

Witcham Neighbourhood Development Plan 2024-2036

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

**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 September 2025 to carry out the independent examination of the Witcham Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 29 September 2025.
- 3 The Plan is an excellent 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 a series of policies to consolidate its character and appearance and to safeguard its community facilities.
- 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 commendably 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 area should coincide with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
18 November 2025

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Witcham Neighbourhood Development Plan 2024-2036 ('the Plan').
- 1.2 The Plan was submitted to East Cambridgeshire District Council (ECDC) by Witcham Parish Council (WPC) 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, 2023 and 2024. 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 and to complement the existing development plan. It proposes a series of policies to consolidate its character and appearance and to safeguard community facilities.
- 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 WPC, to conduct the examination of the Plan and to prepare this report. I am independent of both ECDC and WPC. 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 42 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 ECDC SEA/HRA screening report (June 2025).
- the Witcham Design Guidance and Codes.
- the Appraisal of Views.
- the representations made to the Plan.
- WPC's responses to the clarification note.
- the adopted East Cambridgeshire Local Plan 2015 (as amended in 2023).
- the East Cambridgeshire District Council Natural Environment Supplementary Planning Document (September 2020).
- the National Planning Policy Framework (December 2024 and as updated in February 2025).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 29 September 2025. 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 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), WPC 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 the various details set out in a series of appendices.
- 4.3 Section 2 of the Statement record the various activities that were held to engage the local community leading up to the pre-submission Plan. I am satisfied that the events and engagement were appropriate to the relevant stages of the Plan and took an iterative approach. I note from paragraph 2.6 that some of the engagement was focused on more detailed elements of the Plan (such as the Design Guidance and Code and the Important Views Assessment).
- 4.4 Section 3 of the Statement also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (December 2024 to February 2025). Section 4 of the Statement (as supplemented by Appendices 6 and 7) advises about the extent to which the Plan was refined as the outcome of this process. This helps to explain the way that the Plan has evolved.
- 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 2 September 2025. This exercise generated representations from the following organisations:
- Cambridgeshire County Council
 - National Gas
 - East Cambridgeshire District Council
 - Historic England
 - National Highways
 - Natural England

- A J Fleet
- British Horse Society

4.7 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 Witcham. As the Plan advises, it is one of the smallest settlements in East Cambridgeshire district with 189 households. The parish has an area of just over 10 square kilometres. The centre of the village is just north of the A142, 10 km west of Ely, and 1 km to the east of Mepal (to the north of the A142) and 1km to the north east of Sutton (to the south of the A142). The parish was designated as a neighbourhood area on 9 January 2023.
- 5.2 The village is based around the junction of The Slade, High Street and Silver Street. Key features in the village include the Church (in High Street), the Recreation Ground (by the crossroads), and the Village Hall (to the north of the Recreation Ground).
- 5.3 The High Street and part of Silver Street are designated as a Conservation Area. The Ouse Washes in the north-west of the parish are of international wildlife significance, and are designated as a Site of Special Scientific Interest, Special Protection Area, and a Ramsar site

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 Witcham has a separate section (and an associated Inset Map 8.48) in the Local Plan. Section 8.43 comments as follows:

‘Witcham is likely to continue to grow at a slow rate, with new housing being built on suitable ‘infill’ sites within the village. No new housing allocation sites are proposed on the edge of Witcham.

A 'development envelope' has been drawn around Witcham to define the built-up part of the village where infill development 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.

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. However, it should be noted that Witcham Parish Council does not support development coming forward outside the development envelope (as at May 2013).

There are several businesses in Witcham including, a window and conservatory installer, turf supplier, and a Bridal Design business. 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).

No new employment allocation sites are proposed on the edge of Witcham. However, suitable new employment proposals within or on the edge of the village will be supported in principle, subject to Policies EMP 2, EMP 3 and EMP 4.'

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

- Policy HOU1 Housing Mix
- Policy ENV1 Landscape and Settlement Character
- Policy ENV2 Design
- Policy ENV11 Conservation Area
- Policy ENV12 Listed Buildings
- 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 29 September 2025. I approached it from Chatteris to the north and west along the A142. This helped me to understand its position in the wider landscape and its accessibility to the strategic road network.

