

South Newnham Neighbourhood Development Plan 2024-2041

**A report to Cambridge City Council on the South
Newnham Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by Cambridge City Council in June 2024 to carry out the independent examination of the South Newnham Neighbourhood Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 23 July 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 series of Local Green Spaces and includes a package of policies to safeguard the character and appearance of the parish, including its biodiversity.
- 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
6 November 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the South Newnham Neighbourhood Development Plan 2024-2041 ('the Plan').
- 1.2 The Plan was submitted to Cambridge City Council (CCC) by the South Newnham Neighbourhood Forum (SNNF) 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 in general terms, and to be complementary to 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 CCC, with the consent of SNNF, to conduct the examination of the Plan and to prepare this report. I am independent of both CCC and SNNF. 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 Determination Statement.
- the Evidence Base.
- the Street Appraisals (Areas A-D).
- the representations made to the Plan.
- SNNF's responses to the clarification note (including its detailed commentary on specific representations).
- the adopted Cambridge Local Plan (2018).
- the Greater Cambridge Sustainable Design and Construction Supplementary Planning Document (January 2020).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 23 July 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, I concluded that the Plan could be examined by way of 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), SNNF 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 various details set out in a series of appendices.
- 4.3 Sections 3 to 6 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.
- 4.4 The Statement also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (June to July 2023). Section 4 of the Statement (as supplemented by Appendices C and D) advises about the way in which the Plan was refined as the outcome of this process. This helps to explain the way that the Plan has evolved.
- 4.5 The representation from Queens' College Cambridge comments in detail about the consultation processes undertaken by SNNF as the Plan was being prepared. In its response to the clarification note, SNNF explained the way in which it engaged with Queens' College and with other Cambridge Colleges and stakeholders. It advises that Queens' College is alone in responding to the Regulation 16 consultation to say that the Forum has failed to engage. The response also included a detailed audit trail of the SNNF's engagement with the College. Based on the available evidence, I have concluded that SNNF has engaged with Queens' College (and the other affected Colleges) in a proportionate and professional way.
- 4.6 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.

CCC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

4.7 Consultation on the submitted plan was undertaken by CCC. It ended on 18 June 2024. This exercise generated representations from the following organisations:

- Anglian Water
- Cambridge Past, Present and Future
- Cambridgeshire County Council
- Hertfordshire County Council
- Newnham Croft Primary School
- Public Health Directorate
- South Newnham Neighbourhood Forum
- Sport England
- Queens' College Cambridge
- Cambridge City Council
- Environment Agency
- Historic England
- National Highways
- Natural England

4.8 Comments were also received from several people who live in the neighbourhood area. In many cases they support the Plan. I have taken account of all the representations received 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 located to the immediate west of Cambridge city centre. As the Plan describes, its character is defined by the juxtaposition of the urban and the rural. Apart from the northern boundary of the neighbourhood area between the western edge of the Gough Way Estate and Newnham Road, the built area is bounded by the River Cam and green open spaces. Its western and southern boundaries coincide with that of Cambridge City. The eastern boundary is bordered by a green corridor of parkland and nature reserves running alongside the River Cam. Its population in 2011 was 2870 persons. It was initially designated as a neighbourhood area in March 2017 and was then redesignated in July 2022.
- 5.2 Two conservation areas overlap with the neighbourhood area. The West Cambridge conservation area was designated in 1972, and the Newnham Croft conservation area was designated in 1998.
- 5.3 The Barton Road is a busy main approach road to the City and Grantchester Road is a busy access road to Grantchester. Grantchester Street is the main access street into Newnham Croft area and its network of interlinking streets. The neighbourhood area includes an extensive green network of footpaths and cycle paths giving access to open spaces for residents and visitors. In the round it is a very interesting area within which to produce a neighbourhood plan.

Development Plan Context

- 5.4 The Cambridge Local Plan was adopted in October 2018. It sets out the basis for future development in Cambridge up to 2031. CCC has identified the strategic policies in the Local Plan in a report to its Planning and Transport Scrutiny Committee (January 2019) to assist in the preparation and examination of neighbourhood plans.
- 5.5 The Local Plan is very comprehensive and includes the following elements:
- Section 2: The Spatial Strategy
 - Section 3: City Centre, Areas of Major Change, Opportunity Areas, and site-specific proposals
 - Section 4: Responding to climate change and managing resources
 - Section 5: Supporting the Cambridge economy
 - Section 6: Maintaining a balanced supply of housing
 - Section 7: Protecting and enhancing the character of Cambridge
 - Section 8: Services and local facilities

- Section 9: Providing the infrastructure to support development

- 5.6 The Basic Conditions Statement includes a very detailed assessment of the policies in the submitted Plan against the strategic policies in the Local Plan. Section 4.6 of the Statement identifies specific strategic policies which the SNNF either considers that the policies in the submitted Plan support or identify an additional level of detail or a distinctive (and neighbourhood area-based) approach. This form of analysis is best practice.
- 5.7 CCC and South Cambridgeshire District Council are preparing a joint Local Plan for the Greater Cambridge area. The Plan is expected to cover a plan period over the next 20 years and is at an early stage of development. Greater Cambridge Planning published the First Proposals in August 2021. A Development Strategy Update report was published in January 2023.
- 5.8 The submitted Plan has been prepared within this 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 23 July 2024. I approached it along the Barton Road from the M11 to the west. This helped me to understand its position in the wider landscape in general and its relationship with the Green Belt. The compact nature of the neighbourhood area allowed me to complete the visit on foot.
- 5.10 I looked initially at Lammas Land. I saw its scale, significance, and popularity in the local landscape. I also saw that it provided a safe and accessible pedestrian and cycle link between the neighbourhood into the City Centre.
- 5.11 I then looked at the network of streets off Grantchester Street. I enjoyed a pastry and a coffee in Maison Clement in Derby Street. I worked my walk into Owlstone Street and saw the entrance to Owlstone Croft.
- 5.12 I then walked along Grantchester Meadows to Skaters' Meadow. I looked carefully at the proposed local green space in this part of the neighbourhood area. I then looked at South Green Road and appreciated its attractive setting adjacent to St Catherine's College Sports Ground.

- 5.13 I then looked at Barton Road and Millington Road. I saw that scale of the houses and the attractiveness of Barton Road as one of the main roads leading into the City Centre. I then looked at the residential area off Gough Way.
- 5.14 I walked along Grantchester Road to the south. In doing so I saw the scale and significance of the Cambridge Rugby Club grounds, the Downing College Playing Fields, and the Pembroke College Sports Ground.
- 5.15 I left the neighbourhood area on the Barton Road and then along the A1134 (to the north) and the A1303 (to the west). This part of the visit further highlighted the close relationship between the neighbourhood area and the City Centre.

