

Fordham Neighbourhood Plan Reg. 16 Publication: Summary of Representations Received

Fordham Parish Council submitted its draft Neighbourhood Plan for independent examination in May 2018. East Cambridgeshire District Council published the Fordham Neighbourhood Plan (Submission Version) from 17 May to Friday 29 June 2018.

Table 1 provides a summary of representations received during the publication period.

Name / Organisation	Format	Summary of representations received
Anglian Water	Email	<p>Thank you for the opportunity to comment on the Fordham Neighbourhood Plan (Submission Version). The following response is submitted on behalf of Anglian Water. I would be grateful if you could confirm that you have received this response.</p> <p>Policy 1: Housing Growth We note that it is proposed to allocate sites for residential development which are included in the District Council's Local Plan together with sites currently with the benefit of planning permission. Anglian Water has no objection to the principle of residential development on the sites identified in the Neighbourhood Plan.</p> <p>Anglian Water is supportive of Policy 1 as it states that planning permission will only be granted if it can be demonstrated that there is, or will be sufficient infrastructure capacity for the proposed development.</p> <p>Notifications We would wish to be notified of the outcome of the examination and any subsequent decision made by the Council relating to the Neighbourhood Plan.</p>
East Cambridgeshire District Council	Document	<p><u>Introduction</u> This document has been produced in response to the submission version of the Fordham Neighbourhood Plan (FNP) which is being consulted upon between 17 May and 29 June 2018. The Strategic Planning Team at East Cambridgeshire District Council (ECDC) provided comments on previous versions of the FNP in an aim to help the Parish Council improve the plan before it was submitted to the Council. It is pleasing to see that the Qualifying Body paid due regard to these comments prior to submission. The aim of this response is to provide an assessment of the plan and the policies within it, and to provide the Council's view as to whether it meets the basic conditions as required by legislation. It also provides a view about the implementation of policies in deciding on planning applications. The basic conditions are: a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;</p>

		<p>b) the making of the plan contributes to the achievement of sustainable development;</p> <p>c) the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);</p> <p>d) the making of the plan does not breach, and is otherwise compatible with, EU obligations; and</p> <p>e) prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.</p> <p>This response also clarifies ECDC's view in relation to other legal requirements for neighbourhood plans.</p> <p><u>Context for the FNP</u></p> <p>It should be noted that, at the time of drafting this consultation response, the adopted ECDC Local Plan 2015 is the Local Plan against which the FNP should be assessed. ECDC are in the process of reviewing the adopted Local Plan with stage 1 of the examination of the emerging Local Plan taking place between 19 June 2018 and 28 June 2018. It is not expected that the emerging Local Plan will be adopted before the FNP is examined and as such the adopted Local Plan 2015 has been used in assessing the FNP. However, for the avoidance of any doubt, ECDC considers that the submitted FNP is also in general conformity with the strategic policies of the emerging Local Plan.</p> <p>Whilst the FNP is being brought forward in advance of the emerging Local Plan, it is not considered that this results in any issues. Many neighbourhood plans across the country have been adopted successfully in advance of their respective local plan and it is not considered that there is any reliance for the FNP on the emerging Local Plan to be adopted before it can progress. The FNP deals only with local matters within the strategic framework provided by the Local Plan.</p> <p>Furthermore, the draft revised National Planning Policy Framework (NPPF) was published in March 2018 and it is expected that the final revised document will be published this summer. It is not clear whether this will be before or after the examination of the FNP. From reviewing the FNP against the draft wording in the emerging revised NPPF, it is not considered that the revised policies in the NPPF would materially affect the performance of the FNP in meeting the basic conditions.</p> <p><u>Conclusion</u></p> <p>ECDC can confirm that Fordham Parish Council, as parish council for the whole neighbourhood area, is a Qualifying Body in accordance with Section 61E(6) and 61F(1) of the Town and Country Planning Act 1990. It also does not relate to more than one neighbourhood area, nor are there any neighbourhood plans in place within the neighbourhood area.</p> <p>The FNP identifies in paragraph 1.1 that it will have effect from 2016 to 2036; it does not include provision for 'excluded development'; and it only relates to the Fordham Neighbourhood Area and it therefore conforms to Section 38B of the Planning and Compulsory Purchase Act 2004.</p> <p>The submission of the FNP has been accompanied by all the necessary documentation including a consultation statement which details the process of producing the FNP. The process appears to have included adequate community engagement and consultation with other interested parties in accordance with the Neighbourhood Planning (General) Regulations (as amended). The Consultation Statement adequately details the issues raised during the consultation stages and provides a response, providing clarification as to whether any changes were deemed necessary as a result of the comments.</p> <p>It is considered that the FNP is well presented and it is a well written planning document that is fit for purpose. The FNP as a whole is, and each of the policies within are, in general conformity with the strategic policies in the adopted East Cambridgeshire Local Plan; it is consistent with national policy; it will provide clarity for decision makers about how to deal with planning applications and also allow adequate flexibility for sustainable growth to come forward organically across the plan period; and will contribute to the achievement of sustainable development.</p> <p>It is also considered that the plan does not breach and is otherwise compatible with EU Obligations, specifically:</p> <ul style="list-style-type: none"> • Directive 2001/42/EC – often referred to as the Strategic Environmental Assessment (SEA) Directive; • Directive 2011/92/EU – often referred to as the Environmental Impact Assessment (EIA) Directive;
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- Directive 92/43/EEC – often referred to as the Habitats Directive; and
- Directive 2009/147/EC - often referred to as the Wild Birds Directive.

As such it is considered that the plan meets the Basic Conditions as required by Schedule 4B of the Town and Country Planning Act (1990) as inserted by the Localism Act (2011) and therefore should proceed to referendum.

Assessment of FNP

Please note, this assessment is set out in Plan order.

Section	Commentary
General	The FNP is well presented with good use of images and maps to illustrate points. It is well organised and easy to navigate.
Evidence	<p>It is pleasing to see that the FNP has been accompanied by a thorough, robust and proportionate evidence base as per the ECDC recommendation in the pre-submission consultation. These supporting documents provide a useful background and justification for the policy decisions made in the plan.</p> <p>Whilst all of the evidence base has been produced by the Qualifying Body, it does use evidence in relation to sites from the ECDC Local Plan and this is supported. This evidence is considered to be adequately robust for the examination of the FNP.</p>
Policy 1	<p>Policy 1 of the FNP sets out the housing allocations for Fordham and the approach to considering applications for residential development in the neighbourhood area – both inside and outside of the Development Envelope.</p> <p>The allocations in this policy reflect those in the emerging Local Plan (a number of which benefit from planning permission) and it includes one small site included in the adopted Local Plan (not taken forward into the emerging Local Plan as it was below the size threshold set). Whilst some of these proposed sites are not allocated in the adopted Local Plan and some are outside of the adopted Development Envelope it is considered that their allocation does not conflict with the strategic policies in the adopted Local Plan and the location of these sites is a local, not a strategic matter. Furthermore, the sites have been subject to a detailed assessment in support for the emerging Local Plan and this provides a robust evidence base for their allocation in the FNP.</p> <p>It is noted that some concerns were raised in the Regulation 14 consultation in relation to similar issues being dealt with in both the draft FNP and the emerging local plan, both of which were due to be examined – calling for the examination of the FNP to be paused. These concerns were specifically in relation to the site allocations process and reliance on the evidence base of the emerging Local Plan. These responses suggested that the main issue with this was that the Local Plan examination is the appropriate place for site allocations to be assessed and for evidence to be tested. Whilst the evidence base supporting some of the allocations in the FNP has yet to be examined, it is considered more than adequate for site allocations to be assessed in a neighbourhood plan examination without need for a pause. Indeed, production of a separate evidence base covering much of the same detail would constitute unnecessary duplication of work.</p>

