

Great Abington Former Land Settlement Association
(LSA) Estate Neighbourhood Development Plan
2018-2031

A report to South Cambridgeshire District Council on the
Great Abington Former LSA Estate Neighbourhood
Development Plan

Andrew Ashcroft
Independent Examiner
BA (Hons) MA, DMS, MRTPI

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by South Cambridgeshire District Council in May 2018 to carry out the independent examination of the Great Abington Former LSA Estate Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 12 June 2018.
- 3 The Plan includes three policies to bring forward positive and sustainable development in the neighbourhood area. In particular it seeks to provide clarity on extensions to existing dwellings and proposals for additional dwellings. The strength of the Plan is its sharp focus.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the submitted Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
15 October 2018

1. Introduction

- 1.1 This report sets out the findings of the independent examination of the Great Abington Former Land Settlement Association Estate Neighbourhood Development Plan 2018-2031 (the Plan).
- 1.2 The Plan has been submitted to South Cambridgeshire District Council (SCDC) by Great Abington Parish Council in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012 and 2018. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether or not the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. It can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the development plan in particular. It addresses a very specific range of issues in a very distinctive neighbourhood area. This sharp focus distinguishes the submitted Plan from many other neighbourhood plans.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2. The Role of the Independent Examiner

- 2.1. The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2. I was appointed by SCDC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both SCDC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3. I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4. In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
 - a. that the Plan is submitted to a referendum; or
 - b. that the Plan should proceed to referendum as modified (based on my recommendations); or
 - c. that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.

The Basic Conditions

- 2.5. As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
 - have regard to national policies and advice contained in guidance issued by the Secretary of State; and
 - contribute to the achievement of sustainable development; and
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
 - not be 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.

I have examined the submitted Plan against each of these basic conditions, and my conclusions are set out in Sections 6 and 7 of this report. I have made specific comments on the fourth and fifth bullet points above in paragraphs 2.6 to 2.12 of this report.

- 2.6. The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 2.7. In order to satisfy the regulations SCDC undertook a screening exercise. This process concluded that the Plan is unlikely to have significant environmental effects and therefore a Strategic Environmental Assessment is not required. Consultation was carried out with the three statutory bodies. Their responses are included in the screening report. This is best practice.
- 2.8. SCDC also undertook a Habitats Regulations Assessment (HRA) screening report on the Plan. The report is very thorough in its approach. It comments that there are two European sites within 20kms of the neighbourhood area (the Eversden and Wimpole Woods SAC and Devil's Dyke SAC). It concludes that the submitted Plan is unlikely to have significant effects on a European site and that an appropriate assessment is not required.
- 2.9. During the course of the examination a case in the European Court (People Over Wind and Peter Sweetman, April 2018) changed the basis on which competent authorities are required to undertake habitats regulations assessments. SCDC has given this matter due consideration and commissioned a re-assessment of the HRA screening work. That study comments that the conclusions of the earlier HRA screening determination were properly reached without regard to measures intended to avoid or reduce harmful effects on any EU protected site either alone or in combination. As such the recent Sweetman judgement does not affect the integrity of its early screening work on this important matter. In addition, there is also no need to progress to Appropriate Assessment.
- 2.10. I am satisfied that the Council has approached this issue in a sound and responsible manner. The outcome of the European Court case could not have been anticipated as the neighbourhood plan was being prepared.
- 2.11. Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns with regard to either neighbourhood plan or to European obligations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.
- 2.12. In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Other examination matters

2.13. In examining the Plan I am also required to check whether:

- the policies relate to the development and use of land for a designated neighbourhood plan area; and
- the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
- the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.

2.14. Having addressed the matters identified in paragraph 2.13 of this report I am satisfied that all of the points have been met subject to the contents of this report.

3. Procedural Matters

3.1. In undertaking this examination I have considered the following documents:

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the Character Assessment;
- the Transport Assessment;
- the Evidence on Dwelling Sizes;
- the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report (May 2017);
- the update provided by SCDC on the Habitats Regulations Assessment after the publication of the People Over Wind/Sweetman case in the European Court (July 2018);
- the representations made to the Plan;
- the Parish Council's responses to my Clarification Note;
- the South Cambridgeshire Local Plan 2011-2031;
- the National Planning Policy Framework (March 2012);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2. I carried out an unaccompanied visit to the neighbourhood area on 12 June 2018. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My site inspection is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3. It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan should be examined by way of written representations.

