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Our Ref:/3004/CHJD**22nd November 2021***Via Email*

Dear Sir/Madam

Gamlingay Neighbourhood Plan Representations**Introduction**

1. This statement has been prepared by Plainview Planning on behalf of [REDACTED]. It sets out representations to the draft Gamlingay Neighbourhood Plan which was published for consultation until 5pm on Tuesday 23rd November.
2. These representations seek to ensure that the Gamlingay Neighbourhood Plan, in reference to national and local guidance, meets the basic conditions as set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and meets the National Planning Policy Framework (‘the Framework’) requirements in being positively prepared and in “...general conformity with the strategic policies of the Local Plan” (para. 184, the Framework).
3. [REDACTED] is promoting a site on the north of Cinques Road and has an active interest in an effective and policy compliant neighbourhood plan for Gamlingay.
4. We generally support the objectives of the Draft Gamlingay Neighbourhood Plan but wish to make the following constructive objections to ensure that the plan achieves the best outcome for the village and accords with the Basic Conditions that require the Plan to have regard to the NPPF and to conform with the strategic policies in the Development Plan.



5. Our key representations cover:

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Procedure for Neighbourhood Planning

6. Provision for Neighbourhood Planning is made within the 2011 Localism Act which empowers local communities to develop a shared vision for their neighbourhood and deliver the sustainable development they need through planning policies relating to development and the use of land.
7. The National Planning Policy Framework (NPPF) (2021) provides guidance on the preparation of Neighbourhood Plans at paragraph 29-30 and associated footnote 18 which state that:
- a. *"29. Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies (18).*
 - b. *(18) Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area."*
8. The Planning Practice Guidance (NPPG) to the NPPF further clarifies the role of Neighbourhood Plans in supporting strategic development needs and planning positively.

Basic Conditions

9. A Neighbourhood Plan needs to meet the 'basic conditions' set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and summarised in Paragraph ID41-065-20140306 of the PPG. The basic conditions are:
- a. **(a)** *It must have regard to national policies and advice in the form of the NPPF. The PPG is clear that Neighbourhood Plans should support the strategic development needs set out in Local Plans and that they should not promote less development than these.*



- b. **(b)** *having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses.*
- c. **(c)** *having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area.*
- d. **(d)** *It must contribute towards the achievement of sustainable development. The PPG emphasises that the plan must contribute to improvements in environmental, economic and social conditions, and show how any adverse impacts have been prevented, reduced or offset.*
- e. **(e)** *It must be in general conformity with the strategic policies contained in the development plan for the area of the authority.*
- f. **(f)** *It does not breach EU obligations such as Strategic Environmental Assessment, Environmental Impact Assessment and Habitats and Wild Birds Directives.*
- g. **(g)** *It meets prescribed conditions such as it should not have a significant effect on a European site.*

Objective 1 - Housing Growth/Policy GAM 1

10. At page 7, Objective 1 sets out that the NP is supportive of new housing growth particularly the support for small scale 1-2 bed units.
11. This is reflective of some of the key findings of the parish survey; such as an appetite for the village to be described as 'affordable' and the provision of small housing developments (less than 10 dwellings, individual plots and a mixture of small/medium developments 10-25).
12. Only x sites have been allocated for housing development within the local plan. Even if further sites are not to be allocated for housing development, further flexibility should be provided for housing and affordable housing within the NP area in order to provide suitable levels of flexibility during the life of the plan. Without this we consider that the NP fails the basic conditions a and d.
13. GAM1 and supporting text at 4.23 note that Gamlingay will **plan positively for housing growth** across the lifetime of the NP - up to 2035. However, para 4.23 also states that housing sites must fall within the development framework with reference to GAM 3.
14. Whilst there is no requirement for the NP to bring forward further sites for development for the period 2025-2035 (ref paragraph 4.25) it is also relevant that meeting a 5 year housing land supply should not be considered as a cap to further development (Gladman Development Limited v Secretary of State for Housing and Communities and Local Government and Sedgemoor District Council [2019]). Given this, the **NP policy must be suitably flexibly worded to allow sustainable windfall development to come forward in order to plan positively for housing growth across its lifetime.**



