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**Response to the Stapleford and Great Shelford Neighbourhood Plan – Regulation 16 Consultation – Feb 2025**

**On behalf of Great Shelford Ten Acres Ltd submitted by Roebuck Land and Planning Ltd**

On behalf of our clients, Great Shelford Ten Acres Ltd (GSTA), we welcome this opportunity to comment on the Nov 2024 submission Reg 15 version of Stapleford and Great Shelford Neighbourhood Plan (S&GS NP).

In its current form, we believe that it fails to meet the basic conditions as required by Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended). Those we consider are not met include a and d in particular:

*“(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,*

*(d) the making of the order contributes to the achievement of sustainable development,*

In some places, the S&GS NP fails to meet the basic conditions because it fails to have regard to the national policies and advice contained in guidance issued by the Secretary of State, contrary to condition a. It also fails to contribute to the achievement of sustainable development which is contrary to condition d. These reasons are further explored below.

***Concise, Precise and Supported by Appropriate Evidence:***

The National Planning Policy Guidance (NPPG) states: *“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.”* (National Planning Practice Guidance Para 041).

GSTA suggest some alternative wording to the suite of policies:

**Policy S&GS 1: Housing mix**

We welcome the flexibility provided by this policy and acknowledge the evidence base supporting the preferred mix as an alternative to the South Cambs Local Plan housing mix. The greater proportion of 3 bed homes in the first part of Limb a is acknowledged. However, when read alongside the second part, the option to address the affordable housing need for 1 and 2 bedroom properties could be diminished by the requirement for 50% to be 3 bed units which would include market and affordable homes.

Within Limb a, the stated mix does not include larger households. Reference to ‘5 bed properties’ should also be included.

As written, it does not meet Basic Condition a.

**Change required:**

Insert …a mixture of 1,2,4 ***and 5*** bed units’

**Policy S&CG 2: Prioritising local needs in the allocation of affordable housing**

Given the plan period will have a significant crossover with the eGCLP, this policy is too restricting and does not provide sufficient flexibility. The requirement for all affordable housing within the two parishes be prioritised to households with an existing local connection is not flexible to adapt to wider affordable needs or the future growth requirements in the district/Greater Cambridgeshire area.

Limb 1 – – it is not appropriate to state ‘will be given priority of allocation’ in the policy. This extends beyond the reasonable requirements of planning policies and developer obligations. It is unduly restrictive in stating ‘will’. The use of ‘will be given’ does not meet the basic conditions a or d.

**Change required**:

Change text in Limb 1 to ‘***should*** be given’

**Policy S&GS NP 6: Development and Design in Stapleford and Great Shelford**

We repeat our comments made at Regulation 14 which have not been accepted. The specific design coding for limb 1c (building height and roofline) is also overly prescriptive. Given that the S&GS NP does not allocate any sites for housing but permits affordable housing schemes as exceptions, these design codes may not be appropriate or relevant to meet identified needs. The overarching design policies in the 2018 Local Plan could be supplemented by locally derived design criteria as guidance, but this should not be embedded in a policy requirement.

For Limb i (Rural Hinterland Design Principles) we welcome the inclusion of a specific map (Character Area Map dated Oct 2024) to define the ‘rural hinterland’.

When assessing a scheme under this Policy 6, it refers to **compliance** with RH.11 of the DG&C. RH.11 contains several criteria, some of which are not acceptable. For example, limb f of RH.11 states that ‘*Development should retain a sense of transition between the built area and the surrounding countryside through the use of planted gardens*’. There may be instances where good urban design requires development to front the countryside, rather than back onto it and this criterion could mean that well designed schemes may conflict with the overarching Policy 6.

Similarly, RH.11 g. requires residential development to have no negative impact on surrounding landscape setting or views. Again, this is too restrictive. It is entirely possible to have some harm, whether limited or moderate harm in a landscape and still be an acceptable form of development. The cross reference to requiring **compliance** with the design guide in the body of the policy is a major concern and this should be deleted.

**Change required:**

General updates to the Design Code and Principles to include ‘significant’ as a precursor to ‘harm or impact’ references or remove the design guide form the body of the policies to comply with Basic Conditions a and d.

Specifically, delete ‘comply’ in limb 1 subsection i. replace with ‘have regard to’ or, remove reference to RH.11 and update RH.11 to include the text ‘ no ***significant*** negative impact ..’ in RH.11 limb g.

**Policy S&GS 7: mitigating and adapting to climate change through building design**

This policy requires a Sustainability Statement to be submitted for **all** development proposals effectively all planning applications. This does not meet the national/local validation requirements for planning applications and may not be reasonable.

Limb c seeks to control water usage. This policy is too prescriptive and may run contrary to the local water companies’ advice on development proposals.

We make similar comments to Limb 3 and 4. The general theme is supportable, but the prescriptive policy is unworkable in practice and does not meet basic conditions a or d.

**Change required:**

The 2018 Local Plan provides sufficient policy control in this regard and a separate Neighbourhood Plan policy is not required.

**Policy S&GS 10: Mitigation hierarchy and biodiversity net gain in Stapleford and Great Shelford**

For decision-taking, the policy is too constrained. Limb 1a has no flexibility. It should include ‘where possible’, to allow consideration against limb 1b.

Under Limb b, the requirement to mitigate within the site boundary is too restrictive, there may be instances where a landowner has control of adjacent land beyond an application site boundary to deliver habitat enhancement/compensation. Delete ‘within the site boundary’.

Limb 1c is vague and unclear for decision-taking. Reference to ‘compensate’ is not sufficiently clear.

