout considerations that are a strategic matter controlled by Policy SS6 and the related Waterbeach New Town SPD. The SPD includes the spatial framework diagram, which has itself been through formal procedures and adopted and includes several schools that are potentially on or certainly close to the primary route network and will likely involve pupils having to cross the primary or secondary network.
- 6.47. Whilst the principle of Part 2 is worthy of being supported, it needs to be worded with sufficient flexibility for the policy to make a helpful contribution to designing access to schools, bearing in mind that both the SPD and some planning permissions are already in place that have made initial decisions on school locations. The important point is that final decisions regarding positioning of entrances need to take into account the nature and usage of roads where entrances are proposed to be sited and be designed accordingly.

### Recommendation 8

- 8        Reword Part 2 of Policy WAT 5 to read:

“To assist this, designing the location of school entrances should take into account the nature and usage of access roads and where practicable avoid entrances on through roads.

Additionally, the new town should be designed as far as practicable (and in general conformity with the spatial framework diagram in the Waterbeach New Town SPD) such that the need for children to cross primary and secondary roads to access schools is minimised and preferably avoided...”.

- 6.48. With these modifications, Policy WAT 5 will meet the requirement for the policy to be in general conformity with SCLP Policy SS6 and with the spatial framework diagram for WNT in the SPD. The policy, in promoting safe routes to school is likely to have a strongly positive contribution to achieving sustainable development. The policy therefore meets Basic Conditions a), d) and e).

## Policy WAT 6 - Improving road safety in Waterbeach village

- 6.49. Policy WAT 6 seeks to ensure that development proposals in Waterbeach do not have an adverse effect on road safety and, where possible, improve the situation. Inasmuch as neighbourhood plan policies are restricted to the development and use of land, I am concerned that the policy title is somewhat misleading. To reflect the fact that the policy content is not to improve road safety per se, it should be changed to “Development and road safety in Waterbeach village”.
- 6.50. The principle of the policy has regard to the NPPF at section 9 and is also in general conformity with the policy objectives of SCLP Policy TI/2. However, as with other policies, there are issues regarding the need for the policy to be clear and unambiguous.
- First the main policy content and message is disrupted by the insertion of a long table of road safety hotspots. I appreciate that for Policy WAT 6 to operate the detail of these needs to be clear. However, in the same way as the policy cross-references Map 6.4 following, there is no reason why the table cannot be separate and be cross-referenced from within the policy. In this way, the main policy content is not broken up and the full extent of the policy would be clearer.
  - Secondly, for the policy to be clear and unambiguous it needs to be made explicit in clause 2 that refusal would only be the outcome after considering possible mitigation. In that way, as per paragraph 109 of the NPPF, refusal will only be the outcome where the residual cumulative impacts are severe.
  - Thirdly, SCDC has expressed concern at the Regulation 16 stage that the Plan of the hotspots at Map 6.4 should be enlarged. This could be achieved by reshaping the plan to be A4 portrait in size.

6.51. I recommend the following modifications.

### Recommendation 9

- 9A Retitle WAT 6 as “Development and road safety in Waterbeach village”. Make the same modification to the subtitle at Section 6.6 on page 51.
- 9B Delete tabulation section from Policy WAT 6 and relocate to follow policy as a stand-alone table.
- 9C Reword line 3 of clause 1 of WAT 6 to read:  
“...hotspots identified in Table x and Map 6.4 below”.
- 9D Insert after the word ‘safety’ in clause 2 the words “after considering mitigation...”
- 9E Reformat Map 6.4 to portrait format, focused on the road safety hotspots, and enlarge to A4.

6.52. With these modifications, Policy WAT 6 will meet Basic Conditions a) and e) and as development that minimises its traffic impact would also contribute to achieving sustainable development, Basic Condition d) would also be met.

### Policy WAT 7 - An accessible village and town

6.53. Policy WAT 7 seeks to ensure that those with mobility problems in the Parish can gain access around the village and in particular to the new station once relocated.

6.54. The aspiration of the policy has regard to the NPPF generally and the general objective of the SCLP transport policies. However, there is a major issue regarding the requirements of the policy in respect of the new station.

6.55. The current permission ref S/0791/18/FL granted in January 2020, and expiring January 2023 if not implemented, makes provision for disabled parking and step-free access to the station and access provision for bus services. A requirement under condition 17 of the permission also requires a station travel plan to include provision of a bus shuttle service serving the village and new station. It is therefore reasonable that the neighbourhood plan at clause 1a, b and c seeks to ensure these provisions apply in respect of any revised or subsequent applications relating to the new station.

6.56. There are however two issues with the policy which need to be addressed to ensure it provides clear and unambiguous advice to plan users. Firstly, in 1a), although this is a requirement relating to the station specifically, the clause includes a requirement for disabled parking outside principal shops and services. This will not be implementable under clause 1 as written and as such is unclear and confusing and, in any event, is covered by clause 2 in general terms.

6.57. Secondly, regarding clause 2, as with Policy WAT 1, this clause only partially reflects the tests required of planning obligations and legal agreements and, as with Policy WAT 1, the text needs to be revised to ensure the requirement properly reflects the S106 tests.

6.58. I recommend the following modifications.

#### Recommendation 10

10 A In clause 1a) of Policy WAT 7 finish the clause at the word 'station' in line 2 with a full stop and delete the rest of the clause.

10B Delete the words 'where applicable and proportionate to the proposed scheme' from lines 1-2 of clause 2. Insert after the word 'impairments' in line 4 the words: "where necessary to make the development acceptable and where directly, fairly and reasonably related in scale and kind to the proposed development."

6.59. With these modifications, the policy would meet the Basic Conditions.

## Policy WAT 8 - Managing and mitigating adverse impacts of increased traffic movements on residential amenity

- 6.60. Policy WAT 8 overlaps to a degree with Policy WAT 6 but, inasmuch as the focus this time is on impacts on residential amenity, a separate policy is justified. However, a similar issue arises with this policy as with WAT 6. The justification in the supporting text is largely about addressing impacts from traffic on the A10, but the policy itself is tied to new development to ensure the policy meets the requirement to deal only with the development and use of land. That being the case, the policy and section should be retitled to make it clear it is dealing with new development to ensure current traffic issues are not worsened through new development.
- 6.61. Whilst generally, as with the other transport policies, WAT 8 has regard to the NPPF at section 9 and SCLP Policy TI/2, there are again two aspects in which the policy is not clear and unambiguous.
- 6.62. First, in respect of clause 1, the term 'major development' has a specific and defined meaning and it would be better to use that as the threshold rather than introduce the term 'significant development', which is open to interpretation. Also, clause 1 should be expressed as a specific requirement of development whereas at present it is not.
- 6.63. In respect of clause 2, whilst most of the clause is justified in terms of mitigating adverse impacts, the last part, relating to contributions to boundary treatment to existing properties, is wholly unreasonable and unenforceable.
- 6.64. I recommend the following modifications.

### Recommendation 11

- 11A Retitle Policy WAT 8 to read:  
"Managing and mitigating adverse impacts of increased traffic movements from new development on residential amenity".  
Make the same modification to the subtitle at paragraph 6.8 on page 60.
- 11 B Reword the start of Policy WAT 8 to read:  
"Proposals for major development in the plan area which is likely to trigger significant traffic movements will be required to be supported by ..."
- 11C In clause 2 of WAT 8 end the policy in line 8 after the words 'pedestrian movement' with a full stop and delete the rest of the policy.
- 6.65. With these modifications, the policy would meet Basic Conditions a) and e). The policy content in reducing the traffic impacts of new development would be likely to contribute to more sustainable development and as such Basic Condition d) would also be met.

## Policy WAT 9 - Protecting and enhancing the provision and quality of Waterbeach's walking routes including the Waterbeach Public Rights of Way network and bridleways.

- 6.66. Policy WAT 9 seeks to protect and enhance Public Rights of Way (PROW) and bridleways within the neighbourhood area. The policy, in its focus, has regard to the NPPF in section 8 promoting healthy safe communities and section 9 promoting sustainable transport.
- 6.67. There is, however, an issue with respect to Map 6.6 (Walking Routes and Bridleways) in that it shows the paths and bridleways connecting into the wider network outside the Parish. This creates a problem because Policy WAT 9 expressly states that PROW shown in Map 6.6 will be protected or enhanced (ie by implication all these on the map including those outside the Parish). The Plan cannot by law relate to matters outside the neighbourhood area and therefore it is necessary to delete the footpaths and bridleways beyond the parish boundary. The very first section of footpath connecting from the Parish into the wider network could be shown eg 56/11 at Chittering, 258/33 at Reach Lode Lock and 130/12 at Clayhithe, but only enough should be shown to identify it with the reference number.

### Recommendation 12

- 12A Delete the PROW and bridleways beyond the Parish boundary in Map 6.6 with the possible exception of a small indicative linking section eg 56/11 at Chittering.
- 12B Insert between the words 'and' and 'will' in line 2 of clause 1 to Policy WAT 9 the words "those within the neighbourhood area..."
- 6.68. With these modifications, the policy would comply with the requirement that it must relate only to the neighbourhood area and in other respects would be in general conformity with Policy TI/2 of the SCLP and would, by promoting walking for health and exercise, contribute to the achievement of sustainable development. The Basic Conditions would therefore be met.

### Village Heart Policies

## Policy WAT 10 - Maintaining and enhancing a vibrant Village Heart

- 6.69. The purpose of Policy WAT 10 in seeking to protect and enhance the Village Heart of Waterbeach and its shops and services has regard to the NPPF at section 8 and, in particular, paragraph 93. The policy is also in general conformity with and complementary to SCLP Policy SC/3, which seeks to protect village services. In focusing on the circumstances in which new development in the Village Heart will be supported, Policy WAT 10 does not duplicate Policy SC/3. The thrust of Policy WAT 10 to encourage development that supports and retains Village Heart services will help to achieve sustainable development by retaining available local services and

avoiding the need to travel.

- 6.70. The policy raises no issues in respect of the Basic Conditions and there is no need for any modification.

