

Sutton Neighbourhood Development Plan Replacement 2023-2036

**A report to East Cambridgeshire District Council on
the Sutton Neighbourhood Development Plan
Replacement**

**Andrew Ashcroft
Independent Examiner
BA (Hons) MA, DMS, MRTPI**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by East Cambridgeshire District Council in February 2024 to carry out the independent examination of the replacement of the Sutton Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 8 March 2024.
- 3 The Plan is a good example of a parish council replacing its neighbourhood plan. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on three specific matters. The first is an update on the delivery of housing in the parish. The second is the proposed designation of additional Local Green Spaces. The third is the introduction of new policies including a wide-ranging policy on design and local character.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation. It has been produced in short order.
- 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 should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
2 May 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the replacement of the Sutton Neighbourhood Development Plan 2023-2036 ('the Plan').
- 1.2 The Plan was submitted to East Cambridgeshire District Council (ECDC) by Sutton Parish Council (SPC) 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 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 result 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 replacement 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 and deliver new homes.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then become part of the wider development plan and be used to determine planning applications in the neighbourhood area.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by ECDC, with the consent of SPC, to conduct the examination of the Plan and to prepare this report. I am independent of both ECDC and SPC. 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 am a chartered town planner and 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 screening report.
- the HRA screening report.
- the Design Code.
- the Local Green Spaces Assessment.
- the Housing Needs Assessment.
- the Appraisal of Views
- the representations made to the Plan.
- SPC's responses to the clarification note.
- the adopted East Cambridgeshire Local Plan (2015 and as updated in 2023).
- the East Cambridgeshire District Council Natural Environment Supplementary Planning Document (September 2020).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements, including the Local Energy Efficiency Standards (December 2023).

3.2 I visited the neighbourhood area on 8 March 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan could be examined by 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.

3.4 The NPPF was updated in December 2023 after the Plan was submitted. For clarity I have assessed the Plan against the December 2023 version of the NPPF.

The examination process for the review of a neighbourhood plan

3.5 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as and when qualifying bodies seek to review 'made' neighbourhood plans and introduces a proportionate process to do so based on the changes proposed.

3.6 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:

- minor (non-material) modifications to a neighbourhood plan or order which would not materially affect the policies in the plan or permission granted by the

order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum; or

- material modifications which do not change the nature of the plan or order and which would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan; or
- material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

3.7 SPC has submitted the Plan on the basis that the modifications to the policies are so substantial and significant to warrant consideration as a change to the nature of the Plan. Indeed, it specifically refers to the outcome as a replacement Plan.

3.8 ECDC reached the same conclusion on the scale and nature of the proposed modifications to the Plan. Having considered the conclusions made by ECDC and SPC very carefully, I also agree with the approach taken and will examine the Plan on this basis. In summary the Plan needs to be examined and thereafter to be considered locally at a referendum.

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), SPC 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 brief with the various details set out in a series of appendices.
- 4.3 The Statement records the various activities that were held to engage the local community. Given that the Plan updates and replaces the 2019 Plan, SPC concluded that an extensive round of evidence gathering and community engagement was not necessary. A community drop-in event was held in March 2022 to provide information about the Plan, the main matters to be addressed and seek opinions as to whether the issues for Sutton identified in the 2019 Plan remained. A separate Issues Survey (which received 97 responses) informed the review of the Plan and what changes might be required to adopted policies. Consultation also took place with a range of consultees.
- 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). Appendices 6-8 of the Statement advises about the comments received and the extent to which the Plan was refined as the outcome of this process.
- 4.5 In the round I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. ECDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.6 Consultation on the submitted plan was undertaken by ECDC. It ended on 14 February 2024. This exercise generated representations from the following organisations:
- East Cambridgeshire District Council
 - Anglian Water
 - NHS Property Services
 - Fenland District Council
 - British Horse Society
 - RSPB
 - Historic England
 - National Highways
 - Natural England

- Environment Agency

4.7 A comment was also received from a parishioner.

4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Sutton. It comprises the village of Sutton, the outlying hamlet of Sutton Gault, farmland on the 'Isle' and low lying 'Fen' to the south and west. It includes a section of the Ouse Washes, a drainage scheme that runs from Earith to the south, more than 20 miles to Denver Sluice to the north. The parish is 7 miles west of Ely and 16 miles north of Cambridge. Its population in 2011 was 3952 persons living in 1677 households. It was designated as a neighbourhood area on 8 January 2015. The parish boundary was amended in 2018 to align the parish boundaries between Sutton and Mepal to better reflect the two communities. As a result, the neighbourhood area was amended in 2021 to reflect the revised parish boundaries.
- 5.2 The landscape of the parish is split between Fen Island, Kimmeridge Clay and sands and gravels, and drained peat fenland. The main road through the village centre is along the ridge on the highest land, around 20m above sea level. The village spreads down the southern slope to the fen edge, which largely coincides with the 5 metres contour.
- 5.3 The village centre was designated as a conservation area in February 1973. The village has a large Primary School and enjoys a range of shops and community facilities.

