

**Regulation 16 Consultation – Draft Mepal Neighbourhood Plan**

ECDC published for consultation the draft Mepal Neighbourhood Plan for the period 2 November to 15 December 2023. The table sets out all comments received during the publication period. A total of 10 were received. Original copies of the representations are held by ECDC.

Name	Date Received	Comments
1. Carter Jonas for Havebury Housing Partnership	14 December	<p>We are instructed by Havebury Housing Partnership to respond to the consultation on the Reg.16 Submission Mepal Neighbourhood Plan (submission MNP). Havebury Housing Partnership has an interest in land south of Brick Lane in Mepal. This site would be directly affected by the proposed Important Undeveloped Sutton Road Village Gateway designation, referred to in Policy 8: Local Character and identified on Map 8: Areas Important to Village Character and Setting.</p> <p>In summary, Havebury Housing Partnership objects to proposed Important Undeveloped Sutton Road Village Gateway designation for the following reasons: there is no evidence provided to explain or justify this proposed designation; there is no assessment to explain or justify the selected boundary of the designation; there is a lack of clear purpose for this designation; and the adopted development plan already contains policies to limit development in the countryside and to protect landscape and settlement character. For these reasons, the proposed Important Undeveloped Sutton Road Village Gateway designation is inconsistent with national policy and with strategic policies in an adopted development plan. It is considered that the proposed Important Undeveloped Sutton Road Village Gateway designation does not meet Basic Condition (a) - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order - and should be deleted.</p> <p>These representations will refer to policies in the adopted East Cambridgeshire Local Plan 2015 (as amended in October 2023), national policy and guidance contained in the NPPF (dated September 2023) and the Planning Practice Guidance.</p> <p><b>Representations</b></p> <p><b>Policy 8 (Local Character) and Map 8 (Areas Important to Village Character and Setting)</b></p> <p>Havebury Housing Partnership has an interest in land south of Brick Lane in Mepal, which is included within the proposed Important Undeveloped Sutton Road Village Gateway designation in this location. Policy 8 refers to this designation and states that “Proposals which would result in the loss of or lead to harm to the verdant and undeveloped character of the Important Undeveloped Sutton Road Village Gateway as shown on Map 8 will not be supported”. It is stated in Paragraph 24.6 that “The village gateway along Mepal Road forms an important entrance vista into the village. The verdant and undeveloped character and appearance is of significance to the overall landscape setting of the</p>

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		<p><i>village</i>". It is assumed that the reference to Mepal Road in Paragraph 24.6 is not correct, and it should have referred to Sutton Road. Map 8 defines the boundary of the proposed Important Undeveloped Sutton Road Village Gateway designation.</p> <p>Firstly, there is no evidence provided with Policy 8 to explain or justify the decision to identify an Important Undeveloped Sutton Road Village Gateway designation, which located at land north of Sutton Road and east of Brangehill Lane/A142. It appears from the supporting text in Paragraph 24.6 that the Important Undeveloped Sutton Road Village Gateway designation is related to landscape matters. There is no landscape related evidence, or any photographs, provided with submission MNP that assesses the proposed Important Undeveloped Sutton Road Village Gateway designation. Paragraph 041 (Ref ID: 41) of the Planning Practice Guidance states that "<i>It [neighbourhood plan policies] should be concise, precise and supported by appropriate evidence</i>". It is considered that since there is no evidence put forward to explain or justify the proposed Important Undeveloped Sutton Road Village Gateway designation, this proposed designation does not have regard to national policy, and as such would not meet Basic Condition (a).</p> <p>Secondly, there is no assessment provided with Policy 8 to explain or justify the selected boundary of the proposed Important Undeveloped Sutton Road Village Gateway designation, as defined on Map 8. The proposed boundary is not related to any landscape or physical feature in this location, and it is not clear what the differences are or what is 'important' about land within the proposed boundary compared with land beyond but adjacent to the boundary. In these circumstances it would be very difficult for an applicant or decision-maker to determine whether a future development in this location falls within the particular characteristics of this designation, and should be approved or refused permission. Section 3 of the NPPF provides guidance on plan-making. Criteria (d) of Paragraph 16 states that plans should "<i>contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals</i>". It is considered that since the boundary of the proposed Important Undeveloped Sutton Road Village Gateway designation has not been informed by any assessment it must make that part of Policy 8 unclear and ambiguous leading to uncertain outcomes in planning decisions. The boundary of the proposed Important Undeveloped Sutton Road Village Gateway designation does not have regard to national policy, and as such would not meet Basic Condition (a).</p> <p>Thirdly, the term 'Important Undeveloped Sutton Road Village Gateway' is not defined in the Glossary for submission MNP, and so the purpose and meaning of this proposed designation is not entirely clear. It appears that the purpose of the proposed Important Undeveloped Sutton Road Village Gateway designation is to prevent loss or harm to the verdant and undeveloped character of land within this designation. The term 'verdant' is defined in the Glossary as "<i>countryside green with grass or other rich vegetation</i>". The term 'undeveloped' in this context means land that does not contain buildings. It is suggested that the terms 'verdant' and 'undeveloped' would describe most of the land outside of settlement boundaries and within the countryside of Mepal and elsewhere in East Cambridgeshire. It is not clear why</p>

