

Mepal Neighbourhood Development Plan 2022-2031

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

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Executive Summary

- 1 I was appointed by East Cambridgeshire District Council in January 2024 to carry out the independent examination of the Mepal Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 24 January 2024.
- 3 The Plan is a good example of a neighbourhood plan. It includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on three specific matters. The first is the definition of a revised settlement boundary. The second is the proposed designation of a series of Local Green Spaces. The third is wide-ranging policy on local character.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation. The Plan has been prepared in short order.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
5 March 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Mepal Neighbourhood Development Plan 2022-2031 ('the Plan').
- 1.2 The Plan was submitted to East Cambridgeshire District Council (ECDC) by Mepal Parish Council (MPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021 and 2023. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this result from my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and appearance.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then become part of the wider development plan and be used to determine planning applications in the neighbourhood area.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by ECDC, with the consent of MPC, to conduct the examination of the Plan and to prepare this report. I am independent of both ECDC and MPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 40 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met.

3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the SEA screening report.
- the HRA screening report.
- the Settlement Boundary Methodology.
- the Local Green Spaces Evidence.
- the representations made to the Plan.
- MPC's responses to the clarification note.
- the adopted East Cambridgeshire Local Plan (2015 and as updated in 2023).
- the East Cambridgeshire District Council Natural Environment Supplementary Planning Document (September 2020).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 22 January 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan could be examined by way of written representations. I was assisted in this process by the comprehensive nature of many of the representations and the professional way in which the Plan has been developed.

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

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development management decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), MPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It is a very good example of a Statement of this type. It is commendably brief with the various details set out in a series of appendices.
- 4.3 The Statement records the various activities that were held to engage the local community and the feedback from each event. The section on 'Early Consultation' sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. Paragraph 9 provides details of the various events. The publicity material used at that time is reproduced in Appendix 1 of the Statement.
- 4.4 The Statement also provides specific details on the consultation processes that took place on the pre-submission version of the Plan (March to April 2023). Appendix 3 of the Statement advises about the comments received and the extent to which the Plan was refined as the outcome of this process.
- 4.5 In the round I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. ECDC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.6 Consultation on the submitted plan was undertaken by ECDC. It ended on 15 December 2023. This exercise generated representations from the following organisations:

- Havebury Housing Partnership
- East Cambridgeshire District Council
- The Church Commissioners
- Anglian Water
- Cheffins (obo three landowners)
- Historic England
- National Highways
- Natural England

- Environment Agency

4.7 A comment was also received from a parishioner.

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

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Mepal. Its population in 2011 was 982 persons living in 427 households. Mepal is a small, rural village in the western part of the district of East Cambridgeshire. It is six miles from Ely. It was designated as a neighbourhood area on 28 February 2022.
- 5.2 Mepal is a compact settlement based around the junction of High Street, Sutton Road, and School Lane. It has an open character. As the Plan comments, the Church of St. Mary is separated from the village by the Manor House, Manor Farm, and a field where earthworks indicate former buildings.
- 5.3 The village is bounded by the A142 to the west and by the New Bedford River and the River Delph to the north and west. The remainder of the neighbourhood area is fen countryside.

Development Plan Context

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

- 5.6 Mepal has a separate section in the Local Plan (8.24) and an inset map (8.28). Section 8.24 comments as follows:

‘Mepal is likely to continue to grow at a slow rate, with new housing being built on suitable ‘infill’ sites within the village. No new housing allocation sites are proposed on the edge of Mepal. A ‘development envelope’ has been drawn around Mepal to define the built-up part of the village where infill development may be permitted. The purpose

is to prevent sprawl into the open countryside. Development on infill sites will need to be in line with Policy GROWTH 2.

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

There are a few current businesses in the village, including Greens of Mepal, and Lillypot Dressmaking and Alterations, but little employment land or premises (e.g. office and industrial). The District Council is keen to retain any land and premises in order to support local economic growth. Proposals to re-use employment sites for other purposes will only be permitted in certain circumstances (see Policy EMP 1). No new employment allocation sites are proposed on the edge of Mepal. However, suitable new employment proposals within or on the edge of the village will be supported in principle, subject to Policies EMP 2, EMP 3 and EMP 4.

Residents in Mepal have indicated a desire for the need for improvements to infrastructure and facilities in the village. A list of priorities is identified. One of the top priorities is improvements to Mepal Village Hall, in particular an extension and improvements to the kitchen and flooring in the hall and provision of a new car park. The other top and third priorities are both transport-related – a traffic calming scheme and improvements to pedestrian/cycle links. The District Council will work with the Parish Council and County Council to explore options and secure funding for improvements to community facilities and road and transport schemes in Mepal. The District Council will also work in partnership to try to retain existing public transport levels, and encourage self-sufficient transport services, such as community transport.