			<p>It is also noted that these concerns highlighted a neighbourhood plan examination in Ford, in Arun District, as justification for this pause. However, the context of the two plans are starkly different:</p> <ul style="list-style-type: none"> • In Ford, the examiner has paused the examination due to a site allocation for 1,500 dwellings which was proposed for allocation in both the neighbourhood plan and the local plan. This allocation is considered to be of strategic nature justifying the pause in the examination. • In Fordham, there is a total of 350 homes provided for, 311 of which are on proposed allocation sites and the remaining 39 dwellings through extant permissions, completions and windfall development. Whilst the total figure of 350 dwellings is an important component of the strategy, only a very small amount of the requirement figure does not have planning permission. Only two sites proposed for allocation do not have planning permission, or a resolution to grant permission subject to S106. Between these two sites (FH1 – Land south of Mildenhall Road, east of Collin’s Hill and FH4 – Land off Steward’s Field) they will deliver 32 dwellings. <p>As such, it is considered that this policy can be satisfactorily examined through the neighbourhood plan process without delay. Details of the permissions can be made available to the examiner upon request.</p> <p>Policy 1 provides clarity for decision makers about how to treat residential development proposals dependent on their location and scale.</p> <p>The policy has been changed slightly since the Regulation 14 draft and it now includes a defined ‘housing requirement’ in the policy. At the pre-submission consultation stage ECDC recommended that this be added in order to future-proof the plan in light of the draft National planning Policy Framework (NPPF) that was published in March 2018. The inclusion of this requirement in the submitted plan is supported and is considered to meet the basic conditions, including when judged against the existing NPPF and adopted Local Plan policies. The requirement figure does not act as a ceiling, but provides clarity for decision makers as to the growth that needs to occur in the village to satisfy the parish’s contribution to wider housing requirement. It will help to ensure that growth in the village occurs in a sustainable, planned fashion rather than being the subject of numerous speculative applications. This housing requirement figure aligns to the emerging Local Plan and does not conflict with the adopted Local Plan. Whilst it has been included to reflect the draft revised NPPF it is also compatible with policies in the current national policy.</p> <p>The approach in this policy also allows for growth to occur through a number of mechanisms, including through community-led development such as through the Fordham Community Land Trust.</p> <p>It is important to note that, since the FNP was submitted an appeal has been allowed for up to 100 dwellings to the south of Mildenhall Road. For the avoidance of doubt, whilst development of this appeal site would have been contrary to this policy, it is not considered that it affects the provisions of Policy 1 as it does not create a ceiling for</p>	
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		Policy 2	<p>Policy 2 contains a number of criteria to be considered in planning applications in relation to design and character. This policy is positively worded, supportive of well-designed schemes, and it provides a framework for design quality to be considered, presented and assessed. This policy is consistent with national policy, is sufficiently clear for decision makers, and it is compatible with the adopted Local Plan policies, particularly ENV 1 and ENV 2.</p> <p>Application of this policy will help to ensure that development proposals are well designed and that they respond positively to their surroundings, helping to ensure that development is sustainable. It is considered that this policy meets the basic conditions.</p>	
		Policy 3	<p>Policy 3 designates four areas as Local Green Space (LGS) in accordance with paragraphs 76-78 of the NPPF. The Fordham Open Space Assessment, which accompanies the submitted plan, details the areas considered for this designation and the methodology behind their selection.</p> <p>From reviewing the proposed LGS and the accompanying evidence it is considered that they are all consistent with the provisions of paragraph 77 of the NPPF and that they are suitable for LGS designation, specifically – they are in close proximity to the community, they are special to the community for a variety of reasons, and they are not extensive tracts of land. It is considered that this policy meets the basic conditions.</p>	
		Policy 4	<p>Policy 4 seeks to maintain physical and visual separation between Fordham and nearby settlements. The policy does not provide an overly prescriptive approach preventing all development from taking place in these gaps, but instead provides a requirement for applicants on sites in these sensitive locations to assess their impact.</p> <p>It is sufficiently clear for decision makers and will help to protect the identity of the separate settlements, therefore helping to ensure that development is sustainable. This policy reinforces the provisions of adopted Local Plan Policy GROWTH 2: Locational Strategy, which strictly controls development outside of the Development Envelope. It is considered that this policy meets the basic conditions.</p>	
		Policy 5	<p>Policy 5 seeks to protect an open area near to the centre of the village that is important to the community for its leisure, character and wildlife value. As set out in the Fordham Open Space Assessment, it is considered to be too large for LGS designation but still warrants protection due to its value to the community. It should also be noted that much of the eastern part of this area is within flood zone 3 and it is entirely outside of the Development Envelope in both the existing and emerging Local Plan.</p>	

			<p>The policy is worded to ensure that the values of the area are retained and this is supported. It is not as restrictive as LGS policy and this too is considered to be appropriate. This policy reinforces the provisions of adopted Local Plan Policy GROWTH 2: Locational Strategy, which strictly controls development outside of Development Envelopes and it particularly reflects paragraphs 73, 74 and 75. It is considered that this policy meets the basic conditions.</p>	
		Policy 6	<p>Policy 6 takes eight valued local views, as identified in the accompanying Fordham Important Views Study. The policy seeks to ensure that development proposals will not obstruct or detract from the views, requiring applicants to consider the impact of proposals where they may affect them.</p> <p>As worded, it is considered that this policy provides adequate opportunity for applicants to consider any impacts on the views through the design process, and to submit supporting information with an application in order to demonstrate what this impact will be. This also provides adequate clarity for decision makers to consider any impacts and to formulate a decision. It is considered that this policy meets the basic conditions.</p> <p>There is a minor typo in the policy where in the second sentence of the final paragraph it says “<i>Any proposals that has...</i>” Presumably this should read “<i>Any proposal that has...</i>”</p>	
		Policy 7	<p>Policy 7 designates thirteen buildings/structures in the village for their local importance. This provides a lower order of protection for these properties than national listing. Some of the buildings identified are already on ECDC’s <u>Buildings of Local Interest List</u> and the treatment of these are consistent with Policy ENV 13: Local Register of Buildings and Structures in the adopted Local Plan.</p> <p>As worded, the policy seeks to ensure that applications with the potential to affect a locally important building are accompanied by a heritage statement. It is positive about proposals that enhance or better reveal the significance of a building, and seeks to restrict any proposals that would have a detrimental impact on their significance unless this can be clearly justified.</p> <p>The approach used in this policy is considered to be proportionate to the significance of the assets and appropriate to be applied in helping ensure that impacts are properly assessed, and avoided where possible. It is sufficiently clear for applicants and decision makers and is particularly consistent with paragraphs 126, 128, 129, 131, and 135 of the NPPF. This policy is considered to meet the basic conditions.</p>	
		Policy 8	<p>Policy 8 seeks to provide protection for nearby protected sites at Fordham Wood and Chippenham Fen. It also promotes the delivery of enhanced and extended green networks, the preservation of natural features, and the achievement of biodiversity gains.</p> <p>The wording of this policy is consistent with national policy, particularly paragraphs 109, 113, 114 and 118 of the NPPF and it relates well to adopted Local Plan Policy ENV 7: Biodiversity and Geology. The requirements of each part of the policy is considered to be proportionate to the subject matter. It is considered that this policy meets the basic conditions</p>	

		<p>Policy 9</p>	<p>Policy 9 identifies fourteen Valued Community Facilities in Fordham, providing in-principle support for their extension and seeking to prevent their loss.</p> <p>The policy works with and is in general conformity with adopted Local Plan Policy COM 3: Retaining Community Facilities and COM 4: New Community Facilities. It is not overly restrictive, allowing adequate allowance for viability and replacement facilities to be considered between this policy and Policy COM 3. It is consistent with Core Policy 12 in paragraph 17 of the NPPF and also paragraphs 28, 70, and 74. Overall, it is considered that this policy meets the basic conditions</p>	
		<p>Policy 10</p>	<p>Policy 10 responds to local concerns about the lack of locally available medical facilities and capacity in local education by supporting the principle of the provision of a new medical or educational facility within or adjacent to the Development Envelope.</p> <p>This is consistent with paragraph 70 of the NPPF and adopted Local Plan Policy COM 4. Whilst it does allow for these uses outside of the Development Envelope, it is not considered to conflict with adopted Local Plan Policy GROWTH 2: Locational Strategy.</p> <p>Whilst no specific location is identified and at present there are no known plans for provision of such new facilities, this policy support will help in delivering the facilities should they be brought forward.</p> <p>Overall, this policy is considered to meet the basic conditions.</p>	
		<p>Policy 11</p>	<p>Policy 11 seeks to protect existing public rights of way in and around the village and to ensure that development will not detract from their value. It also promotes their enhancement, extension and linking of adjacent rights of way should an opportunity arise. Finally, it also seeks to ensure that all new developments include safe pedestrian links to the existing footpath network.</p> <p>This policy is particularly resonant with paragraphs 35, 69 and 75 of the NPPF and is otherwise considered to meet the basic conditions.</p>	
		<p>Policy 12</p>	<p>Policy 12 seeks to reinforce local plan car parking levels as a minimum for Fordham. It also seeks to avoid parking issues that have been experienced in the village in some modern developments by prioritising on-plot parking and to ensure that any on-street parking is well designed to avoid unplanned parking. Finally it promotes the inclusion of charging facilities for electric plug-in vehicles.</p> <p>It is important to recognise that Fordham is a rural settlement. Car ownership is widespread in the area, and reducing car parking spaces will not serve to limit this, but will only result in unplanned on-street parking and potential issues arising from this. The approach to parking in Policy 12 is not considered to be too onerous for developers, to harm viability, and it is likely to make properties more attractive to buyers when the policy is applied.</p>	