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		<p>the land north of Sutton Road and east of Brangehill Lane/A142 needs to be specifically designated as an Important Undeveloped Sutton Road Village Gateway, when most land within the countryside has similar verdant and undeveloped characteristics. Criteria (f) of Paragraph 16 of the NPPF states in part that plans should “serve a clear purpose.....”. It is considered that the proposed Important Undeveloped Sutton Road Village Gateway designation does not serve a clear purpose, because land within the wider countryside has similar characteristics to the land to be included within this designation. The term ‘Important Undeveloped Sutton Road Village Gateway’ does not have regard to national policy, and as such would not meet Basic Condition (a).</p> <p>Finally, it appears that the purpose of the proposed Important Undeveloped Sutton Road Village Gateway designation is related to landscape character. The adopted East Cambridgeshire Local Plan contains a number of policies that seek to protect the countryside, landscape character and the setting of settlements. Policy GROWTH 2 (Locational Strategy) seeks to control development outside defined settlement envelopes, for the purpose of protecting the countryside and the setting of towns and villages. It is noted that Policy GROWTH 2 does allow a range of types of development in the countryside, including for example affordable housing exception schemes. Policy ENV 1 (Landscape and Settlement Character) expects development to be informed by the landscape character of a site, and to protect landscape features, the settlement edge, landscape setting, and key views for example. Policy ENV 2 (Design) sets out a range of criteria to ensure development is designed to a high quality, and refers to retaining existing landscape features, protecting existing views of settlements and landmark buildings, and providing landscaping with development for example. It is considered that all of these adopted Local Plan policies already seek to protect landscape character and the setting of settlements, and ensure that appropriate landscaping is provided with development. Criteria (f) of Paragraph 16 of the NPPF states that plans should “<i>serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)</i>”. It is not necessary for the part of Policy 8 relating to the proposed Important Undeveloped Sutton Road Village Gateway to duplicate adopted Local Plan policies, and to do so would be inconsistent with Paragraph 16(f) of the NPPF. It is considered that Policy 8 does not have regard to national policy, and as such would not meet Basic Condition (a).</p> <p><b>Requested Change</b></p> <p>To delete the following text from Policy 8 [shown as strikethrough]</p> <p><del>Proposals which would result in the loss of or lead to harm to the verdant and undeveloped character of the Important Undeveloped Sutton Road Village Gateway as shown on Map 8 will not be supported.</del></p> <p>To delete the proposed Important Undeveloped Sutton Road Village Gateway designation from Map 8.</p>

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		<p>To delete all other references to the proposed Important Undeveloped Sutton Road Village Gateway designation from submission MNP.</p> <p><b>Other Comments</b></p> <p>Havebury Housing Partnership has an interest in land south of Brick Lane in Mepal, and intends to submit a planning application for an affordable housing scheme at the site. It is noted that draft MNP does not include any housing related objectives or allocate any land for housing. The draft MNP does not seek to meet the current or future housing or affordable housing needs of the village. An affordable housing scheme at the site would be consistent with Policy GROWTH 2 of the adopted East Cambridgeshire Local Plan, which allows this type of housing in principle on land outside of settlement envelopes. The design and layout of any development at the site would need to be compliant with Policy ENV 1 (Landscape and Settlement Character) and Policy ENV 2 (Design) of the adopted Local Plan, in particular retaining landscape features and protecting landscape setting. The existing vegetation at the western and southern boundaries of the site would be retained within any development at the site. The proposed Important Undeveloped Sutton Road Village Gateway designation would prevent the delivery of an affordable housing scheme at the site.</p> <p><b>Conclusion</b></p> <p>In conclusion, Havebury Housing Partnership object to submission MNP on the basis that it does not meet Basic Condition (a), and ask that the changes requested in these representations are made before MNP is submitted for examination.</p> <p>Can you please add my contact details to your consultation database for submission MNP, and keep me informed of progress with the document? Please let me know if you have any questions about the above response or require further information.</p>
2. East Cambridgeshire District Council	15 December	<p>This letter sets out East Cambridgeshire District Council's response to the submitted plan, which is being consulted upon between 2 November to 15 December 2023.</p> <p>The District Council welcomes the Parish Council bringing forward this Plan, and, broadly speaking, the Plan is considered to be well presented, with clear identification of what are policies and what is wider supporting text. There are helpful use of Maps throughout.</p> <p>This letter does not comment on all matters in the Plan, but rather concentrates on those matters which we believe should be brought to the attention of the Examiner (once appointed).</p>

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		<p><b>Section 7 – Relationship to the East Cambridgeshire Local Plan</b></p> <p>This short section is in need of updating, following the very recent adoption of an update to the Local Plan in October 2023. The recent update of the Local Plan, and the updating of this Section 7 of the Neighbourhood Plan, will have no material effect on the rest of the Neighbourhood Plan.</p> <p>The District Council is happy to mutually agree words for the update to section 7, but by way of initial suggestion it proposes the following amended text:</p> <p>7.1 The East Cambridgeshire Local Plan sets out the vision, objectives spatial strategy and policies for the future development of the district. It also identifies land and allocates sites for different types of development, such as housing and employment, to deliver the planned growth for the district to 2031.</p> <p>7.2 The preparation of the Local Plan was informed through several stages of public consultation. The Local Plan was adopted by the Council on 21 April 2015, <b><u>with a small update adopted in October 2023. It</u></b> it covers the plan period up to 2031. <del>In April 2020 the Council determined that it was necessary to review the Local Plan through what is known as a ‘Single Issue Review’ and addresses the housing requirement for the same plan period up to 2031.</del></p> <p><del>7.3 Consultation on the Proposed Submission version of the ‘Single Issue Review’ of the Local Plan was carried out between 3 May and 13 June 2022. Two earlier consultations also took place on a draft document, during 2021. On 19 July 2022, the Council submitted its proposed Single Issue Review Local Plan7 to the Planning Inspectorate, so that an independent examination of the proposal can take place. The Examination of the Local Plan Review is underway, and the hearing sessions were held in November 2022 and March 2023. As part of that Examination process the Local Plan Review has recently undertaken consultation on modifications during July and August 2023. Neither the existing <b>The</b> East Cambridgeshire Local Plan nor the Single-Issue Review Local Plan <b>does not</b> allocate sites for development in Mepal.</del></p> <p><b><u>7.4 This Mepal Neighbourhood Plan attains the same legal status as the East Cambridgeshire Local Plan once it has been approved at a referendum. At that point, it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.</u></b></p> <p><b>Policy 1 – Settlement Boundary</b></p>