3.4. On 24 July 2018 a revised version of the NPPF was published. The examination of the submitted Plan was taking place on that date. Paragraph 214 of the 2018 NPPF identifies transitional arrangement to address these circumstances. It comments that plans submitted before 24 January 2019 will be examined on the basis of the 2012 version of the NPPF. I have proceeded with the examination on this basis. Any references to paragraph numbers within the NPPF in this report are to those in the 2012 version.

4. Consultation

Consultation Process

- 4.1. Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2. In accordance with the Neighbourhood Planning (General) Regulations 2012 the Parish Council has prepared a Consultation Statement. This Statement is proportionate to the Plan area and its policies.
- 4.3. The Statement is particularly detailed in terms of its recording of the various activities that were held to engage the local community and the feedback from each event. It also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (July-September 2017). It has internal consistency and integrity.
- 4.4. The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the various stages of the Plan. Sections 2-5 provide details about:
 - the specific nature of the neighbourhood area and the associated use of the Village Institute for holding consultation events;
 - the use of the Parish Council website;
 - full consultation and engagement with statutory bodies;
 - the organisation of open parish meetings;
 - the organisation of 'The Abingtons Open Day';
 - circulation of information in the Abington and Hildersham News; and
 - the organisation of a locally-based consultation exercise on an emerging draft Plan
- 4.5. The approach adopted has been particularly thorough. The Consultation Statement provides a detailed breakdown of the responses to the informal March 2017 consultation process (Tables 1 and 2). Appendices 1-4 of the Statement also reproduce letters that were sent to the various bodies as part of the consultation process. This provides a real sense of interest and detail to the Statement. This is reinforced by the effective use of photographs of the various community events. They add further to the integrity of the consultation process.
- 4.6. Section 6 of the Statement sets out how the submitted Plan took account of consultation feedback at the pre-submission phase. It does so in a proportionate and effective way. It helps to describe how the Plan has progressed to its submission stage. The detailed comments received at that stage are helpfully summarised in appendices.

4.7. Consultation on the submitted plan was undertaken by the District Council for a six- week period that ended on 16 April 2018. This exercise generated representations from the following persons and organisations:

- Valerie Hefford
- Tania and Mike O'Farrell
- Nigel and Jane Bowen
- Sport England
- Natural England
- West Suffolk (Forest Heath and St Edmundsbury Councils)
- Cambridgeshire Constabulary
- Hinxton Parish Council
- National Grid
- Environment Agency
- Andrew and Liz Pepperell
- SCDC
- David Hefford
- James Robson
- Julia Rogers
- Little Abington Parish Council
- Scott Rumble
- Nick Rumble
- Cristina Martinez-Blaya
- Julia Rumble
- Stephen Johnson
- Ann Rogers
- Emma Jones
- Alison Johnson
- Shelford Properties Limited
- Historic England

4.8. I have taken all the representations into account in examining the Plan. Where it is appropriate to do so I mention the person or organisation making the representation in this report.

5. The Plan Area and the Development Plan Context

The Neighbourhood Area

- 5.1. The neighbourhood area is the southern part of Great Abington parish. It consists of the former Land Settlement Association's Estate at Great Abington. It includes holdings on North Road, South Road and Chalky Road and three other holdings on the southern side of Pampisford Road. It is shown in Figure 1 of the submitted Plan. It was designated as a neighbourhood area on 5 September 2016.
- 5.2. The neighbourhood area continues to reflect its origins. The Estate was created in 1934 as part of a countrywide Land Settlement Association (LSA) initiative. It was based on providing work for unemployed persons after the depression which followed the First World War. The objectives of the LSA were 'to provide and equip land for cultivation by unemployed persons or persons in part-time employment and providing training and maintenance for prospective holders'. On the Great Abington Estate 688 acres of mainly arable land were laid out on a regular grid pattern of roads. It was divided into 62 holdings. The amount of land with each holding varied depending on the nature of the work of the inhabitant.
- 5.3. The original LSA houses on North Road, South Road and Pampisford Road were detached in nature. Those on Chalky Road were semi-detached. All the houses had two rooms upstairs and two downstairs. They all enjoyed a piggery and a small greenhouse. Whilst the holdings were originally intended for agricultural uses the poor nature of the land resulted in a shift towards more horticulture development including the construction of associated commercial greenhouses. The LSA initiative ended in 1983. At that point existing tenants were given an opportunity to purchase their holdings. Those which were not so purchased were sold on the open market. From this point the strategic control exercised over the neighbourhood area has inevitably changed. Whilst its overall character and very distinctive appearance remains, significant elements of former non-residential accommodation have crept into residential use, sometimes in an unauthorised fashion. Some of the development has a scale and/or design which is at odds with the design, layout and character of the original LSA Estate. The submitted Plan aims to address these very distinctive issues in general terms and through its Policies 1 and 2 in particular.