Development Plan Context

- 5.4 The East Cambridgeshire Local Plan was adopted in April 2015. An amendment to Policy Growth 1 was adopted in October 2023. It sets out the basis for future development in East Cambridgeshire up to 2031.
- 5.5 Policies Growth 1-4 set the scene for new development in East Cambridgeshire. Policy Growth 2 sets out the following important principles:
- *The majority of development will be focused on the market towns of Ely, Soham and Littleport. Ely is the most significant service and population centre in the district, and will be a key focus for housing, employment, and retail growth. More limited development will take place in villages which have a defined development envelope, thereby helping to support local services, shops, and community needs.*
 - *Within the defined development envelopes housing, employment, and other development to meet local needs will normally be permitted – provided there is no significant adverse effect on the character and appearance of the area and that all other material planning considerations are satisfied.*
 - *Outside defined development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages.*
- 5.6 Sutton has a separate section in the Local Plan and an inset map. Section 8.34 of the Plan comments as follows:

‘Sutton is likely to continue to grow, with new housing being built on suitable ‘infill’ sites within the village. Additionally, a new housing allocation site is proposed at land north of The Brook (Policy SUT1).

A ‘development envelope’ has been drawn around Sutton to define the built-up part of the village where development (infill and the allocation site) may be permitted. The purpose is to prevent sprawl into the open countryside. Development on infill sites will need to be in line with Policy GROWTH 2. Development on the allocation site will need to be in line with Policy SUT 1.

Outside the development envelope, housing will not normally be permitted – unless there are exceptional circumstances, such as essential dwellings for rural workers, or affordable housing. Housing schemes outside the development envelope will be assessed against Policy GROWTH 2 and other Local Plan policies as appropriate.

Sutton has a range of employment opportunities, mainly provided on the Elean Business Park to the north-east of the village. The Business Park contains an auction house, industrial units and a straw-burning power station – and also has space for further development. There are also a number of small businesses elsewhere in the parish, including a car-sales garage and road haulage firm. The District Council is keen to retain the stock of business land and premises in order to support local economic growth. Proposals to re-use employment sites for other purposes will only be permitted in certain circumstances (see Policy EMP 1).

The current community facilities in Sutton (including the shops, pubs, community halls, post office and churches) contribute to the quality of people’s lives. As set out in Chapter 3, the loss of community facilities will be resisted under Policy COM 3. Proposals for new community development that benefits Sutton will be supported in principle, subject to Policy COM 4.’

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

- Policy ENV1 Landscape and Settlement Character
- Policy ENV2 Design
- Policy COM3 Retaining Community Facilities

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

Visit to the neighbourhood area

5.9 I visited the neighbourhood area on 8 March 2024. I approached it from Chatteris to the north. This helped me to understand its position in the wider landscape in general and its accessibility to the strategic road network (A142).

- 5.10 I looked initially at the Elean Business Park. I saw its relationship with the A142 and the range of employment uses.
- 5.11 I saw the importance of the Co-op store as I entered the village from the A142.
- 5.12 I then took the opportunity to look at the village centre. As the Plan describes, I saw that the various shops were not concentrated in one area. I saw the importance of the Conservation Area and the scale and significance of St Andrew Church. I saw the interesting views from High Street and The Row over the fen farmland to the south.
- 5.13 Throughout the visit, I took the opportunity to look at the housing proposals as identified in Policies SUT3 and 4.
- 5.14 I also looked carefully at the proposed additional local green spaces and assessed the extent to which the local green spaces in the made Plan continued to meet national guidance for such designations.
- 5.15 I saw the significance of the School off The Brook in the western part of the village. Its importance in the village and its wider hinterland was self-evident.
- 5.16 I left the neighbourhood area by driving to the south and east along the A142 to Ely. This helped me to understand the parish's position in the wider landscape and its accessibility to other settlements.