### **Policy WAT 11 - Public realm improvements in the Village Heart**

- 6.71. Policy WAT 11 seeks to proactively improve areas of the village green which are in need of environmental improvements and to achieve this through developer contributions via Policy WAT 12 and as community projects.
- 6.72. The policy has regard to the objectives of the NPPF at section 8 paragraph 93, where it seeks to encourage positive planning of community facilities, spaces and local services, and is in general conformity with the social and community policies of the SCLP.
- 6.73. SCDC, in its Regulation 16 representations, however raise some issues in respect of the clarity of the policy, related text and Map 6.8. The areas, although defined spatially on Map 6.8, are not defined in the supporting text to explain why they have been selected. Moreover, Area 1 in the south-west corner of the Green is not referenced in the policy at all and so it is unclear what the proposal in respect of that space is. SCDC also suggest that some of the identifying features such as the bus stop, White Horse, local store etc could be identified on Map 6.8 to clarify the policy for users not immediately familiar with the centre of Waterbeach.
- 6.74. With these recommended modifications in place, the policy and text would be clear and unambiguous and therefore meet Basic Condition a). Improvements to the green will contribute to sustainability and as stated the proposal complements the aspirations of SCLP policies generally.

### **Recommendation 13**

- 13A Parish Council to liaise with SCDC to produce brief descriptive text for Areas 1-5 to be inserted following paragraph 6.11.2 of the supporting text.
- 13B Insert a reference in clause 1 of Policy WAT 11 as to the intended improvements for Area 1 and renumber the clause accordingly.
- 13C Annotate Map 6.8 to show identifying features to help explain proposals.

### **Policy WAT 12 - Waterbeach village public realm developer contributions**

- 6.75. As stated above, this policy is designed to set out that implementation of the public realm improvements will be, in part, achieved through developer contributions on major developments. In principle this is acceptable, and the policy sets out the tests for section 106 planning obligations. However, I am not persuaded by the test of necessity in the policy, which is unclear. The need for Waterbeach Village Heart to continue to thrive is a constant. What needs to be demonstrated is that occupants or

users of the major development proposed can reasonably be expected to visit and use Waterbeach Village Heart services. Where that is the case, the contribution would be necessary.

6.76. Accordingly, modification is required.

#### **Recommendation 14**

- 14A In line 2/3 of Policy WAT 12 delete the words 'where this is necessary to ensure Waterbeach Village Heart continues to thrive'. Replace with the words: "...where occupants or users of the development are likely to use or access Waterbeach Village Heart or its services and where the contribution is directly.....proposed".

#### **Employment Policies**

#### **Policy WAT 13 - Denny End Industrial Estate and Cambridge Innovation Park**

- 6.77. Denny End employment area in Waterbeach is identified as an Established Employment Area (EEA) in the SCLP at Policy E15 and protected under Policy E14. New employment-generating development is allowed within it under Policy E15. Whilst the Cambridge Innovation Park is not within the EEA nor within the village development framework, its current and future development would be appropriate, subject to criteria, under SCLP Policies E13 (New development on the edge of villages) and E16 (Expansion of existing businesses in the countryside). WPC has taken the view, rightly, that there is no need to repeat the coverage provided by these policies but is of the view that the WNDP should include a complementary Policy WAT 13 to confirm support for development on the two sites and to seek specific improvements through development there.
- 6.78. Policy WAT 13 is in general conformity with these SCLP policies and the criteria set out within them and would not undermine these strategic policies by the inclusion of the Cambridge Innovation Park (CIP). However, very little evidence is provided in the supporting text in relation to CIP and the reasons for its inclusion, and this needs to be rectified.
- 6.79. The policy, in supporting employment-related development at the sites, has regard to the objectives of the NPPF in section 6 and particularly paragraph 84 supporting a prosperous rural economy.
- 6.80. Cambridge Innovation Parks, in its Regulation 16 representation, confirms that the policy is consistent with future plans for the CIP and that the policy is supported.
- 6.81. SCDC, in its Regulation 16 representation, raises three issues where it is considered that the policy and text is not sufficiently clear and unambiguous to entirely satisfy Basic Condition a).
- First, it shares the concern set out above regarding the justification relating to

CIP, and this needs to be resolved with additional text.

- Secondly, the policy should be supported by a plan showing the extent of the two sites and the area within which further development will be supported, particularly in respect to the CIP where there are already three new buildings proposed. I agree that this is necessary for the policy to operate effectively.
- Thirdly, it proposes that clause 1a) is developed to clarify that the frontage should be landscaped. However, I am not satisfied that it is simply landscaping that the WPC has in mind for the frontage, and therefore as part of the examiner's questions I have asked WPC to clarify the intention. WPC has responded indicating that it is seeking all development on the road frontage to be designed to a high quality of architectural design, but that it is happy for the clause to require landscaping as an addition to this.

6.82. There is a further matter where the policy is not clear, not raised by SCDC, and that is in respect of clause 1d) where the policy seeks improved non-motorised vehicular access to the site. The intent is unclear as the wording probably could only include bicycles. I therefore also asked WPC to confirm whether the intention was, in fact, to improve access for all non-motorised modes of transport including walking. WPC has subsequently confirmed that this was the intention.

6.83. I recommend the following modifications to resolve these points.

### **Recommendation 15**

15A Include a map defining the physical extent of the two employment sites within which it is intended that Policy WAT 13 will operate.

15B Revise clause 1 of Policy WAT 13 to read:  
"Development proposals for new employment uses within the area of Denny End Industrial Estate and Cambridge Innovation Park as defined in Map x will be supported."

15C Revise clause 1a) to read:  
"Maintaining a high quality of architectural design and landscaping on the frontage to..."

15D Revise clause 1c) at the end to state "within the sites themselves".

15E Revise clause 1d) to read :  
"Improving access to the sites by non-motorised modes of transport".

15F Include the following (or similar) supporting text after 6.13.1:

"6.13.2. Although Cambridge Innovation Park is not identified as an Established Employment Area and is not within the village development framework defined in the South Cambridgeshire Local Plan, its current and future development would be appropriate, subject to criteria, under SCLP Policies E13 (New

development on the edge of villages) and E16 (Expansion of existing businesses in the countryside).”

“6.13.3. The Neighbourhood Plan supports these policies and there is no need to duplicate them in the Plan. However, given the important role in respect of job opportunities in the village that the sites play it is important that the areas of the two sites, within which further future development or redevelopment will be accepted, are defined in the plan and that locally specific criteria to protect the location on Denny End Road and its surrounding uses are set out.”

“6.13.4. Denny End Industrial Estate is located south of Denny End Road close to the A10 junction and is accessed via Pembroke Avenue and Convent Drive. Cambridge Innovation Park is a business park providing serviced office space directly off Denny End Road to the north, also close to the A10 junction. The areas of the two sites are set out at Map X.”

“Policy Intent

6.13.5. The NP supports the use of the Denny End Industrial Estate and the Cambridge Innovation Park for employment uses in line with the Local Plan. The NP does ... near the entrances to both sites as well as ... residential uses. In addition, in respect of both sites, there is the opportunity to improve access for pedestrians and cyclists. Policy WAT 13 of the NP therefore ... Innovation Park.”

(Note - wording in the gaps above is as per former paragraph 6.13.4 in the Submission WNDP.)

- 6.84. With these modifications, Policy WAT 13 will be clear and unambiguous and meet Basic Conditions a) and e). Inasmuch as the policy will ensure employment opportunities continue to be available in the locality, the policy will help to achieve a sustainable settlement and therefore Basic Condition d) will also be met.

## **Design, Conservation and Heritage Policies**

### **Policy WAT 14 - Waterbeach design principles**

- 6.85. The WNDP seeks to deliver development to a high standard of design and, to that end, the preparation of the Plan included the carrying out of the Waterbeach Heritage and Character Assessment (WHCA), and subsequently the preparation of a set of design principles. Policy WAT 14 seeks to ensure these principles are applied. This part of the Plan has regard to the NPPF at section 12 which similarly sets out to achieve a high quality of buildings and spaces. The same aspiration is the focus of SCLP Policy HQ/1. Whilst Policy HQ/1 sets out a comprehensive set of design principles, as perhaps would be expected, these are fairly high-level, strategic design principles. The design principles of the WNDP are designed to be more locally applicable. The principles and the policy are in general conformity with the

SCLP Policy and I am satisfied that, for the most part, they do not overlap with the local plan principles but rather are complementary, adding a local dimension.

- 6.86. Nevertheless, as might be expected with a detailed set of principles, inevitably they have attracted criticism through the Regulation 16 representations, in particular from Boyer Planning and SCDC.
- 6.87. Boyer generally make the point that flexibility is required in terms of applying the principles in the area of the new town where there is scope to apply new technologies and an alternative character to that applying in the existing village. I accept that the new town will establish its own character and, therefore, there is a need to introduce an element of flexibility. But, given the close relationship between the new town and the existing village, there will be a need for designs to respect the established character. SCDC raises a similar point and also points out that SCLP Policy SS/6 and the Waterbeach New Town SPD and existing planning permissions have already set some design parameters and the WNDP cannot override these. Again, therefore there is a need for flexibility.
- 6.88. I deal below with the points raised in respect of the Waterbeach design principles (WDP):
- WDP1 and 4 – Boyer and SCDC – the WNDP principles cannot tie development in the new town area to the same degree as elsewhere. I agree with this and the principles should be modified.
  - WDP5 – SCDC – argues this principle would be unduly burdensome for the vast majority of extensions and alterations that will take place in Waterbeach featuring 20<sup>th</sup> century development. SCDC consider the principle should be deleted or made more specific. I agree generally with the concern, but it would not be appropriate to delete the principle. I recommend that its application should be restricted to the Conservation Area and in respect of designated and non-designated heritage assets.
  - WDP6 – Examiner – The application of the principle is not just limited to buildings or features of historic interest but should relate to where there may be townscape interest as well.
  - WDP7 – SCDC – Hedgerows can be as important as trees in shaping and defining public and private spaces and should be included. This is accepted.
  - WDP8 - SCDC – It will be important that boundary planting uses mixed native hedgerow species to achieve the aim of the principle. This is accepted.
  - WDP11 – Examiner – This principle stands out as different to the others and for clarity would be better relocated to Schedule 2 Landscape Principles.
- 6.89. SCDC raise further general points regarding Policy WAT 14 itself. It is argued that the operation of the policy is unclear and ambiguous in a number of respects.

- First, the policy should clearly refer to the policy framework that will apply in respect of Waterbeach New Town. I accept that, given that SCLP Policy SS6 and the Waterbeach New Town SPD provide some design guidance, it should be made clear in the policy that this must also be taken into account with regard to development in the new town.
- Secondly, the policy would be clearer if the principles were to be set out in the policy itself. Given that the policy expressly and clearly refers to Schedule 1 as the source for the principles and which immediately precedes it, I am not persuaded that the policy itself needs to contain the principles.
- Thirdly, it is argued that the requirement in the second paragraph to ‘contribute in a positive way’ is unclear and SCDC suggest instead the words ‘have regard to’. I accept that generally ‘have regard to’ is a more straightforward test and the wording should be amended.
- Fourthly, SCDC is concerned that the policy is not self-contained in that a user would have to refer to the WHCA to operate clause 2. Moreover, the design principles document should also be referenced. For ease of operation, a headline summary of the WHCA could be included in the supporting text to a greater extent than is currently the case (or in an appendix to the Plan), which could then allow the policy to refer to a particular section of supporting text. Inasmuch as the design principles are detailed in Schedule 1, cross-referencing the actual document would be unnecessary.