The current community facilities in Mepal (including the shop and Post Office, pub, public hall, church, and community pavilion) contribute to the quality of people's lives. The loss of community facilities will also be resisted under Policy COM 3. Proposals for new community development that benefits the village will be supported in principle, subject to Policy COM 4.'

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

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

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

Visit to the neighbourhood area

- 5.9 I visited the neighbourhood area on 22 January 2024. I approached it from Chatteris to the north. This helped me to understand its position in the wider landscape in general and its accessibility to the strategic road network (A142).
- 5.10 I looked initially at the proposed Important Undeveloped Sutton Road Village Gateway. I noted the way in which it related to the land to both the north and to the south of Sutton Road.
- 5.11 I then took the opportunity to look at the village centre. I saw the shop in High Street and the Village Hall in School Lane. I walked along Brangehill Lane up to the School. During this part of the visit, I saw the various proposed local green spaces in this central part of the village.
- 5.12 I then looked at the southern part of the proposed Church Field Open Verdant Area. I saw the way in which a footpath ran through the proposed Area in a south-east/north-west direction. I walked into the Area along the footpath.
- 5.13 I then walked up to St Mary's Church to the north of the village. I saw its significance in the wider landscape. I also took the opportunity to look at the northern part of the proposed Church Field Open Verdant Area.
- 5.14 Thereafter, I walked along Bridge Road up to the bridge over the New Bedford River. I saw that the character of Bridge Road was different to that of the main part of the village and included a series of larger properties. I saw the ongoing nature of recent development and several site notices advertising current or recently-determined planning applications.
- 5.15 I then looked at the Recreation Ground and the Community Pavilion. I saw its relationship with both the residential developments to the west and to the open countryside to the east.
- 5.16 I left the neighbourhood area by driving to the south and east along the A142 to Sutton. This helped me to understand the parish's position in the wider landscape and its accessibility to other settlements.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - not breach and be otherwise compatible with the assimilated obligations of the European Union (EU) obligations and European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

- 6.3 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Mepal Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the East Cambridgeshire Local Plan;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies on a range of development and environmental matters. It has a focus on designating local green spaces and refining the Development Envelope for the village. It also includes a policy on local character.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: 41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy on the settlement boundary (Policy 1). In the social role, it includes policies on allotments (Policy 3) and local green spaces (Policy 10). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on climate change (Policy 5), on buildings of local significance (Policy 6), and on local character and boundary treatments (Policies 8 and 9). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in East Cambridgeshire in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject

to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

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

Habitats Regulations Assessment

- 6.15 MPC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. It assesses the potential impact of the Plan's policies on the following protected sites:
- the Ouse Washes SAC;
 - the Ouse Washes SPA;
 - Ouse Washes Ramsar sites; and
 - the Fenland SAC/Wicken Fen Ramsar site.
- 6.16 The HRA concludes that the neighbourhood plan will not give rise to likely significant effects on these protected sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.17 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns about these matters. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan regulations.

Human Rights

- 6.18 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.19 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the neighbourhood area. The wider community and MPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda. The Plan is clear and presented in an attractive way. The structure of the Plan and its policies is very understandable and the use of colour and well-chosen photographs makes the document very attractive and user-friendly.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan.
- 7.6 For clarity, this section of the report comments on all the Plan's policies.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial parts of the Plan

- 7.8 The Plan is very well-organised and presented. It has been prepared with much attention to detail. It makes an appropriate distinction between the policies and their supporting text.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies. They comment about the way in which the Plan was prepared and when the neighbourhood area was designated. They properly identify the Plan period (in paragraph 1.1) and the neighbourhood area (in Map 1). They also comment about the way in which the Plan was prepared.
- 7.10 Details are provided about the neighbourhood area. They help to set the scene for the eventual policies.
- 7.11 These parts of the Plan also comment about national and local planning policies which influenced the work on the Plan. They refer both to the NPPF and to the adopted Local Plan.
- 7.12 The Vision for the Plan neatly summarises the ambition for the parish as follows:

'To provide a planning framework and policies that will facilitate sustainable growth whilst protecting the distinctive character and identity of Mepal as a small, rural village on the fen.'