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 South Newnham Neighbourhood Development Plan:

- a plan-led system - in this case the relationship between the neighbourhood plan and the Cambridge 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 and 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 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 a policy on the subdivision of existing homes (Policy SNNP13). In the social dimension, it includes policies on connectivity (Policy SNNP5), community facilities (Policy SNNP6), and on homes and facilities for older people (Policy SNNP7). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on biodiversity (Policy SNNP1), on local green spaces (Policy SNNP4), on local heritage assets (Policy SNNP8) and climate change (Policy SNNP10). 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 Cambridge 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, SNNF commissioned a screening exercise on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report (April 2023) 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 The screening exercise included a Habitats Regulations Assessment (HRA) of the Plan. It assesses the potential impact of the Plan's policies on the following protected sites:
- Ouse Washes SPA;
 - Eversden and Wimpole Woods SAC;
 - Wicken Fen SAC;
 - Ouse Washes Ramsar; and

- Wicken Fen Ramsar.

- 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 SNNF 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. In addition, the Plan is clearly and attractively presented. Its structure is very understandable and the use of colour and appropriate maps makes the document very attractive and user-friendly.
- 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 5)

- 7.8 The Plan is very well-organised and presented. It has been prepared with much attention to detail and local pride. 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 identifies the neighbourhood area (in Map 1), and the Plan period (in paragraph 2.5). Figure 1 very helpfully describes the neighbourhood planning process. In the round, it is an excellent introduction to a neighbourhood plan.
- 7.10 Section 3 provides information about the neighbourhood area. The interesting and comprehensive details help to set the scene for the policies.

7.11 Section 4 comments about the way in which the Plan was prepared and how key stakeholders and the wider community were engaged in the process. It overlaps with the Consultation Statement.

7.12 Section 5 sets out the vision and objectives for the Plan. It makes a strong functional relationship between the various issues and, in several cases, they feed directly into the resulting policies. The Vision summarises the ambition for the neighbourhood area as follows:

‘The Vision for South Newnham neighbourhood is one in which a balance exists between our natural environment, our economic and social infrastructure, and our mix and style of housing stock, supporting the transition to a low, and ultimately zero carbon society and making South Newnham a great place to live both now and for future generations.

- *The natural environment of our neighbourhood is protected and enhanced to increase its biodiversity and be sustainable.*
- *A network of safe, car-free routes exists for walking and cycling that are in harmony with our environment.*
- *The economic and social infrastructure is characterised by retail activities and community facilities that are local enterprises of energy and dynamism meeting the needs of residents for day-to-day shopping and social needs.*
- *The mix of types and styles of housing stock with its distinct local character and heritage is protected and enhanced to provide a balanced supply which meets the needs of the neighbourhood’s residents at all stages of life.’*

7.13 The Vision is underpinned by a series of Topics of Concern. Figure 8 helpfully sets out the relationship between the Vision, the Topics of Concern, and the resulting policies.

7.14 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.

General Comments

7.15 The policies are presented in a very effective way in the Plan. Each policy provides a context, describes its intentions, and includes supporting text to assist with the implementation of the policy. This is best practice.

7.16 The policies in the Plan are underpinned by extensive evidence. In each case, the context to the policies sets out relevant information. In some cases, policies are also supported by more detailed appendices (Appendices B, C and D).

7.17 SNNF's responses to the clarification note were very comprehensive and included detailed responses to some of the representations. I have included sections of the responses in this report where they are directly relevant to the assessment of each policy.

Policy SNNP1: Protecting and enhancing biodiversity

7.18 This policy seeks to bring an element of local distinctiveness to Policy 69 of the Local Plan. Its objective is to prevent further adverse impact on the natural environment of the neighbourhood area, and where possible enhance its ecological status for current and future generations to achieve an overall measurable net gain in biodiversity.

7.19 The policy identifies a series of locations in the neighbourhood area against which development proposals should assess their impact. As submitted, the policy sets out the details to be included with planning applications and defers to Policy 69 in the Local Plan.

7.20 I sought clarity from SNNF on its approach to this matter. In its response to the clarification note, it commented that:

'(the) intention of Policy SNNP1 is to build on Local Plan Policy 69 and be more specific, firstly in terms of the required obligations on a potential developer, and secondly in terms of listing the potentially affected sites and features of biodiversity value in the plan area. The policy proposes three additional measures:

- *developers are required to accompany any development proposals with an assessment appropriate to the nature of the development that identifies their impact on sites and features of biodiversity value in the plan area. We view this as critical.*
- *step i) in the SNNP1 hierarchy of mitigation requires proposals to "avoid negative impacts", rather than "minimise harm" as in Policy 69, point a.*
- *we view SNNP1 hierarchy of mitigation steps ii) and iii) as more specific than Policy 69, point b.'*

7.21 Queens' College Cambridge raises the recent grant of planning permission on appeal, at Owlstone Croft Gardens (1c) and suggest that it is not appropriate for the Gardens to be identified within the Green River Corridor for the purposes of this policy. In its response to the clarification note SNNF indicated its willingness to adjust the description of Owlstone Croft Gardens to reflect these changing circumstances.

7.22 The policy raises several issues. Firstly, it seeks to supplement Policy 69 of the Local Plan. As such, its focus is on the definition of important sites in the

neighbourhood area and the information to be provided by development proposals which would affect the identified Corridor. The second is that it has a hybrid approach and comments generally about the mitigation hierarchy and sets out specific opportunities for improving biodiversity. The third is that it includes a very specific element about bat flight lines and a potential relationship with the Eversden & Wimpole Woods SAC. In the round this results in a wordy and unstructured policy which includes significant elements of supporting text.

7.23 I have considered these issues very carefully. On the balance of the evidence, I recommend that the policy is simplified and restructured so that it will have the clarity required by the NPPF and provide clarity for decision-makers and landowners alike. The recommended modifications address the following issues:

- focusing on the way in which development proposals should respond to features of biodiversity value in the neighbourhood area (rather than the information required to be included with development proposals);
- the repositioning of explanatory text into the supporting text (insofar as it does not already feature in this part of the Plan);
- expanding the supporting text so that it advises about the information required with planning application which would affect the Corridor, including a proportionate element; and
- updating the description of Owlstone Gardens to acknowledge the planning permission recently granted on appeal.

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.

Replace the policy with:

‘Development proposals should respond positively to the sites and features of biodiversity value in the neighbourhood area including those listed below and identified on Map 2. [At this point list 1-6 as set out in the submitted policy]

Development proposals should avoid the severance of bat flight-lines and protect foraging and commuting habitat for Barbastelle bats, which may belong to the population protected by Eversden & Wimpole Woods SAC.’

Update the description of Owlstone Croft Gardens to reflect the recent grant of planning permission.

At the beginning of 7.1.3 add:

'Policy SNNP1 advises about the way in which development proposals should respond to important biodiversity features in the neighbourhood area. It has been designed to complement Policy 69 of the Local Plan. As appropriate to their scale, nature and location, development proposals should be accompanied by an assessment, that identifies their impact on sites and features of biodiversity value identified on Map 2. Opportunities for improving biodiversity in the neighbourhood area include increasing tree canopy coverage and strengthening ecological connectivity alongside the Green River Corridor.'

