

**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
RECORD OF CHIEF OFFICER/HEAD OF SERVICE DECISION**

This form should be used to record key and other decisions made by Chief Officers and Heads of Service. The contact officer will ensure that the signed and completed form is given to Democratic Services as soon as reasonably practicable after the decision has been taken.

A key decision shall not be taken unless notice of the item has been published at least 28 days before the decision is to be taken except where:

- a General Exception notice has been published under Rule 15 of the Access to Information Procedure Rules and the Chairman of Scrutiny and Overview Committee has been informed in writing; or
- where a Special Urgency notice has been published under Rule 16 of those Rules and the Chairman of Scrutiny and Overview Committee has agreed the decision is urgent.

Unless permission has been obtained from the Chairman of Council and the Chairman of the Scrutiny and Overview Committee that a key decision may be treated as a matter of urgency under Rule 12.19 of the Scrutiny and Overview Committee Procedure Rules, any key decision will come into force, and may then be implemented, on the expiry of five working days after the publication of the decision, unless called in under Rule 7 of the Budget and Policy Framework Procedure Rules or Rule 12 of the Scrutiny and Overview Committee Procedure Rules. Where consent has been obtained to exempt the decision from call-in, this will be specified below. Only key decisions of an officer are subject to call-in.

Decision Taker	Lead Cabinet Member for Planning
Subject Matter	West Wickham Neighbourhood Plan - response to consultation on the submission plan
Ward(s) Affected	Balsham
Date Taken	23 February 2022
Contact Officer	Alison Talkington Senior Planning Policy Officer Contact: Alison.Talkington@greatercambridgeplanning.org / 01954 713182 / mobile 07514 926521
Date Published	23 February 2022
Call-In Expiry/Exempt from call-in	
Key Decision?	No
In Forward Plan?	No – delegated decision for Lead Cabinet Member for Planning
Urgent?	Decision must be made by 15 March 2022

Purpose / Background

Purpose

1. The purpose of this report is to agree the Council's response to the public consultation on the submission version of the West Wickham Neighbourhood Plan. The consultation runs from 18 January 2022 until 15 March 2022..

Background

2. The West Wickham Neighbourhood Area was designated on 17 November 2015. The neighbourhood area is for the whole parish of West Wickham.
3. Officers have met with the steering group ahead of the submission consultation process and recognise the hard work that those on the steering group of the neighbourhood plan have put into preparing the Plan. This group has strived to ensure that the whole village had an opportunity to have an input into the final Plan.
4. A Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening was undertaken on a draft version of the Neighbourhood Plan, and a screening determination was published in May 2021.
5. Pre-submission public consultation on the draft Neighbourhood Plan was undertaken by the Parish Council from 1 May until 30 June 2021. Officers provided a formal response to the consultation, providing constructive comments about the Neighbourhood Plan to assist the neighbourhood plan group with finalising the Neighbourhood Plan. Officers have met with the steering group to discuss these comments and are aware that the submission version of the plan has taken upon board many of the suggested changes.
6. On 3rd December 2021, West Wickham Parish Council submitted their Neighbourhood Plan to SCDC. Officers have confirmed, as set out in the Legal Compliance Check for the Neighbourhood Plan that the submitted version of the Neighbourhood Plan and its accompanying supporting documents comply with all the relevant statutory requirements at this stage of plan making.
7. We therefore were able to carry out a consultation on the West Wickham Neighbourhood Plan from 18 January 2022 until 15 March 2022. This period of consultation is slightly longer than set in the regulations to take into account that the Covid 19 pandemic is still impacting how we can carry out consultations. We wished to ensure everyone had an opportunity to comment on the Plan.
8. Officers, in conjunction with West Wickham Parish Council, are in the process of appointing an independent examiner to consider this Neighbourhood Plan. All comments submitted during the public consultation on the submission version of the Neighbourhood Plan will be provided to the examiner for their consideration.

Considerations

9. The West Wickham Neighbourhood Plan has been prepared by West Wickham Parish Council to provide planning policies for development in the area, with the aim of providing greater clarity when determining planning applications in the area. The Neighbourhood Plan includes 11 planning policies that cover a range of issues including:
 - (i) Protecting the village character and heritage assets

- (ii) Local green spaces, protected village amenity areas and important countryside frontage
- (iii) Protecting and enhancing the natural environment
- (iv) Housing
- (v) The village hall site

10. To successfully proceed through its examination to a referendum, a Neighbourhood Plan must meet a number of tests known as the 'Basic Conditions'. These tests are different to the tests of soundness that a Local Plan must meet. The Basic Conditions are set out in national planning guidance and are summarised as follows:
- (a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the Neighbourhood Plan.
 - (b) the making of the Neighbourhood Plan contributes to the achievement of sustainable development.
 - (c) the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area.
 - (d) the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and
 - (e) prescribed conditions are met in relation to the Neighbourhood Plan, including that the making of the neighbourhood plan is not likely to have a significant effect on a European wildlife site or a European offshore marine site either alone or in combination with other plans or projects.
 - (f) the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

Our Neighbourhood Planning Toolkit includes Guidance Note 11 (What are the Basic Conditions and How to Meet Them), which sets out further details on each of the Basic Conditions. When a Neighbourhood Plan is submitted to the local planning authority it must be accompanied by a Basic Conditions Statement that sets out how the Parish Council considers that their Neighbourhood Plan meets the Basic Conditions.