		<p>The way the policy is worded allows the adopted local plan parking standard to be applied, whether this is the adopted standard or the standard in the emerging plan. As such it will complement adopted Local Plan Policy COM 8: Parking Provision and it is considered to be consistent with NPPF paragraphs 29 and 39. It is considered to meet the basic conditions.</p>
		<p>Policy 13</p> <p>Policy 13 requires cycle parking to be included for new homes, providing for a range of solutions to delivering safe and secure parking. This is consistent with paragraph 29 of the NPPF and adopted Local Plan Policy COM 8: Parking Provision, which sets out the minimum cycle provision in East Cambridgeshire. It is considered to meet the basic conditions.</p>
		<p>Chapter 5</p> <p>This section refers to a number of community projects that were identified through the production of the FNP but for which a neighbourhood plan would not be the appropriate means for delivery. These projects seem to be sensible goals for the community, but as they will not be used in determining planning applications, ECDC will not comment further on these.</p>
Environment Agency	Email	Thank you for consulting us on the Fordham Neighbourhood Plan. We have no comments to make on the Plan.
Gladman	Document	<p>1 INTRODUCTION</p> <p>1.1 Context</p> <p>1.1.1 Gladman Developments Ltd (hereafter referred as “Gladman”) specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for the planning system to deliver the homes, jobs and thriving local places that the country needs.</p> <p>1.1.2 These representations provide Gladman’s response to the current consultation held by East Cambridgeshire Council on the on the submission version of the Fordham Neighbourhood Plan (FNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.</p> <p>1.1.3 During the course of this consultation our appeal (Reference: APP/VO510/17/3186785) against East Cambridgeshire District Council’s decision to refuse our planning application (Reference: 17/00481/OUM) has been allowed and outline planning permission has been granted for the erection of up to 100 dwellings with public open space, landscaping and sustainable urban drainage (SuDS) and vehicular access point from Mildenhall Road at Land off Mildenhall Road, Fordham. Gladman therefore seek for reference to be made within the FNP that the site is now a commitment.</p> <p>1.1.4 Through these representations, Gladman provides an analysis of the FNP and the policy decisions promoted within the draft Plan. Comments made by Gladman through these representations are provided in consideration of the FNP’s vision, objectives, suite of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG1.</p> <p>1.1.5 In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the National Planning Policy Framework (the Framework) and the wider strategic policies for the area set out in the Council’s adopted Development Plan. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.</p> <p>1.1.6 The FNP should only be progressed if it meets the Neighbourhood Plan Basic Conditions, supported by a robust and proportionate evidence base.</p>

	<p>1.1.7 The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent sustainable development opportunities from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the development needs for the area and assist local authorities in delivering full objectively assessed needs (OAN) for housing. Policies that are not clearly worded or intended to place an unjustified constraint on further sustainable development from taking place are not consistent with the requirements of the Framework or the Neighbourhood Plan Basic Conditions.</p> <p>1.1.8 The FNP should not seek to include policies in Neighbourhood Plans that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals contained in the FNP should be designed to add value to existing policies and national guidance, as opposed to replicating their requirements.</p> <p>2 LEGAL REQUIREMENTS, NATIONAL POLICY & JUDGMENTS</p> <p>2.1 Legal Requirements</p> <p>2.1.1 Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The most relevant Basic Conditions that the FNP must meet are as follows:</p> <p>a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.</p> <p>d) The making of the order contributes to the achievement of sustainable development.</p> <p>e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).</p> <p>f) The making of the order does not breach, and is otherwise compatible with, EU obligations.</p> <p>2.2 National Planning Policy Framework, & Planning Practice Guidance</p> <p>National Planning Policy Framework</p> <p>2.2.1 The National Planning Policy Framework (the Framework) sets out the Government’s planning policies for England and how these are expected to be applied. In doing so it provides guidance on the requirement for the preparation of neighbourhood plans to be in general conformity with the strategic priorities for the wider area and defines the role which neighbourhood plans can play in delivering sustainable development.</p> <p>2.2.2 At the heart of the Framework, is a “presumption in favour of sustainable development” which, as outlined in paragraph 14, should be seen as a golden thread running through both plan-making and decision taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet Objectively Assessed Needs (OAN) for housing, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to neighbourhood plans.</p> <p>2.2.3 Paragraph 16 of the Framework makes clear that the presumption in favour has implications for how communities engage in neighbourhood planning, stating that neighbourhoods should;</p> <ul style="list-style-type: none"> • “Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development; • Plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and • Identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed. “ <p>2.2.4 Furthermore, paragraph 17 sets out that neighbourhood plans should define a succinct and positive vision for the future of the area and that neighbourhood plans should provide a practical framework within which decisions on planning applications can be made with a high degree of</p>
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		<p>predictability and efficiency. In addition, neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.</p> <p>2.2.5 Further guidance for groups involved with the production of neighbourhood plans is specified at paragraph 184; “Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”</p> <p>Planning Practice Guidance</p> <p>2.2.6 It is clear from the requirements in the Framework that neighbourhood plan policies should be prepared in general conformity with the strategic requirements for the wider areas, as confirmed in an adopted Development Plan. The requirements set out in the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).</p> <p>2.2.7 The PPG also emphasises that; “...blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”</p> <p>2.2.8 With further emphasis that; “.... All settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”²</p> <p>2.2.9 Accordingly, the FNP will need to ensure that it takes into account the latest guidance issued by the SoS so that it can be found to meet basic conditions (a) and (d).</p> <p>2 Paragraph: 044 Reference ID: 41-044-20160519 (Revised 19/05/2016).</p> <p>3 DEVELOPMENT PLAN</p> <p>3.1 Adopted Development Plan</p> <p>3.1.1 To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.</p> <p>3.1.2 The adopted Development Plan relevant to the preparation of the FNP is the East Cambridgeshire Local Plan 2015, which sets out the vision, objectives, spatial strategy and policies for future development of the district up to 2031. The plan was adopted in April 2015 replacing the existing Core Strategy.</p> <p>3.2 Emerging Development Plan</p> <p>3.2.1 The Council is currently preparing a new Local Plan for East Cambridgeshire, which when adopted will replace the existing Local Plan. The emerging Local Plan was submitted to the the Secretary of State in February 2018 with hearing sessions for the Examination in Public currently in progress at the time of writing. It is relevant to note that the emerging Local Plan proposes a very different planning strategy to the adopted Local Plan. In particular, it proposes a higher housing requirement and a more dispersed spatial distribution, with more housing and other development being directed towards the villages, in particular the Large Villages such as Fordham.</p>
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	<p>3.2.2 Gladman have been involved throughout all stages of the preparation of the new Local Plan raising significant objections to the quantum of development proposed in the plan along with allocations made within the Plan (including allocations in Fordham). Substantive objections have also been made by other interested parties (including Historic England) to the proposed Fordham allocations and their indicative development capacities. At this time these objections are outstanding and there can be no certainty whatsoever that the currently proposed Local plan policy approach to Fordham will survive the Examination process. Gladman suggest that progress of the FNP is paused until a time as the outcomes of the Local Plan Examination in Public are known, such as the publication of the final Inspector’s Report.</p> <p>3.2.3 Recognising that a neighbourhood plan can come forward ahead of an emerging Local Plan, the FNP carries forward the allocations of the emerging Local Plan, relying upon the emerging Local Plans’s evidence base. Gladman suggest that, as this evidence is yet to be tested at the examination, the FNP will need to be supported by its own evidence base.</p> <p>3.2.4 A similar issue has been raised by Mr John Slater, the Examiner of the Ford Neighbourhood Plan in Arun. He has suspended the examination until the Inspectors Report is published as many of the same issues will be dealt with in the Local Plan Examination, and dealt with in a more appropriate level of detail. Gladman suggest that as the FNP is being prepared in similar circumstances to that of the Ford Neighbourhood Plan that preparation of the FNP is paused.</p> <p>4 FORDHAM NEIGHBOURHOOD PLAN</p> <p>4.1 Context</p> <p>4.1.1 These representations are made in response to the current consultation on the submission version of the FNP, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This chapter of the representation highlights the key points that Gladman raise with regard to the content of the FNP as currently proposed.</p> <p>4.2 Neighbourhood Plan Policies</p> <p>4.2.1 This section of Gladman’s representations is made in response to those policies which need to be addressed and amended through modification and/or deleted to meet the basic conditions, allowing a flexible and positive approach consistent with the requirements of national policy and guidance.</p> <p>4.2.2 Gladman are concerned by the timescales between the Regulation 14 consultation closing and the submission of the FNP to East Cambridgeshire Council for Regulation 16 consultation. Noting that the responses received to the Regulation 14 consultation have been collated in the supporting Consultation Statement it is not clear what consideration, if any, has been paid to these comments in amending the FNP before submission. As such many of our comments made to the consultation are relevant in response to the Regulation 16 consultation.</p> <p>4.2.3 Vision and Objectives</p> <p>4.2.4 Gladman are concerned with the vision and objectives of the FNP and how they relate to Fordham and its role in the settlement hierarchy within the emerging East Cambridgeshire Local Plan.</p> <p>4.2.5 In the emerging Local Plan a large strategic area of employment land has been identified in Fordham. It is concerning that the FNP’s vision and objectives do not reflect the important role Fordham will take in supporting economic development in East Cambridgeshire. The proximity to the large strategic employment allocation will make Fordham a highly desirable location to live during the plan period and further residential development should be supported in order to minimise the need to travel and secure sustainable patterns of development, where people can live and work in the same area.</p> <p>Policy 1: Housing Growth</p>
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		<p>5 CONCLUSIONS</p> <p>5.1.1 Gladman recognises the Governments ongoing commitment to neighbourhood planning and the role that such Plans have as a tool for local people to shape the development of their local community. However, it is clear from national guidance that the FNP must be consistent with national planning policy and the need to take account of up-to-date housing needs evidence and the direction contained in the emerging Local Plan.</p> <p>5.1.2 Noting that the FNP is being prepared to align with the emerging Local Plan as the FNP is being prepared in advance of the evidence base supporting these allocations being tested at examination the FNP will need its own evidence base. Gladman suggest that the FNP makes clear reference in the policy that the proposed allocations are not the allocations of the neighbourhood plan. Reference should be made that the FNP supports the allocations made in the emerging Local Plan and that these may still be subject to change.</p> <p>5.1.3 Having highlighted the example of the Ford Neighbourhood Plan in Arun, Gladman suggest it would be appropriate to pause preparation of the FNP until the outcomes of the emerging Local Plan examination are known.</p> <p>5.1.4 Gladman are seeking for reference to be made to our planning permission on Land off Mildenhall Road, Fordham to be referenced as a commitment within the plan following approval at appeal during the course of this consultation.</p>
Historic England	Letter	<p>Thank you for your correspondence dated 17 May inviting Historic England to comment on the Regulation 16 Submission version of the Fordham Neighbourhood Plan.</p> <p>We welcome this comprehensive and detailed neighbourhood plan that clearly sets out a positive strategy for the historic environment of Fordham Parish. In particular, we are pleased to note the focus on high quality design in Policy 2. We welcome also the protection afforded to Locally Important Buildings and Structures set out in Policy 7, alongside the accompanying Evidence Document. We consider the graphical presentation of the document to be particularly good, especially the front cover and its cleverly inset historic map of Fordham.</p> <p>We do not wish to make any further comment other than to look forward to the plan being Made, and to congratulate those members of the local community who have contributed to the compilation and completion of the plan.</p> <p>I would be grateful if you would notify me if and when the Neighbourhood Plan is made by the district council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed NP, where we consider these would have an adverse effect on the historic environment.</p> <p>Please do contact me, either via email or the number above, if you have any queries.</p>
National Grid	Letter	<p>National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.</p> <p>About National Grid</p> <p>National Grid owns and operates the high voltage electricity transmission system in England and Wales and operate the Scottish high voltage transmission system. National Grid also owns and operates the gas transmission system. In the UK, gas leaves the transmission system and enters the distribution networks at high pressure. It is then transported through a number of reducing pressure tiers until it is finally delivered to our customer. National Grid own four of the UK's gas distribution networks and transport gas to 11 million homes, schools and businesses through 81,000 miles of gas pipelines within North West, East of England, West Midlands and North London.</p>

