

Soham and Barway Neighbourhood Development Plan 2021-2031

**A report to East Cambridgeshire District Council on
the Soham and Barway Neighbourhood
Development Plan**

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Executive Summary

- 1 I was appointed by East Cambridgeshire District Council in June 2024 to carry out the independent examination of the Soham and Barway Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 18 June 2024.
- 3 The Plan is a good example of a neighbourhood plan. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. It proposes the designation of a package of Local Green Spaces and includes a series of policies to safeguard its character and appearance.
- 4 The Plan has been underpinned by community support and engagement. 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 Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
1 August 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Soham and Barway Neighbourhood Development Plan 2021-2031 ('the Plan').
- 1.2 The Plan was submitted to East Cambridgeshire District Council (E CDC) by Soham Town Council (STC) 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, 2018, 2019, 2021 and 2023. 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 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 results from 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 and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive and to complement the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and appearance. It also proposes the designation of a package of Local Green Spaces.
- 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 become part of the wider development plan and be used to determine planning applications in the neighbourhood area.

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 ECDC, with the consent of STC, to conduct the examination of the Plan and to prepare this report. I am independent of both ECDC and STC. 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 41 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I 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 as submitted should proceed 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.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan, I am 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.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

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 SEA/HRA screening report (April 2024).
- A Market Town Plan for Soham.
- the Design Guidance and Codes.
- the Housing Needs Assessment.
- the various Topic Papers.
- the Soham Conservation Area Supplementary Planning Document
- the representations made to the Plan.
- STC's responses to the clarification note.
- the adopted East Cambridgeshire Local Plan (2015).
- the Single-Issue Review of the Local Plan.
- the East Cambridgeshire District Council Natural Environment Supplementary Planning Document (September 2020).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 18 June 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

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 could be examined by written representations. I was assisted in this process by the comprehensive nature of many of the representations and the professional way in which the Plan has been developed.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management 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 (as amended), STC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It is a very good example of a Statement of this type. It is commendably concise and focused with the various details set out in a series of appendices.
- 4.3 Sections 3 to 7 of the Statement record the various activities that were held to engage the local community and the feedback from each event. I am satisfied that the events and engagement were appropriate to the relevant stages of the Plan and took an iterative approach. The latter stages focused on more detailed elements of the Plan (such as the Design Guidance and Code).
- 4.4 The Statement also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (November to December 2023). Section 8 of the Statement (as supplemented by Appendices 21-23) advises about the extent to which the Plan was refined as the outcome of this process. This helps to explain the way that the Plan has evolved.
- 4.5 In the round, I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. ECDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.6 Consultation on the submitted plan was undertaken by ECDC. It ended on 3 June 2024. This exercise generated representations from the following organisations:
- Total Planning
 - Defence Infrastructure Organisation
 - Cambridgeshire County Council (as a landowner)
 - Wicken Parish Council
 - National Grid
 - Lead Local Flood Authority
 - Sport England
 - East Cambridgeshire District Council
 - Environment Agency
 - Historic England
 - National Highways
 - Natural England
- 4.7 Comments were also received from parishioners. I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Soham. Its population in 2011 was 10860 persons living in 4574 households. The parish is located to the south of Ely. It has a diverse character. It was designated as a neighbourhood area on 12 June 2019.
- 5.2 Soham is a market town located to the immediate west of the A142 between Ely and Newmarket. It has an attractive historic town centre, with a range of local and independent shops, and a vibrant and active local community. Other facilities include a secondary school, three primary schools, a library, a sports complex, and a drama centre. Soham has a unique landscape setting surrounded by Commons to the south, east and west. St. Andrews Church is a prominent local landmark in the town. The town also has an excellent network of public footpaths and attractive green lanes, which provide good links into the surrounding countryside.
- 5.3 Barway is a small rural village, located three miles south of Ely and four miles north-west of Soham. It contains several listed buildings including a small medieval church, which has been converted into a house. The village is a compact shape and is largely set around the village green. The G's farm/food packing plant is located to the east of the village and is a significant employer in the wider area.

Development Plan Context

- 5.4 The East Cambridgeshire Local Plan was adopted in April 2015. An amendment to Policy Growth 1 was adopted in October 2023. It sets out the basis for future development in East Cambridgeshire up to 2031.
- 5.5 Policies Growth 1-4 set the scene for new development in East Cambridgeshire. Policy Growth 2 sets out the following important principles:
- *The majority of development will be focused on the market towns of Ely, Soham and Littleport. Ely is the most significant service and population centre in the district, and will be a key focus for housing, employment, and retail growth. More limited development will take place in villages which have a defined development envelope, thereby helping to support local services, shops, and community needs.*
 - *Within the defined development envelopes housing, employment, and other development to meet local needs will normally be permitted – provided there is no significant adverse effect on the character and appearance of the area and that all other material planning considerations are satisfied.*
 - *Outside defined development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages.*
- 5.6 Barway (8.3) and Soham (8.30) have separate sections (and associated Inset Maps) in the Local Plan.

Section 8.3 comments about Barway as follows:

'Barway has experienced limited new growth in the last ten years on small 'infill' sites within the village. There are likely to be some further opportunities for infill development over the Plan period. Additionally, two new housing allocation sites are proposed on land east of The

Barn, Randall Farm and land east of 5 Barway Road. See below for details. A ‘development envelope’ has been drawn around Barway to define the built-up part of the village where development (infill and the allocation sites) may be permitted. The purpose is to prevent sprawl into the open countryside. Development on infill sites will need to be in line with Policy GROWTH 2. Development on the allocation sites will need to be in line with Policy BAR 1 and BAR 2. Outside the development envelope, housing will not normally be permitted – unless there are exceptional circumstances, such as essential dwellings for rural workers, or affordable housing. Housing schemes outside the development envelope will be assessed against Policy GROWTH 2 and other Local Plan policies as appropriate. ‘

Section 8.30 comments about Soham as follows:

‘The town has grown considerably over the last 10 years, with new housing developments to the north of the town, and on a range of other ‘infill’ sites. This has placed pressure on local infrastructure and facilities. There are a number of employment opportunities in the town, including several industrial and trading estates. However, there are not sufficient jobs for all residents, and most people commute out of the town to work in Cambridge and elsewhere. The town centre is not performing as well as it could, given the growing population of the town. Turnover of units is high, and the range of shops is limited.

One of the key challenges facing Soham will be to expand the range of shops and facilities, and increase the vitality and health of the town centre. A second challenge will be to promote future commercial and employment growth in the town, to reduce the number of residents who out-commute. A third will be to ensure that necessary infrastructure and facilities are in place to support the continued growth of the town. This includes the construction of the new primary school on the north side of Soham, and the future expansion of the Village College and Medical Centre

A ‘development envelope’ has been drawn around Soham to define the built-up part of the town where housing development may be permitted. The purpose is to prevent sprawl into the open countryside. Outside the development envelope, housing will not normally be permitted – unless there are exceptional circumstances, such as essential dwellings for rural workers, or affordable housing. Housing schemes outside the development envelope will be assessed against Policy GROWTH 2, and other Local Plan policies as appropriate.

There are some opportunities for housing development on land within the built-up part of Soham, on ‘infill’ sites. It is estimated there could be capacity for perhaps 410 dwellings between 2013 and 2031. Development on infill sites in the town will need to be in line with Policy GROWTH 2.

However, the supply of infill land is limited, and a number of new housing development sites are therefore proposed on the edge of the town.’

The Local Plan includes a series of allocated sites in Soham (Policies SOH1-SOH11) and in Barway (Policies BAR1 and BAR2).