Subsection 2 is unacceptable and does not meet the basic conditions. Whilst biodiversity considerations are material and should be fully considered through development proposals, other environmental, social or economic considerations may exist to weigh in the planning balance to allow planning permission to be granted. Reference to ‘will be refused’ needs rewording or deleting.

Subsection 4 requires any off-site BNG to be considered in the Plan area. Firstly, we assume this is the Neighbourhood Plan area? This needs clarifying. Similarly, the reference to ‘in the wider local area’ is unclear and needs clarifying. The scope of these geographical areas must be clear to enable developers and decision-takers to apply the policy to any assessment.

Secondly, we are not aware of any BNG credit schemes currently available in the Neighbourhood plan area and this is not justified. This also applies to limbs 4a and 4b which could require third party land.

Subsection 5 is not justified. If a development is exempt, then policy should not require specific requirements.

**Change required:**

See above comments/suggestions. The policy needs rewording to meet the basic conditions a and d.

**Policy S&GS 11: Trees and development**

Limb 1 requires certain details to be submitted as part of a planning application. This is not appropriate within a core policy, for example it is generally accepted that a future construction management plan can be secured by a planning condition attached to a planning permission. It is not reasonable to require a management plan/tree protection plan to form part of a planning application submission for ‘any’ planning application where trees are present.

Further, the policy starts with ‘any planning application for a development site’. We question the definition of a ‘Development Site’ to apply the policy. i.e. is the definition of development in the Act and if so it would apply to extensions, single plots/infill etc. This text is unclear and not justified.

Limb 2 requires ‘exceptional’ benefits to be demonstrated to justify the removal of a tree. This is too high a test.

Limb 3 – The reference to the word ‘developers’ is not appropriate. The policy relates to ‘any planning application for a development site’ which may or may not involve a ‘developer’. Should this be substituted with ‘***applicants***’

**Change required** – see above comments/suggestions

**Policy S&GS 12: Protecting and enhancing Stapleford’s and Great Shelford’s landscape character**

The Landscape Character Assessment (2019) which has been prepared as evidence to the S&GS NP specifically looks at Parcel G1, with the whole parcel shown on the plan extract, however the ‘Overall Character’ is stated as follows:

*“Amenity grassland/pitches. The parcel of land to the south contains allotments and a practice pitch. There are some mature boundary hedgerows.”*

Furthermore, the visual characteristics state that “*The two fields by the entrance behind Cambridge Road are flanked by development and visually enclosed. The remainder of the land to the rear and further north is considered to be an extension of area B1 West Shelford arable lowland.”.*

Whilst we can understand the logic of repeating the Landscape Character Assessment Plan, it is clear that the area shown as G1 covers a mixture of land types, uses, and these different characteristics should not have been included as one whole ‘character area’.

As stated in the S&GS NP research, the joint authorities Inner Green Belt Review divided area G1 into two distinct areas, with sub area 8.1 covering all of the area apart from the two fields at the entrance to the wider area (GTSA land) which formed area 8.2. Area 8.2 was considered to provide a minimal contribution to the performance of the Green Belt and development in this location could be achieved without harm to the Green Belt if done under certain parameters.

Given the findings of the previous landscape assessment and the fact that the Landscape Character Assessment does not differ from the previous findings, nor does it provide any evidence to contradict the joint authorities assessment, the Stapleford and Great Shelford Landscape Character Assessment should also separate out G1 area with the land divided into the sports field, arable lowland and the enclosed farmland pastures. This has been done for sites G2 and G3 and GTSA require the same approach to be taken for G1 for consistency.

On a practical note, the second limb 2 of this policy has a footnote that refers to a proposal that is not supported by the NP or the Local Plan yes it refers to ‘Where otherwise acceptable’. This footnote is confusing and we seek further clarity on its meaning and application.

Under Limb 4 – The ‘Landscape Improvement Area is not defined in the NP.

We are unable to see any meaningful difference between these and the first two limbs of this policy.

**Policy S&GS 16: Preserving our Dark Landscape**

Although we welcome the careful consideration of light impact, any policies that come forward should be implementable from a development control perspective. The careful balance between public safety and light pollution needs to be considered, there may be some instances where higher light levels are necessary to encourage more sustainable modes of transport like walking and cycling.

Limb 2.d of this policy is extremely technical and considered to be wholly unnecessary and inappropriate from a Neighbourhood Plan perspective and should therefore be excluded from the policy.

**Chapter 9: Community Amenities and Infrastructure**

**Policy S&GS 17: Delivering community infrastructure priorities alongside new development**

Whilst we support the general approach of this policy, Limb 2 of the policy is unclear on what it is seeking by the reference to ‘shall take account of the changing infrastructure needs of our ageing population’.

This should be clarified.

**Policy S&GS 18: Facilitating active travel in Stapleford and Great Shelford**

Limb 3 of this policy states ‘[development proposals] which fail to utilise opportunities to provide new connections will not be supported. This part of the policy has the potential to conflict with the legal tests for securing off-site planning obligations.

**Change required:**

Delete the text ‘or which fail to utilise opportunities to provide new connections’

Other comments:

There are some general inconsistencies that require updating.

For example the use of ‘Character Areas’ sometimes refers to the 4 character areas shown on Map 5, but sometimes to the 27 character areas – that are actually ‘landscape character areas An example is para 8.10, pg 82 or the explanations at pg.147. Where the Plan means ‘Landscape’ character areas, this should be clearly set out.

**Change required:**

Check all references to ‘character areas’ and whether some require the text ‘landscape’ as a precursor.

**February 2025**

**Roebuck Land and Planning Ltd**