6.90. In the last paragraph of Policy WAT 14, the clause is not clear about when and where it will apply, and an amendment to the wording is necessary.

6.91. Finally, Anglian Water in its Regulation 16 representation requests that, for clarity, the policy makes it clear that it and Schedule 1 are relating to residential development. However, it is not clear from the policy and supporting text that WAT 14 is intended to relate only to residential development; although I accept this will probably be the main focus. As such, I am not persuaded the policy text should be modified in this way.

6.92. I recommend the following modifications.

### **Recommendation 16**

- 16A Add to the Schedule 1 WDP1 ‘where applicable’ paragraph the following wording:  
 “...but in the new town there will be scope for new technologies and some flexibility in approach subject to designs having regard to the character of the established settlement”.
- 16B Insert in the Schedule 1 WDP4 ‘where applicable’ paragraph in Line 2 the word ‘village’ before locations. Amend 2nd sentence to read:  
 “With respect to the WNT, it is acknowledged the new town will have its own

identity separate to that of Waterbeach village and that the Waterbeach New Town SPD and planning permissions already set some design parameters, but nevertheless the design approach should have regard to existing local character including that in Waterbeach village”.

- 16C Amend the Schedule 1 WDP5 ‘where applicable’ paragraph to read:  
“Applicable to proposals in Waterbeach Conservation Area and where designated and non-designated heritage assets are involved.”
- 16D Amend the Schedule 1 WDP6 ‘where applicable’ paragraph to insert the words “or townscape” after the word ‘historic’ in the last line.
- 16E In Schedule 1 WDP7 Design Principle insert the words “and hedgerows” after the word ‘trees’ in lines 1 and 6.
- 16F In Schedule 1 WDP8 Design Principle add the words “of mixed native hedging” after the word ‘planting’ in Line 3.
- 16G Relocate WDP11 Design Principle in its entirety from Schedule 1 to Schedule 2.
- 16H In paragraph 2 of Policy WAT 14 Line 1 delete the words ‘contribute in a positive way’ and replace with the words “have regard”.  
Add to the end of the paragraph the following:  
“...and (within the new town) the Waterbeach New Town SPD.”
- 16J Revise the last paragraph of Policy WAT 14 to read:  
“In preparing the design of any development, account must be taken of the design principles set out in Schedule 1 supporting this policy and (within the new town) the guiding principles set out in the Waterbeach New Town SPD.”

## Policy WAT 15 - Development and landscape quality

- 6.93. The work in preparing the WHCA and Waterbeach Design Principles stresses the importance of the surrounding landscape character in which Waterbeach sits, and the WNDP, at Policy WAT 15, seeks to ensure that development respects and retains the local landscape character. In a similar way to Policy WAT 14, where development principles were set out in Schedule 1 for built development, Schedule 2 sets out the principles of importance to landscape character. This part of the Plan has regard to the objectives of section 15 of the NPPF seeking to conserve and enhance the natural environment and in particular paragraph 174 recognising the intrinsic character and beauty of the countryside.
- 6.94. As with Schedule 1, the detail of the landscape principles has been the subject of representations at the Regulation 16 stage, mainly from SCDC.
- SCDC and Examiner –Waterbeach Village Character Area Principles 3 and 5 and the Urban Edge Principle 2 and Central and North Principle 1 - it is not clear where the plan user would find the views that are considered important and the

landmarks referred to. I agree that these views of importance and landscape features should be identified and included in a map which can be cross-referenced in these two principles.

- SCDC - Waterbeach Village Character Area Principle 5 – the principle should also be to protect and not just retain important landscape features. I agree this would help to clarify the intent.
- SCDC - Waterbeach Village Character Area Principle 6 – it is not the buildings that should be reflected in the proportions of front gardens but the plot layouts. I agree this should be clarified.
- Examiner - Waterbeach Village Character Area Principles 7 and 8 have a greater similarity with the design principles of Schedule 1 and should be relocated.
- Examiner - for ease of referencing, the landscape principles should have a unique reference numbered through as with the design principles. It is suggested these are numbered through as Waterbeach Landscape Principles WLP1-WLPxx.

6.95. In respect of Policy WAT 15 itself, SCDC in its representation expresses concern with the wording 'where they accord with' in the first paragraph and propose the words 'have regard to' are substituted. I agree that this allows a little more flexibility where there may be clear justification not to accord with a principle, but the terms in both WAT 14 and WAT 15 referring to the principles should be the same and, as WAT14 states that development should take account of the design principles, WAT 15 should be expressed in the same way.

6.96. Finally, SCDC raise the same point as with Policy WAT 14 that the principles should be part and parcel of the policy. However, as with WAT 14, I do not consider it sensible to add a large volume of text to the policy which will detract from the clarity of the message. Provided Schedule 2 is clearly cross-referenced, which it is, the addition of the principles is unnecessary.

6.97. I recommend the following modifications.

### **Recommendation 17**

- 17A Prepare a map showing the key views and landscape features and insert it following Schedule 2, cross-referenced from the principles in the schedule referring to important views.
- 17B In Schedule 2 principle 5 insert the words "protect and" before the word 'retain'.
- 17C Delete the word 'buildings' in line 1 of Schedule 2 principle 6. Replace with the words "plot layout".
- 17D Relocate Schedule 2 principles 7 and 8 into Schedule 1.
- 17E Renumber all the principles in Schedule 2 as Waterbeach Landscape Principles

WLP 1 to WLP XX.

17F Delete the words 'accord with' in paragraph 1 line 3 of Policy WAT 15. Replace with the words "take account of"...  
Add the words "identified in Map x" after the words 'River Cam' in the last line of the policy.

6.98. With these modifications, Policy WAT 15 and Schedule 2 will meet the requirement to be clear and unambiguous and therefore meet Basic Condition a). Developing in accordance with the landscape principles will contribute to sustainable development and the policy will be in general conformity with SCLP Policy NH/2. Basic Conditions d) and e) will therefore also be met.

### Policy WAT 16 - Important edge of settlement sites

6.99. Policy WAT 16 seeks to protect two areas on the eastern edge of Waterbeach from development because of their important open character in the setting of Waterbeach from the east and in terms of their role in marking the fen edge to the settlement. One is east of Midload Farm between it and the railway and the other is east of the railway at Town Holt.

6.100. Following my site visit, it was not clear why these areas were not more extensive to include land south of Bannold Road in respect of Midload and the area between the WAT 16 land and Clayhithe/Station Road to the south in respect of Town Holt. On site, these areas seemed to serve a very similar function to the identified areas in Policy WAT 16. Accordingly, as part of the examiner's questions, WPC was asked to provide an explanation which is set out in Appendix A to this report. I am not entirely satisfied from the response as to the reasoning for the limited selection of these areas. I do understand in respect of Midload that the land north of Bannold Road protected by WAT 16 is not in the green belt, whereas land to the south is, but WPC has not referred to this in its justification. In respect of Town Holt, I appreciate the triangle is bounded by footpaths and adjacent to allotments and is well used, but the land to the south is as important to the village edge and setting from Clayhithe Road.

6.101. Notwithstanding my concern, inasmuch as extending these areas of protection would be a significant change to the Plan and likely to be controversial with landowners, given what WPC has explained in relation to Town Holt, it is not possible at this stage to suggest any alternative area to these two sites. Equally, there is enough justification in the supporting text to warrant the protection remaining, but I recommend that, in the Midload case, the fact that the site is not within the green belt (and therefore more vulnerable to development) should be reflected as part of the justification for this narrow strip between the railway and the village to be retained open.

6.102. In addition to this general point, Policy WAT 16 itself is unclear and imprecise as it does not define the sites. The policy as it stands would therefore conflict with the NPPF and PPG advice and does not meet Basic Condition a) without amendment.

## Recommendation 18

- 18A Revise the wording of Policy WAT 16 to read:  
“Development which will have a harmful impact on the contributions made by land east of Midload Farm and at Town Holt (as defined in Maps 6.9 and 6.10) to the rural setting ...”
- 18B Replace the second sentence in the justification for Midload Farm in paragraph 6.16 2 with the following:  
“The land is not part of the green belt and therefore the important characteristics of the site in contributing to the quality and openness of the countryside setting to Waterbeach is not protected in the way that land on the settlement edge is to the south.”

6.103. With these modifications, Policy WAT 16 and text meets Basic Condition a). The policy is in general conformity with SCLP Policy NH/2 on Landscape Character and is likely to contribute to sustainability. Basic Conditions d) and e) would therefore also be met.

## Green Infrastructure Policies

### Policy WAT 17 - Protected Village Amenity Area at Barracks main entrance, Denny End Road

- 6.104. Policy WAT 17 aims to add a site to the protection provided by the SCLP at Policy NH/11 and to that end is in general conformity with the Local Plan. However, by not using the same terminology in titling and mapping, the policy is not as clear as it could be.
- 6.105. Moreover, as it is a question of a site being designated a Protected Village Amenity Area (PVAA) by the WNDP but joining the protection afforded by the SCLP under Policy NH/11, it is not necessary to repeat the local plan policy content within Policy WAT 17. The policy simply needs to refer to the local plan policy. Notwithstanding this, WPC has expressed concern that, in the event of the SCLP ‘parent’ policy being superseded in the emerging Greater Cambridge Local Plan, protection should still be given to these areas. I understand WPC’s concern but what it proposes would be a case of the neighbourhood plan pre-empting the strategic planning process. However, it would be open to the Parish in the circumstances they outline to carry out a review of the neighbourhood plan, at which point revised protection of open spaces and amenity areas could be reassessed in the light of any change in strategic policy.

## Recommendation 19

- 19A Amend the title to the section on page 99 and the policy title to read:  
“Policy WAT 17 – Protected Village Amenity Area – Barracks Main Entrance Denny End Road ...”. (See also Recommendation 20)
- 19B Amend the title of the map at 6.11 to read:  
“Protected Village Amenity Areas” – (see also Recommendation 20)

- 19C Amend the wording of Policy WAT 17 to read:  
“The green space as shown on Map 6.11 at the Barracks Main Entrance on Denny End Road ... is designated as a Protected Village Amenity Area under Policy NH/11 of the South Cambridgeshire Local Plan.