- 7.13 The Vision is underpinned by four objectives. The matrix in paragraph 15.3 of the Plan shows the relationship between the policies and the objectives in a clear and visual way.
- 7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy 1 – Settlement Boundary (Update to Development Envelope)

- 7.15 The context to the policy is that the East Cambridgeshire Local Plan identifies a 'development envelope' for Mepal. Policy GROWTH 2: Locational Strategy of the Local Plan indicates that within the defined development envelopes housing, employment, and other development to meet local needs will normally be permitted. That policy goes on to indicate that outside defined development envelopes, development will be strictly controlled, having regard to the need to protect the countryside and the setting of towns and villages. Policy GROWTH 2 then lists 19 main categories of proposals that may be permitted as an exception in the countryside outside development envelopes.
- 7.16 The submitted Plan comments that the 'development envelope' for Mepal in the Local Plan is now dated and notably planning permissions for sixteen additional dwellings have been granted along Bridge Road and two dwellings at Brangehill Lane outside of the development envelope since it was drawn in the 2015 Local Plan. It also advises that many of those approved dwellings have been constructed or are under construction and that an updated development envelope would reflect the current position. The Plan advises that the revised envelope will be referred to as the 'Settlement Boundary' whilst making it clear that the process updates the development envelope from the Local Plan.
- 7.17 The work undertaken on revising the settlement boundary has been underpinned by the Settlement Boundary Methodology. Section 19 of the Methodology identifies a series of Principles for the definition of the boundary. It then identifies general areas which would be included within and excluded from the Boundary.
- 7.18 A representation from the landowners concerned comments about potential development to land to the south of Brick Lane. It suggests that the allocation of the site (and its inclusion in the Settlement Boundary) would facilitate the organic extension of Mepal whilst creating a high-quality defensible gateway to the village.
- 7.19 I looked at the site concerned carefully during the visit. On the one hand, I saw that it was located on the edge of the village between Brick Lane (to the north), the A142 (to the west) and to Sutton Road (to the south and the east). On the other hand, I saw that it was physically separated from the wider village by these roads and that the existing vegetation around the edges of the site reduced its visibility to, and its association with, the village. On the balance of the evidence, I am satisfied that the Settlement Boundary has been properly drawn based on the Principles in the Methodology. In addition, I am satisfied that the defined Settlement Boundary accords with approach taken in Section

8.24 (Mepal) of the Local Plan. In reaching this conclusion I have taken account of ECDC's representation that it '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.'

- 7.20 I am also satisfied that the resulting policy has regards to national policy in focusing new development within the Settlement Boundary where it would have accessibility to the community and commercial facilities in the village. Plainly this approach will also protect the countryside.
- 7.21 In the round I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Policy 2 – Community Assets

- 7.22 This is a wide-ranging policy. It is underpinned by helpful and comprehensive supporting text. The policy addresses the following matters:
- the improvement/enhancement of existing community facilities;
 - the diversification of the use of the recreation ground and the community pavilion;
 - the development of new community facilities; and
 - a policy approach to safeguard existing facilities.
- 7.23 In general terms the policy takes a very positive approach towards the improvement of existing community facilities, the potential for the development of new community facilities and to safeguard existing community facilities. I am satisfied that it has regard to Section 8 of the NPPF.
- 7.24 In the second part of the policy (which comments about the Recreation Ground and Community Pavilion) I recommend the deletion of the reference to income generation. Such issues are not directly land use matters and the policy is sufficiently flexible in its reference to the diversification of existing uses. I also recommend a modification to the wording in the third part of the policy to bring the clarity required by the NPPF and to allow the policy to flow (and to be read) in a more natural way.
- 7.25 ECDC suggest that the fourth part of the policy is simplified so that it defaults to the details of Policy COM3 of the Local Plan. In its response to the clarification note MPC commented that:
- '(it does) not consider the changes to be necessary and simply cross referring to Policy COM3 of the Local Plan would reduce the usability of the Neighbourhood Plan. The Plan already includes in paragraphs 20.12 and 20.13 of the supporting text sufficient cross referencing to Policy COM3 of the Local Plan and the tests that it includes, so that a reader of the Neighbourhood Plan is fully informed of the requirements applicable across both parts of the Development Plan.'*
- 7.26 I have considered this matter very carefully. On the balance of the evidence, I am satisfied that the nuanced approach taken in the submitted Plan is appropriate. It takes

account of MPC's local knowledge of the identified facilities. However, within this overall context, I recommend that this part of the policy is modified so that it more clearly explains its intentions. I also recommend modifications to paragraph 20.12 so that it more closely relate to MPC's commentary in its response to the clarification.

- 7.27 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the second paragraph delete 'including through income generation'

In the third paragraph replace 'policies; provided' with 'policies and where'

Replace the fourth paragraph with:

'Proposals that would result in the loss of the following community assets (as shown on Map 3) will not be supported unless it can be demonstrated that:

- a) they are poorly used; or**
- b) they are no longer viable; or**
- c) a replacement facility is provided elsewhere in Mepal which delivers an equivalent service or community facility to the one which would be lost and is located where it is equally or more accessible to the existing and planned new community it is intended to serve:'**

At the end of paragraph 20.12 add: 'Policy 2 of this Plan has been designed to be complementary to the provisions of Policy COM3 of the Local Plan. In addition, it identifies specific facilities to which the policy will apply.'