Development Plan Context

- 5.4. The South Cambridgeshire Local Plan 2011-2031 (the Local Plan) was adopted on 27 September 2018. It sets out the basis for future development in the District. It replaced the South Cambridgeshire Core Strategy and a number of other elements of the former development plan. The recently-adopted Local Plan is the development plan context against which I am required to examine the submitted Neighbourhood Plan. At the start of this examination the now-adopted Local Plan was at a very advanced stage of preparation. As such it was agreed by all parties that the examination of the neighbourhood plan should be aligned so that it concluded quickly

after the adoption of the Local Plan 2011-2031. In this context the following policies are particularly relevant to the neighbourhood area:

Policy S/7	Development Frameworks
Policy H/13	Extensions to dwellings in the countryside
Policy H/14	Replacement dwellings in the countryside
Policy H/17	Reuse of buildings in the countryside for residential use
Policy H/18	Working at home

- 5.5. The Basic Conditions Statement usefully highlights the key policies in the development plan and how they relate to policies in the submitted Plan. This is good practice. It provides confidence to all concerned that the submitted Plan sits within its local planning policy context.
- 5.6. The work undertaken on the Statement is particularly impressive. Due to the timing of the preparation of the Plan it assessed the relationship between the policies in the submitted neighbourhood plan with the former development plan and what is now the adopted Local Plan.
- 5.7. Plainly the recently-adopted Local Plan addresses a series of strategic growth issues. Policies H/13/14/17 have specific relevance to the Plan area. They provide a specific local context to national policy on development in the countryside.
- 5.8. The submitted neighbourhood plan has been prepared within its wider development plan context. In doing so it has relied on up-to-date information and research that has underpinned what were the existing and emerging planning policy documents in the District. This is good practice and reflects key elements in Planning Practice Guidance on this matter.

Site Visit

- 5.9. I carried out an unaccompanied visit to the Plan area on 12 June 2018. I was fortunate in selecting a bright and warm day.
- 5.10. I drove into the Plan area from Great Abington to the north-east. This helped me to understand the neighbourhood area in its wider landscape context.
- 5.11. I drove initially down Pampisford Road so that I could see the neighbourhood area from the north.
- 5.12. I then looked at North Road. I saw the relationship between the buildings, the parcels of land and the roadway.
- 5.13. I drove to the eastern end of North Road and turned into Chalky Road.
- 5.14. I then drove west along South Road.

- 5.15. I then spent some time looking at the range and variety of houses and other buildings in the neighbourhood area. I saw a significant range in terms of scale and size of the dwellings and their degree of maintenance.
- 5.16. I drove out of the neighbourhood area to the south along the service road running parallel to the A11. In doing so I saw the excellent accessibility of the neighbourhood area to the strategic highway network.

6. The Neighbourhood Plan as a whole

- 6.1. This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented, informative and very professional document.
- 6.2. The Plan needs to meet all the basic conditions to proceed to referendum. This section provides an overview of the extent to which the Plan meets three of the four basic conditions. Paragraphs 2.6 to 2.12 of this report have already addressed the issue of conformity with European Union legislation.

National Planning Policies and Guidance

- 6.3. For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in March 2012. Paragraph 3.4 of this report has addressed the transitional arrangements which the government has put in place as part of the publication of the 2018 version of the NPPF.
- 6.4. The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Great Abington Former LSA Neighbourhood Development Plan:
 - a plan led system– in this case the relationship between the neighbourhood plan and the adopted South Cambridgeshire Local Plan 2011-2031;
 - proactively driving and supporting sustainable economic development to deliver homes, business and industrial units, infrastructure and thriving local places;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5. Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development, which is identified as a golden thread running through the planning system. Paragraph 16 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.6. In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.