5.7 The following other policies in the Local Plan are also relevant to the submitted Plan:

- Policy HOU1 Housing Mix
- Policy ENV1 Landscape and Settlement Character
- Policy ENV2 Design
- Policy ENV11 Conservation Area

- Policy ENV12 Listed Buildings
- Policy COM3 Retaining Community Facilities

5.8 The submitted Plan has been prepared within its up-to-date development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents. This is good practice and reflects key elements in Planning Practice Guidance on this matter. The submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Visit to the neighbourhood area

- 5.9 I visited the neighbourhood area on 18 June 2024. I approached it from the A14 to the south. This helped me to understand its position in the wider landscape in general and its accessibility to the strategic road network.
- 5.10 I looked initially at the Town Centre. I saw the range of retail and commercial units and its linear nature along High Street. I saw the significance of St Andrew's Church in the wider townscape and its relationship to the Recreation Ground.
- 5.11 I took the opportunity to walk along Paddock Street to East Fen Common. I saw its scale and significance. I also saw the dramatic transition between the built-up area of the town and the Common.
- 5.12 I then walked along Bushel Lane to Qua Fen Common. As with East Fen Common, I saw its scale and significance and the dramatic transition between the built-up area of the town and the Common.
- 5.13 I then walked to the railway station. I saw the scale of the car parking facilities. I walked over the footbridge and into the fen land to the west.
- 5.14 Throughout the visit I looked at the range of proposed local green spaces.
- 5.15 I then drove to Barway along the A142 at Barway Road. I saw the intensive nature of the agricultural production in this part of the neighbourhood area and the G's food processing and packing plant. I then drove into Barway itself and saw the range of older and more modern houses.
- 5.16 I left the neighbourhood area on the A142 and drove to Ely. This highlighted the relationship between Soham and Ely.

6 The Neighbourhood Plan and the Basic Conditions

- 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 in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 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;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - not breach and be otherwise compatible with the assimilated obligations of the European Union (EU) obligations and European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings.

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 December 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Soham and Barway Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the East Cambridgeshire Local Plan;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of 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. Paragraph 13 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 subject to the recommended modifications in this report. It sets out a positive vision

for the future of the neighbourhood area. It includes a series of policies on a range of development and environmental matters. It has a focus on designating local green spaces and improving the quality of design associated with new development.

- 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 (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: 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. It also advises that 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. Most 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. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies on the town centre (Policy SBNP5), economic growth (Policy SBNP6), and tourism and leisure (Policy SBNP7). In the social dimension, it includes policies on affordable housing (Policies SBNP2 and3), housing mix (Policy SBNP4), community facilities (Policies SBNP8/9), and on priority routes (Policy SBNP23). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on the Commons (Policy SBNP11), on biodiversity (Policy SBNP12), on landscape character (Policy SBNP13) and on local green spaces (Policy SBNP14). This assessment overlaps with the details 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 East Cambridgeshire 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 development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan (General) (Amendment) 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.
- 6.14 In order to comply with this requirement, ECDC undertook a screening exercise in March 2024 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan

is unlikely to have a significant effect on the environment and therefore does not require a SEA.

Habitats Regulations Assessment

- 6.15 ECDC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It assesses the potential impact of the Plan's policies on the following protected sites:
- Fenland SAC (including Wicken Fen, Woodwalton Fen and Chippenham Fen Ramsar);
 - Ouse Washes SAC/SPA/Ramsar;
 - Devil's Dyke SAC; and
 - Breckland SAC/SPA.
- 6.16 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on these protected sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.17 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 about these matters. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan regulations.

Human Rights

- 6.18 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.

Summary

- 6.19 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan 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 neighbourhood area. The wider community and STC 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. An important element of the Plan is the way in which several of the policies are directly underpinned by supporting documents and topic papers. This provides assurance to all concerned that the Plan has been properly prepared and is based on proportionate evidence.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land. It also includes a series of Community Actions.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. The Actions are addressed thereafter.
- 7.6 For clarity, this section of the report comments on all the Plan's policies.
- 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 parts of the Plan (Sections 1 to 4)*
- 7.8 The Plan is very well-organised and presented. The supporting text is comprehensive and directly relates to the relevant policy. It makes an appropriate distinction between the policies and their supporting text.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. The Introduction comments about the neighbourhood plan agenda and identifies the neighbourhood area (in Map 1), and the Plan period (in paragraph 1.6).
- 7.10 The Introduction also comments about the way in which the Plan was prepared. The breakdown of events overlaps with the Consultation Statement.
- 7.11 Section 2 provides information about the neighbourhood area. The interesting and comprehensive details help to set the scene for the policies.
- 7.12 Section 3 advises that a series of key issues facing Soham and Barway have been identified from a series of public consultations with both communities, from the documentary evidence collated including a Planning Policy Context Analysis and a Demographic, Social and Economic Report. It also comments that these key issues inform the themes and the basis of the policies in the Plan. This section includes a helpful a SWOT analysis which identifies a series of challenges that are addressed in the Plan.

- 7.13 Section 4 sets out the vision and objectives for the Plan. It makes a strong functional relationship between the various issues which, in several cases, feed directly into the resulting policies. The Vision neatly summarises the ambition for the parish (based on the two settlements) as follows:

'Vision for Soham

Soham will be a vibrant 21st century rural town, where everyone has access to a 'green loop' of open space, with a thriving town centre which encourages visitors and residents to spend time there. It will also have good employment opportunities for school leavers and more qualified workers in a range of disciplines. Attractive new housing, with well-designed and an appropriate level of off-street car and cycle parking, will help to increase footfall in the High Street, and support a revitalised town with a range of different shops, cafes, youth facilities, a heritage centre and other community facilities. New residents will be encouraged to become part of the community by getting involved with the many local clubs and societies available.

The town's strategic location will be attractive to employers wishing to establish or expand on newly serviced employment sites, bringing forward new job opportunities at many levels. A new sixth form centre will provide more suitably trained employees for local businesses.

With its unique Commons setting, and enhanced green infrastructure, Soham will provide a place to live a healthy life with low pollution levels. Improved cycleways will enable travel within and beyond the town in a greener and safer way. The town will reduce its carbon footprint by generating more green electricity and reducing the use of petrol and diesel vehicles.

The new train station will allow more connections to the wider area and provide opportunities for work and leisure. It will encourage more tourists to visit its attractive town centre, with its history and green connections to the surrounding Fens

Vision for Barway

Barway is essentially a very small peaceful and tranquil rural collection of homes and it will stay that way. There is no real appetite for any further development, either of more houses, small businesses, or provision of facilities. However, there may be scope for tourism development, a community meeting point, and perhaps agricultural needs.

The Lode through Barway should be protected because it is used by a multitude of wildlife species and is an important green corridor and a very pleasant place to take exercise either on foot or horseback. Views across the flat landscape surrounding Barway should also remain uninterrupted.

However, the road to Barway from A142 is used by a large number of HGVs and tractors going to and from the vegetable packing plant, as well as the residents. In order to make it safer for cyclists and pedestrians it needs widening. There is also a problem where the Barway Road joins the A142 where there have been a number of accidents and it is considered that interventions are needed to reduce these incidents.'

- 7.14 The Vision is underpinned by sixteen objectives. They provide the context for the presentation of the policies on a topic-by-topic basis in Sections 5-10 of the Plan.
- 7.15 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 SBNP1 - Spatial Strategy

- 7.16 The Plan comments that the policy has four intentions. The first is to support planned new housing development ensuring it meets the needs of the existing and future communities. The second is that development proposals should reflect the Soham Design Guidance and Codes 2022 and come forward with the necessary infrastructure to support the demands generated by the development. The third is to ensure that new development in Barway reflects the character and appearance of the village. The fourth is to amplify and provide a local perspective on existing policy support for development outside the Development Envelopes.
- 7.17 In the round the policy takes a positive approach to these matters. It helpfully sets out a clear spatial strategy for the neighbourhood area and which complements the strategic approach taken in the adopted Local Plan.
- 7.18 I am satisfied that the revisions to the Development Envelopes have been carefully considered and meet the basic conditions.
- 7.19 I recommend that the final part of the policy is recast so that it has the clarity required by the NPPF and applies the proposed phasing mechanisms where it is appropriate to do so.
- 7.20 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the final part of the policy replace ‘Planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the necessary requirements arising from a proposed development. Development...’ with ‘Development proposals will only be supported if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to meet all the necessary requirements arising from a proposed development. Where appropriate, development...’

