

## **Witchford Neighbourhood Plan**

### **Basic Conditions Statement**

Prepared on the behalf of the Witchford Neighbourhood Plan Steering Group

October 2019

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## 1 Introduction

- 1.1 This Basic Conditions Statement has been prepared on the behalf of Witchford Parish Council (WPC) to accompany its submission to the local planning authority, East Cambridgeshire District Council (ECDC), of the Witchford Neighbourhood Plan (WNP) 2019 under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").
- 1.2 The WNP has been prepared by the Parish Council, a qualifying body, for the Neighbourhood Area which covers the parish of Witchford.
- 1.3 The WNP area was initially designated by ECDC on 26 August 2016. Then, following Community Governance Review to make minor change to some parish boundaries in 2018, the Witchford parish boundary was amended in spring 2019. Following an application by WPC, the WNP area was subsequently amended and designated by ECDC on 6 February 2019.
- 1.4 The policies described in the WNP relate to the development and use of land in the designated Neighbourhood Area. The plan period of the Neighbourhood Plan is 2019 - 2031 and it does not contain policies relating to excluded development in accordance with the Regulations.
- 1.5 The statement addresses each of the 'basic conditions' required by the Regulations and explains how the submitted WNP meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.
- 1.6 Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 states that a draft neighbourhood development order meets the basic conditions if:
  - a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order;
  - b) the making of the order contributes to the achievement of sustainable development;
  - c) the making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
  - d) the making of the order does not breach, and is otherwise compatible with, EU obligations; and
  - e) prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.
- 1.7 Schedule 2 to the Regulations also confirms that the following basic condition is prescribed for the purpose of paragraph 8(2) (g) of Schedule 4B to the 1990 Act (i.e. item g above).
  - *The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017"*
- 1.8 An overview of the WNP is provided in section 2 of this report.

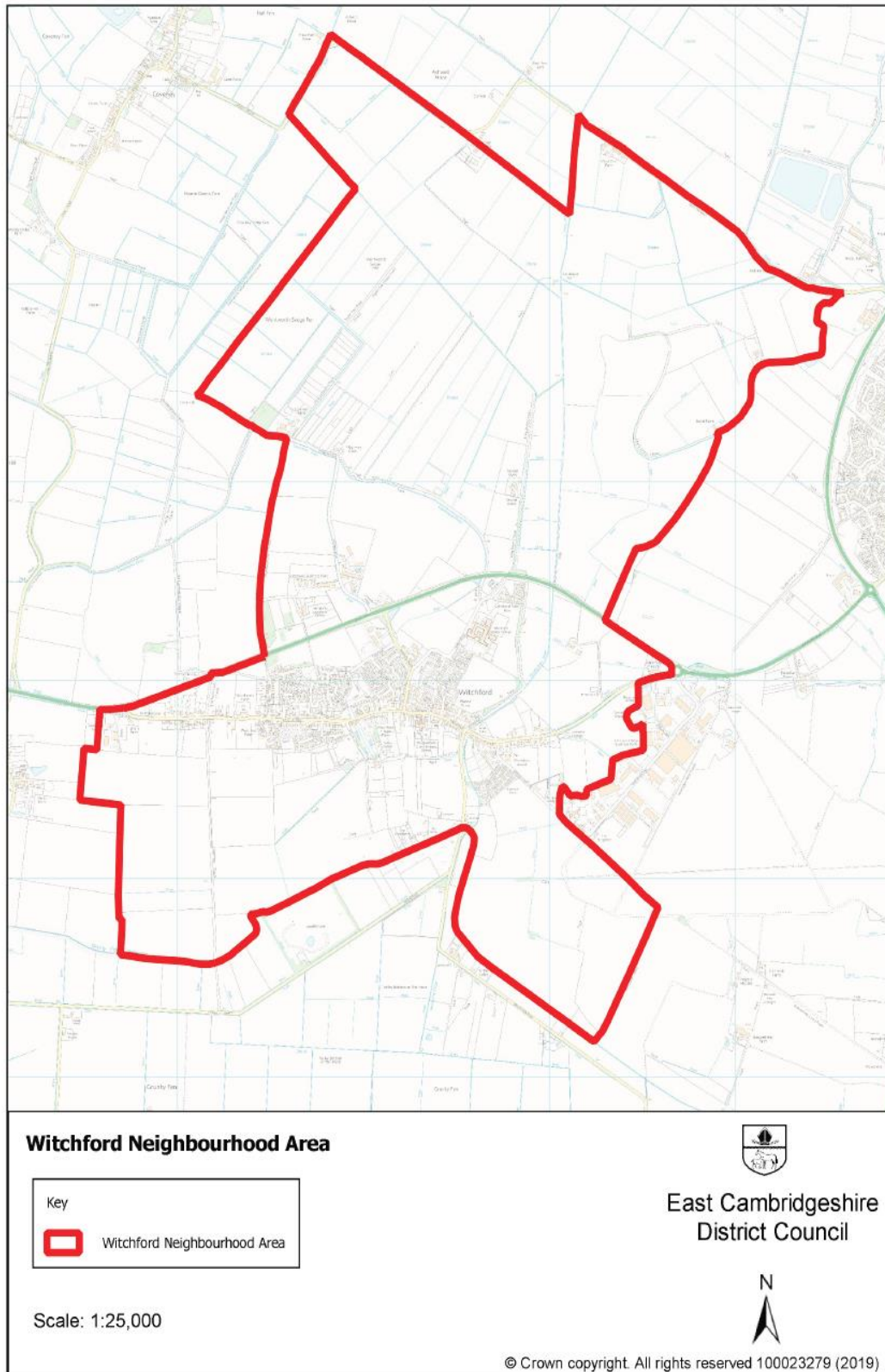
1.9 This document outlines how the WNP meets all of the above basic conditions and addresses these requirements in five sections:

- Section 3 demonstrates the policies in the WNP are appropriate having regard to national policies;
- Section 4 shows how the WNP will contribute towards achieving sustainable development;
- Section 5 demonstrates the conformity of the WNP with the ECDC Local Plan policies;
- Section 6 demonstrates compliance with the appropriate EU obligations including the SEA Directive and obligation relating to Human Rights. and
- Section 7 gives details of how the *making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017*