(See also Recommendation 20)

- 6.106. With these modifications, the proposal/policy will be clearer and will be in general conformity with the SCLP and the Basic Conditions are met.

### Policy WAT 18 - Protected open space in Waterbeach village

- 6.107. Policy WAT 18 seeks to protect areas of open space in Waterbeach which provide a variety of green space functions. The policy has regard to paragraph 98 and 99 of the NPPF seeking to maintain access to a network of high-quality open spaces. However, the proposed sites and the policy sit within an already well-developed hierarchy of protection in the SCLP. At a general level, Policy SC/8 protects open space on a generic basis including orchards, allotments, recreation grounds etc without naming sites. The SCLP at Policy NH/12 also identifies and names Local Green Space (LGS) as defined in the NPPF at paragraph 102, some of which are within Waterbeach. Finally, the SCLP identifies amenity open space within villages to be designated PVAA's under Policy NH/11.
- 6.108. In this context, the introduction of another layer of protection through the neighbourhood plan is potentially confusing, and it is not entirely clear from the policy or its justification what the purpose is. Accordingly, as part of the examiner's questions I asked WPC to confirm what the intention and distinction was. The question and reply are at Appendix A below.
- 6.109. I acknowledge that WPC wish to name and identify the extent of the open spaces they wish to protect and, as they would only allow development where it is to enhance the quality or quantity of the space, I can understand why the generic Policy SC/8 may not be adequate.
- 6.110. I also accept WPC's point that PVAA are limited to spaces within the development framework of Waterbeach and the WNDP at Policy WAT 18 seeks to designate three large open spaces not within the development framework.
- 6.111. However, if the intent is that these spaces proposed in WAT 18 are demonstrably special to the community where development is not to take place unless very special circumstances apply (which appears to be the case), then the NPPF has made provision for the protection of these spaces as LGS. There is a strong argument to say that this should be the vehicle to protect these spaces and that creating an alternative designation that seeks to pre-empt the general policy to protect green space in the NPPF at paragraph 99 is contrary to the NPPF.
- 6.112. WPC, in its response, admit that the identified sites could be LGS but do not explain why they have not been identified as such. Indeed, although the examiner's question

posed the possibility of designating the sites as LGS, this option was not addressed in the Parish's response. Were the WAT 18 sites to be reclassified as LGS, however, I am not persuaded that sites 5, 6 and 7 would fully meet the criterion in the NPPF for LGS of being demonstrably special to the community. Of course, they have an important amenity value, but this could equally be protected by designating them as PVAAAs under SCLP Policy NH/11, as with the Barracks entrance site. Sites 5, 6 and 7 did not appear, on my site inspection, to have any particular wildlife interest or natural beauty, being mainly close-cut grass, nor historic interest; although I accept that they would have some limited role as informal recreational space.

- 6.113. In the same way as the Barracks entrance is to be added to the PVAA protected by the Local Plan, sites 1, 2, 3 and 4 could be considered for designation as LGS protected by SCLP Policy NH/12. Designation as LGS carries the same tight restrictions as if it were green belt and only allows development in very special circumstances. Three of the four sites are already green belt and therefore designation as LGS would not necessarily change anything fundamentally. However, I am aware that there has already been a Regulation 16 representation from Ely Diocese objecting to the protection proposed under WAT18, and to now re-categorise the four sites as LGS without this having been through a process of consultation could open the plan to the risk of legal challenge on procedural grounds. This is less of an issue with respect to the Recreation Ground (site 4) already in WPC ownership and control. However, with respect to the allotment sites (sites 1 and 2) in private ownership, I recommend that for the time being they remain protected both as Green Belt and under Policy SC/8 of the SCLP. With regard to Camlocks (site 3), although it is currently in use as open space, it is not in public ownership and to propose this as LGS at this stage in the process would similarly carry procedural risk. I recommend that site 3 is therefore also added to the PVAA protection under SCLP policy NH/11. The matter of the protection of sites 1, 2 and 3 as LGS could be the subject of further assessment in a future review of the plan.
- 6.114. In conclusion, I recommend that the additional categorisation of protected open space in Policy WAT18 is deleted; sites 1 and 2 continue to be protected by Policy SC/8 and Green Belt; site 4 is reclassified as LGS with appropriate assessment; and sites 3, 5, 6 and 7 are reclassified as PVAA. Obviously, these changes will involve a reasonable amount of change to the supporting text and policy wording of both Policies WAT 17 and WAT 18. However, I am satisfied that this reclassification does not materially change the intent of the Plan. Therefore, it is not a modification that would necessitate reconsultation.
- 6.115. As referred to above, Ely Diocese in its Regulation 16 representation objects to the protection of the Glebe Road allotments (site 1) under Policy WAT 18. The above change would resolve this concern. As they are already within the Green Belt and outside the development framework, they have a reasonably strong protection. However, it is clear from the rest of the Ely Diocese representation that it is proposing that land off Glebe Road should be allocated for development, which may or may not be intended to include the allotments (See Section 7.1 below). Quite

clearly, therefore, there is some risk in the future from development resulting in long established and cultivated allotments being lost. However, as set out above, it is open to WPC to see these specifically protected as LGS in a future review of the plan, subject to these areas meeting the tests set out in the NPPF.

6.116. Finally, as the changes to Policy WAT 18 to add the Recreation Ground as an LGS are now a matter of a site being designated as LGS by the WNDP but joining the protection afforded by the SCLP under Policy NH/12, it is not necessary to repeat the local plan policy content within the revised Policy WAT 18. The policy simply needs to refer to the local plan policy. WPC has expressed concern that, in the event of the SCLP 'parent' policy being superseded in the emerging Greater Cambridge Local Plan, protection should still be given to these areas. I understand WPC's concern, but LGS are designated and protected by national policy in the NPPF which any emerging Greater Cambridge Plan will have to have regard to. In any event, it would be open to the Parish in the circumstances they outline to carry out a review of the neighbourhood plan, at which point additional LGS could be proposed and assessed for designation.

## **Recommendation 20**

- 20A Further amend the title to the section on page 99 and the policy title of Policy WAT 17 to read "Policy WAT 17 – Protected Village Amenity Areas - Barracks Main Entrance Denny End Road, Camlocks, Clare Close, Winfold Road and Park Crescent." (See also Recommendation 19).
- 20B Further amend the wording of Policy WAT 17 to insert after 'Barracks Main Entrance Denny End Road' the words ".... Camlocks, Clare Close, Winfold Road and Park Crescent is designated....." (See also Recommendation 19).
- 20C Include the Camlocks, Clare Close, Winfold Road and Park Crescent sites in Map 6.11 and retitle Map 6.11 (see Recommendation 19B)
- 20D Amend the supporting text at paragraphs 6.17.10 to include the four additional sites and a description of their amenity value (with text relocated from paragraph 6.18.1). Include the four sites in paragraph 6.17.11 – Policy Intent.
- 20E Retitle Section 6.18 as "Local Green Space in Waterbeach Parish"
- 20F Replace Policy WAT 18 with the following:
- "Policy WAT 18 Local Green Space in Waterbeach Parish
- The following publicly accessible open space as identified in Map 6.12 is designated as a Local Green Space and protected from development under South Cambridgeshire Local Plan Policy NH/12.
- Waterbeach Recreation Ground"
- 20G Retitle Map 6.12 as "Local Green Space" and delete sites 1,2, 3, 5, 6 and 7 from the map and key.
- 20H Delete existing paragraphs 6.18.1-4 and replace with the following:

“6.18.1 There is one valuable open space site (the Recreation Ground) that is in close proximity to the local community, local in character and is demonstrably special to the community for its recreational value in particular. The neighbourhood plan proposes that this site is designated as Local Green Space (LGS) under the provisions of the National Planning Policy Framework and joins the LGS sites protected from development save in very special circumstances under the South Cambridgeshire Local Plan at Policy NH/12.”

- The Recreation Ground – (Add LGS justification, drawing on and developing existing paragraph 6.18.1)

#### Policy Intent

6.18.2 In recognition of its demonstrably special value to Waterbeach Parish residents as public open space this site is designated and protected as LGS.

6.18.3 Development will not be permitted except in very special circumstances which may include where a proposal has the specific purpose of improving the quality and quantity of the open space and its function.”

- 20J Make consequential adjustments to reflect the above modifications in Table 6.3 on pages 95-99.

## Policy WAT 19 - Development and green infrastructure

6.117. Policy WAT 19 seeks to ensure that new open space coming forward as part of developments is well linked into the existing green infrastructure network in the Parish and offers usable recreational space.

6.118. The policy has regard to the NPPF at section 8 seeking to encourage opportunities that promote health and wellbeing and is generally in conformity with the policies of the SCLP, in particular Policy SC/7 setting out the requirements of open space in new development to which Policy WAT 19 is complementary.

6.119. Because of local issues with drainage basins being counted into open space provision when they have not provided accessible open space, Policy WAT 19 seeks to preclude these from contributing. However, David Lock Associates in their Regulation 16 representation make the point that this is not always the case and they can be designed to be dual use affording formal access around them. It is therefore requested by the objector that the last sentence of the policy is removed or adapted. I agree that there are examples of drainage basins being designed to be dual use, although I accept that this may not have happened in Waterbeach, and David Lock Associates' concern could be met by adjusting the wording in the policy.

### Recommendation 21

- 21 Add the following text to the last sentence of Policy WAT 19:  
“...unless they are specifically designed to be dual use providing both a drainage function and an opportunity for at least informal public open space use.”

6.120. With this modification, the concern expressed within the representation would be met and the policy will meet the Basic Conditions.

## **Biodiversity Policies**

### **Policy WAT 20 - Sites of value to biodiversity**

6.121. Policy WAT 20 sets out what is expected of development schemes to protect and enhance biodiversity.

6.122. The NPPF at section 15, particularly paragraphs 174 and 179, encourages plans to promote the conservation, restoration and enhancement of priority habitats and to pursue measurable net gains for biodiversity, which Policy WAT 20 has had regard to.

6.123. Policy NH/4 of the SCLP set out the principles to ensure biodiversity is protected and for strengthening ecological networks. The policy is specific in its requirements and the WNDP rightly remarks that the Neighbourhood Plan should not duplicate policy cover. However, based on consultation responses regarding biodiversity issues, the Parish Council has prepared Policy WAT 20 to guide the delivery of net gain in biodiversity. Although there is a degree of overlap with SCLP Policy NH/4, in the main, WAT 20 is complementary to it and in general conformity.

