

# Regulation 18 Decision Statement

## Witcham Neighbourhood Plan

22 December 2025



East Cambridgeshire  
District Council

### Purpose

This Decision Statement has been prepared and published in accordance with Regulation 18(2) of the Neighbourhood Planning (General) Regulations 2012 (as amended). This statement sets the decision and proposed actions by East Cambridgeshire District Council ("the Council") following receipt of the Examiner's Report into the Witcham Neighbourhood Plan.

This decision has been taken by the Director, Community as per the Council's Constitution (Part 3(24), version March 2025).

The Witcham Neighbourhood Plan (as examined), this Decision Statement and the Examiner's Report are available to view and download from the Council's website at <https://eastcambs.gov.uk/planning-and-building-control/planning-policy-and-guidance/neighbourhood-planning/neighbourhood-10>

Subject to a request in advance, paper or electronic copies may be inspected at East Cambridgeshire District Council's Customer Service Centre at The Grange, Ely, Cambridgeshire CB7 4EE during normal opening times. Please refer to the Council's website for details.

Further information about the neighbourhood planning process, including the purpose of the examination and referendum, is provided on the Council's website.

### Background

The neighbourhood area for Witcham, a map of which is available at <https://eastcambs.gov.uk/planning-and-building-control/planning-policy-and-guidance/neighbourhood-planning/introduction> was designated by the Council on 9 January 2023.

The Witcham Neighbourhood Plan ("the Plan") and supporting evidence documents, were submitted to the Council by Witcham Parish Council on 7 July 2025.

The Council published the Plan for consultation from 17 July to 2 September 2025. Comments were received from eight respondents during this period. Following publication, the Council submitted the Plan for independent examination.

The main purpose of the independent examination is to assess whether the Plan satisfies certain “basic conditions” and other legal requirements which must be met before a neighbourhood plan can proceed to a local referendum.

The independent Examination was held 23 September to 18 November 2025. The Plan was examined by Mr Andrew Ashcroft MRTPI. The examination was carried out through written representations, meaning no public hearing session was required, and included a site visit to the neighbourhood area.

### **Council’s decision**

The independent Examiner’s recommendations are set out in the ‘Examiner’s Report’ which accompanies this Decision Statement, and is available at <https://eastcambs.gov.uk/planning-and-building-control/planning-policy-and-guidance/neighbourhood-planning/neighbourhood-10>.

In his report, the Examiner concludes that, subject to applying a number of ‘recommended modifications’, the Plan meets the basic conditions for the preparation of a neighbourhood plan.

The Examiner also confirms that he is 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.

Consequently, the Examiner concludes that provided his recommended modifications are applied, the Witcham Neighbourhood Plan would meet the basic conditions and should proceed to a referendum.

The Examiner’s recommendations are summarised in Appendix 1 of this statement.

The regulations require the Council to take a decision as to what action to take in response to the recommendations of the Examiner, including what modifications to make to the draft Plan. The Council has decided, following consultation and agreement with Witcham Parish Council (the Qualifying Body), that the Witcham Neighbourhood Plan will be modified as per the Examiner’s recommendations.

Based on the Examiner’s findings and recommendations, the Council is satisfied that the Witcham Neighbourhood Plan, where modified as informed by the Examiner’s recommendations, meets the basic conditions and is otherwise legally compliant.

### **Referendum arrangements**

Following this decision, the Council will proceed to arrange and hold a referendum. The purpose of the referendum is to enable local people to vote on whether the Council should use the Witcham Neighbourhood Plan (once the recommendations of the Examiner have been incorporated) in taking planning decisions.

Where the Witcham Neighbourhood Plan is supported by the majority of voters, the Plan will thereafter be ‘made’ by the Council and will form a part of the Development Plan for East Cambridgeshire District.

The Examiner is required to consider whether the referendum area should be extended beyond the Witcham neighbourhood area boundary. The Examiner concluded that such an extension is not necessary. The Council has no reason to disagree and will proceed on that basis.

The referendum will be held within 56 working days of publication of this Decision Statement, as per the statutory requirements. Formal details of the referendum arrangements will be confirmed on publication of the Information Statement in due course. Please keep up to date by viewing our website.

### **Summary**

East Cambridgeshire District Council is satisfied that, subject to applying the modifications recommended by the independent Examiner, the Witcham Neighbourhood Plan meets the basic conditions and other legal requirements and will proceed to referendum.

### **Attached:**

Appendix 1: Summary of Examiner's recommendations

## Appendix 1: Summary of Examiner's recommendations

The following table provides a summary of the Examiner's recommendations. Where a recommendation is set out in bold print, this indicates the change is to a planning policy contained in the Plan. For full details, refer to the Examiner's Report. If there is any conflict between what is summarised below and what is stated in the Examiner's Report, then the content of the Examiner's Report takes precedence.

**Table 1:** Summary of Independent Examiner's recommendations

Examiner's report paragraph number	Neighbourhood Plan (submission version) reference	Recommendation
7.26	Map 6 'Important Views in village centre'	<i>Ensure that the location of important view 12 is consistent across both Map 6 and the Village Centre Inset Map.</i>
7.33	Policy WHM 6 'Design Considerations'	<b>In first sentence replace 'must' with 'should'</b>
7.46	Policy WHM 11 'Heritage Assets'	<p><b>Replace the second part of the policy with:</b></p> <p><b>'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Proposals will not be supported where the harm caused as a result of the impact of a proposed scheme is not justified by the public benefits that would be provided.</b></p> <p><b>Where a planning proposal affects a heritage asset, it should be accompanied by a Heritage Statement identifying, as a minimum, the significance of the asset, and an assessment of the impact of the proposal on the heritage asset. The level of detail of the Heritage Statement should be proportionate to the importance of the asset, the works proposed and sufficient to understand the potential impact of the proposal on the significance and/or setting of the asset.'</b></p> <p><i>At the beginning of paragraph 8.17 add: 'Policies WHM 11 and 12 address heritage assets. Policy WHM11 comments about designated heritage assets, and Policy WHM12 comments about non-designated heritage assets.'</i></p> <p><i>Replace paragraph 8.18 with: 'Careful consideration of proposals that would impact designated heritage</i></p>

Examiner's report paragraph number	Neighbourhood Plan (submission version) reference	Recommendation
		<p><i>assets or their setting will be needed in accordance with the details in paragraphs 212 to 215 of the NPPF.'</i></p> <p><i>Replace the policy's title with: 'Designated Heritage Assets'</i></p>
7.49	Policy WHM 12 'Buildings and Features of Local Heritage Significance'	<p><b>Replace the policy with:</b></p> <p><b>'The effect of an application on the significance of a non-designated heritage asset as identified in the East Cambridgeshire Register of Buildings of Local Interest should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'</b></p> <p><b>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.'</b></p>
7.57	Other Matters - General	<i>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</i>
7.59	Other Matters – Specific	<i>I also recommend other modifications to the text of the Plan based on ECDC's comments insofar as they are necessary to ensure that the Plan meets the basic conditions. They either revise the wording used or bring the Plan up-to-date. Other matters relate to the more general parts of the Plan.</i>