

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL  
RECORD OF CHIEF OFFICER/HEAD OF SERVICE DECISION**

This form should be used to record key and other decisions made by Chief Officers and Heads of Service. The contact officer will ensure that the signed and completed form is given to Democratic Services as soon as reasonably practicable after the decision has been taken.

A key decision shall not be taken unless notice of the item has been published at least 28 days before the decision is to be taken except where:

- a General Exception notice has been published under Rule 15 of the Access to Information Procedure Rules and the Chairman of Scrutiny and Overview Committee has been informed in writing; or
- where a Special Urgency notice has been published under Rule 16 of those Rules and the Chairman of Scrutiny and Overview Committee has agreed the decision is urgent.

Unless permission has been obtained from the Chairman of Council and the Chairman of the Scrutiny and Overview Committee that a key decision may be treated as a matter of urgency under Rule 12.19 of the Scrutiny and Overview Committee Procedure Rules, any key decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless called in under Rule 7 of the Budget and Policy Framework Procedure Rules or Rule 12 of the Scrutiny and Overview Committee Procedure Rules. Where consent has been obtained to exempt the decision from call-in, this will be specified below. Only key decisions of an officer are subject to call-in.

<b>Decision Taker</b>	Lead Cabinet Member for Planning
<b>Subject Matter</b>	Waterbeach Neighbourhood Plan - response to consultation on the submission plan
<b>Ward(s) Affected</b>	Waterbeach
<b>Date Taken</b>	8 April 2021
<b>Contact Officer</b>	Alison Talkington Senior Planning Policy Officer Contact: <a href="mailto:Alison.Talkington@greatercambridgeplanning.org">Alison.Talkington@greatercambridgeplanning.org</a> / 01954 713182 / mobile 07514 926521
<b>Date Published</b>	xx April 2021
<b>Call-In Expiry/Exempt from call-in</b>	
<b>Key Decision?</b>	No
<b>In Forward Plan?</b>	No – delegated decision for Lead Cabinet Member for Planning
<b>Urgent?</b>	Decision must be made by 20 April 2021

<b>Purpose / Background</b>
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## **Purpose**

1. The purpose of this report is to agree the Council's response to the public consultation on the submission version of the Waterbeach Neighbourhood Plan. The consultation runs for 9 weeks from 16 February until 20 April 2021.

## **Background**

2. The Waterbeach Neighbourhood Area was designated on 10 August 2015. The neighbourhood area is for the whole parish of Waterbeach and therefore includes the strategic new town allocation from the adopted Local Plan 2018. At the same time as the neighbourhood area was designated a 'Joint Working Agreement' was formally agreed between the Parish Council and South Cambridgeshire District Council (SCDC) which set out how the two councils would work together.
3. Officers provided informal comments on earlier drafts of the Neighbourhood Plan ahead of the formal pre-submission consultation process and recognise the hard work that those on the steering group of the neighbourhood plan have put into preparing the Plan. This group has strived to ensure that the whole village had an opportunity to have an input into the final Plan.
4. A Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening was undertaken on a draft version of the Neighbourhood Plan, and a screening determination was published in March 2020.
5. Pre-submission public consultation on the draft Neighbourhood Plan was undertaken by the Parish Council from 13 January to 24 February 2020. Officers provided a formal response to the consultation, providing constructive comments about the Neighbourhood Plan to assist the neighbourhood plan group with finalising the Neighbourhood Plan. Officers have met with the steering group to discuss how these comments and the current submitted Plan has taken most of them into account. The parish has taken their plan forward in a positive way.
6. The parish council has also had an independent health check of their Plan carried out once they had prepared a revised version of their Plan following the pre-submission consultation. This was carried out by an experienced neighbourhood plan examiner, Ann Skippers, who considered the Plan to be presented well with clear differentiation of planning policies and a clearly articulated vision. She considered each policy and suggested some changes to the Plan that have been considered by the parish council in preparing the submission version of their Plan.
7. On 2 February 2021, Waterbeach Parish Council submitted their Neighbourhood Plan to SCDC. Officers have confirmed, as set out in the Legal Compliance Check for the Neighbourhood Plan that the submitted version of the Neighbourhood Plan and its accompanying supporting documents comply with all the relevant statutory requirements at this stage of plan making.
8. We therefore were able to carry out a consultation on the Waterbeach Neighbourhood Plan from 16 February until 20 April 2021.
9. Officers, in conjunction with Waterbeach Parish Council, are in the process of appointing an independent examiner to consider this Neighbourhood Plan. All comments submitted

during the public consultation on the submission version of the Neighbourhood Plan will be provided to the examiner for their consideration.