Policy SNNP2: Delivering biodiversity net gain

7.25 The Plan advises that the intention of the policy is to provide guidance on how development schemes can deliver biodiversity net gain in the plan area. The policy comments that development proposals will be required to demonstrate measurable net gain for biodiversity in line with national requirements. It also advises that for householder applications and other proposals exempt from biodiversity net gain requirements there is still an expectation in most instances that an element of biodiversity gain should be incorporated into the proposal as these can make an important difference to local biodiversity.

7.26 CCC and Queens' College Cambridge make detailed comments on the policy. In both cases, they question the need for the policy given that biodiversity net gain is now addressed nationally through the implementation of the provisions of the Env Act 2021. In this context I sought SNNF's comments on the added value of the policy. In its response to the clarification note, it advised:

'(as) some applications, including householder applications, are exempt from the statutory requirements for biodiversity net gain, we do not believe that Policy SNNP2 has been overtaken entirely, and all developments should be required to protect or enhance biodiversity. Almost all South Newnham Neighbourhood Area comprises residential streets with some retail premises, public parks, flood plain and green belt land. Consequently, there is virtually no land free for development, so most developments that take place are extensions to and rebuilding of residential properties. If these developments are not required to protect or enhance biodiversity, biodiversity will inevitably suffer in South Newnham, and based on Forum consultations, we believe that this is the wish of South Newnham residents. The Forum's view is underpinned by fact that the last two local government elections in May 2023 and 2024 both returned Green Party Councillors.'

7.27 I have considered this matter very carefully. I have taken specific note of SNNF's comments that most developments that take place are extensions to

and rebuilding of residential properties and if these developments are not required to protect or enhance biodiversity, biodiversity will inevitably suffer in South Newnham. However, a key element of the basic conditions is that a Plan needs to have regard to national policy. As the Plan acknowledges national policy on biodiversity net gain currently relates only to larger developments. Moreover, it is not the role of a neighbourhood plan to seek to extend those obligations to other development types, and there is no specific evidence in the Plan which has been assembled to make such a case. In these circumstances, I recommend that the policy is recast so that it offers support to domestic and minor proposals which include elements of biodiversity net gain rather than requiring such provision. This is materially different to the rather sweeping statement in the submitted policy for an 'expectation' for such measures to be incorporated within development proposals.

- 7.28 In this context the recommended modified policy has been designed to meet the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development. The submitted supporting text is general in its nature. As such I am satisfied that no consequential modifications are required because of the recasting of the policy.

Replace the policy with:

'Proposals for householder development and other proposals exempt from national biodiversity net gain requirements which incorporate biodiversity gain measures will be supported. Proposals which sensitively incorporate the following measures will be particularly supported:

- **garden boundary treatments that allow the free movement of small mammals; and**
- **the installation of bird boxes, insect hotels, bee blocks, bat boxes and/or hibernation holes.'**

Policy SNNP3: Reduce and maintain low levels of light pollution

- 7.29 The Plan advises that the intentions of the policy are to ensure the impact of light pollution on wildlife is fully considered when development proposals come forward and to mitigate the impact of light pollution on wildlife, especially bats, which are an endangered and protected species present in the neighbourhood area.
- 7.30 The policy has two related elements as follows:

- proposals for additional lighting both within and adjacent to the Green Infrastructure Network will be supported only if it is necessary and capable of avoiding harm to the natural environment. Where external lighting is deemed necessary on buildings, shielded yellow/orange lights shall be used; and
- proposals for new lighting should comply with a series of environmental and technical matters.

7.31 The policy comments in several places about the need for lighting. I sought the Forum's views on the way in which CCC would be able to determine need and whether such an approach have the clarity required by the NPPF. In its response SNNF advised that:

'Policy SNNP3 only applies to proposals for additional lighting 'within and adjacent to the Green Infrastructure Network'. We could make this clearer and facilitate the City Council's development management by adding a reference to Map 2, and by designating areas for protection under this policy as there are clear locations and footpaths/cycleways within the Green Infrastructure Network where protection from light pollution is required to protect wildlife. We could also adjust SNNP3 and its supporting text to better reflect Guidance Note 8 on Bats and Artificial Lighting in UK as referred to in para 7.1.7, a point requested by Cambridge City Council. Making these changes would provide the clarity required by the NPPF.'

7.32 In its response to the clarification note SNNF also advised that 'the edge of Cambridge' is where lighting extends from residential streets and developments into adjacent open spaces and open country. It comments that examples are lighting on the edge of Paradise Nature Reserve, down the Driftway, across Lammas Land and Sheep's Green, and down Skaters' Meadow footpath.

7.33 Queens' College Cambridge comments that the policy is unnecessarily restrictive and not based on evidence.

7.34 I have considered the various issues raised on this policy. In general terms, I am satisfied that it takes an appropriate approach to external lighting. As SNNF comments in its response to the comments from Queens' College, the policy aims to protect wildlife and especially bats, both within and adjacent to the Green Infrastructure Network. Following advice from Greater Cambridge Shared Planning Service, SNNF has revised the wording of this policy to align with Guidance Note 8 Bats and Artificial Lighting published by the Institute of Lighting Professionals.

7.35 Within this broader context, I recommend a series of modifications to bring the clarity required by the NPPF and to allow CCC to implement its provisions through the development management process:

- the restructuring of the policy so that the general (second) part of the policy becomes the opening element;
- a replacement of the wording for the ‘edge of Cambridge’ based on SNNF’s response to the clarification note; and
- corrections and revisions to the submitted first part of the policy on the type of external lighting to be used.

7.36 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:

‘Proposals for external lighting should respond positively to the character and nature of the immediate locality and its existing lighting profile. Development proposals should be designed to ensure that any associated external lighting:

- **is directed downwards to avoid spill up into the sky or out of the site;**
- **is the minimum required to address public safety and crime prevention;**
- **avoids light spillage beyond the area intended to be lit; and**
- **minimises its impact on wildlife and landscape character, particularly where lighting would extend from residential streets and developments into adjacent open spaces and open countryside.**

Proposals for additional lighting both within and adjacent to the Green Infrastructure Network will only be supported where the lighting is necessary for the use concerned and capable of avoiding harm to the natural environment including the protection of wildlife and especially bats. In particular:

- **shielded white lights should be used where external lighting is necessary on buildings.**
- **solar studs should be used where lighting is necessary on footpaths and cycleways within the Green Infrastructure Network.’**

Policy SNNP4: Creating Local Green Spaces

- 7.37 This policy proposes the designation of five local green spaces (LGSs). It is underpinned by the details in Appendix C which assess the proposed LGSs against the three criteria in paragraph 106 of the NPPF. I looked carefully at the proposed LGSs during the visit. I saw that they ranged from the Gough Way Play Area (LGS1) to the open spaces along the northern side of Barton Road (LGS5).
- 7.38 The proposed designation of Skaters Meadow (LGS2) has attracted considerable local interest. On this basis, I assess it separately from the other proposed LGSs.