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		<p>The draft Mepal Neighbourhood Plan proposes an updated Development Envelope (or ‘settlement boundary’ as it wishes to rename it) for Mepal village. The Plan explains at para. 19.5 that “an updated development envelope would reflect the current position”. The District Council is comfortable that a Neighbourhood Plan can adjust a development envelope (and rename if they so wish) as a matter of principle, and it raises no fundamental concerns with the adjustments as proposed in this specific Plan.</p> <p>The rest of Policy 1 sets out the approach to development within and outside of the (as updated and renamed) settlement boundary, and the approach is broadly consistent with Policy GROWTH2 of the Local Plan, and therefore the District Council raises no objection to it.</p> <p><b>Policy 2 – Community Assets</b></p> <p>Whilst the principle and broad intent of such a policy is accepted, and the naming/mapping of specific facilities is helpful, there is slight risk that the policy wording immediately before the list of named facilities is weaker than that in Local Plan COM3. For example, taken literally, a facility which is argued to be “poorly used” would qualify to be exempt under policy 2. It may be more appropriate, more effective and more consistent with existing development plan policy if the paragraph was simplified to:</p> <p>“Proposals that would result in the loss of the following community assets <b>(and as identified shown on Map 3)</b> will be resisted <b>in line with Local Plan policy COM3</b>: <del>unless it can be shown<sup>17</sup> that they are poorly used, not viable or adequate replacement provision is made elsewhere in Mepal which is an equivalent service or community facility located where it is equally or more accessible to the existing and planned new community it is intended to serve.”</del></p> <p><b>Policy 8 – Local Character</b></p> <p>This is a new policy added since the earlier consultation stages. It is clearly a locally specific policy, and helpfully identifies to the reader what is expected to happen (or not happen) in certain mapped locations in the village. The District Council is comfortable with both the principle of a policy and its broad intent.</p> <p>Whilst not an objection, it might be helpful to the reader if Map 8 also overlaid the ‘settlement boundary’ from Map 2. The key to Map 8 could then also cross refer the reader back to Policy 1 / Map 2, with words in the key something like: “Settlement boundary (see also Policy 1 and Map 2)”</p>

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		<p><b>Policy 9 – Local Green Space</b></p> <p>The District Council notes the list of proposed LGS designations, and the helpful supporting document to justify them. The District Council agrees, in principle, that a Neighbourhood Plan can designed LGS sites, and it has no fundamental concern with any such proposed sites in this Plan.</p> <p><b>Conformity with strategic policies</b></p> <p>As a general comment, the Neighbourhood Plan policies appear to be broadly aligned with the strategic policies contained within the Local Plan 2015 (as amended 2023) and national policy. The District Council is therefore satisfied that the draft Neighbourhood Plan does not undermine its strategic policies and is capable of meeting the requirement for ‘general conformity’.</p> <p><b>Other obligations</b></p> <p>As set out in Submission Document 6, the District Council issued a Determination Statement in October 2023 that concluded that the District Council considers that no likely significant environmental effects will arise from implementation of the Mepal Neighbourhood Plan.</p> <p>The District Council sees no reason why the conclusions set out in the Statement issued in October 2023 do not remain valid.</p> <p>In conclusion, ECDC considers that the Mepal Neighbourhood Plan is capable of satisfying the basic conditions and other relevant legal obligations.</p>
<p>3. Savills for Church Commissioners for England</p>	<p>15 December</p>	<p>We write on behalf of our Client, the Church Commissioners for England, to make representations regarding the Submission Draft of the Mepal Neighbourhood Plan (SDMNP). By way of context, our client has landholdings within the designated Mepal Neighbourhood Plan Area and as such, has an interest in the preparation of the SDMNP.</p> <p>In short, the Church Commissioners for England are supportive of the broad objectives of the SDMNP but have concerns regarding the justification and wording of draft Policy 8. We support the objective of the policy to ensure new development respects the local character and recognise this is a key part of high quality placemaking. We consider the preparation of the Mepal Neighbourhood Plan provides an opportunity to deliver much needed affordable homes by encouraging rural exception sites within and around the settlement boundary, in line with Local Plan HOU 4. Our client’s</p>



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		<p>principal concerns relate to the designation of land around Mepal as Important Verdant Open Area and an Area Sensitive to Change and Intensification. The designations proposed under Policy 8 would prevent the delivery of affordable housing in Mepal and as such our client considers this is a missed opportunity.</p> <p><b>Policy Context</b></p> <p><b>The National Planning Policy Framework</b></p> <p><b>Neighbourhood Planning</b></p> <p>As a starting point, for ease of reference, paragraph 13 of the NPPF states the following regarding the relationship between Neighbourhood Planning and Local Plans:</p> <p><i>“Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.”</i></p> <p>Paragraph 29 states:</p> <p><i>“Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies”</i></p> <p>Indeed, footnote 18 further states here that Neighbourhood Plans must be in general conformity with the strategic policies contained in any development plan that covers their area. Paragraph 30 states that once brought into force Neighbourhood Plan Policy only takes precedence over non-strategic policies in the Local Plan.</p> <p><b>National Planning Practice Guidance</b></p> <p>The planning practice guidance sets out the basic conditions which a neighbourhood plan must meet to proceed to referendum:</p> <ul style="list-style-type: none"> <li>A) Having regard to national policies and advice contained in guidance issued by the Secretary of State.</li> <li>B) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses.</li> <li>C) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area.</li> <li>D) The making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.</li> </ul>



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		<p>E) The making of the order (or neighbourhood 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>F) The making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations.</p> <p>G) Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).</p> <p>Criteria D and E are of relevance to these representations. The NPPG provides further information on how sustainable development is defined in Neighbourhood Plan making and requires that <u>sufficient and proportionate evidence</u> be presented on how a draft Neighbourhood Plan guides development to sustainable solutions. Paragraph 040 (reference ID: 41-040-20160211) further adds that '<i>proportionate, robust evidence should support the choices made and the approach taken</i>'. This evidence should be drawn upon and '<i>explain succinctly the intention and rationale of the policies in the draft neighbourhood plan</i>'.</p> <p>With regard to strategic policies, the NPPG defines a strategic policy, beyond those identified within a plan as whether a policy sets out an overarching direction or objective. To have general conformity with strategic policies, guidance suggests the local planning authority should consider:</p> <ul style="list-style-type: none"> <li>• Whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with.</li> <li>• The degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy.</li> <li>• Whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy.</li> <li>• The rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach</li> </ul> <p><b>The Mepal Neighbourhood Plan – Policy 8 Local Character</b></p> <p>In considering the above approach set out in the NPPF and NPPG, it is essential to consider draft Policy 8 and whether it accords with the strategic policies of the Local Plan, namely the East Cambridgeshire Local Plan (as amended 2023), as well as to consider the strength of the evidence base and to assess any potential conflict with the SDMNP.</p>