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).
- 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 replacement Sutton Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the East Cambridgeshire Local Plan;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies on a range of development and environmental matters. It has a focus on updating the position on the strategic delivery of housing in the parish, designating additional local green spaces and a series of new policies including a comprehensive approach to design and local character.
- 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. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies on housing (Policies SUT2-4) and employment development (Policies SUT13 and 14). In the social dimension, it includes policies on specific types of housing (Policies SUT 5 and 6) and sport and recreation facilities (Policy SUT18). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on biodiversity (Policy SUT8), on local green spaces (Policy SUT9), on heritage (Policies SUT 10 and 11) and on design (Policy SUT19). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in East Cambridgeshire in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, ECDC undertook a screening exercise in August 2023 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan is unlikely to have a significant effect on the environment and therefore does not require a SEA.

Habitats Regulations Assessment

- 6.15 ECDC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It assesses the potential impact of the Plan's policies on a range of protected sites in Section 3 of the Assessment
- 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. 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.
- 7.2 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 SPC have spent time and energy in identifying the issues and objectives that they wish to be included in the replacement Plan. This sits at the heart of the localism agenda.
- 7.3 The Plan is presented in a clear and attractive way. The structure of the Plan and its policies is very understandable and the use of colour, well-chosen photographs and excellent maps makes the document very user-friendly. The policies are underpinned by background appendices and the supporting text.
- 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.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 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 1-4)

- 7.8 The Plan is very well-organised and presented. It has been prepared with much attention to detail. It makes an appropriate distinction between the policies and their supporting text.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. The Introduction comments about the way in which the Plan was prepared and when the neighbourhood area was designated and then revised. It identifies the key themes for the Plan and which then act as a structure for the policies. It properly identifies the neighbourhood area (on Map 1). Whilst the Plan period is set out on the front cover, I recommend that it is specified in the Introduction so that the Plan meets the prescribed conditions (as set out in Section 2 of this report). I also correct an error in relation to the timing of the revision to the parish boundary.

In paragraph 1.7 replace the first reference to '2021' with '2018'. At the end of the paragraph add: 'The Plan period is 2023 to 2036.'

- 7.10 Section 2 sets out details about the neighbourhood area. It is commendably comprehensive and set the scene for the eventual policies.
- 7.11 Section 3 comments about national and local planning policies which influenced the work on the Plan. It refers both to the NPPF and to the adopted Local Plan. It helpfully includes the Sutton inset map from the Local Plan.
- 7.12 The Vision for the Plan neatly summarises the ambition for the parish as follows:
- ‘Sutton should be a Parish where its unique character is appreciated and cherished, the quality of the environment is maintained and continues to improve, the opportunities presented to all, young and old, to live and prosper continue to be enhanced, and the life led by its residents remains a healthy and happy one.’*
- 7.13 The Vision is then underpinned by eight objectives.
- 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 on the Policies

- 7.15 A key success of the Plan is the way in which it identifies the new policies and the relationship between the replacement policies and the corresponding policies in the made Plan. This approach is complemented by an explanation at the beginning of each theme about the way in which the Plan has been updated. This makes a potentially complicated issue straightforward to understand.
- 7.16 This section of the report has a focus on the new policies. Nevertheless, it comments on the unchanged or updated policies from the made Plan to assess the extent to which they continue to meet the basic conditions.

Policy SUT 1 - Spatial Strategy

- 7.17 This policy replaces Policy NP3 of the made Plan and includes a minor amendment to allow for community services and facilities to be provided outside the Development Envelope.
- 7.18 I am satisfied that the policy continues to meet the basic conditions. The spatial strategy concentrates new development within the Development Envelope where it will have good access to the commercial and community facilities in the village. It has regard to national policy and will contribute to the delivery of each of the three dimensions of sustainable development.

Policy SUT 2 – Housing

- 7.19 This is a new policy and identifies how the indicative housing requirement for the neighbourhood area, as provided by ECDC, will be delivered.
- 7.20 The policy consolidates and updates the situation since the Plan was made. Together with the supporting text it comments about the way in which the allocated sites in the made Plan have progressed. It highlights that the required 235 dwellings will be delivered through commitments on sites with planning permission, on the two site

allocations set out in the Plan, and through windfall development on unallocated sites. In the round, I am satisfied that this approach is both evidence-based and practical.

- 7.21 ECDC questions the appropriateness of deleting the allocation for site 1 (as referred to in the submitted Plan) or site NP4 (as referred to in the adopted 2019 neighbourhood plan). Whilst it acknowledges that the site has planning permission, and the probability is that such a site will be completed in accordance with such permissions, it advises that there is a possibility that this may not be the case. I have considered this matter carefully. There is no need for a neighbourhood plan to refer directly to the commitments which have underpinned the approach taken in the policy (in this case the first component of the overall delivery figure). In addition, such an approach is not needed to ensure that the Plan meets the basic conditions.
- 7.22 I am satisfied that the policy meets the basic conditions. It will help to ensure that the national ambition to significantly boost the supply of housing land (NPPF paragraph 60) is delivered locally. It will contribute to the delivery of each of the three dimensions of sustainable development.