6.124. However, as with other policies, the way in which Policy WAT 20 is expressed is not clear and unambiguous. The first sentence of the policy appears to apply to all development proposals, not all of which may affect the sites of biodiversity value. Moreover, proposals will not necessarily be supported just because they take biodiversity value into account. This first sentence needs to be redrafted.

6.125. SCDC in its Regulation 16 representation is concerned that the policy appears to focus on deciduous woodland species and habitats with no evidence in the supporting text as to why this should be the focus more than anything else. Indeed, the supporting text talks about the network of habitats involving deciduous woodland, the River Cam and floodplain grazing marsh, which more accurately reflects the local networks. This should be the wording used instead.

6.126. SCDC also raises concern regarding Map 6.13 which includes in the key, 'County Wildlife Sites', of which there are several in the Parish, but which are not shown on the map other than one on Cambridge Road.

6.127. Finally, regarding the map, as it is the basis for the policy and bearing in mind the requirement that the WNDP does not include land not within the neighbourhood area, the yellow shading for the SSSI River Cam Washes should be restricted to that within the neighbourhood area.

## **Recommendation 22**

22A      Reword the first sentence of Policy WAT 20 to read:

“Development proposals close to or involving a site of biodiversity value in the Parish as defined in Map 6.13 must take full account of the biodiversity value.”

22B Reword the second sentence of paragraph 2 of Policy WAT 20 to read:  
“In doing so applicants should seek to retain and enhance the biodiversity value of the habitat network across deciduous woodland, the River Cam and floodplain grazing marsh.”

22C In Map 6.13 insert all County Wildlife Sites and remove that section of the SSSI at River Cam Washes that is not within the neighbourhood area.

6.128. With these modifications, Policy WAT 20 will meet Basic Conditions a) and e). The protection and enhancement of biodiversity will also have a strongly positive contribution to sustainability and therefore Basic Condition d) is also met.

## Housing Policies

### Policy WAT 21 - Housing mix

6.129. Policy WAT 21 looks to secure a mix of housing both within the new town and within the wider Parish that reflects the evidence of need for a greater number of smaller 1- and 2-bedroom houses, as well as provision for self-build and custom-built homes.

6.130. The policy has regard to the NPPF objective in section 5 to secure an appropriate mix of housing and housing choice. Whilst SCLP Policy H/9 proposes an even split in terms of size of 30% 1 and 2 bedroom, 30% 3 bedroom and 30% 4 or more bedroom with a 10% flexibility allowance, I note that more detailed work in respect of the new town and preparation of the Waterbeach New Town SPD and housing assessment for the WNDP in 2019 identified a higher need for smaller houses. I am satisfied that these documents do provide justification for the WNDP to adopt a mix that is not wholly in accordance with Policy H/9. The SPD proposes a 60/40 split of market housing to affordable housing and that 40% of market housing should be 1 or 2 bedroom and a much higher percentage of affordable rented housing (75% as 1 or 2 bedroom).

6.131. There is, however, a serious mismatch between the supporting text to Policy WAT 21 and the policy itself in terms of what is proposed concerning smaller houses. The text at 6.21.15 states that, because of variations case to case in what is negotiated on housing sites, it would be inappropriate for the policy to carry through the SPD requirement of 75% of the affordable rented housing as 1 or 2 bedroom. Yet this is exactly what Policy WAT 21 does. This is confusing and the policy and its supporting text therefore fails the requirement of the NPPF to be clear and unambiguous. Because of this, WPC was asked as part of the examiner's questions to explain what the intention was. The WPC response at Appendix A is itself not clear. It appears to suggest that the policy should stick to the requirements of the SPD and in that respect the text would then be wrong as the policy does not do what the supporting text says that it will. Before reaching a view on this, there are also Regulation 16 representations from SCDC and Boyer Planning which I must take into account.

Both raise concern over the lack of flexibility with respect to dwelling size in the housing provision in the new town and issues of viability. Although the SPD sets a high percentage requirement particularly in respect of 1- and 2-bedroom affordable rented housing, it is only guidance. The WNDP would be incorporating this as policy. The NPPF in its advice regarding planning policies makes the point that policies should be aspirational but deliverable. This being the case, I accept that Policy WAT 21 could be aspirational based on the evidence and could encourage a greater number of smaller units, but in order that the policy is deliverable, the approach set out in paragraph 6.21.15 not to use fixed percentages would be the approach more likely to meet the Basic Conditions. Moreover, the policy should include a viability caveat to ensure flexibility.

6.132. In addition to the above, there is another major issue with the policy in that clause a) as written is imprecise, meaningless and incapable of providing clear advice to developers or decision makers. We are not told what an 'appropriate proportion' is, nor does the supporting text say what in detail the different needs of the Parish are. In any event, the first paragraph of the policy already says that the housing mix must be informed by the latest evidence of need and therefore part a) is simply repeating what has already been said but in a less clear way. Clause a) should be deleted. If the Parish want the flexibility to ensure that other aspects of the housing mix, and not just size, reflect the local housing need then the word 'sizes' in line 1 of the policy should be removed. But as this is not a change needed to meet the Basic Conditions, I make no formal recommendation.

### **Recommendation 23**

23A Delete clause a) of Policy WAT 21

23B Amend existing clause b) to become a) and delete the wording in brackets. Replace it with the following words to follow on from the words 'Waterbeach New Town SPD':  
"... with the majority of the affordable rented housing to be 2 bedroom or smaller."

23C Add at the end of existing clause c) (now clause b)) the following:  
"...in deciding the appropriate level of provision for this type of housing".

23D Add to the end of Policy WAT 21 a new paragraph to read:  
"Any development proposal that will not meet the expected standards on the grounds of viability must demonstrate through a financial viability assessment why the policy objectives cannot be met."

6.133. With these modifications in place, Policy WAT 21 will meet Basic Condition a) and the need for policy to be clear and unambiguous. It will be in general conformity with SCLP Policy H/9 seeking a housing mix, and as it seeks to ensure housing provision meets local as well as district housing need it is likely to contribute to sustainability by providing housing to support the local community.

## Policy WAT 22 - Rural exception site affordable housing in Waterbeach parish

6.134. Policy WAT 22 allows for rural exception site housing to be developed to meet local housing needs not otherwise met within the development framework of the village. In that respect it has regard to the NPPF at paragraph 78. It would also be in general conformity with SCLP Policy H/11, largely because it repeats much of that policy. This is unnecessary and contrary to the advice in the NPPF that policies should not simply duplicate policy at other levels of the planning hierarchy. WAT 22 should focus instead on what is locally important. The text, for example, talks about Waterbeach Community Land Trust leading the development of such sites and ensuring affordability is based on local income levels, but neither of these matters are included within the policy. It is not for me as examiner to make such proposals, however, and therefore my recommendation below is simply to remove duplication within the policy in order to meet Basic Condition a).

### Recommendation 24

24 Delete clauses a), b) and c) of Policy WAT 22 and replace with the following:  
“a) all criteria in South Cambridgeshire Local Plan Policy H/11-1 are met and  
b) the proposed development contributes positively to ... biodiversity; and  
c) the scheme takes every available opportunity ... settlement.”

6.135. With these modifications, unnecessary repetition is removed. The policy will meet Basic Conditions a) and e) and, as it will help the local community to meet its housing needs in exceptional circumstances, the policy would help to achieve sustainable development. Basic Condition d) would therefore also be met.

## Policy WAT 23 - Allocation of affordable housing at Waterbeach New Town

6.136. The WNDP has been informed by evidence from both the Waterbeach Community Land Trust Housing Needs Survey 2019 and the Cambridgeshire ACRE Analysis of Local Housing Need in Waterbeach Parish 2019. These evidence a local housing need of in the order of 200 units in the Parish. The WNDP, rather than see the development of rural exception sites to accommodate this need, considers it is justified to apply a policy that would ensure that a small part of the affordable housing provision in WNT would be first allocated to those in housing need within the Parish. As a principle, there is nothing in this approach that would be contrary to the Basic Conditions and, indeed, it can be argued to be in general conformity with the aspiration set out in Policy SS/6 of the SCLP on the new town seeking to integrate the two communities.

6.137. However, David Lock Associates in its Regulation 16 representation argues that this approach would be contrary to the strategic policies of the SCLP for the strategic sites which are to provide for district wide and city needs. However, the representation does leave it to SCDC to determine whether or not the policy undermines the strategic approach. For that reason, in the examiner's questions, I asked SCDC to confirm its position. The Council has confirmed that it accepts the

approach within Policy WAT 23, and certainly it would appear to make little difference to meeting overall district needs as to whether what is a small proportion of the supply is offered first to those in need in the local parish, provided there is a 'cascade' mechanism in place, which there is. This allows that in the event the house cannot be allocated locally it is then offered to those in need within the wider district.

- 6.138. There is nevertheless a need for some greater clarity around how Policy WAT 23 would operate and in particular who would be the beneficiaries in the policy. Although WAT 23 talks in general terms about those in need with a 'strong local connection to the Parish' the examples given are non-specific and insufficiently precise. As was suggested above by SCDC, as a general point regarding the Plan, this is an example where the Plan's glossary should define what is meant by 'strong local connection to the Parish'. Similar policies elsewhere, for example, usually include a minimum residency period and include in the employment category someone about to take up employment e.g. a key worker. Also, dependency is usually also built in; that is, either the person is coming to care for an existing parish resident or is requiring care from an existing parish resident. None of these refinements are in place and therefore the policy will be difficult to operate. Furthermore, the paragraph on the cascade mechanism needs to refer back to those with a 'strong local connection'.
- 6.139. Failure to clarify these elements means that WAT 23 would not meet the NPPF requirements of policies and therefore would not meet Basic Condition a).

### **Recommendation 25**

- 25A Include in the glossary a clear, precise definition of those with a 'strong local connection to Waterbeach Parish'.
- 25B In paragraph 2 Line1/2 of Policy WAT 23 delete the words in brackets and add instead after the word 'parish' the words "as defined in the glossary at Appendix x".
- 25C Add into the 4th paragraph of Policy WAT 23 – Line 2 – after the word 'period' the words "by someone with a strong local connection to Waterbeach Parish".

- 6.140. With these modifications, Policy WAT 23 will be clear and unambiguous and Basic Conditions a) and e) would be met. Meeting the local housing need of the Parish locally within the new town would be a sustainable outcome for the Plan and therefore Basic Condition d) would also be met.