Policy 3 – Allotments

- 7.28 This policy provides a broad-based approach towards allotments. It has three related elements as follows:

- the existing allotments to the east of Laurel Close will be retained for ongoing community use;
- proposals to improve or expand the existing allotments will be supported subject to other policies; and
- proposals to relocate the existing allotments or to create new allotment provision will be supported subject to other policies.

- 7.29 The policy takes a positive approach to this matter. I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social dimension of sustainable development.

Policy 4 – Highway Impact

- 7.30 This is a wide-ranging policy which seeks to add local value to the approach taken in Policies COM7 and COM8 of the Local Plan.

- 7.31 The policy addresses the following matters:

- the delivery of electric vehicle charging facilities;

- the provision for the storage of refuse bins;
- the relationship between the use of community facilities and car parking provision; and
- proposals to improve the visibility and safety of the access to the recreation ground/community pavilion.

7.32 The first part of the policy comments about the provision of electric vehicle charging points for new residential development. Part S of the Building Regulations comments about the installation of electric vehicle charging points. In this context I sought MPC's comments on the need for this part of the policy. In its response it advised about the exemptions and the trigger points in the Building Regulations. It also commented that the Policy goes on to contain further detail on the siting of the charging point(s) on matters such as accessibility, visual impact, effects on pedestrian movements; and prevention of opportunities for anti-social behaviour. In this context it also advised that these are not matters which are detailed in the Building Regulations. Consequently, MPC considers that it is necessary, appropriate, and reasonable for Policy 4 on Highway Impact to include consideration of electric vehicle charging provision. MPC also advise that the submitted policy complements Policy 5 on Climate Change Mitigation.

7.33 I have considered this issue very carefully. Plainly MPC is seeking to take a positive approach to this matter and to future-proof the delivery of electric vehicle charging points in the parish. Nevertheless, on the balance of the evidence, I recommend the deletion of this policy. The Building Regulations have been carefully designed to address technical matters and to be applied in a universal way. In this context, it is inappropriate for a neighbourhood plan to seek to promote a policy which takes a different approach.

7.34 The second part of the policy takes a very positive approach towards the provision of storage facilities for refuse collection bins. I recommend modifications to the wording to bring the clarity required by the NPPF and to acknowledge that MPC's ambitions may not always be practicable.

7.35 I am satisfied that the third and fourth parts of the policy meet the basic conditions. In their different ways they address important matters in the parish.

7.36 Subject to the various modifications, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete the first part of the policy.

Replace the second part of the policy with: 'Development proposals should incorporate adequate on-site provision for the storage of refuse collection bins. Wherever practicable, the storage facilities provided should be screened from the highway and any other public vantage points and be easily accessible to the collection point.'

Policy 5 – Climate Change Mitigation

- 7.37 This is a wide-ranging policy which seeks to add local value to the approach taken in national policies. The policy addresses the following matters:
- renewable energy generation;
 - the installation of renewable energy regeneration facilities on existing premises;
 - proposals for small-scale renewable energy generation; and
 - proposals for electric vehicle charging facilities
- 7.38 In the round I am satisfied that the policy takes a positive approach to climate change mitigation. It has regard to Section 14 of the NPPF.
- 7.39 In the first part of the policy I recommend the deletion of unnecessary explanatory text.
- 7.40 The fourth and fifth parts of the policy offer support to a variety of on- and off-street electric vehicle charging facilities. I am satisfied that the general nature of these elements of the policy are different in character to the element of Policy 4 on this issue. I am also satisfied that they meet the basic conditions.
- 7.41 Subject to the recommended modification to the first part of the policy, I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy delete ‘To support climate change mitigation’

Policy 6 – Non-Designated Heritage Assets

- 7.42 The Plan advises that Mepal has several architecturally valuable and important old buildings or buildings which are important historically which are not statutorily listed. It also advises that MPC has considered the criteria in the East Cambridgeshire Buildings of Local Interest Register and considers that there are buildings and structures which are worthy of being identified as non-designated heritage assets.
- 7.43 The policy proposes the identification of nine non-designated heritage assets. They are shown on Maps 6A and 6B. I looked at some of the proposed assets during the visit. MPC’s thinking was self-evident.
- 7.44 I sought MPC’s comments on the relationship between the policy and paragraph 209 of the NPPF. In its response to the clarification note, MPC advised that:

‘Policy 6 does not set out an overall policy approach towards heritage assets because the Local Plan and the NPPF are considered to address this sufficiently already. In terms of non-designated heritage assets, the East Cambridgeshire Buildings of Local Interest Register that had been produced under Policy ENV13 of the Local Plan does not include any buildings in Mepal. The Neighbourhood Plan has used the same criteria as used by ECDC to define non-designated heritage assets as ‘Buildings of Local Interest’ as this is the common terminology already used by ECDC.’