15. Paragraph 4.10 notes that Gamlingay's share of the SCLP windfall allowance has been provided and the remainder of the plan remains silent on windfall. We note SCLP policy S/9 and supporting text which discusses larger windfall development with maximum scheme size of up to 30 dwellings as an upper level likely to be suitable. It does not rule out smaller windfall sites from coming forward and nor does it cap the total amount of housing development for the minor rural centres at 30 additional dwellings- using the wording 'likely to be suitable', rather than the NP wording at paragraph 4.9 which states this as a maximum figure set down by the SCLP. **This is not correct and should be amended.**
16. Given this, the supporting text at paragraph 4.23 should be amended as follows (text in **bold** and *italics* denotes new suggested text):

4.23 Gamlingay will plan positively for housing growth across the lifetime of the Neighbourhood Plan (2020-35). Housing sites ~~must~~ **should predominantly** fall within the development framework (see GAM3). ***These, and sites proposed for development with reference SDLP Policy H/11 and windfall sites*** ~~They~~ will be considered carefully and will be acceptable only where they reflect the principles of affordability, sustainability and adaptability outlined above, and are consistent with the Neighbourhood Plan (policies) taken as a whole. For clarification all hamlets are classified outside the Village Framework, as located in the open countryside.

Paragraph 4.14

17. The NP does not make provision for rural exception sites, instead concluding at paragraph 4.14 that there is no anticipated requirement for housing exception sites during the lifetime of the neighbourhood plan - subject to review every 5 years. **We cannot see how it is possible to conclude this over a 15 year period.** It is relevant that the Greater Cambridgeshire Plan is emerging and sufficient flexibility needs to be built into the NP to enable it to respond to that plan.
18. It is relevant that the first draft Greater Cambridgeshire Local Plan First Proposals expect about 5,300 homes to be built during the plan period from windfall sites. On top of that, new allocations totalling 11,640 homes are going to be needed.
19. A lack of policy in relation to windfall sites and lack of allowance for rural exception sites does not allow sufficient flexibility to adapt to change and increased housing need. No does not accord with National Planning Policy which allows for development beyond settlement boundaries in situations other than being linked to a rural business. For example through rural and entry level exception sites. This is set out in paragraphs 72 and 78 of the NPPF.
20. Paragraph 72 allows for entry-level exception sites suitable for first time buyers (or those looking to rent their first home) on sites not already allocated for housing and adjacent to



existing settlements. Provision of such sites would also support the Neighbourhood Plan's objective to provide affordable homes for new people. Paragraph 78 allows for rural exception sites which secures affordable housing in perpetuity on sites not normally used for housing - beyond the settlement boundary.

21. Provision of such sites is especially important in Gamlingay where it has been identified at Objective 1 that Gamlingay already has plenty of large and expensive homes. What is needed are small affordable and adaptable homes. 1-2 bed dwellings and bungalows are highlighted as being in need. This is also reflected by the needs of the aging population to down size and by residents who noted that an aim of the NP is for the village to be affordable.
22. Therefore provision for the ability of suitable sites as exceptions to development beyond settlement boundaries, is essential to meet both the likely uplift in housing needs and specific identified needs for those who would benefit from affordable housing options.
23. Setting such a restrictive approach to non allocated housing development is not in accordance with the government's intention to 'significantly boost' the supply of housing and does not take into consideration certain exceptions criteria which would assist in meeting identified local housing needs. **Therefore a more flexible approach to smaller scale housing sites needs to be included within the Neighbourhood Plan as this "blanket ban" is not in accordance with basic conditions (a) and (d) at this time.**
24. Given this, the last sentence of the supporting text at paragraph 4.14 and 4.15 should be amended as follows (text in **bold** and *italics* denotes new suggested text):

4.14 ***There is currently no anticipated need for housing exception sites during the first five years of the plan period. However, each case will be reviewed on its merits with reference to evidenced need in recognition of Objective 1.***

4.15 ***Each case will be considered on its own merits with reference to wider development plan policy and needs at the time of consideration.***

Objective 2 - Local Character/GAM 3

25. GAM 3 notes that Housing will be located within the boundary of Gamlingay village to preserve the visual quality of the landscape. Policy GAM3 is explicit that the hamlets in the parish are not suitable locations for exception sites.
26. The policy is not positively worded and nor does it address how other forms of development will be considered in these areas. This links to aspects lacking in Objective 4 and policy GAM 6 discussed at paragraph 39 onward below.