Policy SUT 3 - Land East of Garden Close

- 7.23 This policy replaces Policy NP5 of the made Plan.
- 7.24 The supporting text comments about planning applications which have been submitted on the site. In its response to the clarification note SPC advised that:

'Planning application 23/00870/RMM (Reserved matters for outline planning application 18/01053/OUM for 41 residential dwellings including Appearance, Layout Scale and Landscaping, along with parking and open space) was approved by East Cambridgeshire District Council on 11 March 2024.

'Planning application 22/00057/RMM (Reserved Matters for appearance, landscaping, scale, and layout for the erection of 47 homes including public open space of previously approved outline planning application 17/01445/OUM for erection of up to 53 houses was refused by the District Council on 27 April 2023 and is currently the subject of an appeal.'

- 7.25 These revised circumstances continue to highlight the need for a policy to address the development of the site. I recommend that the supporting text is updated to reflect the current circumstances. Otherwise, I am satisfied that the policy continues to meet the basic conditions. It will help to ensure that the national ambition to significantly boost the supply of housing land (NPPF paragraph 60) is delivered locally. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the final element of paragraph 6.9 with:

'Planning application 22/00057/RMM (Reserved matters for appearance, landscaping, scale, and layout for the erection of 47 homes including public open space of previously approved outline planning application 17/01445/OUM for erection of up to 53 houses) was refused by the District Council on 27 April 2023 and is currently the subject of an appeal (as at April 2024). Separately, planning application 23/00870/RMM (Reserved matters for outline planning application 18/01053/OUM for 41 residential dwellings

including appearance, layout, scale, and landscaping, along with parking and open space) was approved by East Cambridgeshire District Council on 11 March 2024. Given the ongoing uncertainty with the delivery of this site, the policy in the 2019 Neighbourhood Plan remains appropriate and is retained in this replacement Plan.'

Policy SUT 4 - Land North of Mill Field, Mepal Road

- 7.26 This policy replaces Policy NP6 in the made Plan.
- 7.27 I am satisfied that it continues to meet the basic conditions. As with the other housing policies it will help to ensure that the national ambition to significantly boost the supply of housing land (NPPF paragraph 60) is delivered locally. It will contribute to the delivery of each of the three dimensions of sustainable development.

Policy SUT 5 - Housing Mix

- 7.28 This policy replaces Policy NP7 in the made Plan and has been amended to provide greater clarity on the mix of dwelling sizes to be provided in new developments.
- 7.29 This policy sets out a proposed housing mix for new residential developments. It is underpinned by the submitted Housing Needs Assessment (HNA). It provides detailed advice about the mix of house sizes for development sites which would deliver ten or more homes.
- 7.30 I sought SPC's comments on the prescriptive nature of the statistics in the policy (based on the findings of the HNA) and the extent to which it could realistically be implemented through the development management process. In its response to the clarification note, it advised as follows:

'The Parish Council acknowledges that it will not be possible to deliver the precise mathematical split of housing on a development as the division would result in a fraction of a number. For this reason, the Examiner might like to consider whether a number within a range of perhaps 5% for each house size would be provide greater certainty for developers and decision makers..... The deliverability of the policy will rely on a development being of a size to achieve a mix. As such, the Examiner might consider whether applying the policy to proposals for large sites of ten or more dwellings would be more deliverable.'

- 7.31 I have considered the various issues very carefully. There are clear tensions on the policy. On the one hand, it is directly underpinned by the HNA and there has been no direct challenge to the integrity of its details. As such, the policy is clearly evidence-based. On the other hand, the figures used are very prescriptive and would be impractical to apply at the lower end of the size threshold used in the policy. I recommend that the detailed figures in the policy are modified so that they have a less mathematical and precise format. I also recommend that the policy is modified to allow development proposals to deliver four-bedroom homes where an applicant can demonstrate that the overall package to be delivered would achieve development plan policies.

- 7.32 I recommend that the final section of paragraph 6.12 of the Plan is deleted. It adds little to the factual comments in that paragraph and makes a partial policy statement rather than applying supporting text to underpin the associated policy.
- 7.33 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 ‘must’ with ‘should’

In the second part of the policy replace:

- ‘23%’ with ‘approximately 25%’
- ‘47%’ with ‘approximately 45%’
- ‘18%’ with ‘approximately 20%’
- ‘12%’ with ‘approximately 10%’

After the second part of the policy add (as a new paragraph): ‘Development proposals which would incorporate four-bedroom homes and a revised split between house sizes as shown in this policy will be supported where it can be demonstrated that the overall package would deliver development plan policies and otherwise be consistent with the findings of the Sutton Housing Needs Assessment 2021.’