### **Policy WAT 24 - Waterbeach park homes**

- 6.141. Waterbeach village in particular has a number of park home sites and Policy WAT 24 seeks to protect the housing they provide and support further development where that can be achieved without impacting on residential amenity.
- 6.142. The policy meets the Basic Conditions, but SCDC has suggested that the park home sites should be identified on a map base for clarity of operation. I agree with adding

a map to define the sites but doing this will also mean that it should be referred to in the policy. In addition, as proposed above, the glossary should define park homes as it has a specific meaning.

6.143. Accordingly, I recommend the following minor modifications.

### **Recommendation 26**

- 26A Include a new map in the WNDP showing the location of the park homes sites.
- 26B Add into Policy WAT 24 Line 1 after the word 'homes' the words " ... sites as defined on Map 6.x ..."
- 26C Define park homes in the glossary to the WNDP.

## **7. Other Matters**

### **Other housing proposals put forward in Regulation 16 representations**

- 7.1. A number of representations at the Regulation 16 stage (Carter Jonas on behalf of Ely Diocese, Orchestra Land and Claremont Planning) raise concerns that the high dependency on delivery of housing, and particularly affordable housing, via the WNT is unwise given the likelihood of delays and they propose that land elsewhere in the village (namely off Glebe Road, south of Cambridge Road and south of Bannold Road respectively) should be brought forward now as alternatives.
- 7.2. In view of these assertions regarding housing supply through WNT, and as part of the examiner's clarifying questions, I asked SCDC to confirm whether there was any need for specific allocations in the Neighbourhood Plan over and above WNT strategic allocations and whether WNT proposals were on track to deliver housing to target. The Council's reply at Appendix A below confirms that the only element that it expects neighbourhood plans to meet is the windfall allowance in the SCLP. For Waterbeach, that is likely to be 38 units in the plan period and provisions under existing commitments, other sites within the development framework and through Policy WAT 22 would be likely to meet that figure over the plan period. The Council also confirms that the first completions from WNT are expected in 2022/23. As the new town is being developed by a number of developers, there is no reason to suppose that all would see delays building out. Therefore, there is unlikely to be any significant slippage in delivery.
- 7.3. There is not therefore a need at the present time for additional allocations of land in Waterbeach, but there are, in any event, a number of fundamental reasons why it would be inappropriate and procedurally impossible to do so at this stage.
  - First, although the objectors argue that the WNDP should promote the delivery of strategic policies and assist in housing provision, all three proposed sites are in the Cambridge Green Belt which is also a strategic policy of the SCLP. The removal of land on the scale proposed in any of the three sites would be a

strategic matter and not a minor redefining of a green belt boundary. As such the matter of removing land from the green belt to accommodate reasonably sized housing sites as proposed should be pursued through the Greater Cambridge Local Plan process now underway.

- Second, it would be procedurally impossible at this stage to recommend the allocation of additional sites without the current WNDP being withdrawn and revised proposals, as well as a Strategic Environmental Assessment Report, being taken back through pre-submission consultation. As there is no other reason requiring this course of action it would be unacceptable.
- Third, in any event, if there proved to be evidence that affordable housing for some reason could not be provided for through the WNT strategic allocation, Policy WAT 22 allows for the possibility of an exceptions site being brought forward.

7.4. Although the three representations argue that development of these sites could assist in the implementation of the WNDP's proposals and policies, which I acknowledge could be the case, this would not outweigh the very significant obstructions to bringing forward these sites at this time as part of the WNDP. Accordingly, I do not recommend any change to the WNDP in response to these representations.

### Regulation 16 representations regarding local plan allocations

7.5. A number of representations at the Regulation 16 stage, largely by local residents, objected generally to matters which either related to the development of the Waterbeach New Town and New Railway Station on which decisions and commitments have already been made, or on matters generally which are beyond the scope of the WNDP.

7.6. As the major development proposals of the new town and railway station are part of the adopted SCLP and have been through due process, the Neighbourhood Plan cannot propose that these sites are not now developed or that existing commitments can be changed. However, the policies of the WNDP, once the Plan is 'made', will apply to the future development of these major proposals as and when they are brought forward for development. In that way, the Neighbourhood Plan will help to ensure the sites are developed in a sustainable way appropriate to the area.

7.7. Furthermore, the Community Aspirations will assist to some extent in responding to the other points of concern raised by objectors and which are not matters related to the development and use of land.

7.8. In response to the detail of these additional matters there is no need for any further modifications to the Plan.

## Regulation 16 representations from Cambridgeshire County Council

- 7.9. Cambridgeshire County Council at the Regulation 16 stage raised concerns that the Neighbourhood Plan should include policy control on surface water flood risk and drainage, as there have been flood events in the area in recent years. However, the NPPF and PPG are clear that when considering development proposals, the policies at each level of the planning hierarchy need to be taken into consideration and where a matter is adequately covered at one level in the hierarchy it does not need to be replicated at another level. This is the case with respect to flood risk and surface water drainage, where a number of policies in the SCLP already cover the matter in detail as follows:
- Policy CC/7 deals with water quality impacts of development;
  - Policy CC/8 deals with sustainable surface water drainage systems; and
  - Policy CC/9 deals with managing flood risk.
- 7.10. Therefore, the necessary control is already in place and I am not persuaded that there is a need for further specific coverage in the WNDP. I recommend no change in response to the representation.

## Regulation 16 representations from Forestry Commission

- 7.11. The Forestry Commission also raises a number of generic comments regarding matters which should be addressed in neighbourhood plans. For the most part, across the policies of the WNDP as a whole and the SCLP, the Forestry Commission's concerns are addressed and there is no need for any specific additional policy coverage.

## Regulation 16 representations from Defence Infrastructure Organisation (DIO)

- 7.12. The DIO requests in its Regulation 16 representation that it would wish to be consulted on any structure in the neighbourhood area over 45 metres above ground level and where bodies of water are created within airfield safeguarding zones. The airfield in this case is Cambridge Airport. However, the safeguarding map in the SCLP for the airport places the majority, if not all, of Waterbeach Parish within a 90-metre height restriction. That apart, the WNDP does not impact on the obligations of SCDC as Local Planning Authority to consult the DIO in respect of the airport and the matter is already flagged and made clear in the SCLP. There is no need for a duplicating statement in the WNDP.

## Regulation 16 representation 68689 in relation to Chittering and Long Drove

- 7.13. The Regulation 16 representation 68689 raises concerns that the Neighbourhood

Plan says nothing specific in respect of Chittering and Long Drove and is restricted too much to Waterbeach. Although I accept there are no specific proposals relating to these areas of the Parish, a number of the policies of the Plan apply across the Parish and therefore development in these areas will be assessed against the policy framework. If there are specific issues in these settlements, they should be raised in the first review of the WNDP. In the meantime, however, I am satisfied that sufficient protection will be afforded to these two areas from the policies of the WNDP which will apply generally.

## Typographical and formatting corrections

7.14. There are a number of typographical/grammatical errors in the Plan which ought to be corrected. In addition to proposing modifications to ensure the Plan meets the Basic Conditions the only other area of amendment that is open to me as the examiner is to correct such errors. I have identified these in Appendix B and in modifying the Plan as set out above and finalising it for the referendum these typographical amendments should be made.

### Recommendation 27

- 27 Make typographical and grammatical corrections as set out in Appendix B at the end of this report.

## 8. Referendum

- 8.1. Subject to the recommended modifications set out above being completed, it is appropriate that the Waterbeach Neighbourhood Development Plan should proceed to a referendum.
- 8.2. I am required to consider whether the Referendum Area should be synonymous with the Waterbeach Neighbourhood Area or extended beyond it.
- 8.3. The neighbourhood area covers the administrative area of Waterbeach Parish. Whilst the strategic development proposals for Waterbeach New Town fall within the Parish and will affect surrounding areas, these are not proposals of the WNDP but strategic allocations of the SCLP. The WNDP proposals themselves will not affect surrounding areas to any degree and therefore I do not consider that extension of the area would be warranted.
- 8.4. Accordingly, I consider that it is unnecessary to recommend any other Referendum Area than the neighbourhood area and no representations have been submitted seeking an alternative approach.

## **Recommendation 28**

- 28 I recommend to South Cambridgeshire District Council that the Waterbeach Neighbourhood Development Plan, modified as specified above, should proceed to a referendum based on the Waterbeach Neighbourhood Area as approved by the District Council on 10 August 2015.

Peter D Biggers MRTPI AIHBC - Independent Examiner – 2 August 2021

# Appendix A - Examiner's Clarifying Questions and Information Requests put to Waterbeach Parish Council and South Cambs District Council

## Questions and Information Requests to Parish Council (17 May 2021)

1. In response to Regulation 16 Representation Ref 68681 I would like to see copies of the formal Parish Council minute proposing to proceed with preparation of the neighbourhood plan and the designation of the neighbourhood area as well as copies of the formal minutes agreeing the neighbourhood plan for pre-submission consultation and for submission to the District Council.

### NP Steering Group response:

Please find attached the following sets of minutes which are also available to view at <https://www.waterbeach.org.uk/opus/opus175.html>

**Appendix 1:** Minutes of the Parish Council meeting held on 3 March 2015. Minute 14/139 provides a record of the Parish Council's recommendation that the Waterbeach Parish be the designated Neighbourhood Area for the Neighbourhood Plan. This also confirms the Parish Council's decision to develop a Neighbourhood Plan, together with community representatives.

**Appendix 2:** Minutes of the Parish Council meeting held on 3 December 2019. Minute 19/165 provides a record of the Parish Council approving the Neighbourhood Plan to proceed to Regulation 14 Pre-submission consultation.

**Appendix 3:** Minutes of the Parish Council meeting held on 22 December 2020. Minute 20/143 provides a record of the Parish Council approving the Neighbourhood Plan to be submitted to SCDC and the published under Regulation 16 of the Neighbourhood Planning Regulations.

2. Please can you explain the distinction between WAT18 protected open spaces and Protected Village Amenity Areas as protected in the Local Plan? In other words, in what way are the WAT18 sites not capable of being protected either as Local Green Space or Protected Village Amenity Area within the Local Plan. In the same way as the open space at the Barracks entrance is being added as a PVAA why are at least some of the WAT18 sites, stated as of value in amenity terms, not being treated similarly?

### NP Steering Group response:

2.1 Policy NH/11 in the 2018 Local Plan reads as follows:

Protected Village Amenity Areas are identified on the Policies Map where development will not be permitted within or adjacent to these areas if it would have an adverse impact on the character, amenity, tranquillity or function of the village.

2.2 Policy WAT 18 in the submitted Neighbourhood Plan reads:

The following publicly accessible open spaces are identified as important open spaces in the parish and shown on Map 6.12 are protected from development.