		<p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect our assets.</p> <p>Specific Comments</p> <p>An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high pressure gas pipelines and also National Grid Gas Distribution's Intermediate / High Pressure apparatus. National Grid has identified the following high pressure gas pipeline as falling within the Neighbourhood area boundary:</p> <ul style="list-style-type: none"> • FM03 Roudham Heath to Gt Wilbraham <p>From the consultation information provided, the above gas pipeline does not interact with any of the proposed development sites.</p> <p>Gas Distribution – Low / Medium Pressure</p> <p>Whilst there is no implications for National Grid Gas Distribution's Intermediate / High Pressure apparatus, there may however be Low Pressure (LP) / Medium Pressure (MP) Gas Distribution pipes present within proposed development sites. If further information is required in relation to the Gas Distribution network please contact plantprotection@nationalgrid.com</p> <p>Key resources / contacts</p> <p>National Grid has provided information in relation to electricity and transmission assets via the following internet link: http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/</p> <p>The first point of contact for all works within the vicinity of gas distribution assets is Plant Protection (plantprotection@nationalgrid.com). Information regarding the transmission and distribution network can be found at: www.energynetworks.org.uk</p> <p>Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database: [contact information for National Grid]</p>
Natural England	Letter	<p>Thank you for your consultation on the above dated 17 May 2018.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made..</p> <p>Natural England does not have any specific comments on this draft neighbourhood plan.</p> <p>However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.</p> <p>For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.</p>
Turley Associates Ltd on behalf of Endurance Estates Strategic Land Ltd	Letter	<p>These representations have been prepared by Turley on behalf of Endurance Estates Strategic Land Ltd (Endurance) in response to the Draft Fordham Neighbourhood Plan Submission Consultation, May 2018. They are submitted as an Addendum and update our recent May 2018 representations submitted to Fordham Parish Council at the Pre-Submission (Regulation 14) stage. These are attached at Appendix 1.</p> <p>Endurance is the promoter of a residential site comprising approximately 2.26 hectares of land located North East of Soham Road in Fordham (the Site). This Site can provide a well-integrated residential development opportunity for up to 52 new dwellings in a sustainable location. The development is viable and deliverable and so the development management policy requirements of the emerging East Cambridgeshire Local Plan, including CIL and affordable housing, can all be reasonably met.</p> <p>An application for outline planning permission for 52 dwellings was submitted to East Cambridgeshire District Council in 2017 for determination and is the subject of an Appeal to the Secretary of State. This application was re-submitted on 15th June 2018, in the light of the recent Appeal Decision by Cullum J.A. Parker at Land off Mildenhall Road, Fordham, for up to 100 dwellings on 29th May 2018.</p>