Delete the final sentence of paragraph 6.12.

Policy SUT 6 - Affordable Housing on Rural Exception Sites

- 7.34 This is a new policy. It sets out a comprehensive approach towards affordable housing on rural exception sites.
- 7.35 In the round it takes a positive approach to this important matter and within the spirit of seeking to support much needed affordable homes. In this broader context, I recommend modifications to the wording used in some of the elements of the policy to bring the clarity required by the NPPF and to use language more appropriate for a neighbourhood plan. The outcome of the policy elements concerned remains unaffected.
- 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.

In the second part of the policy replace ‘Applications’ with ‘Proposals’

In the fourth part of the policy replace ‘Any application’ with ‘Proposals’

In the fifth part of the policy replace ‘permitted’ with ‘supported’

Policy SUT 7 - Conserving and Enhancing Internationally Designated Sites

- 7.37 This is a new policy which takes a comprehensive approach towards designated environmental sites. In summary it includes the following elements:
- affording the highest levels of protection to such sites;

- identifying potential mitigation measures; and
- identifying the potential need for monitoring of the effectiveness of any mitigation measures.

- 7.38 The Plan advises that the policy seeks to complement ECDC's Supplementary Planning Document Natural Environment, which was adopted in September 2020.
- 7.39 In the round the policy takes a positive approach to this matter and has regard to Section 15 of the NPPF. In this broader context I recommend two specific modifications to the wording used so that it is more appropriate for a neighbourhood plan.
- 7.40 Both the Environment Agency and the RSPB suggest that the policy is broadened to offer support for enhancements to the Ouse Washes Habitat Creation Project. Such an approach would acknowledge the importance of the Project. However it is not needed to ensure that the Plan meets the basic conditions.
- 7.41 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first and second parts of the policy replace 'permitted' with 'supported'

Policy SUT 8 - Biodiversity Net Gain

- 7.42 This is a new policy. The preface advises that in the absence of any nationally mandated mechanism to secure biodiversity 'net gains' (at that time), the policy has been prepared. It also comments that when a nationally mandated mechanism to secure 'net gains' is introduced, the policy will not be implemented.
- 7.43 Since the Plan was submitted, key elements of the Environmental Act (2021) are now operational. On this basis I recommend that significant elements of the policy are deleted. This approach acknowledges SPC's response to the clarification note. In effect the need for a comprehensive policy on biodiversity net gain has now been overtaken by national legislation. The residual elements of the policy apply to householder proposals and to proposals which create new or enhanced access points. I recommend detailed modifications to their wording and format to bring the clarity required by the NPPF. I also recommend consequential modifications to the supporting text.
- 7.44 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, householder proposals should incorporate an element of biodiversity gain into their designs, such as bird boxes, insect hotels, bee blocks, swift bricks, bat boxes and/or hibernation holes.

Where a new access is created into a development proposal, or an existing access is widened through an existing hedgerow, a new hedgerow of native species should be planted on the splay returns into the site to maintain the appearance and continuity of hedgerows in the immediate vicinity.'

Replace paragraph 7.8 with:

‘The minimum requirements for biodiversity net gain required by the Environment Act now have effect. In addition to national legislation, within the neighbourhood area, residents and developers are encouraged to deliver a measurable net gain in biodiversity as part of planning proposals. Cambridgeshire County Council has produced a Biodiversity Checklist and Biodiversity Guidance Notes which provides more information on habitats for developers and the District Council’s “Natural Environment” Supplementary Planning Document provides a framework for the consideration of proposals. Given that the Supplementary Planning Document has gone through a consultation process ahead of it being adopted, Policy SUT8 is included in the replacement Plan to ensure it is given greater weight when determining planning applications. It has been carefully designed to complement national legislation. It applies to householder proposals and to proposals which create new or enhanced access points.’

Policy SUT 9 - Local Green Spaces

- 7.45 This policy addresses local green spaces (LGSs). It was Policy NP 1 in the made Plan. LGSs 8-12 are additions to the LGS included in the made Plan. The approach taken is underpinned by the Local Green Space Appraisal.
- 7.46 I looked carefully at the proposed additional LGSs. I am satisfied that they meet the criteria for such designation in paragraphs 105 and 106 of the NPPF. I am also satisfied that the existing LGSs continue to meet the criteria for such designation.
- 7.47 I recommend that the paragraph number in the NPPF referenced in the supporting text is updated to reflect the December 2023 version. I also recommend modifications to correct minor errors on Map 5 and in the explanation immediately prior to the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In paragraph 7.13 replace ‘102’ with ‘106’

On Map 5 clarify the location of LGS7 and 8.