Policy SBNP2 - Affordable Housing

- 7.21 The Plan advises that the purpose of the policy is to ensure that a consistent approach is taken within the neighbourhood area to secure affordable housing to meet the needs of local people as identified in the Soham and Barway Housing Needs Assessment 2023, the Local Housing Register and Policy HOU3: Affordable Housing in the East Cambridgeshire Local Plan.
- 7.22 The policy advises that new open market housing developments which incorporate more than ten or more dwellings will be required to make provision for 30% affordable housing unless otherwise demonstrated, by a site-specific financial viability appraisal, that such provision would make the development unviable. The second part of the policy provides a detailed breakdown of how the affordable housing should be provided.
- 7.23 In the round, I am satisfied that the policy has regard to Section 5 of the NPPF and complements the existing approach taken by ECDC on this matter. Based on STC’s response to the clarification note, I am also satisfied that the approach in the policy does not affect the commercial viability of development proposals. However, as submitted, the approach taken in the second part of the policy is both specific and unduly mathematical. I recommend that the policy uses approximate percentages, and that the supporting text identifies that the exact

breakdown will reflect the outcome of detailed discussions between the applicant and ECDC as part of the determination of the relevant planning application.

- 7.24 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In i replace '25%' with 'approximately 25%'

In ii replace '8%' with 'approximately 10%'

In iii replace '67%' with 'approximately 65%'

At the end of paragraph 5.20 add: 'This matter is addressed in the second part of Policy SBNP2. The precise breakdown of the type of affordable housing will reflect the outcome of detailed discussions between the applicant and the District Council as part of the determination of the relevant planning application.'

Policy SBNP3 - Allocation of Affordable Housing

- 7.25 This policy seeks to ensure that a proportion of affordable homes in the parish are offered initially to those with demonstrated affordable housing needs and have a strong connection to Soham and Barway. The proposed Local Connections criteria is based upon the Soham Community Land Trust criteria and offers a consistent approach to addressing housing need in the parish.
- 7.26 The policy advises that those people with a strong local connection to Soham and Barway parish with affordable housing need will be given priority allocation to affordable housing in the parish. The policy advises that priority allocation means being offered the tenancy or shared ownership of the homes for a proportion of affordable homes being delivered in Soham and Barway as 50% of the affordable homes for rent and 50% of low-cost home ownership.
- 7.27 The final part of the policy comments that the STC and ECDC will undertake a review of the effectiveness of the policy and the extent to which it has satisfactorily addressed local affordable housing needs as part of an overall review of the Plan.
- 7.28 I sought STC's comments on two related matters in the clarification note. The first was the extent to which the allocation of affordable housing is a land use issue. The second was the extent to which it is appropriate for a qualifying body to seek to vary a local planning authority's housing allocation policy through the production of a neighbourhood plan. In its response STC commented:

'The Neighbourhood Plan has been informed by the approach successfully utilised by Soham's Community Land Trust Housing and demonstrated in AECOM's Housing Needs Assessment. These evidence a local housing need of 252 units of affordable rented and 656 units of affordable home ownership. At October 2022, there were 278 households on the housing register currently living in Soham and Barway.'

The Town Council considers it is justified to apply a policy that would ensure that a part of the affordable housing provision in Neighbourhood Plan areas would be first allocated to those in housing need within the Parish. As a principle, there is nothing in this approach that would be contrary to the Basic Conditions and, indeed, it supports the broader aim of sustainable communities.'

- 7.29 I have considered all the available evidence on this matter very carefully, including STC's response to the clarification note. As the supporting text comments, the approach taken is unusual. In addition, I acknowledge that this matter can divide opinion between planning consultants assisting in the development of plans, local planning authorities and independent examiners.
- 7.30 It is common ground that policies which require the delivery of affordable housing (and in some cases comment about the specific types of affordable housing to respond to local needs) is a land use matter. Such policies appear regularly in local and neighbourhood plans. Policy SBNP2 is a good local example of such an approach. The delivery of affordable housing is secured through the application of the Planning Acts as the local planning authority determines planning applications. Associated planning obligations apply in perpetuity to the land concerned, and safeguard the integrity and purpose of the delivered affordable housing.
- 7.31 The allocation of the delivered affordable housing overlaps between the delivery of the Planning Acts and the decisions made by the local housing authority and/or registered social housing providers under the provisions of the Housing Acts. Plainly different organisations will have their own policies for the allocation of affordable housing based on a combination of their own objectives and local housing needs.
- 7.32 I note STC's comments about the level of strategic housing that will be delivered in the neighbourhood area in accordance with its position in the ECDC settlement hierarchy and the allocated sites in the Local Plan. Plainly it would be reasonable for residents with a local connection to Soham or Barway to have access to affordable houses which will be delivered in the town.
- 7.33 The approach in the policy has been informed by the Soham Community Land Trust criteria. The proposed Local Connections criteria are included in the policy.
- 7.34 The key element of the policy is that priority allocation means being offered the tenancy or shared ownership of the homes for a proportion of affordable homes being delivered in Soham and Barway based on 50% of the affordable homes for rent and 50% of Low-Cost Home Ownership. I have compared this approach with ECDC's Lettings Policy and its allocations policy on First Homes. I am satisfied that the approach taken in the submitted Plan will complement these existing policies. It will allow the usual cascade process to continue.
- 7.35 I have considered the details of the policy very carefully. On the balance of the evidence, I am satisfied that it is appropriate in general terms and has regard to Section 5 of the NPPF. However, to bring the clarity required by the NPPF I recommend the incorporation of the second part of the policy into the first part. This will simplify the approach taken and enhance its legibility.
- 7.36 The final part of the policy helpfully acknowledges that the proposed approach may need to be reviewed within the Plan period. This is best practice. Nevertheless, it is a process issue rather than a land use policy. As such I recommend that it is deleted and repositioned into the supporting text.
- 7.37 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

Combine the first (To make...) and second (Priority...) parts of the policy.

Delete the final part of the policy.

At the end of paragraph 5.30 add the deleted final part of the policy.

Policy SBNP4 - Housing Mix and Accessible Standards

- 7.38 The Plan advises that the purpose of the policy is that new housing developments should be specifically aimed at meeting parish needs and include a range of housing types. It comments that such an approach will help enable local people to stay in the parish at different stages of their lifetime.
- 7.39 The policy comments that housing development should contribute to meeting the existing and future needs of the parish. It advises that a mix in the size and tenure of housing will be required taking into account the needs of young people looking for smaller homes, growing families as well as the needs of older residents as set out in the Housing Needs Assessment 2023.
- 7.40 The final element of the policy advises that all homes should be built to the accessible and adaptable M4(2) standard with 10% to M4(3) standard other than where it can be demonstrated in a full financial appraisal that the application of the standard would make the development unviable.
- 7.41 In the round the policy takes a positive approach to these matters and has regard to Section 5 of the NPPF. It is underpinned by the findings of the Housing Needs Assessment 2023. In this context I recommend that the third part of the policy (on monitoring of housing mix) is deleted and repositioned into the supporting text. This acknowledges that it is a process matter rather than a land use policy. I also recommend that a word is modified in the second part of the policy so that it better relates to a neighbourhood plan.
- 7.42 I have considered carefully the details of the final element of the policy on accessible and adaptable homes. I am satisfied that it meets the basic conditions for two reasons. The first is that STC has provided compelling evidence about the need for such homes. The second is that the policy wording acknowledges that there may be circumstances where commercial viability consideration will affect the ability of a proposal to meet fully the requirements identified.
- 7.43 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the second part of the policy replace ‘must’ with ‘should’

Delete the third part of the policy.