- 7.45 In these circumstances, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development. Nevertheless, I recommend that the response to the clarification note is added into the supporting text to bring the clarity required by the NPPF.

At the end of paragraph 23.6 add:

'Policy 6 does not set out an overall policy approach towards heritage assets because the Local Plan and the NPPF are considered to address this sufficiently already. In terms of non-designated heritage assets, the East Cambridgeshire Buildings of Local Interest Register that had been produced under Policy ENV13 of the Local Plan does not include any buildings in Mepal. The Neighbourhood Plan has used the same criteria as used by the District Council to define non-designated heritage assets as 'Buildings of Local Interest' and uses the same terminology.'

Policy 7 – Views and Vistas

- 7.46 The context to this policy is MPC's assessment of a series of public views and vistas around the village and the wider parish that contribute to the sense of place and are worthy of protection. I looked at several of the views during the visit. They capture well the close relationship between the built form of the village and the surrounding countryside.
- 7.47 The Plan identifies eight views and advises that proposals which actively enhances or promotes the important views and vistas will be supported.
- 7.48 As submitted, the policy offers support to proposals which enhance or promote the identified important views. I am satisfied that the identified views are both appropriate and locally-distinctive. However, the policy approach does not take account of other development plan policies (including Policy 1 of the submitted Plan) and may result in potential unintended consequences. As such, I recommend that the policy is recast so that it sets out expectations for development proposals regarding the identified views rather than anticipating the outcome of planning applications. I also recommend that the policy is modified so that it can be applied in a proportionate way.
- 7.49 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the final part of the policy with: 'As appropriate to their scale, nature and location, development proposals should actively enhance or promote the identified important views and vistas.'

Policy 8 – Local Character

- 7.50 This is an important policy in the Plan. It addresses local character and includes both general and specific elements. I comment on the four elements of the policy in turn.

General design and character

- 7.51 The first part of the policy is general in effect. It comments that new development should respect the local character of the area, ensuring that the building height, size,

and choice of external materials complement the host property where relevant and the surrounding area. New development or alterations to buildings should respond to local character and the history and identity of local surroundings including where appropriate ensuring that the form of a vernacular building is respected or architectural detailing is incorporated.

- 7.52 In the round I am satisfied that this element of the policy is appropriate. It responds positively to the design agenda in Section 12 of the NPPF. Within this overall context, I recommend modifications to the wording of the policy so that it have the clarity required by the NPPF and can be applied by ECDC in a proportionate way through the development management process.

In the first sentence replace ‘All new development’ with ‘Development proposals’

At the beginning of the second sentence add: ‘As appropriate to their scale, nature, and location, proposals for’

Important Undeveloped Sutton Road Village Gateway

- 7.53 The second part of the policy identifies an Important Undeveloped Sutton Road Village Gateway. It then advises that proposals which would result in the loss of or lead to harm to the verdant and undeveloped character of the Gateway will not be supported.
- 7.54 The proposed Gateway consists of open land on either side of the entrance road from the A142 into the village.
- 7.55 This aspect of the policy has attracted an objection from the owners of the land to the south of Brick Lane and from the Havebury Housing Partnership. In summary the objections comment that:
- there is no detailed evidence to justify the proposed designation;
 - the appearance of the proposed Gateway largely has the appearance of the wider countryside;
 - the boundaries of the proposed Gateway are arbitrary and indistinct.
- 7.56 I looked at the proposed Gateway carefully during the visit. I saw the vegetation on either side of the road. I saw that the boundary of the Gateway to the south of the road was defined by a clear field boundary and that the boundary of the Gateway to the north of the road was indistinct and arbitrary.
- 7.57 I have considered the proposed designation very carefully. On the balance of the evidence, I recommend that it is deleted from the Plan. I have reached this conclusion for three related reasons. The first is that there is no compelling information in the Plan on this matter. Paragraph 24.6 simply comments about MPC’s view about the significance of this part of the village. The second is that that there is no justification of the need for the protection of the Gateway beyond that which already exists in national and local planning policies. The third is that the proposed northern boundary of the proposed Gateway is arbitrary and does not relate to natural or man-made features.