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		<p>Policy 8 designates our client’s land under two restrictive designations, as shown on the below map from the SDMNP. The proposed designations area: 1) Important Verdant Open Area (shaded blue); and 2) as an Area Sensitive to Change and Intensification (outlined red dash line). We consider the impacts of these designations in turn below.</p> <p><i>[figure 1 inserted in the original representation here. Please see appendix 1 of this summary report for a copy of that figure]</i></p> <p>The proposal to designate Important Verdant Open Areas and the Area Sensitive to Change &amp; Intensification in the Neighbourhood Plan takes a distinct local approach which seeks to prohibit any development within the designated areas which is inconsistent with the Local Plan policies and Paragraphs 13 and 29 of the NPPF. The degree of conflict and the consequences of this approach are explained in further detail below.</p> <p>In terms of the Local Plan, the overarching spatial vision for East Cambridgeshire aims to deliver ‘<i>increased access to affordable housing</i>’. Strategic Objective 2 also states that by 2030, the district will ‘<i>Provide a range of new housing in appropriate locations, which meets local housing needs as far as possible</i>’. Furthermore, Strategic Policy GROWTH 2 states that outside of defined development envelopes, development will be strictly controlled unless for a number of criteria, including affordable housing exception schemes. Policy HOU 4 further states that affordable housing development on exception sites can make an important contribution to meeting local housing needs, and schemes may be permitted on sites outside settlement boundaries where there is an identified local need.</p> <p>In considering the proposed designation of Important Verdant Open Areas under draft Policy 8, development in these specific areas would not be supported in the SDMNP, which is overly prohibitive, contrary to the Local Plan policies and supported by insufficient evidence to justify this designation. Land included within the designation is considered appropriate for affordable housing and accordingly such designations could prohibit the delivery of affordable homes to respond to an identified local affordable housing need. This is evidenced by the Council recently granting consent for 38 affordable homes (ref. 23/00712/OUM) where it was concluded there is ‘<i>a significant need for affordable housing in East Cambridgeshire</i>’.</p> <p>Our client is working in conjunction with English Rural, a proven specialist provider of affordable housing in rural communities to seek to bring forward parts of the land for such affordable homes as part of a small scale, sensitive development that through appropriate masterplanning could respond to the local heritage and landscape sensitivity.</p> <p>Based on the above, it is evident that with regard to Policy 8, the consultation draft Neighbourhood Plan does not accord with the NPPG on this basic condition. It does not:</p> <ul style="list-style-type: none"> <li>- Support and uphold the general principle that strategic policies are concerned with.</li> </ul>

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		<p>- Policy 8 conflicts with the strategic policies and objectives contained in the adopted Local Plan and would prevent the delivery of affordable housing on what are otherwise considered suitable sites.</p> <p>- As stated above the rationale and evidence for the approach taken in the SDMNP is not based upon published evidence nor is it justified.</p> <p>Policy 8 also designates our client's other landholding as an Area Sensitive to Change and Intensification. Under Policy 8, development in this area will not be permitted unless it can be demonstrated that it does not individually or cumulatively adversely affect the Ouse Washes. Additional intensification in this part of the village will not be supported where it:</p> <ul style="list-style-type: none"> <li>• would result in the loss of existing gaps in the streetscene; or</li> <li>• involves the loss of natural features such as trees, verges and hedgerows; or</li> <li>• would lead to the urbanisation of the streetscene; or</li> <li>• would involve the subdivision of plots and increase the density of development to not reflect the lower density character.</li> </ul> <p>For similar reasons in relation to the designation of land as Important Verdant Open Area, our client objects to the designation of their land as an Area Sensitive to Change and Intensification, due to the lack of evidence provided and the conflict with the strategic Local Plan policies and objectives. As set out above, there is a need for affordable housing in the village and small scale developments in these locations could be appropriate. Indeed, the Council have previously considered land proposed to be designated as an Area Sensitive to Change and Intensification as suitable for development, through the granting of consent for minor scale residential development through applications ref. 22/00189/FUL and ref. 19/00830/OUT.</p> <p>Overall, it is considered that the inclusion of Policy 8 in the SDMNP would prevent the delivery of affordable housing where it is needed. No robust evidence has been submitted to justify the designation of our client's land as an Important Verdant Open Area nor as an Area Sensitive to Change and Intensification. In the absence of such evidence, it is suggested that Policy 8 and all supporting text be removed in order to ensure the delivery of affordable housing in a village where it is needed.</p> <p><b>Next Steps</b></p> <p>If confirmation of receipt of these representations could be provided it would be much appreciated and we would welcome the opportunity to discuss the content of this document should officers have any queries.</p> <p>Finally, please could we be kept informed of any progress or further consultation during this process.</p>