Skaters' Meadow

- 7.39 Appendix C provides information on the proposed designation of Skaters' Meadow. It indicates that the verges and trees are vulnerable, risk being damaged, and that designation as a local green space will help protect it and will facilitate re-wilding of the verges to retain its biodiversity and wildlife.
- 7.40 I sought SNNF's views on its approach to this matter and the extent to which the Meadow met the criteria for LGS designation as set out in the NPPF. In its response it commented:

'For clarity, when the Plan refers to 'Skaters' Meadow Footpath', it means the piece of land from the end of Grantchester Meadows road in the east, to the City boundary in the west, and from the fence with St Catharine's College playing fields on the north, to the fence with Skaters' Meadow on the south. This land comprises the Cambridgeshire County Council Public Right of Way 39/32, which is legally a footpath, and the verges, hedges, and trees, including the ancient willow, on either side of the public right of way.

The Forum is very conscious of the differing opinion amongst residents as to whether parking should or should not be allowed along the public right of way. As there is no consensus among residents on this, the Neighbourhood Plan does not take a position either way on the parking of vehicles, and there is space to park away from the verges that does no damage to them. The Plan is concerned about protecting the verges, hedges and trees on either side of the public right of way, and it is this that the Local Green Space designation seeks to protect and rewild to enhance the ecological value of the site and contribute to the objectives and purpose of the Green Infrastructure Network defined and described in the Neighbourhood Plan. It is these verges, hedges, and trees that local residents have sought to rewild since late 2019 so that the hundreds of residents and visitors using the public right of way each day can once again enjoy a green leafy transition from Newnham to Grantchester Meadows that is rich in biodiversity.'

- 7.41 I looked at the proposed LGS carefully during the visit. The matters which SNNF is seeking to address were self-evident.
- 7.42 I have considered the proposed designation very carefully including the range of comments received. I am satisfied that the proposed LGS is in reasonably close proximity to the community it serves (NPPF 106a), and is local in character (NPPF 106c). As SNNF acknowledges, the contentious question is whether it is demonstrably special and holds a particular significance to the local community (NPPF 106b). On this point, SNNF advises that it:
- ‘contends that the land designated LGS2 (specifically the verges, hedges, and trees) is special because of its history, has been damaged by recent uncontrolled car parking, and now the City Council has installed some protection, is able to be rewilded and the biodiversity restored by volunteers working recreationally, making it special once again. Successful designation as a Local Green Space will enable the verges, hedges, trees and their biodiversity to be protected and improved in the long term for people to enjoy, both walking along the public right of way and working recreationally to rewild the verges, hedges and trees and increase biodiversity.’*
- 7.43 I have considered the demonstrably special issue very carefully. On the balance of the evidence, I am not satisfied that the proposed designation meets this test. I have reached this conclusion based on the current character and appearance of Skaters’ Meadow. This acknowledges that LGSs should be designated based on their current condition (as assessed against the criteria in the NPPF). In this context a key element of the Forum’s approach to this site is to enable an element of restoration and ‘to make it special once again’. As such, I recommend the deletion of the proposed Skaters’ Meadow LGS from the policy. I also recommend consequential modifications to Map 2.
- 7.44 Whilst I appreciate that this recommendation will be a disappointment to the Forum, it is based on a matter-of-fact assessment of the Meadow against the tests in the NPPF. It should not discourage the planned improvements and rewilding projects. In this context paragraph 7.112 of this report recommends that the issue is identified as an additional Community Action. Plainly such works would be likely to improve the Meadow’s performance on the demonstrably special test for LGS designation, and SNNF may wish to assess its performance at the time that a potential review of the Plan takes place.

The other proposed LGSs

- 7.45 Based on all the available evidence, I am satisfied that the other proposed LGSs meet the criteria in paragraph 106 of the NPPF. In coming to this overall judgement, I note that the proposed designations have not attracted objections from their owners.

- 7.46 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 have existed in their 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.
- 7.47 The policy itself seeks to take the matter-of-fact approach as set out in paragraph 107 of the NPPF. As such I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and economic dimensions of sustainable development.

Policy title

- 7.48 The policy title comments about creating LGSs. However, LGSs are designated for their current performance against the criteria in the NPPF, rather than their potential to be improved to reach such status. On this basis I recommend that the title of the policy is modified so that it reads in a matter-of-fact way.

Supporting text

- 7.49 The supporting text comments about the designation of six LGSs rather than the five listed in the policy. CCC's representation explains the context to the matter. I recommend that the number of LGS in the text is corrected so that it aligns with the number of LGSs in the policy.

Delete LG-2

Delete LG-2 from Map 2

Revise the title of the policy to read 'Local Green Spaces'

In paragraph 7.2.3 replace 'six' with 'four'

Policy SNNP5: Protecting and maintaining the connectivity network

- 7.50 The intention of the policy is to maintain the level of connectivity for the pedestrian and cyclist. This Plan advises that the policy contributes to the Local Plan objective to "promote greater pedestrian and cycle priority through and to the city centre, district centres" by supplementing Local Plan Policy 80

(Supporting Sustainable Access to Development) and identifying those connectivity assets in South Newnham to which that policy shall apply.

- 7.51 The policy comments that the Connectivity Network, comprising footpaths, publicly accessible alleyways, lanes, and designated cycle routes is safeguarded from development which would adversely impact the ease and safety of travel through the plan area when walking, and cycling, and insensitive resurfacing could be harmful to the character of the area in alleyways. It also advises that proposals shall be designed, as appropriate to the development, to prioritise pedestrian movements to create safe and attractive routes that promote inclusivity. The final part of the policy offers support to proposals to improve the cycle/pedestrian path on Barton Road.
- 7.52 I am satisfied that the first part of the policy reflects the network in the neighbourhood area. However, I sought comments from SNNF on the extent to which ‘insensitive resurfacing’ is a land use matter which can be controlled by a planning policy. In its response it commented that:
- ‘(it) note(s) that under Local Plan Policy 55, Responding to Context, planning policy has a say on materials used on development projects, and should draw “inspiration from the key characteristics of its surroundings”. As such, we believe that the surfacing used on alleyways has an effect on the character of an area and that a Neighbourhood Plan is where local requirements should be recognised that would otherwise be missed in the Local Plan.’*
- 7.53 In relation to the final part of the policy (on Barton Road) CCC advises that where works are carried out within maintained highway, planning consent is not required and therefore the policy cannot be applied. I recommend that this element of the policy is modified accordingly.
- 7.54 In general terms the policy takes a positive approach to connectivity and will assist in expanding the opportunities for sustainable travel in the neighbourhood area. In this wider context, I recommend the following modifications to bring the clarity required by the NPPF and to allow the policy to be applied through the development management process:
- an explicit identification of the Network in the policy;
 - a more general approach towards resurfacing (which relates to the character of the immediate area concerned);
 - an acknowledgement that development proposals will not always be able to improve pedestrian connectivity; and
 - a revision to one of the bullet points in the final part of the policy (on Barton Road) to be consistent with the more general modification on resurfacing.

