

Soham and Barway Neighbourhood Development Plan

Examiner's Clarification Note

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Initial Comments

The Plan addresses a series of bespoke issues relating to the natural and built environment of the neighbourhood area and its landscape setting. The policies are locally-distinctive. A key element of the Plan is the way in which several of the policies are supported by detailed and up-to-date assessments and Topic Papers. The Design Guidance and Codes, the Local Green Space Topic Paper, the Housing Needs Assessment, and the Views and Vistas Topic Paper set out relevant information in a very clear way.

The presentation of the policies in the Plan is very effective. The maps and photographs are very informative. Section 4 of the Plan explains the connections between the Visions, the objectives, and the relevant policies. This is best practice and allows all concerned to understand its contents.

Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Town Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions.

I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Policy SBNP1

This is an excellent policy. As its title describes, it establishes a spatial strategy for the Plan.

Policy SBNP2

The policy takes a positive approach to this matter.

I understand the mathematical breakdown in the second part of the policy. Nevertheless, will such an approach be practicable for housing developments which would deliver homes just above the size threshold?

It would be helpful if the Town Council commented on Cambridgeshire County Council's assertion that Policy SBNP2 is inconsistent with interim district-wide guidance on viability and affordable housing requirements for Soham.

Policy SBNP3

The ambition of the policy is clear. However:

- is the allocation of affordable housing a land use issue?
- is it appropriate for a qualifying body to seek to vary a local planning authority's housing allocation policy through the production of a neighbourhood plan?

Policy SBNP4

This is a good policy

I note that the final part of the policy is underpinned by the commentary in paragraph 5.42. Nevertheless, is there any detailed justification for the requirements in that part of the policy?

Policy SBNP5

This is an excellent policy which is underpinned by - 'A Market Town Plan for Soham'

Policy SBNP7

This is an excellent policy

However, is the use of 'Modest' in the opening part of the policy necessary given the contents of criteria ii, iii and iv?

Policy SBNP10

In general terms the policy takes a good approach.

I am minded to recommend that the third part of the policy should apply as appropriate to the scale and nature of proposals and where it is practicable to do so.

Does the Town Council have any comments on this proposition?

Is the fourth part of the policy supporting text (describing a process) rather than a land use policy?

Policy SBNP11

I saw the significance of the Commons during the visit.

The policy is both distinctive and positive.

Policy SBNP12

Is the fourth part of the policy supporting text (describing a process) rather than a land use policy?

Policy SBNP13

This is another distinctive policy. In this case it is underpinned by the Assessment of Views.

It would be helpful if the Town Council commented on Cambridgeshire County Council's representation on the policy.

Policy SBNP14

This is another good policy. In this case it is underpinned by the Local Green Space (LGS) Topic Paper.

As I highlighted earlier in this note, the importance of the Fen and Common areas in the parish is self-evident. I am satisfied that the proposed local green spaces affecting these areas meet the first two criteria in paragraph 106 of the NPPF. However, the following proposed LGSs would traditionally be regarded as extensive tracts of land and not local in character (NPPF paragraph 106(c):

- LGS8 Qua Fen Common - 20.2 ha
- LGS9 East Fen - 21 ha
- LGS10 Angle Common - 14 ha
- LGS11 South Horse Fen - 33.8 ha
- LGS12 North Horse Fen - 11.9ha
- LGS15 College Playing Fields - 7.5 ha

Does the Town Council wish to comment further on the extent to which these proposed LGSs are local in character and/or if any specific circumstances justify their proposed designation?

Are the Commons already protected under separate legislation?

In addition, does Policy SBNP11 of the Plan already provide appropriate local protection for the areas listed above?

Policy SBNP17

This is an excellent policy. It is underpinned by the similarly-excellent Design Guide and Codes. In the round the submitted package is a first-class local response to Section 12 NPPF.

Policy SBNP21

Could most of the opening section of the policy be repositioned into the supporting text?

Policy SBNP22

I am minded to recommend that:

- the first part of the policy is relocated into the supporting text; and
- the final part (on EV charging) is deleted (as the issue is now addressed nationally in the Building Regulations).

Does the Town Council have any comment on these propositions?

Representations

Does the Town Council wish to comment on any of the representations made to the Plan?

It would be helpful if it commented on the representations received from:

- Total Planning
- Cambridgeshire County Council
- Ministry of Defence.

Protocol for responses

I would be grateful for responses to the questions raised by 10 July 2024. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

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19 June 2024