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4. Anglian Water	15 December	I can confirm that we have no further comments on the Mepal Neighbourhood Plan, following our previous representation on the Reg. 14 pre-submission draft neighbourhood plan, which is summarised in the consultation statement.
5. Cheffins for Mr T Brand, Mrs N Tuck and Mrs S Rains	14 December	<p>1.1 These representations have been prepared by Cheffins on behalf of Mr T Brand, Mrs N Tuck and Mrs S Rains the who own and control land south of Brick Lane, Mepal, CB6 2AH the , please see Appendix A of this document for a copy of the Land Registry Title Plan showing the ownership boundary of the Site edged in red.</p> <p>1.2 These representations are in response to East Cambridgeshire district Council’s consultation on the Mepal Neighbourhood Plan (Submission Version) (2023) (‘Draft Plan’) under Regulation 16 of the Neighbourhood Planning Regulations 2012 (as amended).</p> <p>1.3 Neighbourhood plans must comply with the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) in order to proceed to referendum. These state that the plan must:</p> <ul style="list-style-type: none"> <li>• Have regard to national policies and advice, such as the National Planning Policy Framework;</li> <li>• Contribute to the achievement of sustainable development;</li> <li>• Be in general conformity with the strategic policies in the development plan for the area (our Core Strategy and our other development plan documents); and</li> <li>• Be compatible with European obligations and human rights requirements.</li> </ul> <p>1.4 A neighbourhood plan cannot stop development and government has made it clear that it is not a tool for residents to oppose proposals for new developments.</p> <p>1.5 These representations have given due weight and consideration to policies in the adopted East Cambridgeshire Local Plan 2015 (as amended 2023), National Planning Policy Framework (NPPF) (2023) and Planning Practice Guidance (PPG). Site Location and Context</p> <p>1.6 The Site, comprising 2.63ha, is located to the south of the village of Mepal, with Brick Lane forming the northern boundary, Sutton Road forming the eastern and southern boundaries while Brangehill Lane/A142 forms the western boundary. The Site currently comprises an agricultural field. On the same side of Brick Lane there is an attenuation pond and a single residential bungalow which do not form part of the Site. An existing belt of trees provides screening between the Site, Brangehill Lane/A142 and Sutton Road. Brick Lane comprises predominantly two-storey residential</p>

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		<p>properties on its northern side with only the single dwelling, in the form of a bungalow, to the south at the junction of Brick Lane and Sutton Road</p> <p><b>Policy History</b></p> <p>1.7 The Site was promoted through the call for sites and all subsequent rounds of the Local Plan Review (as submitted for examination February 2018). The emerging Local Plan (2017), withdrawn by full council on 21 February 2019 following Examination in Public by the Secretary of State appointed inspector, included the Site as an emerging allocation (reference: MEP.H1), with an indicative capacity of 50 dwellings, please see Appendix B of this document for the draft Policies Map (Jan 2017) Mepal (Inset Map 28).</p> <p>1.8 While the withdrawal of the previously emerging Local Plan means that the Site’s previously emerging allocation for residential development carries no weight, it does serve to demonstrate the sustainable nature of the location and the aspirations of East Cambridgeshire District Council.</p> <p><b>2. Representations</b></p> <p>2.1 The following section responds to the proposed policies, supporting text and maps within the Draft Plan.</p> <p><b>Policy 1 Settlement Boundary (Update to Development Envelope) / Map 2</b></p> <p>2.2 Paragraph 19.5 of Policy 1 states that; <i>“The ‘development envelope’ for Mepal in the Local Plan is now dated and notably planning permissions for 16 additional dwellings have been granted along Bridge Road and 2 dwellings at Brangehill Lane outside of the development envelope since it was drawn in the 2015 Local Plan. Many of those approved dwellings have been constructed or are under construction. As such an updated development envelope would reflect the current position.”</i></p> <p>2.3 It is agreed that the ‘development envelope’ for Mepal as drawn on Insert Map 8.28 (April 2015) is dated and needs updating; however, the amended settlement boundary under Map 2 simply reflects the 18 approved dwellings in Mepal granted by East Cambridgeshire District Council over the last eight years, meaning this proposed policy fails to allocate any new sites for development. Therefore, the Draft Plan in its current form does not support the ‘organic’ growth of Mepal.</p> <p>2.4 Through the application of a tightly drawn settlement boundary, development is strictly controlled on sites in the ‘countryside’, but it is not logical to treat all sites equally in policy terms. Although sites within sensitive valued landscapes should receive an elevated level of protection, the sensitive development of some sites on the edge of the village should be seen as an opportunity to create a high-quality and defensible gateway.</p>

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		<p>2.5 Such a pragmatic approach is often taken by inspectors at appeal; rounding off development where there is a defensible physical boundary or allowing a high quality development with extensive landscaping that would increase the quality of the area and soften an existing gateway.</p> <p>2.6 To ensure that local housing needs can be fulfilled and prevent any further loss of key local services and overdevelopment of residential gardens, a more flexible and tolerant approach is needed towards development.</p> <p>2.7 Furthermore, the current strategy to try and entirely restrict new development (subject to exceptions) to within the settlement boundary for Mepal will not deliver the quantum of development required to meet the existing need for affordable homes or the projected need that could follow. As a result, the affordability crisis will deepen in this rural area. With limited scope for development within the tightly drawn settlement boundary, it will be necessary to find suitable locations on the edge of the village. To discourage the development of less suitable sites and assist in the delivery of much-needed high-quality and affordable housing, the most logical approach is to allocate further sites on the edge of the village, for example: land south of Brick Lane, Mepal.</p> <p>2.8 In conclusion, the allocation of the Site would facilitate the organic extension of Mepal whilst creating a high-quality defensible gateway to the village.</p> <p><b>Policy 8 Local Character / Map 8 Areas Important to Village Character and Setting</b></p> <p>2.9 Policy 8 states that; “<i>Proposal which would result in the loss of or lead to harm to the verdant and undeveloped character of the Important Undeveloped Sutton Road Village Gateway as shown on Map 8 will not be supported</i>”. The ‘Important Undeveloped Sutton Road Village Gateway’ designation is detailed on Map 8 and covers the southern section of the Site.</p> <p>2.10 It should be noted that there is no definition or summary within the glossary of the Draft Plan for the term ‘Important Undeveloped Sutton Road Village Gateway’; therefore, the purpose and substance of this proposed designation is not clear. The term ‘verdant’ is defined in the glossary as “<i>countryside green with grass or other rich vegetation</i>”, which does not accurately describe the area it refers to. Whilst there is no definition or summary within the glossary for the term ‘undeveloped’, its meaning in this context can be clearly interpreted to mean land that does not contain buildings.</p> <p>2.11 It should be noted that no justification or rationale is provided for the proposed designation of Important Undeveloped Sutton Road Village Gateway within the Draft Plan and following a desk based assessment it is confirmed that the designated area has no statutory protection or importance. Furthermore, Policy 8 does not include a landscape, ecology or any other assessment to support or validate the chosen boundaries of the proposed Important Undeveloped Sutton Road Village Gateway designation, as shown on Map 8. The proposed boundary has nothing to do with the local topography or physical features, and it is unclear what makes the land inside the proposed designation “important” in</p>