5.10 I looked initially at the village centre. I noticed the very peaceful environment in High Street away from the traffic on Martins Lane. I saw the visual and social significance of the Recreation Ground and the Village Hall.

- 5.11 I took the opportunity to walk along Back Lane and then along Silver Street. I saw the significance of Greens of Mepal in Silver Street.
- 5.12 I took time to look at the proposed important views in and around the village. I noted that they helped to highlight the importance of the relationship between the village and its surrounding countryside.
- 5.13 I then drove along Hive Road and Gravel Drove to the north to Wardy Hill. This highlighted the significance of the agricultural landscape in the parish and the importance of the New Bedford River.
- 5.14 I left the neighbourhood area on the A142 and drove to Ely. This highlighted the relationship between Ely and the various communities along the A142.

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 2024 (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 Witcham 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 proposes a series of policies to consolidate its character and appearance and to safeguard community facilities.
- 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 principal 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 which establishes a spatial strategy for development (Policy WHM1). In the social dimension, it includes policies on affordable housing (Policy WHM2), flooding (Policy WHM8), and on infrastructure/community facilities (Policy WHM13). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on biodiversity (Policy WHM4), locally important views (Policy WHM5), and on design (Policy WHM6). 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 Planning (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 May/June 2025 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 the following protected sites:
- Fenland SAC (including Wicken Fen, Woodwalton Fen and Chippenham Fen Ramsar);
 - Ouse Washes SAC/SPA/Ramsar;
 - Devil's Dyke SAC; and
 - Breckland SAC/SPA.
- 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. It advises that whilst part of the Ouse Washes SAC and Ramsar site falls within the northern part of the neighbourhood area and whilst part of the Goose and Swan Functional Land Impact Risk Zone falls within its northern part, the emerging Witcham Plan is ruled out as having likely significant effects on this site.
- 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 WPC 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.
- 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 4)

- 7.8 The Plan is very well-organised and presented. The supporting text is comprehensive and directly relates to the relevant policy. The Plan 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 neighbourhood plan agenda and identifies the neighbourhood area (in Map 1), and the Plan period (in paragraph 1.6).
- 7.10 The Introduction also comments about the way in which the Plan was prepared. The breakdown of events overlaps with the Consultation Statement.
- 7.11 Section 2 provides information about the neighbourhood area. The interesting and comprehensive details help to set the scene for the policies.
- 7.12 Section 3 advises about the national and local planning context within which the Plan has been prepared.
- 7.13 Section 4 sets out the vision and objectives for the Plan. It makes a strong functional relationship between the various issues which, in several cases, feed directly into the resulting policies. The Vision neatly summarises the ambition for the parish as follows:

'In 2036 Witcham will remain a small village where any new development has been sympathetic to the important natural and historical characteristics of the Parish and where services and facilities are maintained and enhanced to meet the needs of residents.'

- 7.14 The Vision is underpinned by fourteen objectives. They provide the context for the presentation of the policies on a topic-by-topic basis in Sections 5-10 of the Plan.
- 7.15 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.

WHM 1 – Spatial Strategy

- 7.16 This policy provides a context for the location of new development within the neighbourhood area. It offers support for development within the development envelope subject to a series of criteria. It then advises that land outside the development envelope is defined as countryside where development will normally only be allowed for agriculture, horticulture, forestry, community services and facilities, outdoor recreation, proposals in accordance with Policy WHM 2, and other uses which can demonstrate a need to be in the countryside.
- 7.17 The policy takes a positive approach to these matters and establishes a spatial strategy for the neighbourhood area.
- 7.18 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.

WHM 2 - Affordable Housing on Rural Exception Sites

- 7.19 The policy provides for affordable housing rural exception sites. It includes a series of occupancy, contractual and design criteria. The policy takes a positive approach to these matters. I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

WHM 3 – Conserving and Enhancing Internationally Designated Sites

- 7.20 This policy seeks to conserve and enhance internationally designated sites. It does so in a very comprehensive and effective way. The supporting text provides a very useful context to the various designated sites in the neighbourhood area and to local policies.
- 7.21 In the round I am satisfied that the policy takes a positive approach to these matters and has regard to Section 15 of the NPPF. As such, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

WHM 4 – Biodiversity enhancements

- 7.22 The policy seeks to secure net gain for biodiversity. It has two related elements. The first is that for developments exempt from the mandatory biodiversity net gain requirements of the Environment Act 2021, proposals that, as appropriate to the development, deliver biodiversity gain, such as bird boxes, insect 'hotels', bee blocks,

bat boxes, swift bricks, and/or hibernation holes will be supported. The second is that where a new access is created, or an existing access is widened through an existing hedgerow, a new hedgerow of native species shall be planted on the splay returns into the site to maintain the appearance and continuity of hedgerows in the vicinity.