## 2 An overview of the Neighbourhood Plan

2.1 The WNP plan area is shown in Figure 2.1 below

**Figure 2.1 The Witchford NP area as designated in February 2019**



2.2 The WNP contains a vision, seven objectives, eight policy areas and twenty planning policies.

#### Neighbourhood Plan Vision

"To value and protect the rural character and community spirit of Witchford ensuring that future development meets local needs"

| <b>No.</b> | <b>Witchford Neighbourhood Plan Objectives.</b>  |
|------------|--|
| 1          | Landscape and character: To maintain the rural fenland character of Witchford. To protect the open space between Witchford and Ely, so that the village remains a distinct and separate community.   |
| 2          | Green infrastructure: To identify, protect and enhance the green infrastructure, open spaces and valued views of Witchford and the opportunities to enjoy the Witchford countryside.   |
| 3          | Housing: To maintain a thriving community through the provision of housing to meet the range of needs and current and future residents of Witchford.   |
| 4          | Infrastructure: To encourage and promote the provision of sufficient infrastructure, amenities and services to allow Witchford to retain its character as a self-sustaining, thriving community.   |
| 5          | Traffic in Witchford: To address issues relating to the speed and volume of traffic through the village, and to create attractive and usable opportunities for pedestrian any cycle access within Witchford with the aim of reducing in-village car use. |
| 6          | Witchford to Ely Connectivity: To support proposals to improve infrastructure for safe and easy travel by cycle, on foot and by public transport to Ely and to Ely train station.  |
| 7          | Supporting Witchford's micro-economy: To support existing local businesses and to encourage increased economic activity appropriate to the rural nature of the parish.   |

2.3 Table 2.3 provides a summary of what each planning policy does.

| <b>No.</b> | <b>Policy Reference</b> | <b>Title</b>                       | <b>What does this policy do?</b>  |
|------------|-------------------------|------------------------------------|---|
| 1          | WNP SS1                 | A spatial strategy for Witchford   | Provides an overview of where new development will be focused in the plan area during the plan period.  |
| 2          | WNP LC1                 | Landscape and Settlement Character | Guides new development to make sure new development either protects or enhances existing landscape character in the parish. The policy is supported by the Witchford Landscape Appraisal. |
| 3          | WNP LC2                 | Witchford Area of Separation       | Identifies an area of land between Witchford and Ely and Witchford and Lancaster Way Business Park as an important Area of Separation where new development will only                     |

| <b>Table 2.2 - What each planning policy does</b> |                         |   |  |
|---|-------------------------|---|--|
| <b>No.</b>  | <b>Policy Reference</b> | <b>Title</b>                                      | <b>What does this policy do?</b>   |
|   |                         |   | be supported if it does not reduce separation or increase coalescence.   |
| 4   | WNP GI1                 | Public Rights of Way                              | A policy supporting development which protects, enhances or extends existing public rights of way.   |
| 5   | WNP GI2                 | Local Green Spaces                                | A policy designating thirteen open spaces in the parish as Local Green Space to be safeguarded during the plan period.   |
| 6   | WNP GI3                 | Development and Biodiversity                      | A policy supporting development that protects or delivers net benefit for biodiversity in the parish.  |
| 7   | WNP H1                  | Housing mix                                       | A policy requiring residential proposals to provide a range and choice of house types suitable for local needs. The policy also requires new dwellings to be suitable for independent living and built to accessible and adaptable homes standards.            |
| 8   | WNP H2                  | Affordable housing                                | A policy supporting in principle the delivery of rural exceptions sites (a type of affordable home) on the edge of the village subject to evidence of existing need in the parish.   |
| 9   | WNP H3                  | Housing Design                                    | A policy requiring all residential development to achieve a high quality of design and deliver a good standard of amenity in the parish. The policy is supported by the Witchford Landscape Appraisal which describes the local distinctiveness in the parish. |
| 10  | WNP WFDH1               | Site Allocation                                   | This policy allocates land in the north of the village at land north of Field End for the development of up to 168 homes.  |
| 11  | WNP WFDH2               | Site Allocation                                   | This policy allocates land in the north of the village at Common Road for development of up to 120 homes.  |
| 12  | WNP WFDH3               | Site Allocation                                   | This policy allocates land south of Main Street for development of up to 46 new dwellings.   |
| 13  | WNP IC1                 | Witchford Infrastructure and Community Facilities | This policy highlights two infrastructure priorities for the plan are namely improving crossing facilities at the A10 to provide greater connectivity between Witchford and Ely and improved traffic through the village centre.                               |
| 14  | WNP IC2                 | Witchford Village Hall and Recreation Ground      | This policy allocates the village hall and recreation ground and open space for delivery of improved and expanded facilities during the plan period.   |

| <b>Table 2.2 - What each planning policy does</b> |                         |   |  |
|---|-------------------------|---|--|
| <b>No.</b>  | <b>Policy Reference</b> | <b>Title</b>  | <b>What does this policy do?</b>   |
| 15  | WNP IC3                 | Protection of Witchford's Community Facilities.                                       | A policy identifying and protecting existing community facilities in the village.  |
| 16  | WNP IC4                 | Flooding  | A policy paying specific attention to those areas in the parish most at risk from surface water flooding. The policy requires that measures to be put in place to secure an overall reduction in surface water run off when new development is proposed.   |
| 17  | WNP T1                  | Getting around the village  | A policy requiring the design and layout of new developments to incorporate good walking and cycling links. The policy highlights opportunities where new development could contribute towards village improvements either through on-site design considerations or off-site contributions.                  |
| 18  | WNP T1                  | Connecting Witchford and Ely through sustainable and safe cycle and pedestrian routes | This policy highlights the importance of an improved crossing facility across the A10 so as to improve access from Witchford to Ely. The policy seeks the delivery of this as part of an upgrade to the A10/A142 highway network as well as off-site contributions towards this key piece of infrastructure. |
| 19  | WNP E1                  | Support for small business development  | This policy clarifies support for development proposals which will encourage or help small businesses.   |
| 20  | WNP E2                  | Employment and Commercial Development   | A policy supporting new uses at Sedgeway Business Park subject to schemes being sensitive to their landscape setting   |



### 3 How the WNP policies are appropriate having regard to national policies and guidance

3.1 It is required that the WNP policies are appropriate having regard to national planning policy. This is principally provided by the National Planning Policy Framework (NPPF) published in February 2019 but also provided by planning practice guidance.