### Considerations

10. The Waterbeach Neighbourhood Plan has been prepared by Waterbeach Parish Council to provide planning policies for development in the area, with the aim of providing greater clarity when determining planning applications in the area. The Neighbourhood Plan includes 24 planning policies that cover a range of issues including:

- (i) Securing connectivity between Waterbeach village and key destinations;
- (ii) Creating and maintaining sustainable access routes to the relocated railway station and to Waterbeach village Primary School and to the new town's schools;
- (iii) Maintaining and enhancing a vibrant village heart
- (iv) Denny End Industrial Estate and Cambridge Innovation Park
- (v) Waterbeach Design Principles
- (vi) Important edge of settlement sites in Waterbeach village
- (vii) Protecting village amenity areas and open space
- (viii) Sites of value to biodiversity
- (ix) Housing mix
- (x) Rural exception site affordable housing in Waterbeach parish
- (xi) Allocation of affordable housing at Waterbeach New Town

11. To successfully proceed through its examination to a referendum, a Neighbourhood Plan must meet a number of tests known as the 'Basic Conditions'. These tests are different to the tests of soundness that a Local Plan must meet. The Basic Conditions are set out in national planning guidance and are summarised as follows:

- (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.
- (b) the making of the Neighbourhood Plan contributes to the achievement of sustainable development.
- (c) the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area.
- (d) the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and
- (e) prescribed conditions are met in relation to the Neighbourhood Plan, including that the making of the neighbourhood plan is not likely to have a significant effect on a European wildlife site or a European offshore marine site either alone or in combination with other plans or projects.
- (f) 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.

Our Neighbourhood Planning Toolkit includes Guidance Note 11 (What are the Basic Conditions and How to Meet Them), which sets out further details on each of the Basic Conditions. When a Neighbourhood Plan is submitted to the local planning authority it must be accompanied by a Basic Conditions Statement that sets out how the Parish Council considers that their Neighbourhood Plan meets the Basic Conditions.

12. When considering a Neighbourhood Plan, the examiner will assess whether or not the Neighbourhood Plan meets the Basic Conditions. When an examiner recommends that

the Neighbourhood Plan should proceed to referendum (if it meets the Basic Conditions, with or without modifications), the examiner's report must also set out whether the referendum area should be extended beyond the neighbourhood area. Comments made during the current consultation on the submission version of the Neighbourhood Plan, which will be provided to the examiner for their consideration, should therefore address whether the submitted Neighbourhood Plan meets the Basic Conditions and can also address whether the referendum area should be extended beyond the neighbourhood area.

13. SCDC is fully supportive of Parish Councils bringing forward Neighbourhood Plans for their areas, including Waterbeach Parish Council's decision to prepare a Neighbourhood Plan, and officers have been supporting the Parish Council in the plan's preparation. The Council's proposed response to this public consultation on the submission version of the Neighbourhood Plan is set out in Appendix 1.
14. SCDC is supportive of the aims of the Waterbeach Plan and our comments are intended to help the Plan to be successful at examination as well as delivering policies that are clear in their meaning and are unambiguous in their interpretation. SCDC recognise the achievement of Waterbeach PC in reaching this stage of submitting their Plan to us for examination. We are aware that alongside the preparation of the neighbourhood plan there have been many other planning issues for the parish council to discuss - planning applications for the proposed new town for them to comment upon and this will have taken time for them to consider the implication for their local community.
15. If the examiner is minded to recommend that the Neighbourhood Plan should proceed to referendum, the Council does not feel that the referendum area needs to be extended beyond the designated Neighbourhood Area as the planning policies included in the plan would not have a substantial, direct or demonstrable impact beyond the parish.

**Declaration(s) of Interest**

***Record below any relevant interest declared by any executive Member consulted or by an officer present in relation to the decision.***

None

**Dispensation(s)**

***In respect of any conflict(s) of interest declared above, record below any dispensation(s) granted by the Council's Standards Committee.***

None

**Consultation**

***Record below all parties consulted in relation to the decision.***

Ward Councillors

**Other Options Considered and Reasons for Rejection**

The option of not sending a response from SCDC was rejected as this Council has a duty to provide advice and assistance to groups preparing neighbourhood plans.