7.55 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 paragraph of the policy with:

‘The Plan identifies a Connectivity Network as shown on Map 3. It consists of footpaths, publicly accessible alleyways, lanes, and designated cycle routes. The Connectivity Network will be safeguarded from development proposals which would unacceptably detract from the ease and safety of travel through the neighbourhood area when walking, and cycling. Any resurfacing of the Network should respond positively to the character of the Network in general, and to the character of the alleyways (A1 to A6) in particular.’

Show the second part of the policy in normal text rather than in bold.

Replace the third paragraph with:

‘Development proposals which would impact on the pedestrian network, should maintain or, where practicable, improve pedestrian connectivity in the immediate locality of the site. Development proposals which would impact unacceptably on the safety or convenience of pedestrian routes should include appropriate measures to mitigate the impact.’

In the final part of the policy (on the Barton Road cycle path) insert at the beginning ‘Insofar as planning permission is required,’ and replace the third bullet point with ‘Any new surface treatment consists of materials which are appropriate to the character of the immediate area.’

Policy SNNP6: Improving and enhancing neighbourhood community assets

7.56 The Plan comments that the intention of the policy is to improve and enhance South Newnham’s neighbourhood community assets, all of which are within walking or cycling distance. It advises that they are highly valued by residents and bring a sense of vibrancy and village lifestyle, contributing equally to creating a mixed, balanced, and effectively functioning neighbourhood.

7.57 The policy has two related parts as follows:

- development proposals that improve and enhance a Neighbourhood Community Asset by way of the extension or partial re-development of an existing building or to provide a new local shop, artist studio, community, sports, or leisure facility will be supported subject to meeting various criteria; and

- where planning consent is required, proposals to change the use of shops or commercial units will be resisted unless it can be demonstrated that their continued use is no longer viable in accordance with the methodology set out in Policy 72 of the Cambridge 2018 Local Plan.

- 7.58 In its response to the clarification note, SNNF confirmed that the second part of the policy is intended to apply to the retail and commercial units listed as item R1 – R13 in section 7.4.1 of the Plan.
- 7.59 Queens' College Cambridge comment about the relationship between the submitted policy and Policies 72 and 73 of the Cambridge Local Plan (2018). I have considered this matter carefully together with the Forum's response. I have also noted that the more restrictive (second) part of the policy applies only to the identified retail and the commercial uses in the wider package of Neighbourhood Community Assets. On the balance of the evidence, I am satisfied that the approach taken is both appropriate and distinctive. It reflects the localism agenda as delivered through neighbourhood plans. In addition, it reflects the interesting and distinctive range of retail and commercial uses in the neighbourhood area. Finally, I am satisfied that the approach taken is in general conformity with the strategic policies in the development plan.
- 7.60 Queens' College also comment that the policy does not have any regard for the approved development at Owlstone Croft, which would result in the relocation of the existing nursery to the new site as approved at 26 Barton Road. In these circumstances I recommend the deletion of E4 Queens' College Nursery from the schedule of Assets and from Map 4.
- 7.61 In general terms the policy takes a very positive approach to maintaining and improving the healthy range of community facilities in the neighbourhood area. Nevertheless, to bring the clarity required by the NPPF I recommend the following package of modifications:
- that the policy specifically identifies the Neighbourhood Community Assets;
 - that the criteria in the first part of the policy are separately identified; and
 - that the second part of the policy incorporates a direct policy content rather than requiring the reader to refer to a policy in the Local Plan.
- 7.62 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the policy with:

‘The Plan identifies a series of Neighbourhood Community Assets as listed in the Policy Intent and shown on Map 5. Development proposals that would improve and/or enhance a Neighbourhood Community Asset by way of the extension or partial re-development of an existing building or to provide a new local shop, artist studio, community, sports, or leisure facility will be supported, where they:

- **respond positively to their context and contribute to the quality of life and place;**
- **respond positively to the street scene and landscape in the immediate locality; and**
- **safeguard the residential amenity of nearby properties in accordance with Policy SNNP 12 of this Plan.**

Where planning consent is required, proposals to change the use of shops or commercial units as shown on Map 4 (and as listed in the Policy Intent) will not be supported unless it can be demonstrated that their continued use is no longer viable by providing evidence of active marketing for at least twelve months, showing that the premises are not reasonably capable of being used or redeveloped for an appropriate retail or commercial use.’

Delete E4 Queens’ College Nursery from the schedule of Neighbourhood Community Assets and from Map 4.

Policy SNNP7: Protecting and supporting homes and facilities for older people

7.63 The Plan advises that the intent of the policy is to protect and support the continued provision in South Newnham of rented accommodation for older people.

7.64 The policy has two related parts as follows:

- development proposals that are designed to take into account the needs of older people, including adapting existing buildings to create sheltered housing and senior living facilities, will be encouraged where they comply with various criteria; and
- proposals to change the use of Lammas Court to non-residential uses or to other forms of residential that are not tailored to accommodate older people, will be resisted unless it can be demonstrated that the site is no longer suited to, or viable as senior living facilities.

- 7.65 The policy takes a positive approach to these matters and has regard to Section 5 of the NPPF. I recommend modifications to the wording used so that they more properly relate to a development plan document. I also recommend that the supporting text comments about a technical document on the delivery of accommodation for older persons. 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 ‘encouraged’ with ‘supported’

In the second part of the policy replace ‘will be resisted’ with ‘will not be supported’

At the end of the second paragraph of the supporting text in Section 7.5.1 add ‘Proposals for older persons accommodation should demonstrate how they respond to the finding of the Protecting and Supporting Homes and Facilities for Older people’ report (include an electronic link)’

Policy SNNP8: Conserving additionally identified Local Heritage Assets

- 7.66 The Plan advises that the purpose of the policy is to add buildings (H1 – H7) to the existing list of Local Heritage Assets, based on input from residents. The additional buildings include a Victorian Vicarage, Edwardian shops, and the Social Club.
- 7.67 The policy comments that where proposals have any adverse effect on a non-designated heritage asset (those listed in this policy and those already identified by CCC), a balanced judgement will be applied having regard to the scale of any harm and the significance of the heritage asset.
- 7.68 I recommend the correction of an inconsistency between the policy and the Policy Intent on the number of buildings affected by the policy.
- 7.69 In the round this is an excellent policy which is underpinned by the details in Appendix A. In addition, it is a very good local interpretation of national planning policy on non-designated heritage assets. In this context I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the Policy Intent replace ‘12’ with ‘seven’

Policy SNNP9: Improving the energy and water efficiency of existing and new buildings

- 7.70 The Plan advises that the purpose of the policy is to ensure that opportunities are taken at the development stage to improve the environmental performance of South Newnham’s’ building stock.

7.71 The policy has four related elements as follows:

- development proposals shall incorporate measures to enhance the environmental performance of existing and proposed structures wherever possible, provided these are appropriate to the context of the area and any affected heritage asset;
- water usage should be minimised;
- development proposals which adopt innovative approaches to the construction of low and net-zero carbon homes, and buildings which demonstrate sustainable use of resources and high energy efficiency levels are encouraged; and
- development proposals (related to extending existing buildings and building new buildings) must be accompanied by a sustainability statement.