Delete the second part of the policy

Delete paragraph 24.6 and the designation and the key from Map 8

Verdant Open Areas

- 7.58 The third part of the policy identifies two areas as Important Verdant Open Areas which contribute to the character and setting of the village. The first is Church Field. The second is the Fenced Acre (area of trees and water east of A142 bridge). The policy advises that proposals for built development within these areas will not be supported. It also comments that proposals which would lessen the contribution that these two areas make to the character and setting of the village in terms of their undeveloped and verdant nature will not be supported.
- 7.59 The proposed Fence Acre Verdant Open Area is located to the west of River Close. I looked at it as best I could from the A142. I am satisfied that it is appropriate to be so designated.
- 7.60 The proposed Church Field Verdant Open Area is located between Bridge Road, School Lane, and St Mary's Church. It is an open paddock area with a degree of vegetation within the site, on its northern boundary and on its boundary with Bridge Road/School Lane. A footpath runs through the proposed Area in a south-east/north-west direction. The proposed Area is outside the proposed Settlement Boundary (as addressed in Policy 1 of the Plan). As described in Section 5 of this report I looked carefully at the proposed Area during the visit.
- 7.61 The Plan advises that 'the Church enjoys a verdant open setting made up of the County Wildlife Site to the north, the Cemetery to the west and the open fields that lie between the Church and School Lane and Bridge Road.'
- 7.62 The Church Commissioners (CC) object to the proposed designation. In summary the representation comments as follows:
- the proposed designation is inconsistent with the Local Plan policies and paragraphs 13 and 29 of the NPPF;
 - the policy is overly prohibitive, is contrary to the Local Plan policies and is supported by insufficient evidence to justify this designation; and
 - 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.
- 7.63 The representation also provides details of potential emerging proposals by the CC in conjunction with a specialist provider of affordable housing. Whilst I have noted these intentions, any such planning applications will need to be determined by ECDC based on development plan policies in place at that time.
- 7.64 In its response to the clarification note, MPC included a detailed response to the CC representation. In summary it comments:

- *‘The Parish Council and ECDC had discussions following the Regulation 14 consultation which involved a specific suggestion from ECDC that additional consideration be given to further widening the scope of the Plan in relation to identifying specific characteristics that define the character, appearance and setting of the village and wider Parish with a view to them being protected. As a consequence, the Parish Council developed Policy 8 on Local Character. Numerous Neighbourhood Plans develop policies on local character and/or include a character appraisal or similar*
- *The Local Plan does not specify any specific housing requirement for Mepal, there is no obligation for the Neighbourhood to allocate any land for housing. The Local Plan sets out no requirement or target figure for the supply of affordable housing either at District level or at individual settlement level. There is no local housing needs survey for Mepal produced by any party. It is noted from the representations that there are two rival housing associations that want to propose affordable housing exception sites in Mepal*
- *The Church Commissioners do not object to Policy 7 which defines two important public views and vistas across the church Field site. As such they do not dispute the contribution that these important public views and vistas make to the overall character and local distinctiveness of Mepal. Any built development on Church Field would be likely to unacceptably harm either of these important public views and vistas.*
- *ECDC have explicitly drawn attention to the local value of Church Field to the local community. The setting of the village and the relationship to the Ouse Washes are important characteristics that contribute positively to the local distinctiveness of the village. The Church of St Mary enjoys a verdant open setting made up of the County Wildlife Site to the north, the Cemetery to the west and the open fields that lie between the Church and School Lane and Bridge Road. It is these open fields colloquially known as Church Field.*
- *The Church of St Mary is a Grade II* listed building, it has particular significance, and it is unusual for a parish church that it is not located within the built extent of the village but is instead in the countryside. This appears in part to be due to the modern village not being sited in the same location as the medieval village. Its verdant and undeveloped setting forms an important part of the significance of the Church as a listed building. Retaining the current countryside setting of the Church is therefore considered fundamental to conserving this heritage asset in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations as paragraph 195 of the NPPF requires. Development to date has involved land parcels that have been farmyards or gardens, whereas Church Field has been undeveloped since the medieval settlement disappeared. Any built development on Church Field would be likely to unacceptably harm the significance of the setting of the Church which is considered to be a fundamental element that defines the character and appearance of the Church as a designated heritage asset. Such a proposal would be contrary to paragraphs 200 and 201 of the NPPF.*

- *Policy 8 does not conflict with the strategic needs and priorities of the wider local area; either East Cambridgeshire or Fenland which immediately abuts the Neighbourhood Plan area.*
- *A neighbourhood plan has to be in general conformity with the strategic policies of the adopted Development Plan as a whole.*
- *No party contends that the Neighbourhood Plan is not in general conformity with the strategic policies of the adopted Development Plan as a whole.'*

7.65 I have considered the proposed designation very carefully and have taken account of the different views which MPC and the CC have on this matter. On the balance of the available evidence and my own observations of the proposed Area, I am satisfied that its designation is appropriate and reflects its significance in the parish. I have reached this conclusion for the following reasons:

- the designation of a Verdant Open Area is wholly consistent with the role and purpose of a neighbourhood plan;
- in this case, the designation is in general conformity with the strategic policies in the Local Plan. As MPC comment, there is no requirement for new residential development for Mepal in the adopted Local Plan;
- the proposed designation is not included either within the Development Envelope in the adopted Local Plan (Map 8.28 of the Local Plan) or within the Settlement Boundary as proposed in the submitted Plan as an update of the Development Envelope;
- Church Field has an important role in the character and appearance of the village; and
- Church Fields provides an attractive element of the setting of St Mary's Church.