- 7.23 I am satisfied that the policy takes a positive approach to these matters and has regard to Section 15 of the NPPF. As such, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

WHM5 – Locally Important Views

- 7.24 This policy identifies locally important views that should be preserved.
- 7.25 The supporting text advises that the Witcham Design Guidance has identified some important views and these and others from publicly accessible locations are assessed in detail in the Witcham Important Views Assessment. Each is selected and assessed for its visual interest, its beauty and/ or as it holds another value for the locality such as containing important landmarks or historical features. The location of each view is identified on Maps 5 and 6. The policy advises that any proposed development should not detract from the key landscape features of the identified views.
- 7.26 I looked carefully at the identified views during the visit. I saw that, in many circumstances, they reflected the relationship between the village and the surrounding countryside. I am satisfied that the policy takes a positive approach to these matters and has regard to Section 15 of the NPPF. In this broader context I recommend that the location of important view 12 is consistent across both Map 6 and the Village Centre Inset Map. This was acknowledged by WPC in its response to the clarification note. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Ensure that the location of important view 12 is consistent across both Map 6 and the Village Centre Inset Map.

WHM 6 – Design Considerations

- 7.27 The policy looks to provide design criteria for new development.
- 7.28 The supporting text advises that as part of the preparation of the Plan, the Witcham Design Guidelines and Codes was prepared within the Government's Neighbourhood Plan support programme, and to inform new development proposed in the area. It presents a summary of the key characteristics of the neighbourhood area and has been used to inform specific design guidelines to promote sustainable development
- 7.29 The Design Guidance and Codes identify a series of character areas covering the centre of the village (as illustrated in Map 7) and the remainder of the parish as a separate character area. For each character area the Design Guidance and Codes define its characteristics and identifies what improvements should be sought. This is a very effective approach.

- 7.30 The Design Guidance and Codes include general ‘design principles’ to be applied to proposals for development, depending upon the nature and scale of the development. It also advises that development proposals should have regard to a series of principles
- 7.31 The policy comments that proposals for new development must positively contribute to the individual characteristics of the neighbourhood area through the provision of high quality, safe and sustainable development and respond positively to the Design Principles set out in the Witcham Design Guidance and Codes. It also comments that planning applications should, as appropriate to the proposal, demonstrate how they satisfy the requirements of the Witcham Design Guidance and Codes and the Development Design Checklist (Appendix 2). In addition, it advises that proposals will be supported where, as appropriate to their scale, nature, and location, they meet a series of criteria
- 7.32 This is a very comprehensive policy which is underpinned by the Design Guidance and Codes and the Design Checklist. The Character Area work is very interesting. In the round, the policy is a very good local response to Section 12 of the NPPF. In this context I recommend a modification to the wording used in the first sentence to reflect the role of a neighbourhood plan within the wider development plan.
- 7.33 Otherwise I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

In first sentence replace ‘must’ with ‘should’

WHM 7 - Dark Skies

- 7.34 This policy seeks to minimise light pollution. The policy comments that wherever practicable, development proposals should respond positively to the dark sky environment of the Parish and avoid the use of streetlights. Any outdoor lighting schemes should have a minimum impact on the environment and wildlife, whilst taking account of highway safety and the security of the development concerned. In addition, outdoor lighting schemes should reduce the consumption of energy by promoting efficient technologies which reduce glare
- 7.35 This is an excellent, distinctive policy on dark skies. It has a positive and non-prescriptive approach. I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

WHM 8 - Flooding and Sustainable Drainage

- 7.36 This policy provides development criteria for managing flood risk and providing sustainable drainage. It 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 as appropriate to their scale, nature and location, development proposals should include the use of above-ground open sustainable drainage systems.