7.72 In general the policy takes a positive approach to this matter and has regard to Section 14 of the NPPF and the December 2023 Written Ministerial Statement (Planning: Local Energy Efficiency Standards). However, in this positive context I recommend that the policy is recast so that it focuses on land use matters and repositions the exploratory text (which is not already included in Section 7.7.3) into the supporting text. In doing so I recommend that the policy takes a proportionate approach. This will avoid unnecessary burdens being placed on minor and domestic proposals. It will allow CCC to apply the policy through the development management process.

7.73 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, and as appropriate to their scale and nature, development proposals should incorporate measures to enhance the environmental performance of existing and proposed structures, provided the measures are appropriate to the context of the area and any affected heritage asset.

Development proposals which adopt innovative approaches to the construction of low and net-zero carbon homes, and buildings which demonstrate sustainable use of resources and high energy efficiency levels (for example construction to Passivhaus or similar standards) will be supported where they respond positively to the character of the area.’

At the end of the Energy Hierarchy supporting text add:

‘Development proposals (related to extending existing buildings and building new buildings) should be accompanied by a proportionate sustainability statement that outlines how a scheme:

- *embeds the energy hierarchy within the design of buildings by prioritising orientation, fabric performance and landscaping to minimise energy demand for heating, lighting, and cooling; and*
- *achieves greenhouse gas emission reductions through the above measures, and through the incorporation, wherever possible and appropriate, of renewable and low carbon energy sources.*

Policy SNNP10: Responding to climate change and the risk of local flooding

7.74 The Plan advises that the purpose of the policy is to reduce the risk of flooding by taking full account of existing flood risk from all sources when planning applications are being considered.

7.75 The policy has two key elements as follows:

- all development proposals which involve new build in areas at risk from surface water flooding shall be accompanied by a site-specific flood risk assessment.
- sustainable drainage systems (SuDS) are the preferred method of surface water disposal and shall be incorporated unless demonstrably unfeasible to do this. All hard surfaces such as parking areas, drives and patios shall include permeable paving where reasonably practical.

7.76 Detailed comments have been made on the policy by Cambridgeshire County Council (in its capacity as the Lead Flood Authority), CCC (in its capacity as the local planning authority) and Queens’ College Cambridge.

7.77 The representations from CCC and the College question the extent to which the policy brings any added value to national and local planning policies on climate change and the risk of flooding. I sought the Forum’s views on the reasoning for including this policy in the Plan beyond the information contained in paragraph 7.7.7 of the Plan. In its response SNNF commented:

‘As the flood risk maps included in the Plan show, and as the Lead Local Flood Authority noted in their response to the Consultation, some areas of South Newnham are at high risk of surface water flooding. While potential developers and property owners/house holders in South Newnham will not affect fluvial flooding, they can affect surface water flooding both positively and negatively. During our consultations with residents, we were reminded

that properties on the Gough Way Estate were flooded in 1978 and 2001, so a Neighbourhood Plan policy that addresses flood risk and includes measures to reduce surface water flooding has meaning and was welcomed by them. As a result, we believe that Policy SNNP10, which focuses on surface water flooding, adds value to the Neighbourhood Plan by being locally relevant and specific to South Newnham, whilst remaining aligned with Cambridge Local Plan policies.

We note too that the LLFA is supportive of the Plan's promotion of permeable paving and green/brown roofs as they help control the rate of surface water leaving the site, and they would like us to encourage above ground SuDS, such as attenuation basins, in Policy SNNP10.'

7.78 I have considered this matter very carefully. On the one hand, the Forum has put a considerable amount of time into this matter and has responded to local views expressed during the plan-making process. However, on the other hand, the policy largely reinforces existing (and well-developed) flood risk measures in the County and there is no evidence to suggest that existing measures, procedures, and policies are ineffective. On the balance of the evidence, I recommend that the policy is deleted. It does not bring added value beyond the way in which the County Council and CCC will address such matters.

7.79 I have also considered the appropriateness of retaining elements of the supporting text in the Plan in the absence of a specific policy on the issue. On balance, I am satisfied that it would be appropriate to do so for two reasons. The first is that its continued inclusion in the Plan would acknowledge the high degree of public interest in this issue. The second is that it identifies how CCC and the County Council will address such matters in the Plan period.

Delete the policy

In the supporting text:

- *delete the Policy Intent;*
- *at the end of paragraph 7.7.5 add: 'These matters are addressed by the City Council (as the local planning authority) and by the County Council (as the Lead Flood Authority);*
- *in paragraph 7.7.7 delete the bold heading; and*
- *in paragraph 7.7.7 delete 'Permission will not be permitted unless the exceptions test, and other requirements set out in the most up to date national planning practice guidance applicable to flood risk has been met.'*

Policy SNNP11: Protecting and enhancing local character through design-led development

- 7.80 The Plan advises that the intention of the policy is to provide clarity to developers about design expectations in South Newnham.
- 7.81 The policy comments that development proposals (including new build proposals, extensions, altering existing buildings and demolition projects where they require planning permission) shall protect and enhance the character and setting of South Newnham and must be the result of a design-led process with regards to a scheme's layout, choice of building materials, scale, and form. The policy also includes seven design principles.
- 7.82 In the round this is a very good, locally-distinctive policy. It is underpinned by the extensive Character Area work. It is an excellent local response to Section 12 of the NPPF.
- 7.83 CCC comments that part d) of the policy is already a requirement of Policy 31 of the Local Plan, therefore it does not need to be repeated. Queens' College makes a series of detailed comments on the policy. It also comments that the wording of this policy is very much focused on replicating existing design rather than allowing scope for respectful innovative design, which is inconsistent with national and local planning policies.
- 7.84 Design principle g) reads in a very matter-of-fact way. I have noted the detailed work undertaken on Character Areas. I sought the Forum's comments on the intention of this part of the policy. In its response it advised that it:
- 'had initially proposed that the policy apply only to those streets in the Conservation Area and received strong pushback from residents in other areas of South Newnham who felt that such an approach was not equitable across the Neighbourhood Area. We therefore revised points a) to g), requiring developments to respond appropriately to neighbouring properties, making the policy applicable throughout South Newnham. The change received positive feedback.'*
- 7.85 I have considered the various comments in the round. In general terms I am satisfied that the policy takes an appropriate approach to design and has regard to Section 12 of the NPPF. On balance, I am satisfied that the overlap of design principle d) with Policy 31 of the Local Plan is appropriate. As SNNF comments, the format of the policy will address all the relevant issues in one place. Nevertheless, I recommend the following package of modifications to bring the clarity required by the NPPF and to allow CCC to be able to implement its provisions throughout the Plan period:

- the inclusion of a proportionate element into the policy;
- the use of wording which relates the policy to the development management process;
- a reconfiguration of the third part of the policy (on design principles); and
- specific modifications to the wording of the design principles.