7.66 Within this wider context, I recommend modifications to the policy to bring the clarity required by the NPPF. They will allow ECDC to apply this element of the policy in a clear fashion. I also recommend that the policy is modified so that it comments about the requirements for development proposals which are not built development. This will give the policy a positive element to supplement its submitted approach.

7.67 I have also considered the CC comments about the level of evidence provided in the Plan for the proposed designation. On the balance of the information, I have concluded that the combination of the information in the Plan and that provided by MPC in its response to the clarification note is sufficient information to justify the approach taken in the Plan. Nonetheless, I recommend that the supporting text is consolidated by the inclusion of some of the additional information provided by MPC during the examination.

Retain the opening part of the policy. Thereafter replace the remainder of the policy with:

'Proposals for built development within the Verdant Open Spaces will not be supported.

Other development proposals should safeguard the openness of the Spaces and reflect their importance to the character and setting of the village. Other

development proposals which would lessen the contribution that these two areas make to the character and setting of the village in terms of their undeveloped and verdant nature will not be supported.'

Divide paragraph 24.7 into two separate paragraphs and include additional information on Church Field as follows:

'The setting of the village and the relationship to the Ouse Washes are important characteristics that contribute positively to the local distinctiveness of the village. Church Field is identified as a Verdant Open Area. The Church enjoys a verdant open setting made up of the County Wildlife Site to the north, the Cemetery to the west and the open fields that lie between the Church and School Lane and Bridge Road. The Church of St Mary is a Grade II listed building and has particular significance. It is unusual for a parish church that it is not located within the built extent of the village but is instead in the countryside. This appears in part to be due to the modern village not being in the same location as the medieval village. Its verdant and undeveloped setting forms an important part of the significance of the Church as a listed building. Retaining the current countryside setting of the Church is therefore considered fundamental to conserving this heritage asset in a manner appropriate to its significance, so that it can be enjoyed for its contribution to the quality of life of existing and future generations. Development to date in the village has involved land parcels that have been farmyards or gardens, whereas Church Field has been undeveloped since the medieval settlement disappeared. The Church Field Verdant Open Space also incorporates a footpath which runs from Bridge Road/School Lane to the south and east to St Mary's Church to the north and west.*

The Fenced Acre (area of trees and water east of A142 bridge) is another important verdant open area which contributes to the character and setting of the village. This area is understood to be owned by the Environment Agency. The County Wildlife Site and The Ouse Washes are also protected by Policy ENV 7 (Biodiversity and geology) of the Local Plan.'

The Bridge Road Area Sensitive to Change and Intensification

- 7.68 The fourth part of the policy identifies the Bridge Road area as an 'Area Sensitive to Change and Intensification'. It comments that additional 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. It also comments about the way in which any additional development would be assessed.
- 7.69 Bridge Road is located on the northern edge. As its name suggests, it leads up to the bridge over the New Bedford River to the north. During the visit I walked along Bridge Road up to the bridge. In doing so, I saw that it consisted of a series of individual, large properties of different designs. Several of the properties have been constructed relatively recently. The overall character of Bridge Road is different to the close-knit character of the heart of the village.
- 7.70 As the Plan comments, Bridge Road has undergone a change in character from sporadic buildings along a country lane to a lane with a more developed character,

although some semi-rural character subsists due to gaps in the built form together with the retention of verges, trees, and hedgerows. The Plan comments that ‘additional intensification in this part of the village would result in the complete loss of the traditional separation between the main core of the village and the Ouse Washes. As such the Plan concludes that this area is sensitive to change and intensification and it is considered appropriate to seek to protect this area’.

- 7.71 The CC object to the proposed designation of the Area and its effects on land within its ownership to the east of Bridge Road. It comments that:

‘(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.’

- 7.72 In its response to the clarification note, MPC commented:

‘The representation by the Church Commissioners misses the point of the Area Sensitive to Change and Intensification in Policy 8. They refer to two proposals granted along Bridge Road since the Local Plan was adopted. As we explain in the Neighbourhood Plan it is precisely the ad hoc unplanned incremental development along Bridge Road that has led to the need for the designation.’

- 7.73 I have considered this matter very carefully. On the balance of the evidence, I am satisfied that the Bridge Road area displays a series of issues and challenges which justify the promotion of a specific planning policy of this type. Indeed, such an approach is one of the key purposes of a neighbourhood plan and it provides an opportunity to address parish issues in a level of detail which is not possible in a local plan. However, in this overall context I recommend that the second sentence of the policy are modified so that it will have a positive approach (setting out requirements for new development) rather than the submitted negative approach. I also recommend that the third sentence of this part of the policy is modified to bring the clarity required by the NPPF and that the first bullet point in that part of the policy is modified so that it refers more generally to the overall character of this part of the village rather than to unspecified or defined gaps in the streetscape.