Immediately prior to the policy, replace ‘sites 8-10 are additions’ with ‘sites 8-12 are additions’

Policy SUT 10 - Heritage Assets

- 7.48 This is a new policy. It takes a wide-ranging approach towards the heritage assets in the parish. In the round I am satisfied that the approach taken has regard to Section 16 of the NPPF. The supporting text (paragraphs 8.1-8.5) provide a context to the heritage assets in the parish.
- 7.49 I recommend modifications to the wording used in the policy to bring the clarity required by the NPPF and to use language more appropriate for a neighbourhood plan. The outcome of the policy remains unaffected. 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 opening element of the policy replace ‘must’ with ‘should’

Policy SUT 11 - Buildings and Features of Local Interest

- 7.50 This policy replaces Policy NP8 of the made Plan.
- 7.51 I looked at some of the proposed buildings of local significance during the visit. I am satisfied that SPC has taken an appropriate approach to this matter which has regard to national policy as set out in Section 16 of the NPPF. The selection of the buildings and features of local interest relies on existing published sources, and the policy itself provides a local iteration of paragraph 209 of the NPPF
- 7.52 In this broader context, I recommend that the first part of the policy is recast so that it more closely relates to the development management process. This will bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with: ‘Development proposals should ensure that the retention and protection of local heritage assets and buildings of local significance as identified in the East Cambridgeshire Register of Buildings of Local Interest (February 2017) or any adopted subsequent Register are appropriately secured.’

Policy SUT 12 - Local Character Areas

- 7.53 This policy replaces Policy NP8 of the made Plan. It addresses Local Character Areas.
- 7.54 I looked at the Local Character Areas during the visit. Their importance and character remain unchanged. I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Policy SUT 13 - Employment Sites

- 7.55 This is a new policy. It seeks to promote new employment development and safeguard existing employment uses.
- 7.56 The policy has two related parts. The first part advises that additional development of existing employment and other business uses will be supported providing such proposals do not have a detrimental impact on the local landscape character, heritage assets, residential (including noise, light and air pollution, loss of privacy and overlooking), traffic generation, identified important views and identified important gaps in the built-up area.
- 7.57 The second part comments that where planning consent is required, proposals for non-employment or business uses that are expected to have an adverse impact on existing employment uses or employment generation will only be permitted where one or more of a set of criteria has been met.
- 7.58 In general terms, the policy takes a positive approach to this important matter and has regard to Section 6 of the NPPF. In the first part of the policy, I recommend

modifications to the wording used in the policy to bring the clarity required by the NPPF and to use language more appropriate for a neighbourhood plan. The outcome of the policy remains unaffected. In the second part of the policy, I recommend that its opening element is modified to bring the clarity required by the NPPF.

- 7.59 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

In the first part of the policy replace ‘a detrimental impact’ with ‘an unacceptable impact’

Replace the opening element of the second part of the policy with:

‘Insofar as planning permission is required, proposals for non-employment or business uses that have the potential to conflict with existing employment uses or employment generation will only be supported where one or more of the following criteria applies:’

Policy SUT 14 - Elean Business Park

- 7.60 This policy replaces Policy NP10 of the made Plan and is expanded to address proposals for renewable energy.
- 7.61 I looked at the Elean Business Park during the visit. Its importance to the well-being of the parish remains. I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Policy SUT 15 - Public Rights of Way

- 7.62 This is a new policy. It comments that development proposals which improve and extend the existing network of public rights of way will be supported. It also advises that as appropriate to their scale, nature and location, such development proposals should take account of the existing value of the right of way concerned as a biodiversity corridor and where practicable incorporate measures to enhance biodiversity as part of the proposal.
- 7.63 I am satisfied that the policy meets the basic conditions. It acknowledges the importance of the public rights of way network in the parish. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Policy SUT 16 - Retail Premises, Services and Facilities

- 7.64 This policy replaces Policy NP9 in the made Plan. It supports the development of new retail and service uses in the village centre and seeks to protect such existing uses from proposals for other uses. It properly takes account of viability and other potential changes to such premises within the Plan period.
- 7.65 I am satisfied that the policy continues to meet the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Policy SUT 17 - Hot Food Takeaway Premises