- Allotments off Glebe Road
- Allotments off Burgess Drove
- Camlocks
- Waterbeach Recreation Ground
- Green spaces within Park Crescent
- Clare Close
- Winfold Rd

Exceptions may apply where the purpose of a development proposal will be to improve overall provision in the quality or quantity of an open space.

2.3 One key difference in the above approaches is that policy NH/11 restricts development proposals which would adversely impact the village (in terms of function, character, amenity or tranquillity) whereas the policy WAT 18 is seeking to protect the spaces per se.

2.4 The wording of policy WAT 18 specifically seeks to protect the function of the space as an open space but allows exceptions where “the purpose of a development proposal will be to improve overall provision in the quality or quantity of an open space”. This category of open spaces fits neatly within the spaces referred to in paragraph 97 of the NPPF.

2.5 A second key difference is the types of spaces which are covered by the Local Plan and the proposed Neighbourhood Plan designations. All green spaces which fall under Neighbourhood Plan policy WAT 18 are all publicly accessible open spaces where public amenity is by virtue of residents being able to access the sites. In the case of spaces covered by Local Plan policy NH/11, the spaces cover a wide range of different types of spaces. They include both publicly accessible open spaces and other spaces. Generally, these spaces can be regarded as providing local significance for a range of reasons. Paragraph 6.40 in the Local Plan states: “Some of the PVAAs may have important functions for the village such as allotments, recreation grounds and playing fields whilst others have an important amenity role in providing a setting for buildings or offer tranquil areas where there is minimum activity. Not all PVAAs have public access as some undeveloped areas which are important may be private gardens. They also vary from those which are very open to visual penetration to those which may be enclosed or semi-enclosed.”

2.6 A third key difference is that policy WAT 18 includes open spaces which fall both within the development framework (settlement boundary) and outside whereas policy NH/11 in the Local Plan only applies to spaces which falls within a development framework. SCDC confirm this as their policy approach in paragraph 23 of their response in the Regulation 16 consultation.

2.7 The open space at the Barracks entrance is considered to fit neatly into the Protected Village Amenity Area policy category. As set out in paragraph 6.17.10 in the Neighbourhood Plan, the site has cultural significance and currently provides an iconic entrance to the barracks providing an important transition from the village to the new town. It is dominated by a magnificent copper beech hedge and beyond the hedge is an avenue lined with well-established ornamental cherry trees. It is an important landmark in the parish. Unlike the other spaces listed under policy WAT 18, its primary function is one of providing local cultural value, rather than as providing open amenity land.

2.8 The 2018 Local Plan identifies nine areas of land in Waterbeach village as Protected Village Amenity Areas (this is also set out in paragraph 6.17.9 in the submitted Neighbourhood Plan). Of the nine spaces, only three of these spaces provide amenity land which is accessible to the general public:

- a) a grassed area of amenity land in front of bungalows on Cambridge Road either side of the Coronation Close junction
- b) an area of green space, comprising private gardens and public amenity grassed area with bench next to the chip shop, referred to locally as the Old Pond site and

c) a small plot of land between the Green and the Gault (outside the takeaway and used for parking).

2.9 Given that the spaces identified in policy WAT 18 share the same characteristics as providing amenity value to residents as areas of open land to enjoy and given that some of the spaces lie outside the development framework, the policy approach taken in the Neighbourhood Plan is considered to be:

- a) the most appropriate to reflect the function of the spaces; and
- b) the most straightforward in that it treats all open spaces the same way regardless of whether their location is inside or outside the development framework.

2.10 It is recognised that Local Plan policy SC8: Protection of Existing Recreation Areas, Playing fields Allotments and Community Orchards provides a district wide protection for allotments and recreation grounds. However, policy SC8 is not accompanied by a policy map in the same way that proposed policy WAT 18 in the Neighbourhood Plan is. Local Plan policy SC8 allows for exceptions where loss of a space could take place (including alternative/replacement provision and clear demonstration of excess provision). In the case of Waterbeach village these circumstances are highly unlikely to apply since the allotments and recreations ground are three well-established spaces, located on green belt land serving a growing village with a growing population.

Local Green Space designations:

2.11 The spaces identified under proposed policy WAT 18 in the Neighbourhood Plan could be capable of being designated as Local Green Spaces.

2.12 Finally, it is noted there is a minor typographical error in the first paragraph of policy WAT 18. It should read:

The following publicly accessible open spaces (shown on Map 6.12) are identified as important open spaces in the parish and are protected from development.

- 3. In paragraph 6.21.15 the text states that policy WH19 (which I take to be a typo error and which should read WAT21) requires a majority of the affordable units to comprise 1 and 2 bedroom properties. However the policy does not do this and still refers to specific percentages as set out in the WBNT SPD. What is the intention here? It may be there was an intent to introduce greater flexibility, as now requested in some Regulation 16 representations, but the actual policy change was never made. Please confirm.

#### **NP Steering Group response:**

3.1 It is confirmed that the policy reference to WH19 in paragraph 6.21.15 is incorrect. It should read WAT21.

3.2 Policy WAT21 requires that the 1- and 2-bedroom element of both the market homes and the affordable homes should reflect the need indicated in the Waterbeach New Town SPD and refers in brackets to the figures 40% of the market housing and 75% of the affordable housing. There is an error here. The text in brackets should be state as follows (note additions indicated in bold text): (40% of the market housing, 75% of the affordable **rent** housing **and 50% (2 bed only) of the shared equity housing**)

4. Re Policy WAT 2 Please can you explain why if the station is relocating would it be necessary to identify and safeguard a route from the old station (which is right on the boundary of the village ) to the new. I am not clear why the route isn't proposed from a more central point in the village to start with or is it simply that this best aligns with the Greenway proposal.

**NP Steering Group response:**

4.1 The safeguarded route is a part of the planned Waterbeach Greenway. It benefits residents who will lose their convenient access to the existing station avoiding a lengthy detour back into the village to access the new station. It also benefits the residents in the east of the village and the eastern part of the New Town because they have direct segregated access to the Greenway. In both cases this segregated route avoids NMU (Non-motorised users) and MU (motorised users) conflict in the village.

4.2 Whilst the existing train station is located on the boundary of the village, the station is within a ten-minute walk from Waterbeach village centre. Under normal circumstances (pre Covid 19 times), Waterbeach Railway Station has very high usage. There is a high level of out-commuting from the parish and much of this is via train services to Cambridge and beyond. This is described in the Neighbourhood Plan - see paragraph 3.16. Many commuters are local residents who walk or cycle to the station from Waterbeach village and neighbouring areas such as Horningsea.

4.3 The safeguarded route from the existing railway station to the new railway station will help ensure many of these commuters can continue to easily access railway services by foot or by bike or scooter without having to negotiate the heavily trafficked parts of the village.

4.4 Waterbeach village experiences a high level of through-traffic during the morning and early evening commute. This is traffic leaving the A10 at Denny End Road, travelling along the High Street, along Station Road and out of the village along Clayhithe Road. At the same time, the roads in and around the village centre are not easily or safely navigable by non-motorised users (due to a combination of narrow pavements and very wide junctions – see Map 6.4 for a visual illustration).

4.5 It is important that good access to the relocated railway station is provided to as many villagers as possible. This means providing a route away from the congested parts of the village which is accessible to as many parts of the village as possible. Providing a segregated route to reach all the way down to Station Road allows residents along Lode Avenue, Whitmore Way, Station Road to access the route without having first to navigate the busy village centre.

4.6 Phase 1 of the Waterbeach Greenway was approved by the GCP (Greater Cambridge Partnership) Executive Board on 19th February 2020. The route between old and new stations is part of the Phase 2 plans. Section 6.7 of the report on the Greenways stated “The scheme has been broken down into two phases to enable an initial phase to be delivered as quickly as possible to make a route between Waterbeach and the north of Cambridge available. The later phase will make the route even more direct and add value to the project.” Phase 2 is important to avoid all of the New Town NMU traffic passing through the village centre and to provide the most direct routes hence maximising the potential for modal shift that the Greenway is intended to achieve.

4.7 In addition to providing residents living close to the existing station a convenient segregated route to the new station it also provides residents in the east of Waterbeach (e.g. Burgess Road, Capper, Road, Kirby Road and the many new houses north of Bannold Road) with convenient direct access to the Greenway into Cambridge.

5. Re policy WAT 16 I would appreciate some clarification in respect of both parcels of land as to what is different in respect of adjacent parcels – why for example the land south of Bannold Road adjacent the railway is not similarly identified and similarly the land between the Clayhithe road and the Town Holt triangle.

#### **NP Steering Group response:**

**5.1 Land east of Midload Farm:** The value and function of land east of Midload Farm is described in Table 6.3 of the submitted Neighbourhood Plan as an: Informal area of open space on private farmland and not accessible to the public. An open and tranquil site on the edge of settlement, providing an open setting to the walking/cycling and driving route from village edge to the riverside walks. Important for wildlife. An important site contributing to the quality and openness of the countryside beyond.

5.2 At this location along Bannold Road, there is a strong sense of departure out of the village and arrival into the village. The view looking north-east from this point provides a vast sense of open space to the north. The difference between this parcel of land to the north of Bannold Road is its edge of settlement character, whereas, the settlement edge south of Bannold Road is further west. At this latter location, the perception of vast and open countryside beyond is not so readily perceived.

**5.3 Town Holt:** The value and function of Town Holt is described in Table 6.3 of the submitted Neighbourhood Plan as follows: Informal open space providing visual amenity. The area is an open and tranquil parcel of green belt farm land on edge of settlement boundary linking the station to riverside walks on a safe pedestrian route. An important site contributing to the quality and openness of green belt land beyond.

5.4 In this case it is agreed the land between Clayhithe Road and the Town Holt triangle is valued in a similar way. The Town Holt triangle is however bounded on two sides by well walked public footpaths so is particularly enjoyed by many. During communication with the landowner of the southern parcel of land (the land between Clayhithe Road and the Town Holt triangle) at plan preparation stage, objections were raised. Following this, the NP group decided to omit this area of farmland which is used for seasonal grazing. For information, both parcels of land fall within fluvial flood zone 3.

#### **Questions to South Cambridgeshire District Council (17 May 2021)**

6. Can the District Council confirm that it is content that in all respects WBNT is capable of meeting the housing requirement and thereby the housing needs of the parish in an appropriate timescale? The question is asked in the context of the Regulation 16 Representations from Orchestra, Claremont Planning and Drivers

Jonas on behalf of landowners seeking to promote/bring forward small sites on the basis that these can more flexibly and immediately help to meet local housing need.