At the end of paragraph 5.39 add the deleted third part of the policy

Policy SBNP5 - Vibrant Town Centre

- 7.44 This is an important policy in the wider context of the Plan. The supporting text identifies that it has two main purposes as follows:
- to support a vibrant town centre which broadens its service, retail, tourism, leisure, cultural and employment offer to create opportunities for greater social and community interaction, with green space and infrastructure and improvements to the public realm; and

- to update the East Cambridgeshire Local Plan's approach to the Town Centre which predates the acceleration of the trend in online shopping, changes in work behaviours due to Covid, the reopening of the rail station and the anticipated adverse impact of Ben's Yard as an out-of-town retail and leisure destination on Soham. The Town Centre boundary and Town Centre Opportunity Areas are shown on the Local Plan Policy Inset Maps.

- 7.45 The policy comments that within and adjacent to the Town Centre boundary, and within the Station Quarter (SOH2), new town centre uses which support Soham's vitality and diversity by enhancing opportunities for retail, leisure, tourism, flexible employment hubs, cultural and green spaces will be supported subject to various criteria. It also advises that, where relevant, development proposals should contribute to the implementation of initiatives which make the town centre greener and more pedestrian friendly with good access by cycle including contributions, where fairly and reasonably related to the development, to existing and proposed public realm improvements and public spaces.
- 7.46 I looked closely at the town centre during the visit. The policy takes a positive approach to the current issues faced by the town centre. I am satisfied that the criteria in the first part of the policy are appropriate and locally distinctive. Nevertheless, I recommend modification to the wording used in the fifth and sixth criteria so that they are consistent one with the other and have the clarity required by the NPPF.
- 7.47 The second part of the policy takes a proportionate approach towards ensuring that new town centre uses contribute towards a green and pedestrian-friendly environment. In this context it has regard to national policy on developer contributions. Nevertheless, I recommend modification to the wording used so that they have the clarity required by the NPPF.
- 7.48 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In v replace 'adversely' with 'unacceptably'

In vi delete 'adversely'

In the second part of the policy replace 'The proposal, where relevant' with 'Where relevant, development proposals'

Policy SBNP6 - Economic Growth

- 7.49 The Plan advises that the intention of the policy is to recognise and support the expansion of the cluster of industries in and around Soham which offer a broad range of businesses to encourage local people to work and live locally. It also comments that the community has identified that there is a particular need to support start-up businesses and grow-on space in a broad range of industries and to support the agritech sector in which Soham.
- 7.50 The policy comments that proposals for employment development for business startup space, grow on space, or a business hub within the development envelope will be supported. It also advises that where the proposal is outside the development envelope the policy sets out a series of criteria which should be met.
- 7.51 The policy takes a positive approach to this matter and has regard to Section 6 of the NPPF. In addition, it makes an appropriate distinction between proposals within development

envelopes and those elsewhere. The criteria associated with proposals elsewhere are both well-considered and locally-distinctive.

- 7.52 In this context I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Policy SBNP7 - Tourism and Leisure

- 7.53 The Plan advises that the purpose of the policy is to support and expand tourism and leisure provision in and at the edge of Soham as part of a wider economic strategy to promote East Cambridgeshire as a tourism destination by capitalising upon Soham's proximity to existing and new tourism and visitor assets.
- 7.54 The policy comments that modest proposals for tourism, cultural and leisure facilities within or on the edge of Soham will be supported where the development meets a series of criteria. The criteria relate to the size of the facility and the way in which the proposal should be incorporated into the natural environment and the local highways network.
- 7.55 In general terms the policy takes a positive approach to this matter and has regard to Section 6 of the NPPF. In addition, the various criteria are locally-distinctive.
- 7.56 In this broader context, I recommend the deletion of the word 'modest' in the opening element of the policy. It is unnecessary given the second criterion of the policy, and its retention would detract from the clarity provided by that criterion. In coming to this judgement, I have carefully considered STC's response to the clarification note on this matter. I also recommend that the final two criteria are combined to bring the clarity required by the NPPF.
- 7.57 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the opening part of the policy delete 'modest'

Replace the final two criteria with: 'opportunities to reuse existing buildings have been explored or, where relevant, the development relates to the expansion of existing tourism sites.'

Policy SBNP8 - Local Services and Facilities

- 7.58 This policy seeks to safeguard the vibrancy and vitality of the town by resisting the loss of local retail, offices, service, and facilities which are key assets for the health and wellbeing of the community.
- 7.59 The policy comments that where planning permission is required, the loss of retail and office uses will generally be resisted in accordance with Local Plan Policy COM2. It also advises that proposals that would lead to the loss of commercial or non-commercial community uses will only be permitted if they satisfy the criteria set out in Local Plan Policy COM3.
- 7.60 The policy also comments that proposals that will result in the loss of valued facilities or services, defined as retail and office premises, public houses, community halls, education, and other public services, (or premises last used for such purposes), unless otherwise supported by the Town Centre Opportunity Sites Policies SOH 12, SOH 13, and SOH14 in the Local Plan, will only be permitted where a series of criteria are met.

7.61 In general terms, the policy takes a positive approach to local services and facilities and has regard to Section 8 of the NPPF. Within this context I recommend that the opening element of the second part of the policy is modified so that it has the clarity required by the NPPF and better expresses its intentions.

7.62 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the second part of the policy with: ‘Development proposals that would result in the loss of valued facilities or services, defined as retail and office premises, public houses, community halls, education and other public services, (or premises last used for such purposes), unless otherwise the use concerned is promoted by the Town Centre Opportunity Sites Policies SOH 12, SOH 13 and SOH 14 in the Local Plan, will only be supported where:’

Policy SBNP9 - New and Upgraded Infrastructure and Community Facilities

7.63 The purpose of the policy is to support the provision of new and upgraded community facilities to meet health and wellbeing, recreational, cultural and leisure needs of a growing and changing population.

7.64 The policy comments that proposals will be supported for new and upgraded community facilities within the development envelopes. It has a specific focus on the delivery of:

- a health care centre on the Eastern Gateway;
- a refurbished and extended pavilion on the Recreation Ground;
- the provision of a centrally located Drop In venue or Youth Club
- upgrades to the Ross Peers Sports Hall;
- the continuation of the Performing Arts Building at Spencer Mill; and
- the provision of a sixth form facility at Soham Village College.

7.65 The policy takes a positive approach to this matter and has regard to Section 8 of the NPPF. The identified facilities have or will have an important role in the life of the town. In this broader context I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development

Policy SBNP10 - Health, Wellbeing and Health Impact Assessments

7.66 The Plan advises that the intention of this policy is to support Soham and Barway as healthy places, provide opportunities for healthy lifestyles, with good living standards that offer access to excellent healthcare, participation in sports and recreation, healthy travel choices and improvements to air quality.

7.67 The policy comments that proposals will be supported which help to deliver these aims through the development of environments which encourage healthier day-to-day behaviours and are supported by local services and community networks to sustain health, social and cultural wellbeing.

7.68 The policy also advises that for major development proposals of over 50 homes or the provision of a building or buildings where the floor space to be created by the development is 5,000 square metres or more, a Health Impact Assessment should be submitted, which should include details of implementation and monitoring.

- 7.69 The policy takes an innovative approach to these matters. In general terms, I am satisfied that it meets the basic conditions. Nevertheless, I recommend that the third and fourth elements are recast so that they read as land use policies and can be applied proportionately through the development management process. The recommended modifications follow the approach proposed by STC in its response to the clarification note.
- 7.70 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the third and fourth parts of the policy with:

‘For major development proposals of over 50 homes or the provision of a building or buildings where the floor space to be created by the development is 5,000 square metres or more, the development’s contribution to healthier communities and reducing health inequalities should be demonstrated through a Health Impact Assessment, which should include details of implementation and monitoring.

For other developments, measures that will help contribute to healthier communities and reduce health inequalities should be incorporated in a development as appropriate to the scale and nature of the proposal and where it is practicable to do so.’