- 6.7. Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area in general terms, and sets out to provide clarity and consistency on extensions to existing dwellings and the opportunities that exist for additional dwellings. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.8. At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154). This was reinforced with the publication of Planning Practice Guidance in March 2014. Its paragraph 41 (41-041-20140306) indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.9. As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10. There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear to me that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes a policy for extensions to and the rebuilding of original dwellings (Policy 1) and for additional dwellings (Policy 2). In the social role Policies 1 and 2 reflect the very specific circumstances that exist in the neighbourhood area. In the environmental dimension the Plan has a specific policy on road usage (Policy 3). This assessment overlaps with the Parish Council's comments on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11. I have already commented in detail on the development plan context in the wider South Cambridgeshire District area in paragraphs 5.4 to 5.8 of this report.
- 6.12. I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted Local Plan. The Basic Conditions Statement helpfully relates the Plan's policies to the policies in the Local Plan. The examination was suspended so that it could be completed after the adoption of the Local Plan 2011-2031. On this basis I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

7. The Neighbourhood Plan policies

- 7.1. This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2. My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3. I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda. The Plan has practically developed a sharp focus on the issues that matter within the former LSA Estate and its very particular settlement pattern.
- 7.4. The Plan has been designed to reflect Planning Practice Guidance (41-004- 20170728) which indicates that neighbourhood plans must address the development and use of land.
- 7.5. I have addressed the policies in the order that they appear in the submitted plan.
- 7.6. For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7. Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial sections of the Plan (Sections 1-5)

- 7.8. The Plan as a whole is well-organised and includes effective maps and photographs that give real depth and purpose to the Plan. The two maps are particularly effective. The Plan makes an appropriate distinction between the policies and their supporting text. It also ensures that the vision and the objectives for the Plan set the scene for the various policies. Its design will ensure that it will comfortably be able to take its place as part of the development plan in the event that it is eventually 'made'. The initial elements of the Plan set the scene for the policies. They are proportionate to the Plan area and the subsequent policies.
- 7.9. Section 2 provides a very clear context to the Plan. It describes the neighbourhood plan process and how the Plan has been prepared over time. Section 3 helpfully and diligently sets out the requirements involved in producing a neighbourhood plan.
- 7.10. Section 4 provides commentary and detail on the neighbourhood area. It includes both the history of the community and its demographic background.
- 7.11. Section 5 sets out the Aims and Objectives for the Plan. They are very distinctive to the neighbourhood area and include matters such as the retention of the historic pattern of development, to retain the existing single-track roads and to support the construction of smaller high-quality dwellings.

7.12. The policies are then set out in section 6. The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy 1 – Extensions to and rebuilding of original dwellings

7.13. This policy sits at the heart of the Plan. Its intention is to allow extensions and the rebuilding of the existing dwellings to take place in a way which will maintain the historic building pattern in the former LSA Estate.

7.14. The policy is more complicated than that included in policies in other neighbourhood plans. This complication properly reflects the very distinctive character and history of the neighbourhood area. In addition to its inclusion of traditional design and environmental matters the policy has several very specific components. The first is the position of replacement dwellings. Criterion 4 of the policy indicates that they should be set back from the Estate roads at least as far as the original dwelling. Building lines are helpfully shown on Maps 1 and 2. The second is that any completed dwellings should not exceed 300 square metres in size (gross internal floor area). In both cases I am satisfied that these important criteria are evidence-based and locally distinctive. The figure of 300 square metres takes appropriate account of the range of extensions (or indeed complete house rebuilds) that have taken place since 1983. They range between 230 and 400 square metres.

7.15. The approach taken meets the basic conditions in general terms. In particular it has regard to national policy and is in general conformity with Policies H/13 and H/14 of the recently-adopted Local Plan. The supporting text is very effective in setting the context for the policy and establishing a baseline against which extensions would be measured.

7.16. However within this supporting context I recommend that the policy is modified in the following areas to bring the clarity required by the NPPF:

- a reconfiguration of the opening part of the policy to address the issues raised in paragraph 7.14 of this report;
- a deletion of any reference to 'new dwellings'. This matter is already addressed in Policy 2; and
- grammatical changes to reflect the modifications to the opening part of the policy.