11. When considering a Neighbourhood Plan, the examiner will assess whether or not the Neighbourhood Plan meets the Basic Conditions. When an examiner recommends that the Neighbourhood Plan should proceed to referendum (if it meets the Basic Conditions, with or without modifications), the examiner's report must also set out whether the referendum area should be extended beyond the neighbourhood area. Comments made during the current consultation on the submission version of the Neighbourhood Plan, which will be provided to the examiner for their consideration, should therefore address whether the submitted Neighbourhood Plan meets the Basic Conditions and can also address whether the referendum area should be extended beyond the neighbourhood area.
12. SCDC is fully supportive of Parish Councils bringing forward Neighbourhood Plans for their areas, including West Wickham Parish Council's decision to prepare a Neighbourhood Plan, and officers have been supporting the Parish Council in the plan's preparation. The Council's proposed response to this public consultation on the submission version of the Neighbourhood Plan is set out in Appendix 1.
13. SCDC is supportive of the aims of the West Wickham Neighbourhood Plan and our comments are intended to help the Plan to be successful at examination as well as delivering policies that are clear in their meaning and are unambiguous in their

interpretation. SCDC recognise the achievement of West Wickham PC in reaching this stage of submitting their Plan to us for examination.

14. If the examiner is minded to recommend that the Neighbourhood Plan should proceed to referendum, the Council does not feel that the referendum area needs to be extended beyond the designated Neighbourhood Area as the planning policies included in the plan would not have a substantial, direct or demonstrable impact beyond the parish.

Declaration(s) of Interest

Record below any relevant interest declared by any executive Member consulted or by an officer present in relation to the decision.

None

(s)

In respect of any conflict(s) of interest declared above, record below any dispensation(s) granted by the Council's Standards Committee.

None

Consultation

Record below all parties consulted in relation to the decision.

Ward Councillors

Other Options Considered and Reasons for Rejection

The option of not sending a response from SCDC was rejected as this Council has a duty to provide advice and assistance to groups preparing neighbourhood plans.

Final decision

To agree the response from SCDC set out at Appendix 1

Reason(s)

The response is intended to provide the independent examiner with SCDC's comments on the West Wickham Neighbourhood Plan.

Signed	Name (CAPITALS)	Signature	Date
Lead Cabinet Member (where required by the Constitution)	Cllr Tumi Hawkins		23 February 2022
Chief Officer/Head of Service	Stephen Kelly		23 February 2022

Further Information

Appendix 1: SCDC response to the West Wickham Submission Neighbourhood Plan

Background documents

[West Wickham Neighbourhood Plan page on SCDC website](#)

Appendix 1

South Cambridgeshire District Council's response to the consultation on the submission version of the West Wickham Neighbourhood Plan

1. South Cambridge District Council (SCDC) is taking the opportunity, through the Regulation 16 consultation, to comment further on the West Wickham Neighbourhood Plan.
2. SCDC has worked with West Wickham Parish Council (PC) during the preparation of the plan. We appreciate the hard work that has gone into getting their neighbourhood plan this far along the process. There have been some meetings with the neighbourhood plan team to discuss the plan as it has evolved. This plan made good progress during the lockdown period.
3. SCDC notes that the Submission version of the West Wickham Neighbourhood Plan has been revised since the Regulation 14 consultation. SCDC submitted a number of comments during this earlier consultation the majority of which have been taken on board during the review which we welcome.
4. The comments we make now concentrate on matters that relate directly to whether, in our opinion, the Plan meets the Basic Conditions.

Comments on the draft Plan in plan order

5. The following comments are made working our way through the document.
6. Figure 8 West Wickham policy map overview – The wording of the allotment gardens and the recreation ground on the map are barely visible because of the dark green local green space background layer. It would help future users of the Plan who are not familiar with the parish to be able to read these locations. We see this as a minor amendment outside the Basic Conditions.

Policy WWK/1: Settlement patterns and identity

7. This policy and its supporting text have been much revised since the Regulation 14 consultation which we welcome as this makes for a clearer policy with the justification set out in the supporting text illustrated by photographs and diagrams.
8. Bullet d – We had previously suggested additional wording to this policy which we still consider would help in its implementation – ‘...not adversely impact the key features of locally distinctive and locally valued views....’