#### SCDC Response

SCDC Housing needs of the parish – South Cambridgeshire District Council adopted their district wide local plan in September 2018. The district housing requirement is already largely met through housing completions and predicated completions from new settlements, urban extensions and village housing allocations. It is only the element that is expected to be met through predicted completions from windfalls that could be met through Neighbourhood Plans. The 2018 Local Plan was adopted before the requirement in the National Planning Policy Framework - paragraph 65 to provide each neighbourhood area with a housing requirement. If SCDC has a request from a parish council preparing a neighbourhood plan for a housing figure to comply with NPPF para 66 we have proportionally attributed the windfall element. For Waterbeach parish this is a requirement for 38 dwellings (the population of the parish is 3.48% of the total SCDC population). SCDC is content that 38 dwellings will be built within the parish to meet the housing requirement.

SCDC is in the early stages of working with Cambridge City Council to prepare a Greater Cambridge Local Plan that will consider future housing requirements. It is for this planning policy document that landowners should be directing their suggestion for smaller sites.

Waterbeach New Town comes within the boundaries of Waterbeach parish and therefore within the designated neighbourhood area. We note that you would find it helpful to have confirmation of timescales for the New Town. We have recently published the Greater Cambridge Housing Trajectory and Five Year Housing Land Supply and we would refer you to this document for information about when the first completions are expected. It sets out that the first completions are expected in 2022-2023 (see Table SC1a on page 29 of the document (or page 31 of the pdf) with commentary in paragraphs C.212 - C.225, starting on page 127 of the document (or page 129 of the pdf)).

7. Does the District Council support the David Lock arguments on behalf of Urban and Civic that WBNT's role is to deliver housing to meet the District and Greater Cambridge affordable housing needs and that it cannot be prioritised even to the extent proposed in WAT 23 to meet Waterbeach needs? **Or** is SCDC content that WAT23 prioritises some affordable housing delivery to the parish and in doing so does not undermine the strategic policies of the Local Plan?

#### SCDC Response

SCDC in responding to this question agrees with the latter statement after '**or**'. SCDC has worked with Waterbeach Parish Council on the preparation of the neighbourhood plan and is supportive of Policy WAT 23. SCDC recognises the special /unusual position within the parish of having a strategic housing site within its boundaries. SCDC does not consider that this policy undermines the strategic policies of the Local Plan.

- 8A. Can the District Council confirm that permission under S/2075/18/OL and the related S106 obligation have now been completed and issued?

#### SCDC Response

No S/2075/18/OL and related s106 have not yet been completed and issued. We

are working on the s106 at the moment.

- 8B. What are RLW's headline terms referred to in the Boyer Regulation 16 Representation on RLW's behalf.

#### SCDC Response

Officers have looked at the representation submitted by Boyer and are not completely clear on what the 'headline terms' they are referring to are. However, [Appendix H](#) to the officer report to the Council's planning committee in January 2021 relating to the outline planning application (S/2075/18/OL) sets out the s106 Heads of Terms. There are s106 Heads of Terms in relation to affordable housing and other housing, which are for a minimum provision of 30% of all accommodation on site to be affordable, with a review mechanism that can only result in this figure increasing or being maintained at this level, and for a tenure mix of 30% affordable rent (this proportion protected), 30% shared ownership, and 20% rent to buy.

- 8C. What is the current position regarding development of the WBNT in terms of permissions and expected implementation? Are there any known significant delays other than for pandemic lockdown reasons?

#### SCDC Response

See our response to Question 6 where we refer you to the Greater Cambridge Housing Trajectory and Five Year Housing Land Supply for information on progress.

9. In the context of Waterbeach village adjoining the new town - is the Local Plan intention still that the status of Waterbeach as a Minor Rural Centre would apply, limiting any housing development usually to a maximum of 30 dwellings and within the development framework unless allocated in the Neighbourhood Plan?

#### SCDC Response

Waterbeach is included in the list of villages selected as a Minor Rural Centre in Policy S/9 of the adopted South Cambridgeshire Local Plan. The criteria that apply to such villages in the settlement hierarchy for South Cambridgeshire therefore apply to Waterbeach.

### **Additional question to Parish Council (9 June 2021)**

10. Policy WAT 13 at clause 1a) requires development to 'maintain a high quality frontage'. SCDC has requested that the word 'landscaped' is added but I am not persuaded that this would not imply that quality is only about landscaping. Please confirm whether the expectation is also that design of any development will be required to be to a high quality of architectural design.

Secondly, in clause 1d), there is a requirement for improved non-motorised vehicular access to the site. However, that wording would appear to only relate to bicycles. Is the intention that the improvement should be for all non-motorised modes of transport?

#### **NP Steering Group response:**

10.1 Re Policy WAT 13, Clause 1a) Paragraph 6.13.4 of the submission Neighbourhood Plan recognises the potential for employment uses to detract from

street scene quality along Denny End Road especially near to the entrances of the employment sites. Protecting and maintaining the street scene throughout the NP area is important but Denny End Road also marks the gateway into Waterbeach Village. It is therefore important that where development proposals at Denny End Road and Cambridge Innovation Park have the potential to impact on the Denny End Road frontage, the impact is positive and not negative. Depending on the specifics of a development proposal, the maintenance of a high-quality frontage along Denny End Road could have implications for both landscaping and architectural design. Where the built form will impact the Denny End Road frontage (for example, through being readily perceived from Denny End Road), then it must be **sensitively designed** and of a high quality of architectural design.

Where a development proposal has an impact on the Denny End Road frontage, the provision of a well thought through landscaping scheme is likely to be very important considering the neighbouring residential uses but also the village entrance (the landscaping could help to maintain a high-quality frontage along Denny End Road in part through visually screening the built form on the employment estates). Buildings and structures of high-quality architectural design but located in visually prominent positions along Denny End Road could themselves damage the Denny End Road frontage simply by undermining the gateway into Waterbeach Village just a short distance further along the road.  
Clause 1d)

The intention here is to apply to all non-motorised modes of transport.

## Appendix B - Recommendation 27 - Typographical and Formatting Corrections

Page	Location	Correction
27	Issue 3ii Line 2	Reword the end of Line 2 to read: “...it is probable that it is also a...” Reason - To make grammatical sense.
28	Paragraph 4.15 Line 6	Reword the word ‘service’ in the plural. Reason - To make grammatical sense.
40	Paragraph 6.1.6 3 <sup>rd</sup> bullet Line 10	Delete the letter ‘s’ from the word ‘routes’ Reason - To make grammatical sense.
41	Paragraph 6.1.9 last sentence	Reword to read: “Please see the community aspirations in Appendix 1 for more detail.” Reason - To reflect removal of Chapter 8 to an appendix.
44	Paragraph 6.2.2 Line 1	Reword the word ‘measure’ in the plural. Reason - To make grammatical sense.
46	Policy WAT2 Line 1 after title	Delete the number 1. Reason – To avoid confusion as there is only one section to the policy.
47	Paragraph 6.3.2 Line 11	Delete the words ‘inadequately narrow’ and replace with the words “of inadequate width”. Reason - To make grammatical sense.
47	Paragraph 6.3.4 Bullet 1-Line 4	Correct Policy Reference to WAT 8.
48	Paragraph 6.3.4 Bullet 2 Line 3-Line 4	Correct Policy Reference to WAT 8.
48	Policy WAT 3 Clause 1 – Line 1	Delete the word ‘or’. Replace with the word “of”. Reason - To make grammatical sense.
49	Paragraph 6.4.1 Line 6	Correct the spelling of the word ‘travelling’.

<b>Page</b>	<b>Location</b>	<b>Correction</b>
50	Policy WAT4	Insert a full stop at the end of Clause 1.  Reason - To make grammatical sense
55	Policy WAT6 Table – St Andrew’s Hill entry – Line 7	Insert the word “and” between the words ‘residential commuter’.  Reason - To make grammatical sense.
66	Policy WAT 9 Clause 1 Line 2	Correct map reference to “6.6”.  Reason – Incorrect reference given.
66	Policy WAT 9 - last line	Delete the words ‘mitigate impacts through’  Reason – to remove repetitive wording.
68	Map 6.7 - Key	Key the black line as the Parish boundary.
69	Paragraph 6.10.1 line 5	Add the letter ‘s’ to the word ‘service’.  Reason - To make grammatical sense.
71	Paragraph 6.10.5 Line 1	Insert the word “the” between the words ‘to current’.  Reason - To make grammatical sense.
72	Paragraph 6.11.4 Line 7	Delete the words ‘chapter (Chapter 7)’ and replace with the words “in Appendix 1”  Reason – for consistency with Recommendation 1C.
76	Paragraph 6.13.1 Lines 1/2	Delete the words ‘existing employment site’. Replace with the words “Established Employment Area in Policy E15”.  Reason – to correct the terminology
83	Paragraph 6.14.10 Line 4	Insert the word “the” before the word ‘plan’.  Reason - To make grammatical sense.
84	Schedule 1 Waterbeach Design Principles WDP5 Line 3.	Add the letter ‘s’ to the word ‘feature’.  Reason - To make grammatical sense.
88	Table 1- Working with the Landscape Principles	Correct title of table to “Schedule 2”.  Reason – to correspond with the reference to the table in paragraph 6.15.5.

<b>Page</b>	<b>Location</b>	<b>Correction</b>
88	Table 1- Working with the Landscape Principles – Principle 4 – Line 1.	Delete the words ‘the maintenance of’. Add the words “and maintenance” before the word ‘plan’ Reason - To make grammatical sense.
107	Paragraph 6.20.6 Line 5	Delete the word ‘the’ after the word ‘intended’. Replace with the word “to”. Reason - To make grammatical sense.
111	Paragraph 6.21.12 Line 10	Delete the word ‘less’. Replace with the word “lesser”. Reason - To make grammatical sense.
112	Paragraph 6.21.15 Line 6	Correct Policy Ref to read “WAT21”.
113	Paragraph 6.21.18 Line 4	Correct Policy Ref to read “WAT21”.
114	Paragraph 6.22.2 Line 2	Correct the date reference to “2017/8”.
115	Paragraph 6.22.3 Line 4 from the top of page 115	Set out LHA in full as “Local Housing Authority”. Reason – Abbreviation alone is not clear.
118	Paragraph 6.23.9 Line 2	Delete the word ‘that’. Replace with the words “likely to”. Reason - To make grammatical sense.
120	Policy WAT 24 Line 1	Replace the words ‘park homes’ with the words “park home sites”. Reason – to clarify the intention in the policy.
All Pages	References to National Planning Policy Framework	Make sure any references to specific paragraphs of the NPPF relate to the NPPF 2021.