Name	Date Received	Comments
		<p>comparison to the land outside but close to it, especially when it is considered that the Site is intensively ploughed agricultural land. Under these conditions, deciding whether a future development in this area fits within the specific parameters of this designation and should be granted or refused planning permission would be extremely difficult for the decision maker.</p> <p>2.12 Furthermore, it does not appear that any landscape evidence has been commissioned as part of the preparation of the Draft Plan to justify and support the proposed designations. Paragraph 041 (Ref ID: 41) of the Planning Practice Guidance states; “It [neighbourhood plan policies] should be concise, precise and supported by appropriate evidence”. In light of the lack of evidence submitted to explain or justify the proposed Important Undeveloped Sutton Road Village Gateway’ designation, this proposed designation does not have regard to the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended).</p> <p>2.13 It is not clear why the southern section of the Site needs to be specifically designated as an Important Undeveloped Sutton Road Village Gateway, when the majority of land within the countryside has similar verdant and undeveloped characteristics. Therefore, it is considered that the proposed Important Undeveloped Sutton Road Village Gateway designation does not serve a clear purpose because land within the wider countryside has similar characteristics to the land proposed to be included within this designation.</p> <p>2.14 Policy ENV 1: Landscape and Settlement Character, of the East Cambridgeshire Local Plan 2015 (as amended 2023) seeks new development to be informed by the landscape character of a site, and to protect landscape features, the settlement edge, landscape setting, and key views.</p> <p>2.15 Policy ENV 2: Design, of the East Cambridgeshire Local Plan 2015 (as amended 2023) seeks new development to be designed to a high quality, and seeks the retention of existing landscape features, as well as the protection of existing views of landmark buildings and settlements.</p> <p>2.16 The above adopted Local Plan policies already seek to protect landscape character and the setting of settlements, whilst making sure the planting of appropriate landscaping is secured within the development. Criteria (f) of Paragraph 16 of the NPPF states that plans should “serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant)” . Therefore, it is not necessary for Policy 8 to duplicate adopted Local Plan policies, and to do so would be inconsistent with Paragraph 16(f) of the NPPF.</p> <p>2.17 It is considered that since the boundary of the proposed Important Undeveloped Sutton Road Village Gateway designation has not been informed by any assessment, the relevant section of Policy 8 should be deemed as unclear and ambiguous which would lead to inconsistent and uncertain decision making.</p>



Name	Date Received	Comments
		<p>2.18 To conclude, it is requested that the following text be removed from Policy 8 as well as all other references to the proposed ‘Important Undeveloped Sutton Road Village gateway’ designation (including the designation within Map 8):</p> <p><i>“Proposals which would result in the loss of or lead to harm to the verdant and undeveloped character of the Important Undeveloped Sutton Road Village Gateway as shown on Map 8 will not be supported.”</i></p> <p><b>General Comments</b></p> <p>Site Allocations</p> <p>2.19 Whilst the current version of the Draft Plan does not allocate any land for development, it should be reiterated that the core objectives listed under Paragraph 15.2 on page 15 of the Draft Plan could be realised and delivered through the development of the Site. The core objectives are repeated below for ease of reference:</p> <ul style="list-style-type: none"> <li>(A) Promote sustainable development</li> <li>(B) Conserve and enhance the natural environment of Mepal</li> <li>(C) Protect and develop the community of Mepal</li> <li>(D) Protect and enhance the built environment of Mepal</li> </ul> <p>2.20 There is an opportunity for the Draft Plan to deliver all of its objectives within the Site whilst providing a high-quality development that would offer affordable and efficient new homes.</p> <p><b>Development Proposals</b></p> <p>2.21 It is understood that Havebury Housing Partnership intend to submit a planning application for affordable housing on the Site. An application for affordable housing on the edge of the village and adjoining the settlement boundary would be consistent with Policy GROWTH 2: Locational strategy, of the adopted East Cambridgeshire Local Plan 2015 (as amended 2023), which allows this type of housing in principle on land outside of settlement boundaries. It should be noted that Policy ENV 1: Landscape and settlement character, seeks the retention and enhancement, where possible, of landscape settings. Furthermore, the design and layout of any future development on the Site would need to be compliant with Policy ENV 2: Design. Infrastructure and Community Facilities</p> <p>2.22 It is noted that the residents of Mepal have a desire for the need for improvements to community facilities and infrastructure in the village. This is evidenced within Part Two: Village/Town Visions under 8.24 Mepal of the East Cambridgeshire Local Plan 2015 (as amended 2023). The list of priorities is set out in the table below:</p>