- 7.37 This is an excellent, distinctive policy on flooding and sustainable drainage. It takes a positive, proportionate, and non-prescriptive approach. In this context I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

WHM 9 - Sustainable Building Practices

- 7.38 This policy seeks to promote sustainable building practices. It advises that unless it can be adequately demonstrated to be impracticable, development proposals should incorporate best practice in energy conservation and are designed for the maximum achievable energy efficiency. Such measures should be incorporated so that they are integral to the building design and its curtilage and minimise any impacts on the building or its surroundings. It also comments that as appropriate to their scale, nature and location, development proposals should demonstrate how they meet a series of criteria.
- 7.39 This is a well-constructed proportionate policy. I am satisfied that the policy takes a positive approach to these matters and has regard to Section 14 of the NPPF. As such, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

WHM 10 – Renewable Energy

- 7.40 This policy seeks to offer support for the provision of local energy solutions. 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 an unacceptable impact on a series of environmental issues.
- 7.41 This is another well-constructed proportionate policy. I am satisfied that the policy takes a positive approach to these matters and has regard to Section 14 of the NPPF. In this context the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

WHM 11 – Heritage Assets

- 7.42 This policy seeks to protect heritage assets. It has two related elements. The first sets out a series of criteria with which development proposals should comply. The second comments that proposals will not be supported where the harm caused as a result of the impact of a proposed scheme is not justified by the public benefits that would be provided.
- 7.43 The 'balanced judgement' referred to in paragraph 8.18 is consistent with NPPF policy with respect to non-designated heritage assets but does not reflect national heritage policy on designated heritage assets. I sought WPC's comments on the approach it had taken. In its response it commented that:

'it is acknowledged that the NPPF only requires the 'balanced judgement' stated in paragraph 8.18 in respect of non-designated heritage assets (para 216), whereas the neighbourhood plan suggests such an approach would be necessary to all heritage assets. Paragraphs 212 - 215 of the Framework make it clear how proposals impacting

on a designated heritage asset should be assessed. The Parish Council therefore suggests that paragraph 8.18 could be amended to reflect that proposals affecting heritage assets will be determined in accordance with the Framework.'

- 7.44 I recommend that paragraph 8.17 is modified to clarify that Policy WHM11 comments about designated heritage assets, and Policy WHM12 comments about non-designated heritage assets. I also recommend that paragraph 8.18 is modified so that it comments only about designated heritage assets. In this context. I recommend that the title of the policy is modified accordingly.
- 7.45 As submitted the policy responds positively to the historic environment of the neighbourhood area and has regard to Section 16 of the NPPF. Nevertheless, I recommend that the second part of the policy is recast so that the initial element sits within the presumption in favour of safeguarding designated heritage assets as set out in paragraph 212 of the NPPF. I also recommend that the element of the policy which comments on the details required in a Heritage Statement is presented separately.
- 7.46 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the second part of the policy with:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Proposals will not be supported where the harm caused as a result of the impact of a proposed scheme is not justified by the public benefits that would be provided.'

Where a planning proposal affects a heritage asset, it should be accompanied by a Heritage Statement identifying, as a minimum, the significance of the asset, and an assessment of the impact of the proposal on the heritage asset. The level of detail of the Heritage Statement should be proportionate to the importance of the asset, the works proposed and sufficient to understand the potential impact of the proposal on the significance and/or setting of the asset.'

At the beginning of paragraph 8.17 add: 'Policies WHM 11 and 12 address heritage assets. Policy WHM11 comments about designated heritage assets, and Policy WHM12 comments about non-designated heritage assets.'

Replace paragraph 8.18 with: 'Careful consideration of proposals that would impact designated heritage assets or their setting will be needed in accordance with the details in paragraphs 212 to 215 of the NPPF.'

Replace the policy's title with: 'Designated Heritage Assets'

WHM 12 - Buildings and Features of Local Heritage Significance

- 7.47 This policy seeks to retain and protect local heritage assets. It advises that development proposals should ensure that the retention and protection of local interest as identified in the East Cambridgeshire Register of Buildings of Local Interest
- Witcham Neighbourhood Development Plan – Examiner's Report

(Appendix 4). It also advises that proposals for any works that would lead to the loss of, or substantial harm to, a building of local significance should be supported by an appropriate analysis of the significance of the asset together with an explanation of the wider public benefits of the proposal.