3.2 The NPPF provides a framework within which local communities can produce neighbourhood development plans for their area and sets out how planning should help achieve sustainable development.

3.3 This section demonstrates that the WNP has regard to the relevant policies in the NPPF in relation to:

- Achieving sustainable development (NPPF Chapter 2)
- Plan-making (NPPF Chapter 3)
- Decision-making (NPPF Chapter 4)
- Delivering a sufficient supply of homes (NPPF Chapter 5)
- Building a strong, competitive economy including Supporting a prosperous rural economy (NPPF Chapter 6)
- Ensuring the vitality of town centres (NPPF Chapter 7)
- Promoting healthy and safe communities (NPPF Chapter 8)
- Promoting sustainable transport (NPPF Chapter 9)
- Supporting high quality communications (NPPF Chapter 10)
- Making effective use of land (NPPF Chapter 11)
- Achieving well-designed places (NPPF Chapter 12)
- Protecting Green Belt land (NPPF Chapter 13)
- Meeting the challenge of climate change, flooding and coastal change (NPPF Chapter 14)
- Conserving and enhancing the natural environment (NPPF Chapter 15)
- Conserving and enhancing the historic environment (NPPF Chapter 16)

3.4 Table 3.1 demonstrates how the WNP objectives and policies relate to the principal goals set out in the NPPF.

| <b>Table 3.1: Neighbourhood Plan objectives and the NPPF goals they seek to address.</b> |  |  |
|--|--|--|
| <b>WNP Objective</b>   | <b>Relevant WNP policies</b>               | <b>Relevant NPPF chapters</b>                      |
| <b>1. Landscape and Character</b>  | WNP SS1 A Spatial Strategy for Witchford   | Conserving and enhancing the natural environment   |
|  | WNP LC1 Landscape and Settlement Character | Conserving and enhancing the historic environment. |
|  | WNP LC2 Witchford Area of Separation       | Achieving well designed places                     |
|  | WNP H3 Housing Design                      |  |
| <b>2. Green Infrastructure</b>   | WNP SS1 A Spatial Strategy for Witchford   | Conserving and enhancing the natural environment   |

**Table 3.1: Neighbourhood Plan objectives and the NPPF goals they seek to address.**

| <b>WNP Objective</b>           | <b>Relevant WNP policies</b>   | <b>Relevant NPPF chapters</b>   |
|--------------------------------|--|---|
|                                | <p>WNP LC1 Landscape and Settlement Character</p> <p>WNP LC2 Witchford Area of Separation</p> <p>WNP GI1 Public Rights of Way</p> <p>WNP GI2 Local Green Space</p> <p>WNP GI3 Development and Biodiversity</p> <p>WNP IC2 Witchford Village Hall and Recreation Ground</p> <p>WNP IC4 Flooding</p> | <p>Achieving well designed places</p> <p>Promoting healthy and safe communities</p> <p>Meeting the challenge of climate change, flooding and coastal change</p> |
| <b>3. Housing</b>              | <p>WNP SS1 A Spatial Strategy for Witchford</p> <p>WNP H1 Housing Mix</p> <p>WNP H2 Affordable Housing</p> <p>WNP H3 Housing Design</p> <p>Site Allocations WNP WFDH1, WFDH2 and WFDH3</p>   | <p>Achieving sustainable development</p> <p>Delivering a sufficient supply of homes</p> <p>Achieving well-designed places</p>                                   |
| <b>4. Infrastructure</b>       | <p>WNP IC1 Witchford Infrastructure and Community Facilities</p> <p>WNP IC2 Witchford Village Hall and Recreation Ground</p> <p>WNP IC3 Protection of Witchford’s Community Facilities</p> <p>WNP C1 – Connecting Witchford and Ely through sustainable and safe cycle and pedestrian routes</p>   | <p>Achieving sustainable development</p> <p>Decision making</p>   |
| <b>5. Traffic in Witchford</b> | <p>WNP IC1 – Witchford Infrastructure and Community Facilities</p> <p>WNP T1 - Getting around the village</p>  | <p>Achieving sustainable development</p> <p>Promoting healthy and safe communities</p>  |

| <b>Table 3.1: Neighbourhood Plan objectives and the NPPF goals they seek to address.</b> |   |   |
|--|---|---|
| <b>WNP Objective</b>   | <b>Relevant WNP policies</b>  | <b>Relevant NPPF chapters</b>   |
|  |   | Promoting sustainable transport<br><br>Achieving well-designed buildings  |
| <b>6. Witchford to Ely Connectivity</b>  | WNP IC1 – Witchford Infrastructure and Community Facilities<br><br>WNP C1 – Connecting Witchford and Ely through sustainable and safe cycle and pedestrian routes | Achieving sustainable development<br><br>Promoting sustainable transport<br><br>Achieving well-designed buildings |
| <b>7. Supporting Witchford’s Micro Economy</b>   | WNP E1 – Support for small business development<br><br>WNP E2 – Employment and Commercial Development<br><br>WNP IC2 Witchford Village Hall and Recreation Ground |   |

3.5 Table 3.2 identifies the NPP primary principles and explores how the WNP policies are appropriate having regard for these.

| <b>Table 3.2: NPPF Primary Principles and how the Neighbourhood Plan Policies are appropriate having regard to these.</b>  |                              |   |
|--|------------------------------|---|
| <b>NPPF primary principles</b>   | <b>Relevant WNP policies</b> | <b>How the draft WNP has regard to the NPPF</b>   |
| Chapter 2 – Achieving Sustainable Development<br>Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:<br><ul style="list-style-type: none"> <li>- an economic objective;</li> <li>- a social objective; and</li> <li>- an environmental objective</li> </ul> <p>“The application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should</p> | All                          | Policy SS1 A Spatial Strategy focuses new development during the plan period within a defined development boundary. The policy allows for growth of approximately 30% during the plan period whilst protecting settlement and landscape character (see policy LC1 Landscape and Settlement Character) and LC2 (Witchford Area of Separation), existing important green infrastructure (see Policy GI1 Public Rights of Way and Policy GI2 Local Green Spaces). The plan protects existing valued community infrastructure (see Policy IC3 Protection of |