	<p>The Appeal by Gladman Developments Ltd (reference APP/V0510/17/3186785) confirms that relevant polices for the supply of housing are not up to date, as per paragraph 49 of the Framework (hereafter referred to as the 'Gladman Decision'). Consequently the 'tilted balance' is engaged, which is reflected in Policy Growth 5 of the Local Plan. This has a material bearing on the both our re-submitted application at Fordham and the points raised in our previous submissions at the Regulation 14 stage.</p> <p>We respond below to the relevant sections of the Draft Neighbourhood Plan (DNP) in the context of our Regulation 14 representations at Appendix 1, our submitted Local Plan representations and Matter Statements, our Section 78 Appeal and our re-submitted outline planning application at Fordham.</p> <p>Executive Summary</p> <ul style="list-style-type: none"> • There is an over reliance on an emerging Local Plan which has been challenged on the grounds of soundness and which has substantial questions to resolve during its current public Examination. • The paralleled policies of the DNP are premature as there is a high risk that the Local Plan will be found unsound during the Examination and quickly become out of date. The recent Gladman Decision underlines this point by confirming that the Council can currently only provide for around 77% of its five year housing land supply requirements. • National planning guidance is to prepare a Neighbourhood Plan in accordance with adopted policy and there is no requirement to be in complete compliance with any emerging policy. The Gladman Decision suggests that the Council will need to allocate more sites. Therefore the DNP needs to be paused in order to reconsider the growth strategy in the light of the weaknesses of the Local Plan. • To avoid the DNP rapidly becoming out of date the Parish Council must plan for more sustainable growth in Fordham, such as the Site at North and East of Soham Road, including a series of additional reserve sites to help maintain a healthy land supply should the Local Plan be found unsound. • The DNP must be based on more positive mechanisms to deliver the identified shortfalls in community infrastructure, notably in terms of health and education. The most positive and pro-active approach would be to plan for more sustainable growth in appropriate locations. • Whilst supporting CLT and affordable exception policies, the DNP is completely silent on the locations of where such proposals would be appropriate. This is a matter which has been recently raised and has yet to be resolved as part of the Examination of the Local Plan. • Without implementing the changes identified above, the DNP will be ineffective in shaping the sustainable growth in Fordham and will remain an out of context and restrictive policy document. The approach to growth and its relationship with the future delivery of new community infrastructure in Fordham therefore needs to be fundamentally reconsidered in the Fordham DNP. <p>National Guidance and the Basic Conditions Test</p> <p>Paragraph 065 of the Government's online Planning Policy Guidance (PPG) states that only a draft neighbourhood Plan that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 . These basic conditions are set out in our previous representations at Appendix 1.</p> <p>Primarily we consider that the Fordham DNP to be inconsistent with national policy and advice, as it over-reliant on being in complete accordance with the emerging Local Plan, which is obviously flawed in a number of respects, based on recent S78 Appeal outcomes. The emerging Local Plan is also subject to substantial wider objection from Endurance and others and has only just commenced its Examination.</p>
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	<p>The DNP essentially uses the emerging Local Plan to constrain the growth of Fordham as it incorrectly assumes that all the emerging Local Plan policies are 'up to date'. This is patently not the case, given the recent Gladman Decision. In addition, the adopted plan is already out of date and there is no legal requirement to test the DNP against emerging policy. The primary test of the DNP is against the basic conditions, some of which have not been met, as set out within these representations.</p> <p>Secondly, the Fordham DNP fails to contribute to the achievement of sustainable development, by virtue of its narrow focus and complete alignment with an emerging Local Plan, which has been confirmed to be out of date. The DNP pre-dates the Gladman Decision and so views growth as a matter which must simply be constrained to conserve infrastructure capacity, rather than using sustainable development to deliver the higher levels of long term community infrastructure and medical services that Fordham needs. This runs counter to the reality that East Cambridgeshire will now need to allocate more sites.</p> <p>The function of the DNP is not just to reiterate the policies of the emerging Local Plan. Whilst the DNP should be in general conformity with the main strategic provisions of the Local Plan, it must also primarily contribute to the achievement of sustainable development.</p> <p>Therefore the Fordham DNP has the scope to plan for additional growth, in the interests of delivering specific enhancements to community services, to ensure the long term vitality and viability of Fordham, but these opportunities were not taken, prior to the submission of the DNP for Examination.</p> <p>Over-reliance of the DNP on the Emerging Local Plan There are significant risks in submitting a DNP for Examination which is so completely tied to the spatial strategy and growth limitations of an untested, emerging Local Plan. The emerging Plan is currently under Examination and substantial objections have been made to all of its provisions. In the interim, the emerging new NPPF consultation and the recent Gladman Decision have essentially rendered both the emerging Local Plan and the DNP completely out of date.</p> <p>Our submitted objections to the emerging Local Plan demonstrate the low levels of growth proposed for the district during the plan period, the weakness of the Council's claimed five year housing land supply and the irrational distribution and scale of the new dwelling allocations proposed. The issue of the lack of a five year supply has already been decided and is likely to be further eroded given the spatial evidence recently presented in Matters 2 and 4 of Part 1 of the Local Plan Examination. As such, none of the existing provisions of the emerging Local Plan can be relied upon as a foundation for the Fordham DNP as they are obviously unsound, requiring a subsequent complete review of both the Local Plan and the DNP.</p> <p>Endurance made the above case at the Examination that the emerging Local Plan is flawed on numerous counts, including its disproportionate reliance upon Soham as the main driver of new housing growth in the district, particularly in the short term. Endurance demonstrated that Soham has very low levels of viability and therefore a need for reduced levels of affordable housing and CIL to facilitate investment. Soham also has a poor record of housing delivery and so new developments in Soham will not be able to support an affordable housing contribution of more than 20% without being unviable.</p> <p>Similarly the CIL charge is also required to be at less than half the standard rate, compared to other more viable settlements in the district, such as Fordham. Furthermore, given that the Council's CIL 123 list now only relates to specific educational projects, there will be a future requirement to also pay for general education provision from S106 contributions. However the fragile viability of Soham suggests that further concessions will</p>
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		<p>need to be made, resulting in a widening of existing funding gaps. The Local Plan spatial strategy of focusing growth at Soham in the short term is therefore unsound and representatives of Soham Town Council recently attended the Matter 2 Examination Hearings to corroborate this view.</p> <p>The emerging Local Plan relies upon the early adoption of the Government’s draft standard housing methodology, or the continued use of the latest OAN, with the recovery of significant housing delivery shortfalls undertaken via the inappropriate ‘Liverpool’ method. Not only is this a point of issue with the Local Plan Inspector (Q24 and Q25) but this methodology has been fundamentally rejected at Appeal. This suitably demonstrates that the submitted spatial strategy for East Cambridgeshire and the limited role of sustainable large village settlements, such as Fordham, is unsound and must be reconsidered.</p> <p>Failure of PSNP to Contribute to the Achievement of Sustainable Development With regard to sustainable development, this basic condition has not been complied with, as the DNP lacks any ambition and seeks only to mirror the limited growth policies of the emerging Local Plan. This is evident in the DNP Vision and Objectives, where the language used in relation to future growth is patently negative. The main emphasis is placed upon valued facilities not being negatively impacted upon by growth, as opposed to the DNP more accurately describing the benefits of sustainable development in helping to maintain the viability of existing facilities and driving the enhancement and future provision of much needed new services in Fordham.</p> <p>These negative presumptions are carried forward into DNP Policy 1 which recognises that growth is required in Fordham over the plan period to address the national housing shortage. Furthermore, that growth is required ‘more importantly, to ensure that the village does not stagnate’. However the DNP seeks only ‘organic’ growth, and suggests that unless growth is strictly controlled, existing infrastructure and services in Fordham will be ‘overwhelmed’. As such, the DNP limits growth to a maximum of only 30% between 2011 and 2036 (25 years) aligned with the emerging Local Plan.</p> <p>However this approach does not constitute sustainable development and is flawed. Essentially all new growth generates economic stimulus and any impacts can be mitigated at source via the use of CIL and S106 obligations, particularly in viable areas such as Fordham. A growth projection of 30% equates only to an annual average figure of around 1.2% per annum over the 25 year period from 2011 to 2036 (albeit this is considered to be ‘substantial’ by the DNP). However for comparison, during the period 2001 to 2011, Fordham grew from 966 dwellings to 1,133 dwellings, an increase of 17% over a ten year period, or an annual average growth figure of 1.7% per year.</p> <p>Putting the past and projected growth of Fordham into context, the annual average intended growth for the ten year period from 2011 to 2021 is therefore only about two thirds of that achieved in the period 2001 to 2011. This is compounded by the fact that from 2008, the district was in the grip of a national economic recession which considerably suppressed housing growth in the earlier ten year period. Accordingly it is somewhat disingenuous to suggest that an annual growth rate of only 1.2 % in the years between 2011 and 2036 will be ‘substantial’ when considerably higher levels of growth took place in the preceding decade and under much more onerous economic conditions.</p> <p>In contrast, Soham is required in the first five years of the emerging Local Plan to supply 1,075 dwellings or 215 dwellings p.a. Whilst Fordham will contribute only 303 dwellings throughout the entire Plan period to 2036, or just 15 new dwellings per year. Despite its clearly acknowledged lack of viability, the expected housing contribution from Soham is nearly 2,100 dwellings in the Plan period or seven times that of Fordham. As such, the acceptance of such low levels of growth in the Fordham DNP is not indicative of a Neighbourhood Plan which intends to contribute to achieving sustainable development.</p> <p>The Opportunity for Additional Sustainable Development in Fordham</p>