**Final decision**

To agree the response from SCDC set out at Appendix 1

**Reason(s)**

The response is intended to provide the independent examiner with SCDC's comments on the Waterbeach Neighbourhood Plan.

Signed	Name (CAPITALS)	Signature	Date
Lead Cabinet Member (where required by the Constitution)	Cllr Tumi Hawkins	<i>Cllr T Hawkins</i>	7 April 2021
Chief Officer/Head of Service	Stephen Kelly	<i>SJ Kelly</i>	8 April 2021

Further Information
<p>Appendix 1: SCDC response to the Waterbeach Submission Neighbourhood Plan</p> <p><b>Background documents</b>  <a href="#">Formal Agreement</a> between Waterbeach Parish Council and SCDC – August 2015  <a href="#">Waterbeach Neighbourhood Plan – Submission version</a> Jan 2021</p>

## **APPENDIX 1**

### **South Cambridgeshire District Council's response to the consultation on the submission Waterbeach Neighbourhood Plan**

1. South Cambridge District Council (SCDC) is taking the opportunity to provide the examiner of the Waterbeach Neighbourhood Plan with the local planning authority's comments on the submission version of the plan.
2. SCDC has worked closely with Waterbeach Parish Council (PC) as they have been preparing their plan. We appreciate the hard work that has gone into getting their neighbourhood plan this far along the process. There have been meetings with the neighbourhood plan team to discuss the plan as it has evolved. SCDC has provided constructive comments to the team at these meetings followed up by detailed notes to assist them in their plan making.
3. SCDC is pleased that many of the comments that were made during the pre-submission consultation (Regulation 14) have resulted in changes to the Submission version of the Waterbeach Neighbourhood Plan. The comments contained in this Appendix are identified either as matters that relate directly to whether, in our opinion, the Plan meets the Basic Conditions or as matters that would help the use of the Plan in practice. Those comments relating to meeting the Basic Conditions test are identified as follows – (BC test) and the other comments as (Non-BC test)

#### *Mapping – (BC Test)*

4. In earlier comments to the Waterbeach Neighbourhood Plan we had suggested to the Parish Council that they should include a map to cover the whole of their parish to provide a comprehensive Policies Map. The Submission Plan does not include such a map that brings together all the site allocations and site-specific issues. Practitioners generally find it useful to go to a single point for land related designations, such as in a Policies Map with more detailed Inset Maps for areas where there are a number of policy designations, rather than have a number of maps to look at that are dotted through a Plan.
5. We also highlighted that any map showing the intention of policies in the Plan show be accurate and at a scale large enough to be clearly seen. We consider that the Plan would benefit if a Policies Map at A3 scale were included so that it is easy to read for a future user of the Plan. Alternatively consideration could be given to the approach used in our Local Plan Policies Map where individual villages can be covered by several A4 maps at legible and easy to read scales.

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

6. The Submission draft has not included a comprehensive glossary which may be helpful to explain a number of specific planning terms used in the Plan that the local community may not be familiar with.

#### *Comments on the Plan*

7. It would be helpful if the Summary of Policies and Lists of Maps, Figures and Tables included page numbers to improve the navigation through the Plan (Non-BC test)
8. Table 2.1 – We are always hesitant/concerned when a neighbourhood plan only highlights some policies in the Local Plan as being relevant as this implies others are of lesser importance. (Non-BC test)
9. Maps 2.1 and 2.2 – We would suggest that these maps should be at a larger scale to clearly show the boundaries of the Local Plan designations. (BC test)

#### *Vision and Objectives (Non-BC Test)*

10. References in the vision to new development not being overbearing or overwhelming are unclear in applicability to the new town as are references to development complementing rural vistas and the existing Fen Edge landscape. We had suggested in earlier comments that the vision should make reference to the vision for the new town included in the

adopted Waterbeach New Town Supplementary Plan. This has not been referred to in either the vision or the supporting text.