**Table 3.2: NPPF Primary Principles and how the Neighbourhood Plan Policies are appropriate having regard to these.**

| NPPF primary principles   | Relevant WNP policies  | How the draft WNP has regard to the NPPF   |
|---|--|--|
| 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”   |  | Witchford’s Community Facilities) and identifies a need for additional specific items of infrastructure as the settlement grows (see policy IC1 Witchford’s Infrastructure and Community Facilities).  |
| Chapter 3 Plan Making: Planning should be genuinely plan-led. Succinct and up to date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.  | All  | As above.  |
| <p>Chapter 3: Plan Making.<br/>           “Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help deliver sustainable development, by influencing local planning decisions as part of the statutory development plan.<br/>           Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.”</p> <p>“Plans should set out the contributions expected from development. This should include setting out the levels and types of affordable provision required along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure). Such policies should not undermine the deliverability of the plan.”</p> | <p>All</p> <p>WNP IC1<br/>           Witchford Infrastructure and Community Facilities</p> <p>WNP IC2<br/>           Witchford Village Hall and Recreation Ground</p> <p>WNP T1 Getting Around the Village</p> <p>WNT T2<br/>           Connecting Witchford and Ely through</p> | <p>The community has been fully involved in developing the Plan’s Vision. The Plan’s policies will be used to enhance and improve the Plan Area through ensuring that new housing meets requirements, to ensure good design in keeping with the character of the community, protection and enhancement of local services, protection of landscape character including safeguarding local green spaces.</p> <p>The plan also sets out what types of infrastructure will be needed as development comes forward.</p> |

**Table 3.2: NPPF Primary Principles and how the Neighbourhood Plan Policies are appropriate having regard to these.**

| NPPF primary principles   | Relevant WNP policies  | How the draft WNP has regard to the NPPF  |
|---|--|---|
|   | sustainable and safe cycle and pedestrian routes.  |   |
| <p>Chapter 4: "Planning obligations must only be sought where they meet all of the following tests:</p> <ul style="list-style-type: none"> <li>- necessary to make the development acceptable in planning terms;</li> <li>- directly related to the development; and</li> <li>- fairly and reasonably related in scale and kind to the development</li> </ul>   | <p>WNP IC1 Witchford Infrastructure and Community Facilities</p> <p>WNP T1 Getting Around the Village</p> <p>WNT T2 Connecting Witchford and Ely through sustainable and safe cycle and pedestrian routes.</p> | <p>These policies highlight the principal infrastructure priorities shared by the community and require consideration of these in line with Paragraph 56 of the NPPF.</p>   |
| <p>Chapter 5: Delivering a sufficient supply of homes</p> <p>"strategic policies should also set a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations"</p> <p>"Neighbourhood planning groups should also consider the opportunities for allocating small and medium sized sites suitable for housing in their area"</p> | <p>WNP SS1 A Spatial Strategy for Witchford</p> <p>WNP H1 Housing Mix</p> <p>WNP H2 Affordable Housing</p> <p>WNP H3 Housing Design</p> <p>Site Allocations WNP WFDH1, WFDH2 and WFDH3</p>                     | <p>East Cambridgeshire District Council has provided a figure of 252 dwellings in the period 2018 to 2031. The draft Witchford Neighbourhood Plan includes draft policies and site allocations which will provide development at a rate which exceeds the housing requirement.</p> <p>The NP assumes that from 2018 through to 2031 there will be a delivery of a minimum of 330 homes in Witchford Village. Growth of 330 homes represents a 33% increase during the period 2018 to 2031. These will be delivered in line with three site allocations in the NP. In addition, the Neighbourhood Plan allows for further dwellings to be delivered via appropriate policy-compliant infill within the Witchford development envelope. The NP also supports the delivery of Rural Exceptions Housing subject to meeting policy criteria.</p> |

**Table 3.2: NPPF Primary Principles and how the Neighbourhood Plan Policies are appropriate having regard to these.**

| <b>NPPF primary principles</b>   | <b>Relevant WNP policies</b>   | <b>How the draft WNP has regard to the NPPF</b>  |
|--|--|--|
| <p>Chapter 6: Building a strong, competitive economy</p> <p>Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.</p>  | <p>WNP E1 – Support for small business development</p> <p>WNP E2 – Employment and Commercial Development</p> <p>WNP IC2<br/>Witchford Village Hall and Recreation Ground</p>       | <p>The NP recognises and supports the existing employments uses in the plan area (see Policy E2). The NP also recognises the existing and potential growth in the micro-economy in Witchford (parish-based employment activity) (see Policies E1 Support for small business development and IC2 Witchford Village Hall and Recreation Ground).</p>   |
| <p>Chapter 7. Ensuring the vitality of town centres</p> <p>Planning policies and decisions should support the role that town centres play at the heart of local communities</p>  | <p>WNP IC3<br/>Protection of Witchford’s Community Facilities</p> <p>WNP C1 – Connecting Witchford and Ely through sustainable and safe cycle and pedestrian routes</p>            | <p>The NP recognises the role of the neighbouring Ely City Centre and seeks to improve connectivity to this centre for Witchford residents (see Policy C1). The plan also recognises and protects its own village shops and services (see Policy IC3).</p>   |
| <p>Chapter 8. Promoting healthy and safe communities</p> <p>Planning policies and decisions should aim to achieve healthy, inclusive and safe places which</p> <ul style="list-style-type: none"> <li>a) promote social interaction...</li> <li>b) are safe and accessible.... and</li> <li>c) enable and support healthy lifestyles</li> </ul> <p>Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and wellbeing of communities. Planning policies should be based on robust and up to date assessments of the need for open space, sport and recreation facilities and opportunities for new provision.</p> <p>Planning policies and decisions should protect and enhance</p> | <p>WNP IC1 – Witchford Infrastructure and Community Facilities</p> <p>WNP T1 - Getting around the village</p> <p>WNP GI1 Public Rights of Way</p> <p>WNP GI2 Local Green Space</p> | <p>The Witchford NP places a strong emphasis on the importance of protecting and enhancing the existing green infrastructure as the settlement grows; policies GI1 Public Rights of Way and GI2 Local Green Space help to achieve these aims.</p> <p>The NP also places an emphasis on improving connectivity between Witchford village and the City of Ely (thus giving increased access to Witchford residents the shops, services and train lines accessible from Ely) and aspires to the delivery of a safe crossing point for cyclists and pedestrians across the A10.</p> <p>The NP seeks to achieve improved community infrastructure at the village hall</p> |