7.86 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 two parts of the policy with:

‘As appropriate to their scale, nature and location, development proposals should protect and, where practicable, enhance the character and setting of South Newnham. In addition, proposals should respond positively to its character and setting in the layout, scale, and form of the proposal and the choice of building materials.

As part of this process, development proposals should be informed by the existing built environment characteristics as described in the street appraisals supporting this Plan. Development proposals in the West Cambridge Conservation Area and the Newnham Croft Conservation Area should also be informed by the advice and guidance contained in the relevant Conservation Area Appraisal.’

Replace the introductory element of the third part of the policy with:

‘In particular, development proposals should respond positively to the following design principles, insofar as they are applicable to the development concerned:’

In a), b), and c) replace ‘shall’ with ‘should’

Replace d) with: ‘Flat roofed extensions beyond the original building line and above ground floor level will only be supported in exceptional circumstances. Where applicable, such roofs should be finished green or brown materials.’

Replace g) with: ‘Where applicable, front gardens should be maintained and should not be covered in hard non-permeable surfaces to provide car parking.’

Policy SNNP12: Protecting residential amenity in South Newnham

- 7.87 The Plan advises that the purpose of the policy is to protect the residential amenity of residents from all aspects of excessive development pursued by neighbours and developers.
- 7.88 In general terms this is a good policy which responds positively to the issues of residential amenity in the neighbourhood area.
- 7.89 I sought SNNF's views on the extent to which the policy brought added value beyond national and local policies. In its response to the clarification note, it commented that:

'(protecting) residential amenity is a big issue in South Newnham. Many properties are terraced houses with small back gardens/yards. The properties are expensive to buy, so owners often seek to develop their property to maximise family accommodation. The most common developments are loft extensions and kitchen extensions. Loft extensions frequently include flat roofed dormers with windows at the back. Submitted plans can have very large dormers that are out of scale and look down into the neighbours' gardens, resulting in objections on the basis of scale, massing and overlooking. Kitchen plans can push out both to the side boundary and into the back garden/yard. Extensive glazing along the boundary has resulted in residents with extensions looking directly into neighbouring kitchens just feet away across the neighbour's side passage. The overlooking and inward looking from large invasive loft and side extensions have proved very intimidating for some elderly residents, and we have had cases where elderly residents feel ill equipped to fight such planning applications, have suffered ill-health, and have felt compelled to sell and move because life was made unbearable for them. We encourage residents planning to submit applications for development to engage with neighbours at an early stage, identify potential impacts and develop a scheme that respects the interests of neighbours, but regrettably this does not always happen.

Whilst the Forum supports improvements to the housing stock, we do not support doing this at the expense of neighbours' quality of life and therefore have proposed Policy 12 with its specific wording. This is very much a South Newnham issue resulting from the cost and layout of the terraced Victorian/Edwardian housing stock and as such, Local Plan Policies do not always provide the appropriate protection. In our response to Cambridge City Council, we have said that we would be happy to revise the wording on glazing, so long as it properly protects potentially affected residents as this is a material issue in South Newnham.'

- 7.90 I have considered this matter very carefully. On the balance of the evidence, I am satisfied that the policy is locally-distinctive and serves a clear purpose in seeking to respond to the specific development pressures which are coming forward in the neighbourhood area. This gets to the heart of the localism agenda.
- 7.91 Within the broader context, I recommend that the policy is modified to address the following matters and to ensure that it has the clarity required by the NPPF:
- the inclusion of a proportionate element;
 - take a positive rather than a negative approach;
 - the use of language appropriate to a neighbourhood plan; and
 - the repositioning of general explanation into the supporting text. This acknowledges that such issues are not land use matters.
- 7.92 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:

‘As appropriate to their scale, nature and location, development proposals should:

- a) result in an acceptable level of overlooking (loss of privacy or immediate outlook), overshadowing (loss of daylight and sunlight), or visual domination of neighbouring properties. Proposals that incorporate extensive areas of glass directly facing neighbouring properties and which would create an adverse visual impact or to adversely affect the neighbour’s residential amenity, will not be supported;**
- b) ensure that existing and future occupiers are not exposed to unacceptable levels of pollution that may arise from the development during its construction or subsequent occupation; and**
- c) ensure that existing and future occupiers are not exposed to unacceptable levels of disturbance arising from the development through traffic movements to, from and within the site once it is occupied.’**

At the end of paragraph 7.7.13 add:

‘Policy SNP12 addresses these important matters. With respect to the first criterion, where there is a risk of an unacceptable impact on light amenity, a proportionate Daylight and Sunlight Report should be commissioned in accordance with the Building Research Establishment (BRE) document ‘Site Layout Planning for Daylight and Sunlight: A guide to good practice (2022)’. Development proposals that do not follow the BRE guide and cause a loss of light amenity will not be supported. Applicants are strongly encouraged to engage with occupiers of neighbouring properties whilst their proposals are being prepared. This will help to identify potential impacts on residential amenity and the preparation of an appropriate scheme.’

Policy SNNP13: Converting existing houses into more than one separate housing unit

7.93 The Plan advises that the purpose of the policy is to protect family housing stock in South Newnham by facilitating the conversion of appropriately sized and configured homes into more than one separate housing unit to better meet the evolving housing needs of residents and homeowners at different stages of life.

7.94 There are two parts to the policy as follows:

- the subdivision of existing detached and semi-detached houses into more than one separate housing unit will be supported to meet evolving family needs where various criteria are met; and
- the subdivision of existing terraced houses into separate housing units will not be supported

7.95 I sought SNNF’s comments on the word ‘family’. In its response to the clarification note it commented that:

‘(the) intention of the policy is to allow a South Newnham resident or South Newnham residents who is an owner occupier or are owner occupiers and own a detached or semi-detached house that is too large for his/her/their needs to subdivide the house onto more than one separate housing unit so that he/she/they can continue to live in a part of the house that meets his/her/their needs (ie downsizing), and rent out or sell the separate housing unit that has been created and that is not required by the owner occupier. It is well documented that UK family sizes have become smaller than historically, particularly given the growth in single parent families, and there is a mismatch between available housing stock and demand. Allowing subdivision of detached and semi-detached houses into more than one separate housing unit where this is practical, and where the conversion provides at least one larger family sized home (two bedroom plus) with garden access would

increase the flexibility of existing housing stock, and retain family housing while making more residential accommodation available.

The policy is not intended to facilitate residential landlords buying up and subdividing houses in South Newnham into single occupier units, reducing the availability of family housing. Such activity that would reduce the availability of family housing would not be in the interests of the South Newnham community, whose school, church, shops, and professional services all need a vibrant base of families.

We understand the definitional problem associated with the use of the word ‘family’, and have therefore used the longer form, ‘his/her/their’ in our explanation of the policy intent above.’