Replace the first part of the policy with:

'Extensions to and rebuilding of original dwellings as at the 1983 baseline and/or the replacement of original dwellings as at the 1983 baseline (as shown on Maps 1 and 2) will be supported subject to the following criteria:'

In criterion 1 replace 'will be' with 'are'.

In criterion 2 replace 'new' with 'resulting' and delete 'should'.
In criterion 4 replace 'new' with 'extended'.
In the final paragraph replace 'must' with 'should'.

Policy 2 – Additional dwellings

- 7.17. This policy offers support for new dwellings in the neighbourhood area. In doing so it properly reflects the character of the neighbourhood area and its distinctive history.
- 7.18. The intention of the policy is to allow one additional dwelling for each of the original houses as at the 1983 baseline. It applies to the piggery buildings or to the site of the piggery building within each plot at that date. The Plan comments that this approach 'will help to maintain the pattern of building on the former LSA Estate'.
- 7.19. Following the approach adopted in Policy 1 the policy includes a series of very specific criteria. The first proposes a maximum size for any new house of 175 square metres. This derives from the footprint of the piggery buildings of 83 square metres and allows for the effective construction of a second floor with a degree of flexibility on the resulting floorspace. It also takes account of the existing redevelopment or extension of the existing dwellings on the individual holdings.
- 7.20. The second is the position of replacement dwellings. Criteria 7 and 8 of the policy indicate that they should be set back from the Estate roads at least as far as the original dwelling. Building lines are helpfully shown on Maps 1 and 2.
- 7.21. A free-standing element of the policy requires an applicant to demolish any existing piggery building or associated hardstanding which is not incorporated into the development proposal concerned. However, this reads as supporting text rather than policy. Another free-standing part of the policy addresses the scenario where proposals are submitted to extend or replace any annex buildings which have already been developed on the site of piggeries. My recommendations below retain these important elements of the submitted Plan either as a modified policy or by replacing policy in the submitted plan with supporting text.
- 7.22. As with Policy 1 the approach adopted meets the basic conditions in general terms. In particular it has regard to national policy and is in general conformity with Policies H/14 and H/17 of the recently-adopted Local Plan. The supporting text is very effective in setting the context for the policy and establishing a baseline against which extensions would be measured.
- 7.23. Plainly the policy has the ability to support the development of a number of dwellings throughout the Plan period in a location which does not necessarily accord with the key development principles set out in the Local Plan. Nevertheless, Policy S/7 in the Local Plan addresses the acceptability of community-based initiatives that are promoted in emerging neighbourhood plans.

- 7.24. Paragraph 2.54 of the Local Plan allows for community-led proposals in a neighbourhood plan that lie outside the development framework of a village. Such proposals need to have received community support and be capable of being included in a neighbourhood plan. Whilst the policy is not strictly an allocation it has been carefully considered and developed within the context of the very rare circumstances of the neighbourhood area. In particular it takes account of its former Land Settlement Association history, character and appearance.
- 7.25. Shelford Properties has drawn my attention to the granting of outline planning permission for eight dwellings on land adjacent to Strawberry Farm, Pampisford Road (September 2017). Plainly that permission is extant and is not directly affected by the progress of the neighbourhood plan to this stage. Nonetheless I recommend that an additional sentence is included within the supporting text to recognise this matter.
- 7.26. Based on all the information provided to me as part of the examination, including the level of support for the Plan I am satisfied that the approach is evidence-based and meets the basic conditions. In particular it has been designed to provide a strategic context for future proposals and, importantly, to safeguard and consolidate the very distinctive character of the LSA neighbourhood area. Based on my visit to the area I am satisfied that it has the visual and environmental capacity to accommodate the scale of development which may naturally arise from the implementation of this policy during the Plan period.
- 7.27. However within this supporting context I recommend that the policy is modified in the following areas to bring the clarity required by the NPPF:
- the deletion of criterion 5 which requires any new dwelling to be an asset to the area. The matter is adequately addressed in other criteria and, in any event, would be both difficult to define and to determine with any degree of consistency through the development management process;
 - the deletion of criterion 9. It is adequately addressed by criterion 10;
 - the repositioning of supporting text from the first paragraph of free-standing policy on page 13 into the substantive supporting text within the Plan;
 - a modification to the second paragraph of the free-standing element of the policy; and
 - the inclusion of additional text to reflect the outline planning permission granted on land adjacent to Strawberry Farm.