**Table 3.2: NPPF Primary Principles and how the Neighbourhood Plan Policies are appropriate having regard to these.**

| <b>NPPF primary principles</b>  | <b>Relevant WNP policies</b>  | <b>How the draft WNP has regard to the NPPF</b>   |
|---|---|---|
| <p>public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks...</p> <p>The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.</p>   |   | <p>and allocates this site for improved and expanded facilities.</p>  |
| <p>Chapter 9: Promoting sustainable transport<br/>Transport issues should be considered from the earliest stages of plan-making and development proposals so that:</p> <ul style="list-style-type: none"> <li>a) the potential impacts of development on transport networks can be addressed</li> <li>b) opportunities from existing or proposed transport infrastructure, and in changing transport technology and usage, are realised- for example in relation to the scale, location or density of development that can be accommodated</li> <li>c) opportunities to promote walking, cycling and public transport are identified and pursued;</li> <li>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse</li> </ul> | <p>WNP IC1 – Witchford Infrastructure and Community Facilities</p> <p>WNP T1 - Getting around the village</p> <p>WNP C1 – Connecting Witchford and Ely through sustainable and safe cycle and pedestrian routes</p> | <p>The NP identifies opportunities to improve the walking and cycling infrastructure within Witchford village (see Policy WNP T1) and between Witchford and the City of Ely (see Policy C1). The plan give priorities to the improvement of traffic and transport infrastructure in Policy IC1.</p> |

**Table 3.2: NPPF Primary Principles and how the Neighbourhood Plan Policies are appropriate having regard to these.**

| NPPF primary principles  | Relevant WNP policies  | How the draft WNP has regard to the NPPF   |
|--|--|--|
| <p>effects, and for net environmental gains; and</p> <p>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places</p>   |  |  |
| <p>Chapter 10: Supporting High Quality Communications</p>  | <p>Limited relevance to neighbourhood planning</p>   |  |
| <p>Chapter 11: Making effective use of land</p> <p>Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions</p>  | <p>WNP SS1 A Spatial Strategy for Witchford</p> <p>Site Allocations WNP WFDH1, WFDH2 and WFDH3</p>   | <p>Policy SS1 focuses new development during the plan period within a defined development boundary. Land for residential development is allocated on three sites whilst land outside the settlement enveloped is retained as countryside uses and important green spaces in and around the village is protected through LGS designation.</p> |
| <p>Chapter 12: Achieving well-designed places</p> <p>The creation of high quality buildings and places is fundamental to what the planning and development process should achieve.</p> <p>Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.</p> | <p>WNP SS1 A Spatial Strategy for Witchford</p> <p>WNP H3 Housing Design</p> <p>WNP LC1 Landscape and Settlement Character</p> <p>WNP LC2 Witchford Area of Separation</p> | <p>Policies SS1, LC1 and LC2 work together to ensure the village can grow without adversely impacting on the Witchford’s sense of identity as a rural island settlement separate to the City (and island) of Ely.</p> <p>Policy H3 is focused on ensuring delivery of high quality development as individual schemes come forward.</p>       |
| <p>Chapter 13: Green Belt</p>  | <p>Not applicable in plan area.</p>  |  |
| <p>Chapter 14: Meeting the challenge of climate change, flooding and coastal change</p> <p>Support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical</p>   | <p>WNP IC4 Flooding</p>  | <p>Policy IC4 focuses on the specifics of surface water flood risk in the plan area.</p>   |



**Table 3.2: NPPF Primary Principles and how the Neighbourhood Plan Policies are appropriate having regard to these.**

| <b>NPPF primary principles</b>  | <b>Relevant WNP policies</b>   | <b>How the draft WNP has regard to the NPPF</b>   |
|---|--|---|
| <p>reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including conversion of existing buildings, and support renewable or low carbon energy and associated infrastructure</p>   |  |   |
| <p>Chapter 15. Conserving and enhancing the natural environment</p>   | <p>WNP GI2 Local Green Spaces</p> <p>WNP GI3 Development and Biodiversity</p> <p>WNP IC4 Flooding</p>            | <p>Many of the identified Local Green Spaces in the plan area are valuable because of their importance as wildlife areas.</p> <p>Policy GI3 seeks to ensure that where development happens it comes forward in a way which can deliver net benefits to biodiversity.</p> <p>Policy IC4 Flooding asserts a preference or sustainable drainage systems which deliver biodiversity benefits.</p> |
| <p>Chapter 16. Conserving and Enhancing the historic environment</p> <p>Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved 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.</p> | <p>WNP SS1 – Spatial Strategy</p> <p>WNP H3 Housing Design</p> <p>WNP LC1 Landscape and Settlement Character</p> | <p>Heritage assets in the plan area include listed building, the historic core of the village and the Fenland landscape itself. These are described in the Witchford Landscape Appraisal. Policies SSI, LC1 and H3 all seek proposals which protect or enhance the distinctive landscape and settlement character in the village.</p>   |
| <p>Chapter 17. Facilitating the sustainable use of minerals</p>   | <p>This has limited relevance to the Neighbourhood Plan.</p>   |   |

#### 4 How the Neighbourhood Plan contributes towards the Achievement of Sustainable Development

- 4.1 The NPPF states in paragraph 11 that plans and decisions should apply a presumption in favour of sustainable development.
- 4.2 Paragraph 8 of the NPPF explains that to achieve sustainable development the planning system has three overarching objectives (economic, social and environmental) which are interdependent and need to be pursued in mutually supportive ways.