Name	Date Received	Comments															
		<table border="1" data-bbox="624 288 2024 644"> <thead> <tr> <th data-bbox="624 288 692 325"></th> <th data-bbox="692 288 1064 325">Priority</th> <th data-bbox="1064 288 2024 325">Suggestions</th> </tr> </thead> <tbody> <tr> <td data-bbox="624 325 692 395">=1</td> <td data-bbox="692 325 1064 395">Improvements to the Village Hall</td> <td data-bbox="1064 325 2024 395">Extension of Village Hall. Improvements to Village Hall kitchen and floor. Improved signage. Provision of a new car park</td> </tr> <tr> <td data-bbox="624 395 692 466">=1</td> <td data-bbox="692 395 1064 466">Traffic calming</td> <td data-bbox="1064 395 2024 466">Traffic calming on Sutton Road and School Lane. Extend 30mph speed limit to pub.</td> </tr> <tr> <td data-bbox="624 466 692 571">3</td> <td data-bbox="692 466 1064 571">Improvements to pedestrian/cycle routes</td> <td data-bbox="1064 466 2024 571">More footpaths and cycle paths. Cycle path along the river. Pedestrian/cycle routes to link village with Sutton and Witchford/Ely. Provide cycle link to Mepal Outdoor Centre</td> </tr> <tr> <td data-bbox="624 571 692 644">4</td> <td data-bbox="692 571 1064 644">Improvements to sports ground/open space</td> <td data-bbox="1064 571 2024 644">Creation of a cricket pitch.</td> </tr> </tbody> </table> <p data-bbox="557 695 2040 826">2.23 It is a well-known fact that parish councils and other community groups face extreme challenges in delivering community facilities and infrastructure in villages due to limited financial resources, and often rely on section 106 contributions and community infrastructure levy, amongst other tools, from the delivery of developments to fund projects.</p> <p data-bbox="557 847 2114 978">2.24 There is no evidence confirming that any of the priorities have been delivered since the East Cambridgeshire Local Plan 2015 (as amended 2023) was originally adopted in April 2015 (over eight years ago); therefore, the question must be raised as to how Mepal Parish Council will deliver the desires of local residents without acting proactively and encouraging positive development.</p> <p data-bbox="557 999 2101 1129">2.25 Land south of Brick Lane, Mepal is surplus to the existing agricultural operation and the relevant parties are intent on offering the Site to provide much needed high quality homes, amongst other benefits for the future residents and wider local community. The Site is deliverable within five years under a phased approach and there are no known legal issues affecting the delivery of a residential-led development in this location.</p> <p data-bbox="557 1150 2047 1246">2.26 Clearly there is an opportunity for the Draft Plan to deliver all of the improvements to community facilities and infrastructure sought by local residents, whilst providing a high-quality development that would offer affordable and efficient new homes.</p> <p data-bbox="557 1267 757 1297"><b>3. Conclusion</b></p> <p data-bbox="557 1318 2069 1380">3.1 The Site is sustainably located with a range of services and facilities to meet the day-to-day needs of residents. Consequently, the village of Mepal can and should accommodate further growth over the Draft Plan period, including</p>		Priority	Suggestions	=1	Improvements to the Village Hall	Extension of Village Hall. Improvements to Village Hall kitchen and floor. Improved signage. Provision of a new car park	=1	Traffic calming	Traffic calming on Sutton Road and School Lane. Extend 30mph speed limit to pub.	3	Improvements to pedestrian/cycle routes	More footpaths and cycle paths. Cycle path along the river. Pedestrian/cycle routes to link village with Sutton and Witchford/Ely. Provide cycle link to Mepal Outdoor Centre	4	Improvements to sports ground/open space	Creation of a cricket pitch.
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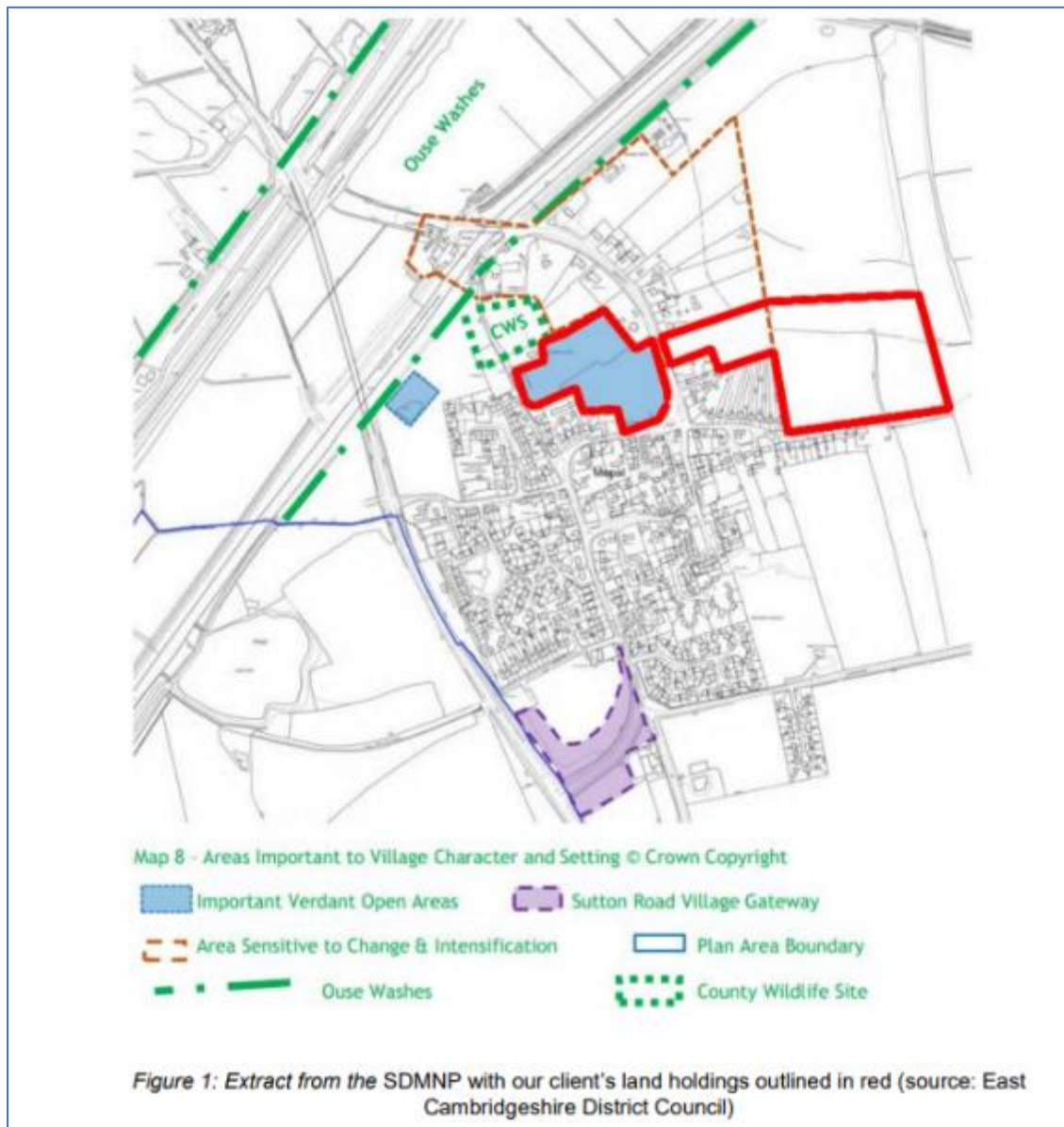
Name	Date Received	Comments
		<p>through the allocation of one or more strategic sites which can deliver high-quality and efficient homes as part of a phased approach.</p> <p>3.2 The Site would provide a natural and logical extension to Mepal. Initial assessments indicate that the Site is not located within close proximity to any designated heritage assets (Scheduled Monuments, Listed Buildings, Conservation Areas etc), has limited ecological interest and is not at risk of flooding. The Site is bordered by residential development and is suitable, available and achievable for development within five years.</p> <p>3.3 For these reasons, the Site (land south of Brick Lane, Mepal) should be allocated for housing within the Draft Plan. The identification of this sustainable site on the edge of Mepal will also support East Cambridgeshire District Council in meeting its objectively assessed needs figure for housing.</p> <p>3.4 To conclude, the Landowners object to the Draft Plan in its current form as it does not comply with the basic conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended). Therefore, it is requested that these representations are considered and amendments to the Draft Plan are conducted in order for the Draft Plan to comply with the basic conditions and provide a sound document facilitating the organic growth, enhancement and delivery of community facilities and infrastructure within the village of Mepal.</p> <p>[Two maps are included in the representation. They are reproduced at Appendix 2 of this report]</p>
6. Natural England	13 December	<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><b>Natural England does not have any specific comments on this draft neighbourhood plan.</b></p> <p>Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in Natural England's Standing Advice on protected species.</p>