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		<p>suitably demonstrated by reference to the Committee Report in relation to the previously submitted outline planning application for 52 dwellings (see relevant extracts within our previous representations at Appendix 1).</p> <p>The Officer comments provided strong professional evidence that a satisfactory development, with minimal visual and landscape impacts, can be achieved outside of the immediate village nucleus. This is important in the context of the tilted balance, confirmed by the Gladman Decision, as it also proves that there are no significant or demonstrable reasons why our new application should not be approved.</p> <p>The Sustainable Contribution of Land North East of Soham Road The Site proposed for residential allocation by Endurance will assist the Fordham DNP to achieve a higher level of sustainable development and help indemnify the Neighbourhood Plan against the potential failures of the emerging Local Plan, which are already evident from recent decisions.</p> <p>The characteristics and suitability of the Site are set out in our previous representations at Appendix 1.</p> <p>Other DNP Policy Responses PSNP Policy 4 – Maintaining Separation The preservation of the existing gap between Soham and Fordham and the avoidance of ribbon development on Soham Road is supported.</p> <p>This places a premium on allocating additional sites for future development needs adjacent to the existing village envelope where it has been shown that there is no demonstrable harm to the function and visual perception of this gap. The Site proposed by Endurance fulfils these criteria as evidenced in the Planning Committee report. PSNP Policy 9 – Services and Facilities We concur that Fordham has a good range of services and facilities and that in principle additional planned growth should enable these facilities to thrive. However, whilst the percentage of CIL income received by the Parish Council will increase to 25% upon adoption of the Neighbourhood Plan, the average projected delivery of only 15 dwellings per annum throughout the Plan period is unlikely to generate any material funds sufficient to deliver any of the community infrastructure objectives. Indeed the planned rate of annual housing growth is so low that there is a question mark over whether even the existing facilities will remain viable in the longer term as the existing population ages, without the socio-economic stimulus which would arise from a larger scale of planned development in Fordham.</p> <p>PSNP Policy 12 – Car Parking The proposed adoption of minimum car parking standards which mirror those of the emerging Local Plan (with the encouragement of even higher parking standards) is both counter-intuitive and unsustainable. Primarily the adoption of a car parking policy which (including garage spaces) facilitates up to one car parking space, per bedroom, will simply encourage even greater car ownership and transportation solely by car mode. However more significantly, the land take necessary to provide this scale of parking will erode the net building area of some developments by up to 10%, thereby undermining the anticipated dwelling yield of the residential allocations made in the Local Plan and further damaging the viability of allocations made in financially sensitive settlement locations, such as Soham and Littleport.</p> <p>Conclusions Fordham is one of the more sustainable and viable development locations in the district, but has largely been overlooked in terms of new strategic residential allocations by the Local Plan. This is compounded by the fact that the Council are reliant on new allocations in areas which</p>
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		<p>have a poor record of delivery and require special concessions to preserve viability. The DNP for Fordham mirrors these errors, by restricting development in a viable development location such as Fordham.</p> <p>The Local Plan in its present form is likely to fail and in doing so the allocations of the DNP will be overridden at a future date. Accordingly it is incumbent upon the Neighbourhood Plan to consider the allocation of reserve sites at the present time, including identifying the best site options for future CLT and potential rural exception sites.</p> <p>A primary requirement of Neighbourhood Plans is that they should contribute a shared vision for the achievement of sustainable development, which means they should plan positively. Whilst the DNP should be in general conformity with the strategic policies of the development plan, this does not imply that it must slavishly adhere to Local Plan growth restrictions (which have already fallen at the first hurdle) and be used as an additional instrument to prevent sustainable development.</p> <p>None of the previous iterations of the current Neighbourhood Plan have presented any alternative strategy options or alternative sites to facilitate the process of full engagement to encourage the community to refine different options in the local interest.</p> <p>A broader, more option-based, approach would more directly correlate with local delivery aspirations for key new services, including the provision of a new school and a medical centre, neither of which can be provided without the direct catalyst of additional enabling development. Accordingly, in reassessing the DNP it is imperative that all key stakeholders including local landowners and the development industry are involved. This process of engagement allows for the production of plans which are genuinely deliverable and more likely to produce sustainable developments of benefit to the wider local community. However Endurance, as the promoter, has had no previous contact or involvement in the preparation of the DNP, which is undemocratic and unsound.</p> <p>Similarly, whilst supporting CLT and affordable exception policies, the PSNP is completely silent on the locations of where such proposals would be appropriate. These are all relevant choices which have been denied to the local community as viable alternative growth alternatives, in favour of strict adherence to an unsound emerging Local Plan.</p> <p>Our overall conclusion, corroborated by the recent Gladman Decision, is that the Fordham DNP should now be withdrawn in order to properly reconsider the growth strategy in the light of the demonstrable weaknesses of the Local Plan, which have been highlighted during its current Examination.</p> <p>[Appendix 1]</p> <p>FORDHAM NEIGHBOURHOOD PLAN: REGULATION 14 PRE-SUBMISSION CONSULTATION</p> <p>These representations have been prepared by Turley on behalf of Endurance Estates Strategic Land Ltd (Endurance) in response to the Fordham Neighbourhood Plan Pre-Submission Consultation, March 2018.</p> <p>Endurance is the promoter of a residential site comprising approximately 2.26 hectares of land located North East of Soham Road in Fordham (the Site). This Site can provide a well-integrated residential development opportunity for up to 52 new dwellings in a sustainable location. The development is viable and deliverable and so the policy requirements of the emerging East Cambridgeshire Local Plan, including affordable housing, can all be reasonably met. An application for outline planning permission for 52 dwellings was submitted to East Cambridgeshire District Council in 2017 for determination and is currently the subject of an Appeal to the Secretary of State.</p> <p>We respond below to the relevant sections set out in the Pre-Submission Neighbourhood Plan (PSNP) in the context of our submitted Local Plan representations and our Section 78 Appeal against the refusal of outline planning permission. A location plan of the Site is also enclosed with these representations.</p>
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		<p>Executive Summary</p> <ul style="list-style-type: none"> • There is an over reliance on an emerging Local Plan which has been robustly challenged on the grounds of soundness and which has substantial questions to resolve upon its forthcoming examination. The parallel policies of the PSNP are therefore premature as there is a high risk that the Local Plan will be found unsound and quickly become out of date. • National planning guidance is to prepare a Neighbourhood Plan in accordance with adopted policy and there is no requirement to be in complete compliance with any emerging policy. This suggests that the PSNP needs to be paused in order to reconsider the growth strategy in the light of the impending examination and weaknesses of the submitted Local Plan. • To avoid the PSNP rapidly becoming out of date the Parish Council should plan for more sustainable growth in Fordham, such as the Site at North and East of Soham Road, including a series of additional reserve sites to help maintain land supply should the emerging Local Plan be found unsound. • The PSNP should be based on more positive mechanisms to deliver the identified shortfalls in community infrastructure, notably in terms of health and education. The most positive approach would be to plan for more sustainable growth in appropriate locations. • Whilst supporting CLT and affordable exception policies, the PSNP is completely silent on the locations of where such proposals would be appropriate. • Without implementing the changes identified above, the PSNP will be ineffective in shaping the sustainable growth in Fordham and will remain a short term overlapping restrictive policy document. The approach to growth and its relationship with the future delivery of new community infrastructure in Fordham therefore needs to be fundamentally reconsidered. <p>National Guidance and the Basic Conditions Test</p> <p>Paragraph 065 of the Government’s online Planning Policy Guidance (PPG) states that only a draft neighbourhood Plan that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 . In summary, to satisfy these basic conditions the Fordham PSNP, in summary, must:</p> <ul style="list-style-type: none"> • have regard to national policies and advice. • have special regard to the desirability of preserving any listed building or its setting • have special regard to the desirability of preserving or enhancing the character or appearance of any conservation area. • the neighbourhood plan contributes to the achievement of sustainable development. • the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area. • the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations. • prescribed conditions are met and prescribed matters have been complied with. <p>Primarily we consider that the Fordham PSNP is inconsistent with national policy and advice, as it over-reliant on being in complete accordance with the emerging Local Plan, which is flawed in a number of respects (see below). The emerging Local Plan is also subject to substantial objection from Endurance and others and has yet to be examined. However the PSNP uses the emerging Local Plan to constrain the growth of Fordham as it incorrectly assumes that all the emerging Local Plan policies are ‘up to date’. This is patently not the case, as the adopted plan is already out of date and there is no legal requirement to test the PSNP against emerging policy. The primary test of the PSNP is against the above basic conditions, some of which have not been met, as set out within these representations.</p> <p>Secondly, the Fordham PSNP fails to contribute to the achievement of sustainable development, by virtue of its narrow focus and complete alignment with an emerging Local Plan, which itself may already be out of date. Significantly the PSNP views growth as a matter which must be constrained in order to conserve infrastructure capacity, rather than using sustainable development to deliver the higher levels of long term community infrastructure and medical services that Fordham clearly needs.</p>