Policy SBNP11 - Soham’s Commons

- 7.71 The Plan advises that the context to the policy is that Soham has a unique landscape setting and is surrounded by Commons to the east and west. It comments that
- the Commons cover a significant area, and consists of grazing land and meadows, with several ponds and waterways;
 - the Commons are a haven for wildlife and provide an excellent green network;
 - as Common land, they are protected against loss or re-use although there are examples where the Commons have been encroached or inappropriate development has been completed; and
 - the Commons are not principally for recreational purposes.
- 7.72 The policy comments that the wildlife, landscape, and recreational quality of the Commons must be protected and where opportunities arise, enhanced. It also advises that development proposals near the Commons must be designed to take account of the development principles for the Commons Character Area, as set out in the Soham Design Guidance and Codes 2022 and the Soham Commons Recreational and Biodiversity Enhancement Study, as endorsed by Natural England and the Wildlife Trust and the East Cambridgeshire District Council’s Natural Environment SPD.
- 7.73 In cases where development will be expected to increase the number of visitors to the Commons, the policy also comments that proposals will be expected to contribute to measures which will not only mitigate the adverse impacts on the biodiversity and wildlife habitats on the Commons, but also seek opportunities to enhance the Commons as a local asset for Soham residents. It advises that this should be achieved through contribution towards or implementation of appropriate mitigation measures identified in the Soham Commons Recreational and Biodiversity Enhancement Study.

- 7.74 In the round, I am satisfied that the policy has been well-considered and captures the importance of the Commons to the town and the wider area. I saw their scale and significance during the visit.
- 7.75 In this wider context I recommend modifications to the first part of the policy so that it uses language more appropriate to a neighbourhood plan. I also recommend that the second part and the first sentence of the third part of the policy are recast so that they more clearly express their intentions. The recommended modification to the third part of the policy acknowledges that the broad ambition that development proposals enhance the Commons will not always be practicable.
- 7.76 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace the two uses of ‘must’ with ‘should’

In the second sentence of the first part of the policy delete the first comma (after proposals)

Replace the second part of the policy with:

‘Development proposals should have no significant adverse impact on the quality, character, accessibility, and biodiversity value of the Commons and should incorporate substantive transitional landscape buffers between built development, the Commons, and the surrounding landscape. In addition, development proposals should address opportunities to improve biodiversity, access, and landscape improvements on the Commons.’

Replace the first sentence of the third part of the policy with:

‘Development proposals which will increase the number of visitors to the Commons should contribute towards measures which will mitigate the adverse impacts on the biodiversity and wildlife habitats on the Commons, and, where practicable, address opportunities to enhance the Commons as a local asset for Soham residents.’

Policy SBNP12 - Biodiversity and Wildlife Habitats

- 7.77 The Plan comments that the intention of the policy is to highlight the importance of retaining or enhancing specific features, which are a priority for the biodiversity and green infrastructure.
- 7.78 The policy is extensive and addresses the following matters:
- a hierarchy of mitigation;
 - requirements for biodiversity net gain beyond those already captured in national legislation;
 - the enhancement of the network of habitats;
 - the need for long term management agreements; and
 - an approach towards potential impacts on Sites of Special Scientific Interest.
- 7.79 In general the policy takes a positive approach to these issues and has regard to Section 15 of the NPPF. It avoids repeating the enacted element of the Environment Act 2021. Its

approach is underpinned by the extensive supporting text (and the documents which are referenced in this part of the Plan).

7.80 In this broader context, I recommend the following modifications to bring the clarity required by the NPPF and to allow ECDC to apply its provisions in a proportionate way:

- the inclusion of a proportionate element into the first part of the policy;
- the deletion of the fourth part of the policy as it is a process rather than a policy issue. In recommending this approach I have considered carefully STC's response to the clarification note; and
- changes to the wording elsewhere in the policy so that it is consistent with the nature of a neighbourhood plan and to ensure consistency of wording throughout the Plan.

7.81 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace 'All' with 'As appropriate to their scale, nature and location,'

Delete the fourth part of the policy.

In the final part of the policy replace 'shall' with 'should'

At the end of paragraph 7.31 add the deleted fourth part of the policy

Policy SBNP13 - Landscape Character

7.82 The Plan comments that the intention of the policy is that development proposals should maintain and, where possible, enhance and contribute positively to the distinctive landscape and settlement character of Soham and Barway, as described in the Soham Design Guidance and Codes and Soham's Assessment of Views 2022. The Plan advises that most of the neighbourhood area, is within The Fens National Character Area (as described by Natural England). It also advises that the Fen areas have distinctively large-scale, flat, and open landscapes with extensive vistas and panoramic views, and that the landscape includes many drainage ditches, such as Soham Lode which runs through the town as well as dykes and rivers that lead to The Wash.

7.83 The policy comments that all development proposals must be sensitive to the distinctive landscape and settlement character of the area, as described in the Soham Design Guidance and Codes and Soham Assessment of Views.

7.84 In general terms, the policy takes a very positive approach to the landscape character and setting of the neighbourhood area. It has been underpinned by the Design Guidance and Codes and the Assessment of Views. I looked at the views carefully during the visit. I saw that they captured the relationship between Soham and the surrounding countryside.

7.85 Within this overall context, I recommend a series of modifications to bring the clarity required by the NPPF and to ensure that ECDC can apply the policy in a proportionate way:

- a recasting of the first part of the policy so that it can be applied by ECDC in a proportionate way;
- the incorporation of the various criteria into the first part of the policy;

- the replacement of criterion v. so that it can be applied where it is appropriate to do so; and
- a recasting of the final part of the policy to avoid repetition and to acknowledge that landscape buffers will not always be an appropriate way to mitigate the impact of development proposals.

7.86 Cambridgeshire County Council (as a landowner) comments about the appropriateness of View 9 as identified in the policy. In its response to the clarification note, STC commented:

‘Following representations by Cambridgeshire County Council....the Town Council had revisited its consideration of View 9. As stated in the Views and Vistas Topic Paper, the flatness of the surrounding land may seem to some a featureless and uninteresting landscape. In fact, it provides the opportunity to enjoy wonderful skylscapes from all directions around the town and enables some wonderful views stretching for many miles across the farming landscapes which are so important to the town and its history.

It is important to note that the policy does not preclude development but requires proposals to protect the landscape and set out mitigation and enhancement.’

7.87 I have considered the County Council’s representation very carefully and looked at View 9 during the visit. On the balance of the evidence, I am satisfied that the identification of the view in the policy meets the basic conditions. It captures the view over the fens to the west of the town. In addition, the policy is worded in a way which identifies how development should be designed and arranged rather than acting as a barrier to new development.

7.88 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the first part of the policy and ‘Specifically’ with: ‘As appropriate to their scale, nature, and location, development proposals should respond positively to the distinctive landscape and settlement character of the area, as described in the Soham Design Guidance and Codes and Soham Assessment of Views and to the following criteria;’

Replace criterion v with: ‘where appropriate, development proposals should retain or enhance existing features of landscape value (including Lodeside Walks, trees, hedgerows, water features) within the site and respect existing features of landscape value in its wider surroundings; and’

Replace the penultimate part of the policy with: ‘Development proposals which would have potential impacts on Soham and Barway’s distinctive landscape character should demonstrate their accordance with the principles in the preceding element of the policy through the submission of an assessment of landscape and visual impacts (proportionate to the scheme proposed) and which draws on the contents of the Soham Design Guidance and Codes.’

Replace the final part of the policy with: ‘Development proposals on the edge of settlements should ensure that they are sensitively screened and assimilated into their surroundings. Where appropriate, the creation of landscaped buffers (comprising native planting of hedges, trees, and copses to frame and soften the village edges) should be incorporated into proposals.’

Policy SBNP14 - Local Green Space

- 7.89 This policy proposes the designation of fourteen local green spaces (LGSs). It is underpinned by Local Green Spaces Assessment.
- 7.90 I looked carefully at the proposed LGSs during the visit and noted that they varied in their size and land use. I saw that they make an important contribution to the openness and character of the neighbourhood area both individually and collectively. I paid particular attention to the College Playing Fields (LGS15) and the various Commons (LGS8-12) given their size.