*Comments on the planning policies – Chapter 6*

**Transport Policies**

11. Policy WAT 2 Pedestrian and cycle route from Waterbeach village railway station to relocated railway station
  - As there is only one part to this policy there is not a need for the ‘1’ within the policy. (Non BC test)
12. Policy WAT4 - Creating and maintaining sustainable access routes to Waterbeach village primary school.
  - Map 6.3 – Mention is made in the policy of particular roads which are indicated on Map 6.3. Whilst it is obvious from the key that these roads are those marked in red would it also be useful for the specific roads to be named in the map for those not familiar with Waterbeach? (Non-BC test)
13. Policy WAT 5 Creating and Maintaining Sustainable Access Routes to Waterbeach New Town schools
  - Part 2 of policy: The references to the location of schools and that children should not have to cross primary and secondary roads to get to school are not considered to be practicable or in general conformity with the Local Plan policy SS/6 ‘Waterbeach New Town’ sections 1 and 17 which states that an SPD will be prepared for the new town to establish the broad location of key components of the new town or with the spatial framework diagram which identifies school locations and a primary and secondary road layout. (BC test)
  - We had suggested amendments to part 2 of the policy which have not been included. These amendments are as follows ‘To assist this, as far as practicable, school entrances should not be located beside through roads. Additionally, the new town should be arranged, as far as practicable and in general conformity with the Spatial Framework Diagram included in the Waterbeach Supplementary Planning Document, such that the need for children having to cross primary and secondary roads to attend school is minimised and preferably avoided altogether.....’ (BC Test)
14. Policy WAT6 Improving road safety in Waterbeach village
  - Table 6.1 and Policy – There are many roads mentioned in the policy but without a knowledge of the parish it is not possible to know where they are. Map 6.4 does show these hotspots but it is not at a scale that it is easy to read – it would help if it was at A4. (BC Test)
15. Policy WAT 7 – An accessible Village and Town
  - Part 1b of policy: Query whether the requirement for a bus shuttle service to the new railway station can be justified by appropriate evidence regarding need for the service and viability as is generally required by national planning policy and advice. Reference could be made in the policy to ensuring the provision at the station of suitable and secure mobility scooter parking. The new railway station was granted planning permission without such provision and no evidence has been referenced in respect of the need for such provision or its effect on viability. The station permission expires in January 2023. They will need to commence development by then to keep the permission alive. If the applicant needs to apply again then this policy could come into play. (BC test)
16. 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
  - Part 1 – Should the map reference be 6.6 not 6.5? (Non BC Test)

17. Policy WAT 11 Public Realm improvements in the Village Heart –

- Would it be helpful in the supporting text to briefly describe each of the public realm areas from 1-5 shown on Map 6.8 and then refer to each in turn in the policy? It may help to include a photograph showing each area too. Area 1 appears not to be included in the policy? (BC Test)
- It would help the future users of the Plan if Map 6.8 was annotated to show particular features such as where the existing bus stop is on Greenside; where it would be helpful to have resident access only and where the public house is located.
- In paragraph 6.11.4 reference is made to the Community Aspiration Chapter (chapter 7) – this is now chapter 8.

18. Policy WAT 13 Denny Abbey Industrial Estate and Cambridge Innovation Park

- Would it be helpful to have an inset map to show where these sites are located within the parish and their extent. In the Cambridge Innovation Park there is a recent application in for 3 new buildings at the Park. It would be useful to know if this area is included in the policy and whether they envisage further development beyond this. (BC Test)
- The supporting text does not fully justify the content of the policy especially in relation to the Cambridge Innovation Park. (BC test)
- Bullet point a – Our landscape officer has suggested that this policy could benefit from an addition to this point - ‘... high quality **landscaped** frontage to Denny End Road.’

19. Policy WAT 14- Waterbeach design principles.

- Second part of policy – There is no definition of what is meant by ‘contribute in a positive way’. How would a planning officer when determining an application know what this means? We had suggested that this term could be replaced by ‘have regard to’. (BC test)
- The Waterbeach Heritage and Character Assessment is one of the evidence documents for the Plan and is mentioned in the policy. We would query the weight that can be given to a planning policy that includes this assessment since the opportunity has not been given to interested stakeholders/parties to challenge the contents of this document. If there is key information that a developer should be aware of in this assessment they would be best summarised and included within the Plan. The supporting text does include some of the contents of the assessment and also that of the Design Principles document which is not specifically mentioned in the policy. This makes for confusing reading. Each has slightly different distinct areas identified in the parish. It would be necessary to cross refer to each of the actual document to find the details. A Plan should be easy to use and not expect the user to have to consult several other documents. (BC test)
- The policy is for all development proposals in the plan area. For Waterbeach new town, there already exists the design guidance in policy SS/6 of the Local Plan (adopted in 27/09/2018) and the adopted (in 06/02/2019) ‘Waterbeach New Town’ SPD which contain suitable policies and guidance to guide the future design, layout, landscaping and use of materials in its development and has been subject to extensive consultation. It would not be necessary to provide such additional design guidance for the New Town area. The policy wording could be amended to reflect this. (BC test)