- 7.74 Finally I recommend a modification to the supporting text so that it better reflects the modifications to the policy itself and adopts a more flexible approach.

Replace the second sentence with: ‘Development proposals in the defined Area should demonstrate that they would not individually or cumulatively adversely affect the Ouse Washes and respects the semi-rural character of Bridge Road.’

Replace ‘Additional intensification in this part of the village will not be supported where it:’ with ‘Development proposals in the Area Sensitive to Change and Intensification will not be supported where they:’

Replace the first bullet point with: ‘would conflict with the semi-rural character of Bridge Road.’

In the supporting text replace ‘Additional intensification in this part of the village would result in the complete loss of the traditional separation between the main core of the village and the Ouse Washes with ‘Further development in this part of the village could affect the traditional separation between the main core of the village and the Ouse Washes.’

Summary

- 7.75 Subject to the various recommended modifications to its different elements I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Policy 9 – Boundary Treatment, Hedgerows, Trees, and Public Realm

- 7.76 This policy highlights the important of securing appropriate boundary treatments to new development and safeguarding existing features of this nature. It advises that development proposals which negatively impact boundary treatments, landscaping, hedgerows, or trees which make a positive contribution to the street scene and/or public realm or make an important contribution to biodiversity habitat will not be supported. It also comments that any new development will be expected to demonstrate, where relevant, how it will contribute to high quality streets, pavements, and other publicly accessible areas within Mepal.
- 7.77 In general terms the policy takes a positive approach to this matter. Nevertheless, I recommend that the order of its various components is reversed so that the policy has a more positive focus. I also recommend that the element of the policy on new development is modified so that it can be applied on a proportionate basis. Plainly it will have very different effects on individual development proposals. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘As appropriate to their scale, nature, and location, the boundary treatments and ant public realm works should respond positively to the setting and character of the site concerned and how it will contribute to the delivery of high quality streets, pavements, and other publicly accessible areas.

Development proposals which would have an unacceptable impact on boundary treatments, landscaping, hedgerows, or trees which make a positive contribution to the street scene and/or public realm or make an important contribution to biodiversity habitat will not be supported.’

Policy 10 - Local Green Spaces

- 7.78 This policy proposes the designation of seven local green spaces (LGSs). The approach taken is underpinned by the details on each site in the supporting text and in the Local Green Spaces Evidence Document.
- 7.79 I looked at the proposed LGSs carefully during the visit. The proposed Recreation Ground LGS and the proposed Lilibet Woods and Brangehill Drove LGS are the most substantial of the proposed designations. The others are much smaller and, in general terms, are attractive green spaces within the village. During the visit I saw that they make an important contribution to the openness and character of the village both individually and collectively.
- 7.80 In the round I am satisfied that the proposed LGSs meet the criteria in paragraph 106 of the NPPF. The Recreation and The Green are precisely the type of green spaces which the authors of the NPPF would have had in mind.
- 7.81 In addition, I am satisfied that their proposed designation would accord with the more general elements of paragraph 105 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. They are an established element of the local environment and has existed in its current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed LGSs would not endure beyond the end of the Plan period.
- 7.82 The policy takes the matter-of-fact approach as set out in paragraph 107 of the NPPF.
- 7.83 I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Implementation and Delivery

- 7.84 The Plan includes a section on Implementation and Delivery. A key feature is the way in which describes the delivery agents for each policy.
- 7.85 This part of the Plan also comments about the way in which enhanced local funding which would arise from Community Infrastructure Levy payments if the Plan is 'made' would be used. Such an approach is both clear and transparent. I am satisfied that the proposed initiatives are appropriate and distinctive to the parish.
- 7.86 The Plan also addresses monitoring and review in a very positive way.

Other Matters - General

- 7.87 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I

have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for ECDC and MPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.

Other Matters – Specific

- 7.88 In October 2023 ECDC adopted a revision to its Local Plan. It addressed Policy Growth 1 and its associated supporting text and updated the housing requirement figure for East Cambridgeshire as a whole.
- 7.89 ECDC recommend detailed modifications to the wording of Section 7 of the Plan to reflect this revision to the Local Plan. MPC has agreed to the proposed factual update. I recommend accordingly.
- 7.90 The NPPF was updated in December 2023 after the Plan was submitted. I recommend that any references in the Plan either to the date of the NPPF or to its paragraph number (where necessary) are updated.

Modify Section 7 of the Plan as suggested by ECDC.

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

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2031. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area and to designate Local Green Spaces.
- 8.2 Following the independent examination of the Plan, I have concluded that the Mepal Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

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

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the District Council on 28 February 2022.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. The responses to the clarification note were detailed, informative and delivered in a very timely fashion.

Andrew Ashcroft
Independent Examiner
5 March 2024