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		<p>The function of the PSNP is not just to reiterate the policies of the emerging Local Plan. Whilst the PSNP should be in general conformity with the main strategic provisions of the Local Plan, it must also contribute to the achievement of sustainable development. Therefore the Fordham PSNP has the scope to plan for additional growth, in the interests of delivering specific enhancements to community services, to ensure the long term vitality and viability of Fordham, but these opportunities have not been taken.</p> <p>Over-reliance of the PSNP on the Emerging Local Plan</p> <p>There are significant risks in submitting a Neighbourhood Plan for examination which is completely tied to the spatial strategy and untested growth limitations of the emerging East Cambridgeshire Local Plan. The emerging Local Plan has not been examined and substantial objections have been made to all of its main provisions. In the interim, national planning guidance (NPPF consultation) is evolving in a manner which is likely to render both the emerging Local Plan and the PSNP completely out of date.</p> <p>Our submitted objections to the emerging Plan demonstrate the low levels of growth proposed for the district during the plan period, the weakness of the Council's claimed five year housing land supply and the irrational distribution and scale of the new dwelling allocations proposed. As such, the existing provisions of the submitted Local Plan cannot be relied upon as a foundation for the Fordham PSNP and they are considered likely to be found unsound, requiring a subsequent complete update of the PSNP.</p> <p>Endurance will make the above case at the examination how the Local Plan is flawed on a number of counts, including the deliverability of some of the allocations, including the disproportionate reliance upon Soham as the main driver of new housing growth in the district.</p> <p>Endurance will show that Soham has very low levels of viability and therefore a need for reduced levels of affordable housing and CIL to facilitate investment. Soham also has a poor record of housing delivery and so new developments in Soham will not be able to support an affordable housing contribution of any more than 20% without being rendered unviable. Similarly the CIL charge is also required to be at less than half the standard rate, compared to other more viable settlements in the district, such as Fordham. As such the Local Plan spatial strategy is unsound.</p> <p>On the 18th April 2018, the Council gave notice of the arrangements for the examination of the Local Plan which will commence on 19th June 2018. The Council has also made public the Inspector's initial four initial matters and related questions. With regard to Matter 2 of the Local Plan examination: 'Vision, Objectives and Development Strategy', the Inspector has already raised specific concerns in relation to the justification and effectiveness of the overarching development strategy for the district. These are reflected in the Inspector's Questions 18 & 19 set out below:</p> <p>18. Nearly half of the housing requirement set out within the submitted Local Plan is proposed to be delivered on strategic sites at Ely, Kennett, Littleport and Soham. Is the strategy and distribution of development justified, effective, positively prepared and consistent with the particular circumstances of East Cambridgeshire District?</p> <p>19. Will the development strategy achieve the Council's vision and strategic objectives and deliver sustainable development for East Cambridgeshire? Does Policy LP3 clearly set out the distribution of development and is the settlement hierarchy justified? Does the evidence suggest that some settlements should be placed at different levels within the hierarchy? If so, what implications would this have, if any, on the development strategy?</p> <p>The submitted Local Plan also relies upon the immediate adoption of the Government's draft standard housing methodology, or as an alternative, the continued use of the latest OAN, with the recovery of significant housing delivery shortfalls undertaken via the inappropriate 'Liverpool' method. This has also been questioned by the Inspector (Q24 and Q25). Other questions raised by the Inspector relate to the potential lack of consideration of reasonable site alternatives, to which we concur.</p> <p>The Inspector's questions reflect the specific objections made by Endurance and others and suitably demonstrate that the submitted spatial strategy for East Cambridgeshire and the limited role of sustainable large village settlements, such as Fordham, is unsound and should be reconsidered.</p> <p>Failure of PSNP to Contribute to the Achievement of Sustainable Development</p>
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	<p>With regard to the achievement of sustainable development, this basic condition has not been complied with, as the Fordham PSNP lacks any ambition and seeks only to mirror the flawed and limited growth policies of the emerging Local Plan. This is evident in the PSNP Vision and Objectives, where the language used in relation to future growth is generally negative. The main emphasis is placed upon valued facilities not being negatively impacted upon by growth, as opposed to the PSNP more accurately describing the benefits of sustainable development in helping to maintain the viability of existing facilities and driving the enhancement and future provision of much needed new services in Fordham. These negative presumptions are carried forward into PSNP Policy 1 which recognises that growth is required in Fordham over the plan period to address the national housing shortage. Furthermore, that growth is required ‘more importantly, to ensure that the village does not stagnate’. However the PSNP seeks only ‘organic’ growth, and suggests that unless growth is strictly controlled, existing infrastructure and services in Fordham will be ‘overwhelmed’. As such, the PSNP limits growth to a maximum of only 30% between 2011 and 2036 (25 years) aligned with the emerging Local Plan. However this approach does not constitute sustainable development and is flawed. Essentially all new growth generates economic stimulus and any impacts can be mitigated at source via the use of CIL and other obligations.</p> <p>A growth projection of 30% equates only to an annual average figure of around 1.2% per annum over the 25 year period from 2011 to 2036 (albeit this is considered to be ‘substantial’ by the PSNP). However for comparison, during the period 2001 to 2011, Fordham grew from 966 dwellings to 1,133 dwellings, an increase of 17% over a ten year period, or an annual average growth figure of 1.7% per year.</p> <p>Putting the past and projected growth of Fordham into context, the annual average intended growth for the ten year period from 2011 to 2021 is therefore only about two thirds of that achieved in the period 2001 to 2011. This is compounded by the fact that from 2008, the district was in the grip of a national economic recession which considerably suppressed housing growth in the earlier ten year period. Accordingly it is somewhat disingenuous to suggest that an annual growth rate of only 1.2 % in the years between 2011 and 2036 will be ‘substantial’ when considerably higher levels of growth took place in the preceding decade and under more onerous economic conditions.</p> <p>In contrast, Soham is required in the first five years of the emerging Local Plan to supply 1,075 dwellings or 215 dwellings p.a. Whilst Fordham will contribute only 303 dwellings throughout the entire Plan period to 2036, or just 15 new dwellings per year. Despite its acknowledged lack of viability, the housing contribution from Soham will therefore be nearly 2,100 dwellings in the Plan period or seven times that of Fordham. As such, the acceptance of such low levels of growth in the Fordham PSNP is not indicative of a Neighbourhood Plan which intends to contribute to achieving sustainable development.</p> <p>The Opportunity for Additional Sustainable Development in Fordham</p> <p>To avoid the PSNP rapidly becoming out of date the Parish Council should plan for more sustainable growth in Fordham, including the Site proposed by Endurance and a series of reserve additional sites to help maintain land supply should the emerging Local Plan fail or be found unsound.</p> <p>Policy LP3 of the emerging Local Plan recognises Fordham’s status as a ‘large village’; i.e. having a population of over 1,500 and containing a wide range of services and facilities to meet daily needs, including a primary school, good employment opportunities and good public transport. Fordham therefore plays a key service role for its rural hinterland.</p> <p>As recognised by the PSNP, the adopted Local Plan allocates five employment sites either side of the A412 at the southern end of the neighbourhood area, including around 31 hectares of land for new B1/B2 and B8 development. The emerging Local Plan also allocates additional employment areas to complement those made in the Adopted Plan, under Policy Fordham 6. The new Employment Cluster South of Fordham (FRD.E1) comprises a total of 83.2 hectares and will therefore significantly further enhance the existing sustainability of Fordham. However, although there will be a major planned boost in sustainability, the role of Fordham and its growth targets within the emerging Local Plan are heavily constrained in comparison with nearby Soham, but these targets can be revisited by the Fordham PSNP.</p> <p>Growth and the Provision of Medical and Educational Facilities</p>