- 7.48 I sought comments from WPC about the extent to which the first part of the policy has regard to paragraph 216 of the NPPF which takes a more balanced approach towards development proposals which would affect non-designated heritage assets. In its response it advised that:

‘the Parish Council has sought to achieve a level of consistency with other recently made neighbourhood plans in how proposals that could impact on a building of local significance is considered. However, it is acknowledged that paragraph 216 of the Framework requires that a balanced judgement is taken “having regard to the scale of any harm or loss and the significance of the heritage asset.”

- 7.49 In this context I recommend that the first part of the policy is recast so that it relates the details in the East Cambridgeshire Register of Buildings of Local Interest (the most updated version of which is shown in Appendix 4) to paragraph 216 of the NPPF. This will ensure that the policy has regard to national policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Replace the policy with:

‘The effect of an application on the significance of a non-designated heritage asset as identified in the East Cambridgeshire Register of Buildings of Local Interest should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Proposals for any works that would lead to the loss of, or substantial harm to, a building of local significance should be supported by an appropriate analysis of the significance of the asset together with an explanation of the wider public benefits of the proposal.’

WHM 13 - Infrastructure and Community Facilities

- 7.50 This policy supports the retention and improvement of community facilities, services, and infrastructure in the village. It has two key elements:
- the provision and enhancement of community facilities and services that serve the needs of Witcham will be supported where they are in locations accessible on foot and within or near the development envelope, contribute to the quality of village life and improve the sustainability of the village; and
 - proposals that would result in the loss of existing facilities or services which support the local community, including the following identified on the Policies Map will only be supported where certain criteria are met.

- 7.51 I saw the importance of the identified community facilities during the visit. This is another excellent policy that supports improvements to existing community facilities and seeks to safeguard existing facilities. It acknowledges that the use and or viability of identified facilities may change in the Plan period.
- 7.52 I am satisfied that the policy takes a positive approach to these matters and has regard to Section 8 of the NPPF. As such the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

WHM 14 – Public Rights of Way

- 7.53 This policy seeks to retain and improve public rights of way. It comments about proposals to improve or extend public rights of way and enhancing their value as biodiversity corridors.
- 7.54 I am satisfied that the policy takes a positive approach to these matters and has regard to Section 8 of the NPPF. In this context the policy meets the basic conditions. It will contribute to the delivery of the social and environmental dimensions of sustainable development.

Community Actions

- 7.55 The Plan includes a package of community actions. As paragraph 1.10 of the Plan comments, they are not land use planning policies but are issues that have been identified through the Plan by the community that need to be addressed through wider partnership working. The Actions mainly relate to community facilities and services and highways related matters. I am satisfied that they are both appropriate and distinctive to the neighbourhood area.
- 7.56 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 for the following reasons:
- it complements the natural flow and presentation of the Plan;
 - the Actions are presented in a different colour to the land use policies; and
 - paragraph 1.10 of the Plan explains the role and status of the Actions.

Other Matters - General

- 7.57 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 ECDC and WPC 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

- 7.58 ECDC has made a series of helpful comments on the Plan. In some cases, I have included them in the recommended modifications on a policy-by-policy basis where it will enhance the legibility of this report.
- 7.59 I also recommend other modifications to the text of the Plan based on ECDC's comments insofar as they are necessary to ensure that the Plan meets the basic conditions. They either revise the wording used or bring the Plan up-to-date. Other matters relate to the more general parts of the Plan. WPC indicated that it was content with this approach in its response to the clarification note. For convenience, I list them using the relevant headings in the ECDC representation below:
- *Images*
 - *Paragraph 3.4*
 - *Paragraph 6.6*
 - *Paragraph 7.1/7.2*
 - *Page 23*
 - *Maps 8 and 9*
 - *Appendix 1*
 - *Appendix 4*

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 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to consolidate the character and setting of the neighbourhood area, and to safeguard its community facilities.
- 8.2 Following the independent examination of the Plan, I have concluded that the Witcham 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, the Witcham 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 9 January 2023.
- 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
18 November 2025