- 7.66 This is a new policy. It comments that proposals for hot food takeaway uses will be permitted where the proposal would not give rise to unacceptable environmental effects which could not be overcome by the imposition of conditions, has safe and convenient access and would not be detrimental to highway or pedestrian safety. Other parts of the policy comment about the way in which such uses may be controlled by conditions and how hot food proposals associated with other uses will be handled.
- 7.67 In its response to the clarification note SPC advised that it is the intention that the policy would apply to the village centre and that would be coterminous with the Village Centre boundary. I recommend a modification to the policy on this basis. This will help to ensure that hot food take aways are in sustainable locations in the village centre and that residential amenities elsewhere in the parish are safeguarded.
- 7.68 I recommend that the third part of the policy is deleted and repositioned into the supporting text. This acknowledges that it describes how the policy will be applied rather than being a land use policy as such.
- 7.69 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace ‘Proposals for hot food takeaway uses will be permitted where:’ with ‘Proposals for hot food takeaway uses within the defined Village Centre boundary will be supported where:’

Delete the third part of the policy.

At the end of paragraph 11.8 add: ‘The approach taken in Policy SUT17 will also apply to proposals to relax or vary conditions to allow hot food takeaway facilities in conjunction with existing restaurants, cafés and other hospitality uses.’

Policy SUT 18 - Sport and Recreation Facilities

- 7.70 The policy replaces Policy NP12 in the made Plan and is expanded to incorporate additional considerations.
- 7.71 The policy acknowledges the importance of sports and recreational facilities to the well-being on the local community. I am satisfied that it the policy continues to meet the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Policy SUT 19 - Design Considerations

- 7.71 This is a new policy. It comments on design. It is underpinned by the Sutton Design Codes (October 2021) and the Development Design Checklist (Appendix 1).
- 7.72 The policy comments that proposals for new development must reflect the local characteristics in the neighbourhood area and create and contribute to a high quality, safe and sustainable environment. It also advises that planning applications should, as appropriate to the proposal, demonstrate how they satisfy the requirements of the Development Design Checklist in Appendix 1 of the Neighbourhood Plan and take

account of the National Model Design Codes and the Sutton Design Codes (October 2021).

- 7.73 The policy also includes a series of locally-distinctive design principles.
- 7.74 In the round the policy is an excellent local response to Section 12 of the NPPF.
- 7.75 I recommend that the opening element of the policy is modified so that it has the clarity required by the NPPF and better expresses its intended proportionate approach. I also recommend the deletion of criteria j (broadband) and k (charging facilities for electric vehicles). Both matters are now addressed by the Building Regulations. In recommending the deletion of the two criteria I have taken account of the responses made by SPC to the clarification note.
- 7.76 I also recommend that the final part of the policy (on other uses and public car parking is modified). The Building Regulations also address non-residential buildings. As such, the modified policy focuses simply on off-street public car parking.
- 7.77 Finally I recommend a specific modification to the wording of criterion h to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with:

‘Development proposals should reflect the local characteristics in the neighbourhood area and create and contribute to a high quality, safe and sustainable environment.

As appropriate to their scale, nature and location, development proposals should demonstrate how they satisfy the requirements off the Development Design Checklist in Appendix 1 of the Neighbourhood Plan and take account of the National Model Design Codes and the Sutton Design Guidance and Codes (October 2021).’

Delete criteria j and k

In criterion h replace ‘possible’ with ‘practicable’

Replace the final part of the policy with: ‘The provision of off-highway public car parking should be accompanied by ducting and cabling to enable charging points to be provided at every space.’

Policy SUT 20 - Dark skies

- 7.78 This is a new policy which seeks to safeguard the dark skies environment of the parish. It advises that while ensuring that new developments are secure in terms of occupier and highway safety, dark skies are to be preferred over streetlights. It then comments that any future outdoor lighting systems should have a minimum impact on the environment by being downward focussed and motion sensitive, not extend past the property boundary, and minimise light pollution and adverse effects on wildlife.

- 7.79 In general terms, the policy takes a very positive approach to this matter. However, as submitted, the policy's commentary about a preference for dark skies will be difficult to implement through the development management process. As such, I recommend a modification to remedy this matter. I also recommend a consequential modification to the supporting text. I also recommend the deletion of an unnecessary word in the second sentence of the policy. 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 sentence of the policy with: 'Wherever practicable, development proposals should respond positively to the dark sky environment of the parish and avoid the use of streetlights.'

In the second sentence delete 'future'

At the end of paragraph 12.8 add: 'Policy SUT7 addresses this matter. The Parish Council recognises that the dark skies environment needs to be balanced with the safety of individual properties and the wider highways network.'