**Table 4.1 How the Neighbourhood Plan contributes towards the Achievement of Sustainable Development (as defined by the NPPF)**

| <b>Sustainable Development Objective</b> | <b>WNP Dimension</b>  |
|--|---|
| <b>Economic</b>                          | <p>East Cambridgeshire District Council has provided a housing requirement figure to the Witchford NP group of 252 dwellings to be delivered in the period 2018 to 2031. The draft WNP includes draft policies and site allocations which will provide development at a rate which exceeds this requirement.</p> <p>The NP recognises and supports the existing employments uses in the plan area (see Policy E2). The NP also recognises the existing and potential growth in the micro-economy in Witchford (parish-based employment activity). See Policies E1 Support for small business development and IC2 Witchford Village Hall and Recreation Ground.</p>  |
| <b>Social</b>                            | <p>The fourth objective underpinning the WNP is “to encourage and promote the provision of sufficient infrastructure, amenities and services to allow Witchford to retain its character as a self-sustaining, thriving community”.</p> <p>Applicable planning policies here are WNP IC1, Witchford Infrastructure and Community Facilities, WNP IC2 Witchford Village Hall and Recreation Ground and IC3 Protection of Witchford’s Community Facilities.</p> <p>A key part of achieving the social goal is however ensuring that as the settlement of Witchford grows during the plan period, the key characteristics which residents value and currently enjoy are safeguarded or enhanced for future generations to enjoy. The two plan objectives (See Objectives 1 and 2 in Table 2.1 above) relating to landscape and character and green infrastructure objective are fundamental to achieving this, together with the specific policies (e.g. Local Green Space policy).</p> |
| <b>Environmental</b>                     | <p>The two plan objectives (See Objectives 1 and 2 in Table 2.1 above) relating to landscape and character and green infrastructure objective comprise the environmental (as well as social) dimension to the WNP. Planning policies include WNP LC1 Landscape and Settlement Character, WNP LC2 Witchford Area of Separation, WNP GI1 Public Rights of Way, WNP GI2 Local Green Space, WNP GI3 Development and Biodiversity, WNP IC2 Witchford Village Hall and Recreation Ground, WNP IC4 Flooding</p>  |

## 5 General Conformity with the Strategic Policies of the Local Plan

- 5.1 Within East Cambridgeshire District, the statutory development plan is the East Cambridgeshire Local Plan 2015. The 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.
- 5.2 The adopted policies in the Local Plan 2015 have been summarised in table 5.2 below, together with a brief assessment of their relevance to the Witchford NP and consideration as to whether the NP policies are in broad conformity with these policies.
- 5.3 As can be seen from tables 5.2, there is a comprehensive set of adopted planning policies that apply to the WNP area. Key points are:
- Witchford village has a development envelope and the adopted Local Plan takes a restrictive approach towards development outside of this where land outside the development envelope is treated as countryside.
  - The majority of the NP area is countryside.
  - Growth requirements: The adopted Local Plan requires very little growth from Witchford. However, as long as ECDC do not demonstrate a 5-year land supply, the Local Plan housing policies are not considered fully up to date.
  - Affordable housing – there is a requirement for 30% affordable housing to be delivered on market schemes (above 10 units) that come forward in the NP area.
  - Design policies in the adopted Local Plan focuses on a need for new development to complement local distinctiveness.
  - Landscaping and views (including quintessential views of Ely Cathedral and the setting of the City as a historic 'isle' settlement close to the fen edge and the valley of the River Great Ouse) are highlighted as important where proposals are required to conserve, protect or enhance landscape character.
- 5.4 The National Planning Policy Guidance provides a definition of what is meant by 'general conformity':

"When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with
- the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy
- 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
- the rationale for the approach taken in the draft neighbourhood plan or order and the evidence to justify that approach."

5.5 The assessment finds that there are a number of areas where the neighbourhood plan provides an additional level of detail to that set out in the Local Plan.

| <b>Table 5.1 Neighbourhood Plan Policies which provide an additional level of detail/a distinct local approach to that set out in the Local Plan policies</b> |  |
|---|--|
| <b>2015 Local Plan Policy</b>   | <b>Neighbourhood Plan policy</b>   |
| GROWTH 6 Community Led Development  | <b>WNP H2 Affordable Housing</b> complements the approach by supporting small scale rural exceptions sites housing. The policy is supported by the Witchford Landscape Appraisal which should be used to guide where and how a scheme could protect or enhance existing character. |
| HOU1 Housing Mix  | <b>WNP H1 Housing Mix</b> complements the approach and provides local detail. It also requires all residential development to be suitable for independent living and built to the accessible and adaptable dwellings (M4(2)) standard  |
| HOU4 Affordable Housing Exception sites   | <b>WNP H2 Affordable Housing</b> complements the approach by supporting small scale rural exceptions sites housing. The policy is supported by the Witchford Landscape Appraisal which should be used to guide where and how a scheme could protect or enhance existing character. |
| EMP1 Retention of existing employment sites and allocations<br>EMP2 Extensions to existing businesses in the countryside                                      | <b>WNP E2 Employment and Commercial Development</b> complements Local Plan approach and provides specific detail with regard to Sedgeway Business Park.  |
| ENV1 Landscape and Settlement Character   | Supported by its own Landscape Appraisal, the WNP provides a parish specific approach which complements the district wide policy.  |
| ENV2 Design   | <b>WNP H3 Housing Design</b> is in broad conformity with the Local Plan approach.  |
| ENV7 Biodiversity and Geology   | <b>WNP GI3 Development and Biodiversity</b> complement the approach taken in the Local Plan.   |
| ENV8 Flood Risk   | <b>WNP IC4 Flooding</b> focuses on surface water flood risk in the plan area. It complements the approach taken in the Local Plan which will also apply to the Witchford plan area.  |
| COM3 Retaining community facilities   | <b>WNP IC3 Protection of Witchford's Community Facilities</b> complements the approach taken at Local Plan level by providing plan-specific detail.  |
| COM4 New community facilities   | <b>WNP IC2 Witchford's Village Hall and Recreation Ground</b> is an allocation for expanded and improved facilities. This complements the Local Plan policy.   |
| COM7 Transport Impact   | The WNP provides added value here through the identification of local opportunities for improvement articulated in <b>Policy WNP T1 Getting Around the Village</b> and <b>Policy WNP C1 Connecting Witchford and Ely through</b>   |

**Table 5.1 Neighbourhood Plan Policies which provide an additional level of detail/a distinct local approach to that set out in the Local Plan policies**

| 2015 Local Plan Policy | Neighbourhood Plan policy                                |
|------------------------|--|
|                        | <b>sustainable and safe cycle and pedestrian routes.</b> |

5.6 The assessment also identifies two areas where there is a degree of conflict. This applies to a Local Plan Policy Growth 2 and to the Village Vision for Witchford as set out in Part Two of the Local Plan.