Size of the proposed Commons LGS

- 7.91 The proposed LGSs which relate to the various Commons are much larger than the green spaces usually designated in neighbourhood plans. They range from 14 to 33 hectares in sizes.
- 7.92 I raised questions with STC about the size of the proposed LGSs and the extent to which they are already safeguarded by other policies in the development plan and/or by other legislation. In its response STC commented that:

'The Town Council has been guided by East Cambridgeshire District Council's published advice on Local Green Spaces which states that there is no specific size limit but Local Green Spaces should avoid swathes of open countryside.'

Each of the Commons are well defined areas and not considered to be large swathes of land in the open countryside.

Discussions with East Cambridgeshire District Council policy officers have suggested that there are additional benefits of securing protection on such spaces including the Commons given the changes that have occurred to the boundaries of the Common, the impacts of development and development proposals on the Commons and the need to ensure their longer-term management. National Policy Guidance states that different designations serve different purposes.

The Soham Commons Recreational and Biodiversity Study Enhancement Study 2017 estimates that additional new housing could result in an increase in recreational use of between 57% and 69%. Urban development is proposed to abut the commons and there will be a marked increase in local housing density. This will bring a range of challenges and issues for the long-term management of the commons. Identifying the Commons as Local Green Space provides strong recognition of the sites importance to the local community set out in the Local Green Spaces report beyond the right for 'Commoners to take enough turf, peat, fish, soil or minerals for the property to which their right of common is attached'

The Town Council believes that despite the Commons Act of 1965 and the most recent one of 2006; it is still not really clear that areas registered under this act are fully protected.

Soham's commons and horse fens are still used for grazing. However, there are fewer graziers in our area and owners of commons are sometimes looking to enter their land into the new agricultural and environmental schemes to boost their income. This means that changes to the commons may be made in order to fulfil the requirements of these and other schemes, therefore altering their historical, biological and recreational value.'

- 7.93 I have considered the size of proposed LGS 8-12 very carefully within the context of STC's responses to the clarification note. In doing so, I note that Planning practice guidance comments that 'there are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgment will inevitably be needed' (ID: 37-015-20140306).
- 7.94 On the balance of the evidence, including my own observations during the visit to the neighbourhood area, I am satisfied that the five proposed LGSs are local in character and not extensive tracts of land in accordance with paragraph 106c of the NPPF. I have reached this conclusion based on the interplay between three factors. The first is the importance of the Common areas to the character and setting of the town. In many ways, they help to define the nature of the town and its relationship with the countryside. The second is the absence of any clarity over their protection. LGS designation would help to fill this vacuum. The third is that the nature of the Common areas is such that it would be impractical to identify smaller areas as LGSs which would be similar in scale to those more traditionally identified for LGS designation in neighbourhood plans. In short, I am satisfied that there are exceptional circumstances which justify the size of the five proposed LGSs.

General Comments

- 7.95 In the round, I am satisfied that each the proposed LGSs meet the three criteria in paragraph 106 of the NPPF. The Recreation Ground (LGS5), the closed Churchyard (LGS4), and the two areas used as allotments (LGS1 and 2) are precisely the type of green spaces which the authors of the NPPF would have had in mind.
- 7.96 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 105 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. They are an established element of the local environment and has existed in its current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed LGSs would not endure beyond the end of the Plan period.
- 7.97 The policy takes the matter-of-fact approach as set out in paragraph 107 of the NPPF. However, I recommend that its wording is clarified to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the final part of the policy replace 'acceptable unless consistent' with 'supported unless they are consistent'

Policy SBNP15 - Soham Conservation Area

- 7.98 The Plan advises that the policy seeks to reinforce the Soham Conservation Area Supplementary Planning Document and the Soham Design Guidance and Codes to identify opportunities for improvement of the Conservation Area and its future enhancement.
- 7.99 The policy advises that development within, or which has potential to affect the setting of, the Conservation Area should preserve or enhance the character and appearance of the Conservation Area. It also comments that development should demonstrate how it has

considered the Soham Conservation Area Supplementary Planning Document 2008 and the Soham Design Guidance and Codes 2022. The policy includes seven detailed criteria with which development proposals in the Conservation Area should comply.

- 7.100 I looked carefully at the Conservation Area during the visit. The policy responds positively to its significance in the town and has regard to section 16 of the NPPF. In this broader context I recommend modifications to the words used in the policy to ensure that they are appropriate for a neighbourhood plan.
- 7.101 Whilst a more general approach towards development in conservation areas features both in national and local planning policies, I am satisfied that the seven criteria ensure that the policy is locally-distinctive. This is best practice.
- 7.102 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace the two uses of ‘Development’ with ‘Development Proposals’

In the second part of the policy replace ‘a Conservation Area’ with ‘the Conservation Area’

In the final part of the policy replace ‘should be considered’ with ‘will be assessed’

Policy SBNP16 - Non-Designated Heritage Assets

- 7.103 The Plan comments that the intent of the policy is to ensure that the spirit of Local Plan Policy ENV 13 is brought up-to-date to align with current national planning policy, and to provide added context by providing clarity on locally important non-designated heritage assets in the Parish.
- 7.104 The proposed non-designated heritage assets are justified based on assessment using the criteria defined in Table 1 of the Historic England’s Advice Note no.7 ‘Local Heritage Listing’ as set out in the Topic Paper – ‘Soham and Barway Non-Designated Heritage Assets’.
- 7.105 The policy advises that proposals for development that affect non-designated heritage assets, or identified by Cambridgeshire County Council’s local heritage list, will be considered taking account of the scale of any harm or loss and the significance of the non-designated heritage assets as set out in the NPPF, Local Plan Policy ENV13, and as described in a Design and Access Statement or Heritage Statement.
- 7.106 In general terms, the policy takes a positive approach to this matter and has regard to Section 16 of the NPPF. In particular, the policy provides a local interpretation of paragraph 209 of the NPPF. However, in places the policy is repetitive. This detracts from its effectiveness. In other places, it conflates non-designated heritage assets with development proposals in the conservation area (which is already addressed in the preceding policy in the Plan). As such, I recommend that the policy is recast to bring the clarity required by the NPPF and to remove the repeated elements. I also recommend that the element of the submitted policy which addresses the information to be provided by planning applications is relocated into the supporting text. This recognises that it is a process matter rather than a land use policy.
- 7.107 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Wherever practicable, development proposals should retain and protect buildings of local interest, as identified in the East Cambridgeshire Register of Buildings of Local Interest (February 2017) and any adopted subsequent Register.

Development proposals that would affect non-designated heritage assets, as identified in Figure 1 below, or identified by Cambridgeshire County Council’s local heritage list, will be considered taking account of the scale of any harm or loss and the significance of the non-designated heritage assets as set out in the NPPF, Local Plan Policy ENV13, and as described in a Design and Access Statement or Heritage Statement.’

At the end of paragraph 8.15 add: ‘Proposals for any works that would lead to the loss of, or substantial harm to, a building of local significance should be supported by an appropriate analysis of the significance of the asset together with an explanation of the wider public benefits of the proposal.’