27. This is a totally inflexible position which doesn't allow for the villages to respond to change within the plan period. It assumes that **all** development will undermine the aims of policy in relation to local character and the countryside. It doesn't reflect that a small scheme wouldn't necessarily undermine the aims. The policy should provide sufficiently flexible guidance in order that each scheme may be considered on its own merits.
28. What clearly comes across is how fearful the community is of speculative development resulting in the erosion of the gaps between the hamlets and the village. This is evidenced by Table 2 of the NP where 250 residents consider keeping/adding green spaces as 'Essential' and 277 residents consider protecting open countryside as 'Essential'.
29. The NP response is to designate these areas as 'settlement gap'. However, the landscape is not designated in any other way and in times of housing need this alone may not be sufficient to protect land from development - this was borne out in the decision made in relation to 9 self build dwellings on Heath road, referenced at paragraph 4.35 of the plan.
30. That appeal decision noted that low density development, the siting of the dwellings and enhanced landscaping that would be secured by planning conditions, would ensure a sympathetic transition between urban and rural areas and no significant visual effect to the open countryside. It is also noted in that decision that a substantial area of open land would remain between the two settlements which the Inspector considered would continue to serve the purpose of keeping Gamlingay and the nearby hamlets physically separate.
31. The Local Plan remains silent in relation to self build as was the case in relation to the above appeal. The self and custom build register published by SCDC shows 481 people on the register with no permissions granted for self build in the 3 years following each of the last 3 base periods. Given this, it seems that the parish may still be vulnerable to speculative development for housing where a need can be evidenced and the LP is silent.
32. Setting down this blanket restriction in NP policy seeking to prevent exceptions housing at the hamlets obviously aims to provide another 'layer' of policy protection to the 'settlement gaps'. However, this is not a proactive approach to achieving sustainable development and this settlement gap protection was overcome by the benefit that would result from provision of a tenure of housing in short supply.
33. Another approach to safeguard this land and to demonstrate that Gamlingay has done all it can to proactively support growth, would be to consider as with the Heath Road Site, whether some of this land could provide for some form of development to meet identified local need, whilst not undermining the character of the landscape.
34. This could include proposals for community amenities/facilities and public green space in response to the 250 respondents referenced at paragraph 27 above. Encouraging these or setting down in policy that uses such as these within the settlement gaps will be encouraged



would provide another layer of protection (given the protection afforded at policy SC/3, SC/8 of the LP and policy within the NP) and a sustainable approach to cater for growth and increasing support for community facilities in the area.

35. Development of this nature need not undermine the aims to protect the open countryside and landscape setting and as discussed in the relevant section below, and development of these sites could meet a need within the community. The fourth sentence of paragraph 4.32 should be reworded to acknowledge that not all forms of development will be harmful as follows:

4.32It will be protected from development **that results in erosion of the settlement gap or encroachment into the countryside or significant visual effect to the open countryside** ~~in order to safeguard the open countryside between the hamlets and the village from further encroachment~~ (see paragraph 4.10), thereby preserving the visual qualities of the landscape and maintaining the separate identity of the hamlets. Policy GAM11 protects views and vistas identified in the Village Design Guide. A landscape and visual assessment of the settlement character of the parish and its landscape setting commissioned for the Neighbourhood Plan identified two additional views included in this Plan. To aid developers, the maps identify 7 key views to and from the village (indicated by <-> arrows) which the Plan seeks to preserve from development **which negatively impacts these views**; these are listed and illustrated in Appendix 2.

36. The third sentence of paragraph 4.38 should also be amended to reflect comments made in both this and the preceding section as follows:

4.38 ...Development of new homes (including self-build) ~~must~~ **should predominantly** take place within the village framework. **Proposals for sites made with reference to SCLP policy H/11 will be carefully considered to ensure development does not unduly erode the settlement gap** in order to protect the integrity of Gamlingay's radial village with satellite hamlets and smallholdings. ~~The hamlets are not suitable locations for exception sites.~~