In the opening part of the policy replace ‘permitted’ with ‘supported’.

Delete criteria 5 and 9 (and renumber the remaining criteria accordingly).

Delete the free-standing paragraph at the top of page 13.

Replace the second free-standing paragraph on page 13 with the following:

‘Proposals to replace an existing annex or an existing dwelling that is the additional dwelling associated with an original dwelling as at the 1983 baseline, or that seek to remove any occupancy restrictions on these same existing

dwellings or annexes will be considered against the requirements of this policy.’

In the final free-standing paragraph on page 13 replace ‘such as’ with ‘including’.

At the end of paragraph 6.14 of the Plan insert the first free-standing paragraph of text at the top of page 13 of the Plan (as recommended above to be deleted as a part of the policy).

At the end of paragraph 6.24 add:

‘In September 2017 outline planning permission was granted for eight dwellings on land adjacent to Strawberry Farm in the north-eastern part of the neighbourhood area.’

Policy 3 – Road usage limitation in the Neighbourhood Plan area

- 7.28. The policy seeks to ensure that the new development proposals in the Plan period can be comfortably incorporated within the highways capacity of the local road network. As earlier sections of this report have highlighted these are principally South Road, North Road, Chalky Road and Cutting Road. All are unadopted roads. The roads are single track in character with a variety of formal and informal passing places.
- 7.29. The roads are owned by the Abington Estate Management Limited (AEML). Its role is to manage and maintain the Estate roads. All freeholder holders of property on the former LSA Estate are members of the AEML.
- 7.30. A Transport Statement has been prepared to assess the implications of Policy 2 on the internal road network. It concludes that the impact of the implementation of Policy 2 is acceptable. I sought advice from the Parish Council about whether the policy addresses simply the impacts of Policy 2 or the potential for other development. I was advised that whilst the potential for new houses arising from Policy 2 was likely to be the most significant form of new development in the Plan period the policy had been designed to address all eventualities.
- 7.31. The supporting text (6.34-6.37) helpfully identifies the different scenarios which the policy seeks to address.
- 7.32. Given the findings of the Transport Assessment a case could be made for the policy to be deemed to be unnecessary. Another option would be for the insertion of a highways capacity criterion into both Policies 1 and 2. However given the particular circumstances that exist in the neighbourhood area and the private and single-track nature of its highways network, I am satisfied that Policy 3 is both relevant and necessary to the integrity of the wider Plan.
- 7.33. However as submitted the policy adopts a negative approach which is at odds with the findings of the Transport Assessment. I recommend that the structure of the

policy is modified so that it identifies the type of development that will be supported in terms of its impact on the highway network. I also recommend the deletion of elements of the policy that are properly supporting text. In most cases they are already satisfactorily included in the submitted text.

Insert new paragraph at the start of the policy to read:

‘Proposals for new development will be supported where they can be satisfactorily incorporated within the neighbourhood area both in terms of the capacity of its highway network and the impact of additional traffic on the amenities of its existing residential properties.’

Delete the second and third paragraphs of the submitted policy.

In paragraph 6.35 replace the final sentence with:

‘Such improvements would need to be considered and approved by the District Council and AEML. On a case-by-case basis this could be achieved through the imposition of a planning condition or through a planning obligation.’

Other Matters

- 7.34. This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for SCDC and the Parish Council to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

8. Summary and Conclusions

Summary

- 8.1. The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It addresses a very specific set of issues that have been identified and refined by the wider community to shape the future of a very distinctive neighbourhood area.
- 8.2. Following my independent examination of the Plan I have concluded that the Great Abington Former Land Settlement Association Estate Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications. Notwithstanding the recommended modifications the Plan remains fundamentally unchanged in its role and purpose.

Conclusion

- 8.3. On the basis of the findings in this report I recommend to South Cambridgeshire District Council that subject to the incorporation of the modifications set out in this report that the Great Abington Former Land Settlement Association Estate Neighbourhood Development Plan should proceed to referendum.
- 8.4. I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 5 September 2016.
- 8.5. I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner. The examination of a neighbourhood plan within the context of a very-recently adopted Local Plan has assisted this efficiency in a significant and positive fashion.

Andrew Ashcroft
Independent Examiner
15 October 2018