20. Policy WAT 14 – Schedule 1

- It is suggested that the status of the design principles would be clearer if they were to be included within the policy rather than in the explanatory text of the policy. They are from the Design Principles document which is part of the evidence base for your Plan. (BC test)



- Design Principles WDP1, WDP4, WDP8 and WDP14 - These design principles seek to guide and restrict the design, layout and use of materials in the new town by reference to the existing village of Waterbeach despite the new town on completion being considerably larger in area and population and a clearly a construct of the 21st century rather than of organic growth over many centuries. In practice the new town will have its own distinct identity and character as is made clear by sections 2 and 9 of Local Plan policy SS/6 Waterbeach New Town.

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

- Design principle WDP5 - As written this principle would apply to uncontroversial domestic extensions and alterations to modern 'suburban' type buildings with limited heritage, aesthetic or cultural value (in circumstances where planning permission is required), and so be unduly burdensome to local residents and businesses. The safeguards it is seeking to secure are already addressed by the policies of the Local Plan and by other elements of WHCD13. Suggest that this design principle be deleted or made more specific. (BC test)
- WDP7 – Our landscape officer has suggested that as hedgerows are also important particularly on the edge of the village this could be added to this principle. (Non BC test)
- WDP8 – Also a suggestion that the boundary planting should be mixed native hedgerows. (Non BC test)

#### 21. Policy WAT15 Development and landscape quality

- Part 1 of policy - It was suggested that rather than using the term 'they accord' to use 'have regard to' as this is more of a usual planning term. (BC test)
- It is suggested that the status of the landscape principles provided in Schedule 2 would be clearer if they were to be included within the policy rather than in the explanatory text of the policy. (BC Test)
- Character Area table 1 - Our landscape officer has suggested some amendments to principles within this table
  - i. Bullet 3 – What are the prominent landscape features, views and landmarks? For a future user of the Plan it may be helpful to have a map indicating the key features in the parish from the WHCA Design Principles document. (BC test)
  - ii. Bullet 4 – Suggestion that reference is made to a management **and maintenance** plan. (BC test)
  - iii. Bullet 5 – This should be indicating **protecting** and retaining landscape features (BC test)
  - iv. Bullet 6 – Suggestion that the proportion of front garden should reflect the **existing layout**. (BC test)

#### 22. Policy WAT 17 Protected Village Amenity Area of green space at main entrance to the barracks off Denny End Road

- The wording of this policy could be simplified if reference was made to the relevant PVAA policy in the Local Plan – NH/11 after the second line '... designated as a protected village amenity area under Policy NH/11 of the Local Plan'. There is no requirement then to repeat the requirements of Policy NH/11 in this policy. The title too could be simplified as the term green space detracts from the PVAA designation. Map 6.11 also refers to green space rather than new PVAA (BC test)

23. Policy WAT 18 Protected open space in Waterbeach village

- We are unsure of the distinction between these open spaces and that protected in WAT 17. As long as the areas are within the development framework they could be considered as PVAAs. Allotments and the Recreation Ground will already be protected from development under the Local Plan Policy SC/8 Protection of Existing Recreation Areas, Playing Fields, Allotments and Community Orchards. (BC test)

24. Policy WAT 20 – Sites of value to biodiversity

- The policy specifically asks applicants to retain and enhance the biodiversity value of the network of deciduous woodland species and habitats in the parish. It is unclear why these have been highlighted What evidence has been provided to justify this within the policy? (BC Test)
- Map 6.13 does not appear to show any County Wildlife Sites although a symbol in the key. Our ecology team has indicated that within the parish there are a number of County Wildlife Sites and these should be referenced clearly in the Plan and shown on this map - River Cam CWS (east), Clayhithe Pollard Willows CWS (south-east) and Beach Ditch and Engine Drain CWS (north-west)

25. Policy WAT 21 Housing Mix –

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

26. Policy WAT 23 Allocation of affordable housing at Waterbeach New Town.

- We suggested changes to this policy wording much of which has been done.

27. Policy WAT 24 Waterbeach park homes

- Would it be helpful to have a map showing where the existing park homes are located within the parish? (Non BC test)