Policy SBNP17 - High Quality Design

- 7.108 The context to the policy is that Policy ENV 2 Design of the Local Plan states, amongst other things, that proposals will be designed to a high quality, enhancing, and complementing local distinctiveness and public amenity by relating well to existing features and introducing appropriate new designs. The Plan advises that the intent of the policy is to provide specific local context to this strategic policy by requiring applicants to be guided by the Soham Design Guidance and Codes which sets out the Design Principles and Design Code for the neighbourhood area.
- 7.109 The policy has general and detailed parts. The general part advises that design-led approach must be taken for all proposals. It comments that proposals for new development must be guided by the local characteristics and context (including the built form, building heights, existing densities, and building materials) and create and contribute to a high quality, safe and sustainable environment. The detailed element comments that development proposals must be designed to a high quality and should demonstrate how the proposal has taken account of the development principles and codes and guidance for both the Neighbourhood Plan area and the Characters Areas set out in the Soham Design Guidance and Codes 2022. It includes five general principles and seven principles relating to residential use.
- 7.110 In the round, the policy takes a very positive approach to design and has regard to Section 12 of the NPPF. The combination of the policy and the Design Guidance and Codes represents an excellent local response to this important element of national policy.
- 7.111 Within this context, I recommend modifications to the wording used throughout the policy to bring the clarity required by the NPPF and to ensure consistent of language within the Plan.
- 7.112 Planning consultants acting for the owners of the allocated house site in the Local Plan off Station Road comment about the height restrictions (criterion ii) and the reference to the National Space Standards (criterion vi) in the policy. I have considered these comments very carefully alongside STC’s responses to the representation. Based on all the available evidence, I recommend that the supporting text is expanded so that it identifies circumstances where higher buildings may be supported. I am satisfied that the criterion

relating to the minimum size of rooms will fulfil an important social role in the town and secure the well-being of future occupiers of such properties.

- 7.113 The representation also requests that the submitted Plan reaffirms the Local Plan allocation for the Station Road site (Policy SOH2). Nonetheless, there is no need for the submitted Plan to make such a statement to meet the basic conditions.
- 7.114 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy (first sentence) replace ‘must’ with ‘should’

In the first part of the policy (second sentence) replace ‘Proposals for new development’ with ‘Development proposals should’

In the second part of the policy replace ‘must’ with ‘should’

At the end of paragraph 9.5 add: ‘Criterion ii in the part of Policy SBNP17 which relates to residential development advises about the height of new buildings. Proposals for residential development higher than two and a half storeys may be appropriate where they are located at key locations and where their height, scale and massing would respect the character of the immediate location and not dominate the wider streetscape.’

Policy SBNP18 - Sustainable Buildings Fit for A Net Zero Carbon Future

- 7.115 The policy seeks to ensure that proposals incorporate current best practice in energy conservation, including maximising the benefits of solar gain in site layouts and orientation of buildings, and measures which are designed to be integral to the building design and minimise any detrimental impact on the building or its surroundings.
- 7.116 The policy comments that development proposals should contribute towards the transition to a low carbon future in a changing climate. It advises that proposals should, in whatever way they can, contribute to radical reductions in greenhouse gas emissions; minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 7.117 In general terms, the policy takes a positive approach to this matter and as regards Section 14 of the NPPF. However, in this context, I recommend the following package of modifications to bring the clarity required by the NPPF, to avoid overlaps with national policy, and to ensure that ECDC can apply the policy in a proportionate way:
- a recasting of the first part of the policy so that it more clearly expresses its ambitions. The recommended modification removes the reference to ‘radical’ reductions in greenhouse emissions as it is not defined in the policy and as the matter is addressed in national policy;
 - the incorporation of a proportionate element into the fourth element of the policy; and
 - the deletion of the final part of the policy and its incorporation into the supporting text.
- 7.118 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with:

‘Development proposals should contribute towards the transition to a low carbon future in a changing climate. As appropriate to their scale and nature, proposals should contribute to reductions in greenhouse gas emissions, minimising vulnerability and improve resilience, the reuse of existing resources, including the conversion of existing buildings, and supporting renewable and low carbon energy and associated infrastructure.’

In the second part of the policy replace ‘must’ with ‘should’

Replace the opening element of the fourth part of the policy with: ‘As appropriate to their scale and nature, development proposals should be accompanied by a Sustainability Statement that demonstrates:’

Delete the final part of the policy.

At the end of paragraph 9.23 add: ‘Policy SBNP18 advises about the Plan’s expectations for the details to be submitted with planning applications. Where a robust Sustainability Statement is not provided or demonstrates that reasonable opportunities to achieve the expectations set out in this policy have not been taken, the proposal concerned will not be supported.’

Policy SBNP19 - Renewable Energy

- 7.119 The Plan advises that the intention of the policy is to update Policy ENV6 of the Local Plan so that it accords with government policy which seeks to ensure that proposals for renewable energy consider the key challenge of safeguarding the best and most versatile agricultural land for food production, supporting food security, and limiting food miles.
- 7.120 The policy comments that proposals for renewable energy, including solar and wind generated energy will be supported in accordance with Local Plan Policy ENV 6, unless their wider environmental, social, and economic benefits would be outweighed by significant adverse effects that cannot be remediated and made acceptable. It also includes two additional criteria (relating to agricultural land and food production)
- 7.121 I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development

Policy SBNP20 - Water Efficiency

- 7.122 The intention of the approach taken on this matter is that planning policy is a vital tool to help ensure long term sustainable management of water supplies, as well as helping protect our local rivers and wildlife.
- 7.123 The policy comments that development proposals must be designed to maximise water efficiency, such as water efficient fittings and appliances, water harvesting, water recycling, and storage features, and other than where it can be demonstrated in a full financial appraisal that such initiatives would make the development unviable. The policy also advises that new residential developments must achieve, as a minimum, water efficiency equivalent to 110 litres per person per day.
- 7.124 The third part of the policy sets out specific requirements for major development.

- 7.125 In general, the policy takes a positive approach to water efficiency and has regard to Section 14 of the NPPF. However, in this context, I recommend modifications to the wording used in the first and second parts of the policy so that they relate better to the contents of a neighbourhood plan and ensure consistency of language throughout the Plan. I also recommend that the third part of the policy is recast so that it has the clarity required by the NPPF and can be applied consistently by ECDC.
- 7.126 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first and second parts of the policy replace ‘must’ with ‘should’

Replace the third part of the policy with:

‘Major development proposals should demonstrate that there is sufficient capacity at the Soham Waste Water Treatment Works, or that the necessary upgrades are secured through an appropriate planning obligation, to meet the demand of the development. Such development proposals should also demonstrate that they will not cause an unacceptable deterioration of water quality in the neighbourhood area.’

Policy SBNP21 - Flood Risk

- 7.127 This policy is intended to complement Local Plan Policy ENV 8, and elevate the relevant recommendations in the adopted Cambridgeshire Flood and Water Supplementary Planning Document to planning policy.
- 7.128 It advises that proposals for major development should demonstrate, through a site-specific surface water drainage strategy, that the development is not at risk of flooding and will importantly not increase flood risk off site. It also comments that for smaller proposals, applicants will be expected to provide, through proportionate information, details of its surface water drainage proposals.
- 7.129 The policy also comments that schemes shall justify the appropriateness of the proposals which shall include an allowance for climate change, in accordance with the most up-to-date Environment Agency advice. Opportunities to reduce overall flood risk in the parish are also encouraged.
- 7.130 The final section of the policy comments on surface water drainage strategies.
- 7.131 The policy takes a very positive approach to this important local matter and has regard to Section 14 of the NPPF. In addition, it takes a distinctive approach towards the low-lying nature of the neighbourhood area and its specific drainage issues. The Lead Local Flood Authority supports the policy.
- 7.132 I recommend that the final part of the policy is modified so that it can be applied in a proportionate way by ECDC through the development management process. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the final part of the policy with: ‘As appropriate to their scale, nature and location, development proposals should incorporate a Surface Water Drainage Strategy, which should:’