**Local Plan Policy Growth 2**

5.7 This is an overarching spatial strategy for the district establishing where development will come forward. The policy takes a restrictive approach to development coming forward outside the defined development envelopes. The WNP also takes a restrictive approach to development outside the defined development envelope and from this perspective it is in broad conformity with the Local Plan. However, the WNP actually defines new development envelopes where these are up to date to reflect any built-up areas but they also incorporate the three sites allocated in the WNP. This is considered a departure from the 2015 Local Plan but it is also considered an appropriate departure for the following two reasons:

- i. The Witchford development envelope was effectively breached when planning consent was granted by appeal on a site on the edge of Witchford in 2015 when it was found that there was no five-year land supply in the district.
- ii. ECDC have given a housing figure of 252 homes to be delivered in the Witchford Plan area during the period 2019 to 2031.

**Local Plan Village Vision for Witchford**

5.8 This policy is specific to the village of Witchford and is therefore not considered to be a strategic policy for the purpose of testing general conformity of the Neighbourhood Plan. The growth proposed in the WNP is considered an appropriate departure in light of the housing requirement figure of 252 being given by ECDC for the purpose of the Witchford Neighbourhood Plan.

| <b>Table 5.2: How do the Neighbourhood Plan policies sit alongside the East Cambridgeshire 2015 Local Plan policies.</b> |   |   |   |
|--|---|---|---|
| <b>Plan Policy</b>   | <b>Description (where applicable to Witchford)</b>  | <b>Specific implication to Witchford NP area?</b>   | <b>Comment regarding broad conformity</b>   |
| GROWTH 1   | Policy establishes level of housing, retail and employment growth planned to come forward during the plan period 2011 to 2031. This includes a commitment for delivering 11,500 homes across the district   |   |   |
| GROWTH 2   | An overarching spatial strategy for the district establishing where development will come forward.  | Policy takes a restrictive approach to development outside existing Witchford development envelope. | The NP amends the development envelope to encompass proposed site allocations. The NP departs from the adopted Local Plan in this regard. This is however considered appropriate having regard to breaches (through consent) to the village envelope in Witchford as well as through the housing requirement figure provided by ECDC. |
| GROWTH 3<br>Infrastructure Requirements  | Policy clarifies that development proposals will be required to make contributions towards infrastructure in accordance with the Council's adopted Community Infrastructure Levy Charging Schedule and that proposals will be expected to provide (or contribute towards the costs of providing) infrastructure and community facilities made necessary by the development, where this is not provided through the CIL. |   | Policy will sit alongside the NP. No conflict.  |
| GROWTH 4 Delivery of growth  | This policy provides details on locations in the district where residential,  | No allocations in Witchford plan area. However, 40.5 hectares of                                    | Policy will sit alongside the NP. No conflict.  |

| <b>Table 5.2: How do the Neighbourhood Plan policies sit alongside the East Cambridgeshire 2015 Local Plan policies.</b> |  |  |  |
|--|--|--|--|
| <b>Plan Policy</b>   | <b>Description (where applicable to Witchford)</b>   | <b>Specific implication to Witchford NP area?</b>  | <b>Comment regarding broad conformity</b>  |
|  | employment, retail and community facilities will come forward.   | land allocated for employment at Lancaster Way Business Park.                                  |  |
| GROWTH 5<br>Presumption in favour of sustainable development   | Generic policy in line with NPPF   |  | Policy will sit alongside the NP. No conflict.   |
| GROWTH 6 Community Led Development   | A policy clarifying support of community led housing even where this could come forward outside development envelopes  |  | NP supports Rural Exceptions Housing outside development envelope  |
| HOU1 Housing Mix   | A district wide housing mix policy establishing that residential developments of over 10 units should provide an appropriate mix of dwelling types and sizes that contribute towards meeting current and future housing needs; developments of over 50 units are expected to provide a proportion of dwellings that are suitable or easily adaptable for occupation by the elderly or people with disabilities; and developments of over 100 units are expected to provide 5% self-build properties. |  | WNP H1 Housing Mix complements approach and provides local detail. I also requires all residential development to be suitable for independent living and built to the accessible and adaptable dwellings (M4(2)) standard. |
| HOU2 Housing Density   | States density of a scheme will be judged on a site-by-site basis taking account of, inter alia, existing character, need to make efficient use of land...   |  | Policy will sit alongside the NP. No conflict.   |
| HOU3 Affordable Housing Provision  | Establishes that on schemes of more than 10 units, 40% affordable housing shall be sought on schemes in south of the district; 30% affordable housing shall be sought on schemes in the north of the district  | 30% affordable housing will be required in Witchford as it falls in the north of the district. | Policy will sit alongside the NP. No conflict.   |