Name	Date Received	Comments
		<p>Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission standing advice.</p> <p>We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary.</p> <p>Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If an Strategic Environmental Assessment is required, Natural England must be consulted at the scoping and environmental report stages.</p>
7. D Stazicker	2 December	<p>Thank you for the opportunity to submit comments on the Plan. I would like to draw attention to what I believe are two minor errors of nomenclature.</p> <p>1 "River Delph" - eg: paras 16.2 and 17.1. The watercourse in question, an Environment Agency "main river", is known by the Agency, by the Sutton and Mepal Internal Drainage Board, and commonly by local residents, as the "Counter Drain". "River Delph" usually refers to the watercourse downstream of Welches Dam, outside the boundaries of Mepal Parish.</p> <p>2 "Cemetery" - eg: paras 13.4, 20.9, 28.3 and Policy 2. This word is usually used to describe a burial ground maintained by the civil authorities. The churchyard forming the curtilage to St Mary's Church in Mepal, and the two successive extensions to the graveyard, are all owned and administered by the Parochial Church Council and the right to interment of human remains or ashes is confined to persons who can be demonstrated to have a present or past connection with the parish. "Graveyard" would be a more accurate and unambiguous description of these areas in the Plan.</p>
8. Historic England	1 December	Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

Name	Date Received	Comments
		<p>Having reviewed the plan and relevant documentation we do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <a href="https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/">https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/</a></p> <p>We would be grateful if you would notify us on <a href="mailto:eastplanningpolicy@historicengland.org.uk">eastplanningpolicy@historicengland.org.uk</a> if and when the Neighbourhood Plan is made by the 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 plan, where we consider these would have an adverse effect on the historic environment.</p>
9. National Highways	9 November	<p>Thank you for consulting National Highways on the above mentioned Neighbourhood Plan.</p> <p>National Highways is a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN).</p> <p>It has been noted that once adopted, the Neighbourhood Plan will become a material consideration in the determination of planning applications. Where relevant, National Highways will be a statutory consultee on future planning applications within the area and will assess the impact on the SRN of a planning application accordingly.</p> <p>Notwithstanding the above comments, we have reviewed the document and note the details of set out within the draft document are unlikely to have an severe impact on the operation of the trunk road and we offer No Comment.</p>
10. Environment Agency	15 December	<p><b>Flood Risk</b></p> <p>Based on a review of environmental constraints for which we are a statutory consultee, we find that there are areas of fluvial flood risk and watercourses within the neighbourhood plan area. In particular, we note that the boundary does extend into areas of Flood Zones 2 and 3 of the designated main River Great Ouse.</p>

Name	Date Received	Comments
		<p>On the basis that no additional growth is proposed in the Neighbourhood Plan, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless, we recommend the inclusion of relevant policies to cover the management of flood risk. Allocation of any sites and any windfall development delivered through the Plan period should follow the sequential approach. National Planning Policy Framework (NPPF) paragraph 161 sets this out.</p> <p><b>Biodiversity</b></p> <p>We note the Neighbourhood Plan area includes the Ouse Washes, designated as a SSSI, SAC, SPA and Ramsar site. As no growth is proposed in the Neighbourhood Plan, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless, we recommend the inclusion of relevant policies to protect designated sites.</p> <p><b>Water Quality</b></p> <p>We have identified that the Plan area boundary includes the Water Recycling Centre Mepal, which is currently operating close to or exceeding its permitted capacity. Providing the Plan does not allocate sites for growth development across the Plan period, we do not have any significant concerns. We would still expect to see consideration for any windfall developments captured in a relevant policy for Water Quality in the catchment of the Plan Area and serving WRC.</p> <p><b>Informative:</b></p> <p>We encourage you to seek ways in which your neighbourhood plan can improve the local environment. For your information, together with Natural England, Historic England and Forestry Commission we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: <a href="#">How to consider the environment in Neighbourhood plans - Locality Neighbourhood Planning</a></p>

Appendix 1 – figure 1 as provided within the representation made by Savills for Church Commissioners for England





Appendix 2 – two maps as provided by Cheffins in its representation

Appendix A – Land Registry Title Plan: Land South of Brick Lane, Mepal (CB145100)



Appendix B – Draft Policies Map (Jan 2017) Mepal (Inset Map 28)