Policy SBNP22 - Road Safety and Parking

- 7.133 The Plan advises that the intent of this policy is to ensure road safety improvements measures made necessary by development proposals are delivered as part of the wider package of works. The Plan advises that a knowledge of existing concerns and issues regarding road parking is key to understanding how a new proposal may impact on Soham and Barway and as identified on Map 15.
- 7.134 The policy has several related parts. In some cases, they overlap with existing national and local planning policies on the relationship between development proposals and highways capacity. The first part provides details about the size of garage and parking spaces, and is based on the details in the Design Guidance and Codes. The second part of the policy advises that where proposals are likely to impact adversely on roads, either individually or cumulatively, they will be expected to mitigate their impact by providing or contributing towards road safety measures or improved parking provision particularly where a development may have an impact highway safety. The third part comments about proposals which would have an unacceptable impact on road safety.
- 7.135 The fifth part of the policy comments that proposals for the delivery of new public car parking facilities in the town centre, which reduces parking on the High Street, will be supported where they would preserve or enhance the appearance of the Conservation Area. In this context, it also advises that all highway works in, or in the vicinity of, the Soham Conservation Area must be sensitively designed and seek to conserve or enhance the significance of individual heritage assets as well as the Conservation Area itself. The sixth part of the policy offers support for electric vehicle charging points.
- 7.136 In general terms, the policy takes a positive approach to these matters and has regard to Section 9 of the NPPF. Nevertheless, I recommend the following modifications to the policy to bring the clarity required by the NPPF and to avoid an unnecessary overlap with national and local planning policies:
- the recasting of the second part of the policy so that it more clearly expresses its intentions;
 - the deletion of the third part of the policy and its repositioning into the supporting text. Whilst its contents are entirely appropriate, they repeat national and local planning policies;
 - the deletion of the unnecessary commentary in the fifth part of the policy about the relationship between the delivery of new car parking facilities in the town centre and the reduction of parking on the High Street. Whilst ECDC can control the design and layout of any new car parks (to the standards expected in the policy), it cannot secure a direct relationship with levels of on-street car parking (and associated decisions made by drivers);
 - the deletion of the sixth part of the policy (on electric vehicle charging points) and its repositioning into the supporting text. This acknowledges that this important matter is now addressed nationally in the Building Regulations; and
 - revisions to the wording used elsewhere in the policy.
- 7.137 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the second part of the policy with:

‘Development proposals which would impact adversely on the local highway network, either individually or cumulatively, should mitigate their impact by providing or contributing towards road safety measures or improved parking provision, particularly where the proposal would have an impact on highway safety.’

Delete the third part of the policy

In the fourth part of the policy replace ‘welcomed’ with ‘supported’

In the fifth part of the policy delete ‘,which reduces car parking on the High Street,’

In the fifth part of the policy replace (first sentence) ‘it’ with ‘they’ and (second sentence) ‘must’ with ‘should’

Delete the sixth part of the policy

At the end of paragraph 10.2 add the third part of the policy (as submitted).

At the end of paragraph 10.3 add: ‘The provision of electric vehicle charging points is now addressed nationally in the Building Regulations.’

Policy SBNP23 - Pedestrian, Cycle and Bridleway Priority Routes

- 7.138 The Plan advises that the intention of this policy is to ensure that sustainable access arrangements are incorporated into new development and that proposed sustainable routes are safeguarded.
- 7.139 The main part of the policy comments that proposals which help to create and maintain pedestrian, cycle, and bridleway priority routes to and from key destinations including between new housing developments, employment sites, education, health centre facilities, community spaces and open spaces will be supported. Otherwise, it is a wide-ranging policy which has a degree of overlap and repetition.
- 7.140 I recommend that the approach in the repetitive elements is combined, and that the policy sets out expectations for development proposals rather than offering general support. This acknowledges that ECDC will need to balance a wide range of matters in determining planning applications.
- 7.141 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘The Plan designates the following routes (as shown on maps 16, 17, and 18) as priority walking, cycling and bridleway routes: [Then list Routes 1-8 (as set out in the submitted Plan)]

Wherever practicable, development proposals should be designed to:

- **help to create and maintain pedestrian, cycle, and bridleway priority routes to and from key destinations including between new housing developments, employment sites, education, health centre facilities, community spaces and open spaces;**

- **implement pedestrian and cycle priority measures and result in sustainable access between the key destinations;**
- **help to create and maintain bridleways or the connections between them; and**
- **ensure that any potential conflict between children on their way to school and vehicles is minimised.'**

Development proposals which would conflict with the delivery of the Wicken Fen to Soham Cycleway will not be supported.'

Policy SBNP24 - Millennium Walks, Green Lanes and Public Rights of Way

- 7.142 The purpose of the policy is to ensure all new development prioritises the ease of movement for all non-motorised users and the continued enjoyment of rural walks, green lanes, and other public rights of way. The Plan advises that this will have the benefit of encouraging active travel but also increases opportunities for people to pass one another; thereby helping to facilitate the creation of successful neighbourhoods and communities.
- 7.143 The first part of the policy comments that the existing network of footpaths and bridleways (shown on map 19) will be protected. It also advises that to maintain Soham and Barway's close links to the countryside, development proposals will be expected to utilise opportunities to link into the wider footpath and bridleway network where applicable.
- 7.144 The second part of the policy comments that development proposals which adversely impact on the amenity value of the Millennium Walks, Green Lanes, and other Public Rights of Way, either through interruption to the network or through proposals, which impact adversely on the enjoyment of the network (e.g. impacting on the visual amenity, wildlife value or open setting of a public right of way) will not be supported.
- 7.145 The policy takes a very positive approach to the various access arrangements in the parish and has regard to Section 9 of the NPPF. In this overall context I recommend that the wording used in the first part of the policy is modified to bring the clarity required by the NPPF and to ensure a consistent use of language throughout the Plan.
- 7.146 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace 'will be expected to' with 'should'

Policy SBNP25 - Connectivity and Permeability

- 7.147 The Plan advises that the intention of the policy is to ensure that proposals come forward that provide for good permeability within a development, good connectivity to the wider town and to other phases of development. The policy comments that all new development proposals, where they generate movement of residents, workers, and shoppers, should take every available opportunity to meet three criteria.
- 7.148 I am satisfied that the approach taken is very positive and responds to the growth issues for Soham identified in the Local Plan. In addition, it has regard to Section 9 of the NPPF. I recommend that the opening element of the policy is modified so that it has a proportionate approach. As submitted the policy would have a disproportionate effect on smaller proposals and/or those which do not trigger any of the three criteria.

7.149 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the final part of the policy with: ‘As appropriate to their scale, nature and location, development proposals which generate movement of residents, workers, and shoppers should take every available opportunity to meet the following criteria:’

Community Actions

7.150 The Plan includes a package of community actions. As paragraph 1.10 of the Plan comments, they are not planning policies but are issues that have been identified through the Plan by the community that need to be addressed through wider partnership working.

7.151 The Actions are presented around the following themes:

- Town Centre (1 and 2);
- Local Services (3 and 4);
- Biodiversity (5 to 7); and
- Connectivity (8 to 11).

7.152 I am satisfied that the Actions are both appropriate and distinctive to the neighbourhood area.

7.153 The Actions are weaved into the topic-based chapters of the Plan rather than being set out in a separate section as suggested in national policy. I have considered this matter carefully. On the balance of the evidence, I am satisfied that the approach taken is appropriate for the following reasons:

- it complements the natural flow and presentation of the Plan;
- the Actions are presented in a different colour to the land use policies; and
- paragraph 1.10 of the Plan explains their role and status.

7.154 The Actions on biodiversity (5 to 7) are in a different colour to the other Actions. I recommend that this is remedied.

Revise the colour of the biodiversity Community Actions (5 to 7) so that it matches the colour used for the other Community Actions.

Other Matters - General

7.155 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 because 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 because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan, to accommodate other administrative matters, and to ensure that the Plan is otherwise up-to-date. It will be appropriate for ECDC and STC 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, to accommodate any administrative and technical changes, and to ensure that the Plan is up-to-date.

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 is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area, to ensure that a mix of house types is delivered and to designate Local Green Spaces.
- 8.2 Following the independent examination of the Plan, I have concluded that the Soham and Barway Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report, I recommend to East Cambridgeshire District Council that subject to the incorporation of the modifications set out in this report that the Soham and Barway Neighbourhood Development Plan should proceed to referendum.

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood 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 12 June 2019.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. The responses to the clarification note were detailed, informative and delivered in a very timely fashion.

Andrew Ashcroft
Independent Examiner
1 August 2024