Policy SUT 21 - Flooding and Sustainable Drainage

- 7.80 This is a new policy. Its context is that within the village there are locations where the risk of surface water flooding is high, especially along The Brook and Ely Road.
- 7.81 The policy comments that proposals for all new development will be required to submit schemes appropriate to the scale of the proposal detailing how on-site drainage and water resources will be managed so as not to cause or exacerbate surface water and fluvial flooding elsewhere. It also advises that proposals should, as appropriate, include the use of above-ground open Sustainable Drainage Systems.
- 7.82 Paragraph 12.10 comments that in designing for sustainable drainage, reference should be made to the Sutton Design Guidelines and Codes regarding rainwater harvesting (Code 22), permeable paving (Code 24), and storage and slow release (Code 25).
- 7.83 In the round, the policy and the supporting text take a very positive to this matter and has regard to Section 14 of the NPPF. Nevertheless, I recommend that the opening element of the second part of the policy is modified so that it more clearly advises about its intended proportionate approach. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace 'Proposals should, as appropriate, include the use of above-ground open Sustainable Drainage Systems (SuDS)' with 'As appropriate to their scale, nature and location, development proposals should include the use of above-ground open Sustainable Drainage Systems (SuDS).'

Policy SUT 22 - Sustainable Building Practices

- 7.84 This is a new policy. It comments that proposals which incorporate current best practice in energy conservation will be supported where such measures are designed to be integral to the building design and minimise any detrimental impact on the building or its surroundings. It also advises that development proposals should demonstrate how they meet a series of design principles.
- 7.85 In general terms, the policy takes a positive approach to this matter and has regard to Section 14 of the NPPF. In addition, its non-prescriptive approach reflects the Written Ministerial Statement on Local Energy Efficiency Standard of December 2023. I recommend that the opening element of the policy is recast so that it can be applied proportionately by ECDC through the development process.
- 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 opening elements of the policy with:

‘Proposals that incorporate latest best practice in energy conservation will be supported where such measures are an integral element of the design of the buildings and minimise any impacts on the buildings or their surroundings.

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

Policy SUT 23 - Renewable Energy

- 7.87 This is a new policy. It advises that renewable energy generation schemes, including those that form part of wider development proposals, will be supported where their scale, siting and cumulative effects would not have a significant adverse impact on a series of criteria.
- 7.88 In the round, the policy takes a positive and non-prescriptive approach to this matter and has regard to Section 14 of the NPPF. I recommend a modification to the wording used to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace ‘significant adverse’ with ‘unacceptable’

Community Actions

- 7.89 The Plan includes a series of Community Actions. They are issues where residents of the parish have expressed strong views during the Plan preparation process, but where the issues are not land-use based.
- 7.90 The Actions are included in the main body of the Plan in Sections 6-12. National policy comments that such issues should be incorporated into a separate section of the Plan to distinguish them from the land use policies. However, on the balance of the evidence, I am satisfied that the approach taken in the Plan is appropriate. I have reached this view for three related reasons. The first is that the Actions bring added

value to the land use policies on a topic-by-topic basis. The second is that they are distinguished from the land use policies using a separate colour to that used for the policies. The third is that the Plan properly comments about their distinction from the policies in paragraph 1.14.

- 7.91 I am satisfied that the Actions are appropriate and distinctive to the parish. The following are particularly noteworthy: the Old Recreation Ground (Action 1), Pedestrian Improvements (Action 7), Cycle Routes (Action 8), Library Access (Action 11) and additional sports facilities (Action 12).

Other Matters - General

- 7.92 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 or to accommodate other administrative matters. It will be appropriate for ECDC and SPC 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 and to accommodate any administrative and technical changes.

- 7.93 The NPPF was updated in December 2023 after the Plan was submitted. I recommend that any references in the Plan either to the date of the NPPF or to its paragraph numbers (where necessary) are updated.

Update any references in the Plan either to the date of the NPPF or to its paragraph number (where necessary).

Other Matters – Specific

- 7.94 ECDC comments about the language used on Page 7 in the Referendum box on the flow chart diagram. As it suggests the general commentary in that box is unnecessary as it is agreed by all concerned that the submitted Plan is a replacement for the made Plan. I recommend accordingly.

Revise the wording in the Parish Referendum box on page 7 by deleting 'Modifications.... decide.'

8 Summary and Conclusions

Summary

- 8.1 The replacement Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the Parish Council and the wider community.
- 8.2 Following the independent examination of the Plan, I have concluded that the replacement Sutton Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

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

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 8 January 2015 and as revised in 2021.
- 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
2 May 2024