37. The second bullet point of policy GAM3 should also be amended as follows:

- Housing will **predominantly** be located within the boundary of Gamlingay village (its development framework) to prevent the village, the hamlets and smallholdings from joining up, to preserve the visual quality of the landscape and retain the separate identities of the settlements. Particular emphasis is placed on the settlement gap between Cinques, Dennis Green and Little Heath identified in the Policies Map (legend shows 'village character GAM 3', on maps 4 and 7). New development **in**



these locations should preserve key views to and from the village (see maps 4 and 7). ~~The hamlets in the parish are not suitable locations for exception sites.~~

Objective 4 - Community Amenities and Facilities/GAM 6

38. A common theme from the parishioners within the 2016 survey responses and subsequent NP engagement is that they are concerned that additional built development within Gamlingay and its surrounding area will increase pressure on existing facilities and public open spaces. Survey results also suggest that additional outdoor facilities would be welcomed as part of the village.
39. This need for additional outdoor space is demonstrated by the Joint Strategic Needs Assessment and the Public Health Profile for Cambridgeshire which finds that there is an aging population, which will continue to increase. It notes that levels of physical activity are lower than average and the mental health of residents is a key concern.
40. NP Objective 4 notes that the NP will give local people the opportunity to say what development they want and where, this would appear to have been reflected by GAM 6 which seeks to secure contributions to the provision of new infrastructure for walking, cycling and horse riding. It also notes that applications for the creation of additional sports pitches will be supported.
41. We strongly support the proposed policy gateway for the provision of additional sports pitches.
42. In terms of public open space, the first school field is proposed to be designated as Local Green Space GAM 7 as part of the NP. It is noted that this will help to address the deficit of green space on the west side of the village and protect a much-loved asset. This is also proposed with the aim of preventing future built development on the site which would lead to the loss of the Green Space. Whilst this may secure it for the short term, it provides no long term guarantee that it will remain undeveloped. A community land trust or similar means of the community owning the land would provide a more robust long term option.
43. We do not consider that the NP has reviewed the surrounding parcels of land sufficiently to establish if other green spaces could be protected and brought forward as community assets to provide further community amenities/facilities and public green space. This in turn could help to resolve the acknowledged deficit of green space to the west of the village.
44. Whilst there is support for new sports facilities, we feel that the NP could have gone further to understand the need for community amenities/facilities inclusive of sports facilities and particularly public green space as is suggested by 9.4 of the LP, in order that these sites could have been appropriately searched for, secured and provided for as part of the NP.



45. This could have doubled as an opportunity to secure appropriate open land between Gamlingay and its surrounding satellite hamlets to ease residents concerns about future development of open land and provide balanced community facilities in line with Paragraph 101 NPPF - *“The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.”*
46. Unless the NP is pushed back to the Steering group for further work, other Local Green Space sites cannot be secured and protected from other development until the next NP review in circa 5 years time.
47. Because of this we do not consider that the Plan in its current form complies with the following basic condition:
- a. (d) It must contribute towards the achievement of sustainable development. The PPG emphasises that the plan must contribute to improvements in environmental, economic and social conditions, and show how any adverse impacts have been prevented, reduced or offset.

Evidence Base

48. We would note that the parish survey was prepared and issued to residents in October 2016. This evidence base is over 5 years old. Public consultation has taken place, however no updated focused survey has been carried out since 2016. The survey is no longer reflective of the current population given that the village has grown from 3,568 in 2011 (census) to circa 5000 today. It is therefore unlikely that the survey's results are reflective of residents' needs/thoughts.
49. The older a NP and its evidence base gets the more open it is to challenge as other material considerations start to be given greater weight. The PPG 084 Reference ID: 41-084-20190509 notes that in order to reduce the likelihood of a neighbourhood plan becoming out of date, communities preparing a NP should take account of the latest up-to-date evidence base. Based on the above, we think the NP should be informed by a more recent parish survey.

Conclusion

50. We do not consider that the Plan in its current form complies with the following basic conditions:
- (a) regarding national policies and advice in the form of the NPPF;



(d) contributing towards the achievement of sustainable development.

51. As detailed through these submissions, we suggest that greater flexibility must now be built into the Neighbourhood Plan proposals. Should the Neighbourhood Plan proceed and fail to plan for this flexibility, there is a real risk that its proposals will need to be reviewed again prior to the next 5 year period in order to remain an up-to-date part of the Development Plan for the parish.