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		<p>Policy 10 of the PSNP identifies perceived shortfalls in the level of medical care and educational facilities in Fordham, which is a cause for concern in the community. However the response of the PSNP is wholly ineffectual in that the PSNP is supportive, in principle, of the delivery of a new GP surgery or other medical centre but has no plans to deliver it or any mechanisms to fund this critical infrastructure.</p> <p>Furthermore the restrictive policies of the Local Plan are given so much pre-eminence in the policy wording any future planning applications for such facilities outside of the existing village envelope will face an automatic presumption against development. Similarly there are no adequate funding mechanisms to help deliver any new education facilities (including early years) with the same likely presumption against development should there be any conflicts with the Local Plan.</p> <p>The resolution is not to restrict the scale of development in Fordham in an attempt to ‘hold the line’ where infrastructure capacity is concerned. The most appropriate mechanism to expand capacity and deliver these facilities is by maximising the CIL income stream arising from additional planned sustainable development. In contrast, the failure to plan for an adequate scale of growth in Fordham in the Plan period will see none of these new facilities delivered and pressure placed upon existing facilities which will not be adequately funded with an average long term annual growth rate of only 1.2%.</p> <p>Growth and Compatibility with the PSNP Vision and Objectives</p> <p>The Vision which underpins the Neighbourhood Plan is commended, in part, as a core aim as it seeks to preserve and enhance Fordham’s range of facilities, services and employment opportunities and make Fordham reasonably self-sustaining and thereby not dependent upon the services of other villages.</p> <p>The desire to maintain physical separation from Soham and other nearby villages is supported, as is the desire to avoid ribbon development. However, this does not mean that a ‘tight village nucleus’ is the only available option for development. The existing pattern of settlement and compact nature of Fordham additionally lends itself to sustainable development opportunities within the edges of the village without creating visually undesirable ribbon development which could erode the separation between villages.</p> <p>This can be suitably demonstrated by reference to the committee report in relation to the submitted outline planning application for 52 dwellings. With regard to landscape and visual impact, officers acknowledged in their report to members that - ‘subject to a satisfactory layout and landscaping scheme it is considered that the development could be incorporated into the landscape without causing significant and demonstrable harm to the visual amenity of the area’.</p> <p>Officers further agreed that ‘the proposal will naturally extend the settlement edge and given that it will occupy land in between the existing built form of the village it can achieve a satisfactory relationship with existing development’.</p> <p>The above officer comments provide strong professional evidence that a satisfactory development, with minimal visual and landscape impacts, can be achieved outside of the immediate village nucleus.</p> <p>Turning to the objectives of the Fordham PSNP, criteria 1, 2 and 3 are broadly supported and the development proposals at the Endurance Site are not prejudicial to any of these first three objectives. Criterion 4 is also broadly supported in relation to the avoidance of ribbon development, subject to the above caveat and related officer commentary, which demonstrates that additional sustainable growth beyond the immediate village nucleus, does not automatically infer any demonstrable landscape or visual harm, subject to an appropriate location, such as the proposed Endurance Site.</p> <p>Criteria 5 and 6 are also supported, having regard to the fact that properly planned new development (which will be subject to CIL) is likely to stimulate and enhance future investment in new and existing facilities as opposed to detracting from investment, as will be the case in the proposed low growth scenario. This is particularly relevant in relation to criterion 6, having particular regard to the proposed major new employment allocations and the objectives of Policies 9 and 10 of the PSNP.</p> <p>The Sustainable Contribution of Land North East of Soham Road</p>
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		<p>The Site proposed for residential allocation by Endurance will assist the Fordham PSNP to achieve a higher level of sustainable development and help indemnify the Neighbourhood Plan against the potential failures of the emerging Local Plan.</p> <p>The Site is acknowledged by East Cambridgeshire to be in a highly sustainable location and comprises around 2.26 hectares of relatively self-contained and non-essential agricultural land, divided into smaller parcels. The site, which is linear but irregularly shaped, already adjoins existing established residential areas to both the west and north, and borders the curtilages of dwellings in both of these directions. Vehicular and pedestrian access to the Site can be suitably achieved directly from Soham Road, which is a Classified A-Road and which forms the site's southern-most boundary.</p> <p>To the south west, the Site adjoins the curtilage of a modern bungalow which is set within an enlarged plot. To the east, the Site adjoins other parcels of agricultural land, which are similarly visually contained against the urban fabric of the village and enclosed by the Soham Road, which benefits from existing pedestrian walkways and pavements which provide access (to the south east) to the main built extent of Fordham and the services located there. The nearest bus stop is also located on Soham Road, in the immediate vicinity of the proposed site access. This bus stop is served by the No 12. Route which provides good access to nearby Soham, Ely and Newmarket.</p> <p>The arable nature of the Site means that it is not biologically diverse and the Site is not subject to any statutory landscape, ecological or other similar local designations. There are no Tree Preservation Orders (TPOs) or Public Rights of Way (PRoW) within the Site. The site does not fall within the Fordham Conservation Area, however the Site is located adjacent to No's 201 & 203 Carter Street both of which are Grade II listed Buildings.</p> <p>No fundamental objections were raised to the submitted outline planning application by any statutory stakeholders and the Council's single reason for refusal did not contain any site specific or other material reasons why the site was not suitable for development.</p> <p>The Appeal submitted by Endurance is therefore primarily based on the scale of new development appropriate for Fordham, relative to other settlements and the principle of whether development on an otherwise highly suitable site should be refused on the sole basis that it is not located within a settlement boundary set by an emerging Local Plan.</p> <p>Other PSNP Policy Responses</p> <p>PSNP Policy 4 – Maintaining Separation</p> <p>The preservation of the existing gap between Soham and Fordham and the avoidance of ribbon development on Soham Road is supported in principle. This places a premium on allocating additional sites for future development needs adjacent to the existing village envelope where it has been shown that there is no demonstrable harm to the function and visual perception of this gap. The Site proposed by Endurance fulfils these criteria as evidenced in the East Cambridgeshire planning committee report.</p> <p>PSNP Policy 9 – Services and Facilities</p> <p>We concur that Fordham has a good range of services and facilities and that in principle additional planned growth should enable these facilities to thrive. However, whilst the percentage of CIL income received by the Parish Council will increase to 25% upon adoption of the Neighbourhood Plan, the average projected delivery of only 15 dwellings per annum throughout the Plan period is unlikely to generate any material funds sufficient to deliver any of the community infrastructure objectives identified at paragraph 4.32. Indeed the planned rate of annual housing growth is so low that there is a question mark over whether even the existing facilities will remain viable in the longer term as the existing population ages, without the beneficial socio-economic stimulus which would arise from a larger scale of planned new development in Fordham.</p> <p>PSNP Policy 12 – Car Parking</p> <p>The proposed adoption of minimum car parking standards which mirror those of the emerging Local Plan (with the encouragement of even higher parking standards) is both counter-intuitive and unsustainable. Primarily the adoption of a car parking policy which (including garage spaces) facilitates up to one car parking space, per bedroom, will simply encourage even greater car ownership and transportation solely by car mode. However more significantly, the land take necessary to provide this scale of parking will erode the net building area of some developments by up</p>
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		<p>to 10%, thereby undermining the anticipated dwelling yield of the residential allocations made in the Local Plan and further eroding the viability of allocations made in more financially sensitive settlement locations, such as at Soham and Littleport.</p> <p>Conclusions</p> <p>Fordham is one of the more sustainable and viable development locations in the district, but has largely been overlooked in terms of new strategic residential allocations by the Local Plan. This is compounded by the fact that the Council are reliant on new allocations in areas which have a poor record of delivery and require special concessions to preserve viability.</p> <p>This suggests that the Local Plan could fail and in doing so the allocations of the PSNP are likely to be overridden at a future date. Accordingly it is incumbent upon the Neighbourhood Plan to consider the allocation of reserve sites at the present time, including identifying the best site options for future CLT and potential rural exception sites.</p> <p>A primary requirement of Neighbourhood Plans is that they should contribute a shared vision for the achievement of sustainable development, which means they should plan positively. Whilst plans should be in general conformity with the strategic policies of the development plan, this does not imply that they must slavishly adhere to Local Plan growth restrictions and be used as an additional instrument to prevent sustainable development.</p> <p>Accordingly, in the preparation of Neighbourhood Plans it is imperative that all key stakeholders including local landowners and the development industry are involved. This process of engagement allows for the production of plans which are genuinely deliverable and more likely to produce sustainable developments of benefit to the wider local community. However neither Endurance, as the promoter, or the owners of the Site in question, has previously had any contact or involvement in the preparation of the PSNP, which is both undemocratic and unsound.</p> <p>In this respect, none of the previous iterations of the current Neighbourhood Plan have presented any alternative strategy options or alternative sites to facilitate the process of full engagement to encourage the community to refine different options in the local interest. A broader, more option-based, approach would more directly correlate with local delivery aspirations for key new services, including the provision of a new school and a medical centre, neither of which can be provided without the direct catalyst of additional enabling development.</p> <p>Similarly, whilst supporting CLT and affordable exception policies, the PSNP is completely silent on the locations of where such proposals would be appropriate. These are all relevant choices which have been denied to the local community as viable alternative growth alternatives, in favour of strict adherence to an unsound emerging Local Plan. The conclusion to be drawn suggests that the Fordham PSNP should be immediately paused in order to properly reconsider the growth strategy in the light of the demonstrable weaknesses of the Local Plan.</p> <p>We trust that the information provided within these representations will be considered further and Endurance welcomes the opportunity to meet with Fordham Parish Council to discuss the potential of the Site and its contribution to the local spatial strategy in more detail.</p>
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