Policy WWK/2: Built environment characteristics

9. A full description has been added to the supporting text to this policy about the different character areas within the parish. We support this inclusion.
10. However, our historic environment team remains of the view that the Platts Farm site is sufficiently prominent in the core section of the village that it merits a more specific reference in the description of Character Area 1.
11. Second part of policy - We welcome the references to new boundary treatments and to paving, which are absolutely consistent with policy NH/14 of the local plan and the objective of protecting the historic environment. However, we consider that the wording of the policy could place greater emphasis on the specific issue of the impact inappropriate kerbstones, kerb heights and footways might have on the settings of listed buildings and the character of the conservation area. It would have been helpful to have more explanation within the supporting text on this issue.
12. For clarity we suggest that the following wording is added to the final sentence of the policy ‘...incorporating where necessary, appropriate boundary treatment to mitigate detracting impacts on to the street scene and public realm.’

Policy WWK/3 Heritage Assets

13. We suggest that the policy refers to preserve or enhance as is used in the NPPF.
14. Our historic environment team considers that the reference to non-designated assets should not limit the application of the policy to those identified on Policy Map 4. Other assets might be identified in the future and the policy would have greater strength if it left open the possibility of other buildings or features being considered to be NDHAs.
15. The justification for the NDHA's identified would probably benefit from being still more robust. Some of the assets have been given explanations of their architectural or historic significance, but for others the comment is still only a statement of age and function.
16. Policy Map 4 – This identifies the non-designated heritage assets in the parish which are numbered. We consider that it may be helpful for future users of the plan if the key included a list of these assets.

17. The Roman Road is included in the policy, but it is not shown on Policy Map 4. The extent of the feature is shown in Policy Map 8- this could be referenced in this policy to help those not familiar with the 'road'.

Policy WWK/4: Local Green Space

18. We welcome that Policy Map 6 now clearly shows the boundary of the Local Green Space and that safeguarded for future development of the village hall.

Policy WWK/7: Biodiversity and green infrastructure

19. Paragraph 4.76 – The council's ecologist has indicated that species rich and /or important hedgerows can be referred to as Habitats of Principal Importance under S41 of the Natural Environment and Rural Communities Act 2006. We see this as a minor amendment outside the Basic Conditions.
20. We welcome that the terms used in the earlier version of this policy have now been defined in the glossary. As regards 'notable trees' the council's ecologist has checked the Ancient Trees Inventory and there do not appear to be any veteran trees logged in West Wickham as is suggested in paragraph 4.77.
21. Paragraph 4.81 - Within this supporting text mention could be made to the new Environment Act 2021 which makes 10% biodiversity net gain mandatory on all developments from November 2023. In February 2022 SCDC adopted the Biodiversity Supplementary Planning Document and it would be useful to reference this in the Plan to provide support to the delivery of Policy WWK/7
22. Second section of policy – We suggest that in the first sentence 'them' is changed to the identified asset or similar for clarity. Also, within this sentence the term 'substantially outweigh' should be defined so that a development management officer would know how to determine a planning application using this policy.

Policy WWK/8: Access to the countryside

23. We suggest that there needs to be an indication of what scale of development proposals would need to take account of this policy – as currently written it would expect all development including extensions. Should it be only those above a certain size? We would also suggest that it should perhaps relate to the development of new dwellings because they would result in potential increased usage.

Policy WWK/9: Delivering smaller homes in West Wickham

24. Figure 34 shows the number of bedrooms in dwellings sold within the parish indicating there were none sold that were one bed roomed. As there are no one bed roomed dwellings in the parish as is explained in paragraph 4.93 we consider that the graph could highlight that such dwellings have not been available as an option.

We see this as a matter that could be addressed in the Plan without impacting on the Basic Conditions.

25. We would suggest in the second part of the policy that rather than '... through reference to...' the following words are added '... through having regard to...'

Policy WWK/11: The Village Hall site

26. It is noted that Policy WWK/11 covers the area identified in red on Policy Map 11 and that it does not include the existing recreation space which is designated Local Green Space in Policy WWK/4. On this basis it is presumed that criterion a) does not apply? Further, does "adjacent to the existing Village Hall" mean only that area identified in red?
27. Bullet (a) - If the open space is retained or re-provided elsewhere this would be good but if it is to be only enhanced could this not lead to the loss of this space? What enhancement would be acceptable?

Glossary

28. We had previously suggested that the definition of affordable housing within the glossary be expanded so that it more closely aligns with that in the NPPF which covers a wider range of tenure types, as well as the changes to Government Planning Policy requiring First Homes as part of the delivery of affordable housing. The definition has remained in a shortened view.