- 7.96 Plainly the neighbourhood area is an attractive and popular place to live. Inevitably this brings development pressures. In this context, I am satisfied that the policy serves a particular and distinctive purpose. I am also satisfied that the distinction made in the policy between detached and semi-detached homes (in the first part of the policy) and terraced homes (in the second part of the policy) is appropriate and reflects the character of the neighbourhood area.
- 7.97 In this broad context, I recommend the deletion of the word ‘family’ from the policy. On the one hand, there are many traditional families in the neighbourhood area. On the other hand, there are a variety of households which do not fall into this category. In addition, CCC will be determining development proposals on their merits irrespective of the nature of the applicant. The recommended modifications seek to capture the land use policy intentions of the policy and the evolving needs of the local population. I also recommend a technical modification to the second part of the policy to bring the clarity required by the NPPF. I also recommend consequential modifications to the supporting text.
- 7.98 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 with:
‘Proposals for the subdivision of existing detached and semi-detached houses into more than one separate housing unit will be supported to meet the evolving needs of the population where:**

In criterion 4 delete ‘family’

In the second part of the policy replace ‘Subdivision’ with ‘Proposals for the subdivision’

Replace the first sentence of paragraph 7.7.14 with: ‘The housing needs of individual South Newnham residents and homeowners can change as the size of the household concerned and its requirement for space and facilities alters over time.’

Policy SNNP14: Protecting and enhancing the character of neighbourhood garden boundaries

- 7.99 The Plan advises that the purpose of the policy is to protect the character of garden boundaries, and thereby maintain the character and setting of the neighbourhood area, and the privacy and amenity of neighbouring properties.
- 7.100 The policy comments that boundary treatments (hedges, boundary walls, railings, and front gardens) shall complement the local character in the immediate surroundings with respect to materials, detailing and the building line. It also advises that all existing vegetated boundaries (hedgerows, trees, and front gardens) shall be retained or enhanced and that other existing high quality and locally characteristic boundary treatments shall be retained unless improvements in terms of material and detailing are being proposed.
- 7.101 In general terms, this is a very good policy which responds positively to the findings of the Character Assessment work. I recommend a series of modifications to the wording used in the policy to bring the clarity required by the NPPF and to allow CCC to use it in the development management process. The first recommended modification will ensure that the reference to boundary treatments refers to those proposed within development proposals.
- 7.102 A local resident comments that the policy should be strengthened by ensuring that front gardens shall not be paved over for car parking. On the balance of the evidence, I have not recommended such a modification for two reasons. The first is that it is not necessary to ensure that the policy meets the basic conditions. The second is that the suggestion takes a very prescriptive approach.
- 7.103 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace:

- **‘Boundary treatments’ with ‘Boundary treatments associated with new development’**
- **‘shall’ with ‘should’**
- **‘All existing’ with ‘Wherever practicable, all existing’**
- **‘being proposed’ with ‘incorporated into the proposal’**

Policy SNNP15: Conserving and enhancing existing views and street scenes

7.104 The Plan advises that the purpose of the policy is to protect the views out of the neighbourhood area and the street scenes within the neighbourhood area for current and future generations

7.105 The policy has two related elements:

- development proposals will be expected to recognise, maintain and where possible enhance street scape and landscape character; and
- careful consideration shall be given to the storage of bins and bikes to minimise their impact on the street scene, whilst ensuring cycle storage is as accessible as car parking and that bin storage is appropriately located close to collection points as far as practicable.

7.106 In general terms, this is a good policy which is underpinned by the details in Appendix D. It also has regard to Section 8 and 12 of the NPPF. I looked carefully at the various Character Areas during the visit, and saw the potential impact of the development of the matters addressed in the policy. However, in this supporting context I recommend that the first part of the policy is reconfigured so that the two detailed points follow on more clearly from the opening element. I also recommend that the second part of the policy is recast so that it sets out what is required rather than more generally commenting about the need for careful consideration of the issues.

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 ‘This means....to’ and a) and b) with:

‘In particular and where practicable, the important landscape features that contribute positively to the street scene such as establishes trees, hedges and attractive gardens and the communal views across open spaces and open countryside (as identified on Map 8) should be protected or enhanced.’

Replace the second part of the policy with:

‘Development proposals which incorporate the storage of bins and bikes should ensure that this element responds positively to the character of the street scene in the immediate locality, and ensure that cycle storage is readily accessible and that bin storage is appropriately located as close as practicable to collection points.’

Community Actions

7.108 The Plan includes Community Actions. Whilst they are not land use planning policies, they are issues that have been identified as the Plan was being prepared. They will need to be addressed through wider partnership working.

7.109 The following Actions are very noteworthy:

- Pedestrian and cycle paths (SNCA2);
- Lammas Land (SNCA5);
- Green River Corridor Management Plan (SNCA6);
- Local Community Spaces (SNCA7);
- Car Use Reduction (SNCA9); and
- Cycle Parking (SNCA13)

7.110 I am satisfied that the Actions are both appropriate and distinctive to the neighbourhood area. 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 as it complements the natural flow and presentation of the Plan and the Actions are presented in a different colour to the land use policies.

7.111 Nevertheless, for clarity, I recommend that Section 6 is expanded to provide a context for the incorporation of Community Actions in the Plan.

Add a new paragraph to read:

‘6.6 The Plan also includes a series of Community Actions. They are non-land use issues which have naturally come forward as the Plan was being prepared. They are shown in a different colour from the land use policies and will not form part of the development plan.’

7.112 My early commentary on Policy SNNP4 had a focus on the proposed designation of Skaters’ Meadow as a LGS. I concluded that it did not meet each of the tests for such a designation as set out in the NPPF. Nevertheless, I recommend that it is incorporated as an additional Community Action in the Plan. This would acknowledge that the Forum’s ambition is to safeguard the area from further damage and to secure re-wilding.

Incorporate the following text as an additional section within Community Action SNCA7:

‘The condition of the Skaters Meadow footpath is of particular concern to the local community. The verges and trees are vulnerable and there is a clear risk that they will be damaged further. The Forum will liaise with the City Council and County Council Highways to protect this part of the neighbourhood area

and facilitate the re-wilding of the verges to retain the biodiversity and wildlife of the immediate locality.’

Other Matters - General

7.113 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 CCC and SNNF 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.

Other Matters – Specific

7.114 CCC has made a series of helpful comments on the Plan. I have addressed those which relate to specific policies earlier in this report.

7.115 CCC has also made comments on the more general elements of the Plan including the supporting text. They have been useful for examination purposes, and SNNF has responded to the suggestions. In this broader context, I recommend the following modifications to the general elements of the Plan insofar as they are necessary to ensure that the Plan meets the basic conditions:

Use the amended maps as shown in Appendix A of the CCC representation.

In Appendix C (of the Plan) make the revisions as suggested by CCC and as agreed by the Forum.

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 2041. 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 and to designate Local Green Spaces.
- 8.2 Following the independent examination of the Plan, I have concluded that the South Newnham 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 Cambridge City Council that subject to the incorporation of the modifications set out in this report that the South Newnham 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 City Council in March 2017
- 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
6 November 2024