| <b>Table 5.2: How do the Neighbourhood Plan policies sit alongside the East Cambridgeshire 2015 Local Plan policies.</b> |   |  |  |
|--|---|--|--|
| <b>Plan Policy</b>   | <b>Description (where applicable to Witchford)</b>  | <b>Specific implication to Witchford NP area?</b>  | <b>Comment regarding broad conformity</b>  |
| HOU4 Affordable Housing Exception Sites  | Allows, subject to criteria the delivery of affordable housing proposals outside the existing settlement envelope. Policy also allows for some market housing where this is required to make a scheme viable. |  | NP supports Rural Exceptions Housing outside development envelope  |
| HOU5 Dwellings for Rural workers   | A policy allowing in exceptional circumstances and subject to criteria dwellings for rural workers in the countryside.  |  | WNP SS1 is in broad conformity with this approach.   |
| HOU6 Residential Care Accommodation  | A policy supporting new residential care homes in suitable locations subject to criteria.   |  | Policy will sit alongside the NP. No conflict.   |
| HOU7 Mobile homes and residential caravan parks  | The plan recognises the importance of these as providing low cost market housing for local people. Policy resist the loss of them.  | NP area has two mobile home parks  | Policy will sit alongside the NP. No conflict.   |
| HOU8 Extension and replacement of homes in the countryside   | A policy allowing extensions and replacement of homes in countryside subject to criteria.   |  | Policy would sit alongside NP. WNP SS1 is in broad conformity with this approach.  |
| HOU9 Gypsies, Travellers, and Travelling Showpeople Sites  | A policy providing for needs of gypsies, travellers and traveling showpeople during plan period   | Allocates a site (2 pitches) outside but close to the southern boundary of Witchford Parish (Pony Lodge, Grunty Fen Road). | Policy will sit alongside the NP. No conflict.   |
| EMP1 Retention of existing employment sites and allocations  | A generic policy protecting in principle existing employment uses.  |  | WNP E2 – Employment and Commercial Development complements Local Plan approach and provides specific detail with regard to Sedgeway Business Park. |
| EMP2 Extensions to existing businesses in the countryside  | Permits, in principle, proposals for small scale business in countryside subject to criteria.   |  | WNP E2 – Employment and Commercial Development complements Local Plan approach   |



| <b>Table 5.2: How do the Neighbourhood Plan policies sit alongside the East Cambridgeshire 2015 Local Plan policies.</b> |  |  |   |
|--|--|--|---|
| <b>Plan Policy</b>   | <b>Description (where applicable to Witchford)</b>   | <b>Specific implication to Witchford NP area?</b>                                  | <b>Comment regarding broad conformity</b>   |
|  |  |  | and provides specific detail with regard to Sedgeway Business Park.   |
| EMP4 Reuse and replacement of existing buildings in the countryside  | A policy guiding when proposals involving reuse and replacement of existing countryside buildings would be supported.  |  | Policy would sit alongside the NP. No conflict.   |
| EMP5 Equine development  | A policy applicable to applications for equestrian development.  | Yes. Equine development currently in plan area and there may be more applications. | Policy would sit alongside the NP. No conflict.   |
| EMP6 Development affecting the horse racing industry   | Not applicable.  | Not applicable.  |   |
| EMP7 Tourist Facilities and Visitor Attractions  | Limited relevance to Witchford plan area   |  |   |
| EMP8 Tourist accommodation   | Development management policy setting out approach to be applied for proposals providing new tourist accommodation or leading to loss of.  |  | Policy will sit alongside the NP. No conflict.  |
| EMP9 Holiday and seasonal occupancy conditions   | Establishes when occupancy conditions will be applied to holiday accommodation. Limited relevance.   |  | Policy will sit alongside the NP. No conflict.  |
| ENV1 Landscape and Settlement Character  | <p>A policy applicable to most development types. Establishes criteria which proposals must meet in terms of impact on landscape and settlement character.</p> <p>The policy requires development to protect, conserve and where possible enhance key views into and out of settlements and specifically states "<i>this includes quintessential views of Ely Cathedral and the setting of the City as a historic 'isle' settlement close to the</i></p> | The quintessential views of Ely Cathedral includes views from Witchford Parish.    | Supported by its own Landscape Appraisal, the WNP provides a plan specific approach which complements the district wide policy. |

| <b>Table 5.2: How do the Neighbourhood Plan policies sit alongside the East Cambridgeshire 2015 Local Plan policies.</b> |  |   |  |
|--|--|---|--|
| <b>Plan Policy</b>   | <b>Description (where applicable to Witchford)</b>   | <b>Specific implication to Witchford NP area?</b>   | <b>Comment regarding broad conformity</b>  |
|  | <i>fen edge and the valley of the River Great Ouse."</i>   |   |  |
| ENV2 Design  | A policy applicable to most development types. Establishes criteria which proposals must meet in terms of design.  |   | WNP H3 Housing Design is in broad conformity with the Local Plan approach.   |
| ENV3 Shop fronts and advertisements  | A generic policy establishing approach to be taken on new shop front proposals.  |   | Policy will sit alongside the NP. No conflict.   |
| ENV4 Energy and water efficiency and renewable energy in construction  | A policy establishing what standards will be required.   |   | Policy will sit alongside the NP. No conflict.   |
| ENV5 Carbon offsetting   | A policy applicable when policy ENV4 can not be adhered to.  |   | Policy will sit alongside the NP. No conflict.   |
| ENV6 Renewable energy development  | A policy supporting renewable energy proposals   |   | Policy will sit alongside the NP. No conflict.   |
| ENV7 Biodiversity and Geology  | Establishes approach which proposals must take in terms of managing impact on biodiversity   |   | WNP GI3 Development and Biodiversity complements the approach taken in the Local Plan.                                   |
| ENV Flood Risk   | A development management policy establishing that all proposals should contribute to an overall flood risk reduction. For fluvial flooding the policy establishes approach consistent with NPPF focusing development in areas of Flood Zone 1. With regard to surface water flooding, the policy requires new development to demonstrate that appropriate surface water drainage measures can be accommodated. Policy also requires, subject to exceptions, the use of Suds. | Areas of flood zone 3 runs along the eastern boundary of the NP area north to south. (follows the Grunty Fen Drain) and in the north (Wentworth Sedge Fen).<br><br>There are also areas with higher risk of surface water flooding. | WNP IC4 – Flooding is specific to surface water flood risk in the plan area and will complement the Local Plan approach. |
| ENV9 Pollution   | Policy clarifying standards to be expected from new development.   |   | Policy will sit alongside the NP. No conflict.   |

| <b>Table 5.2: How do the Neighbourhood Plan policies sit alongside the East Cambridgeshire 2015 Local Plan policies.</b> |  |   |   |
|--|--|---|---|
| <b>Plan Policy</b>   | <b>Description (where applicable to Witchford)</b>   | <b>Specific implication to Witchford NP area?</b>                   | <b>Comment regarding broad conformity</b>   |
| ENV10 Green Belt   | Not applicable. No green belt in NP area.  |   |   |
| ENV11 Conservation Areas   | Not applicable. No conservation areas in NP area.  |   |   |
| ENV12 Listed Buildings   | Establishes approach which must be taken in managing impact on listed buildings.                 | Seven listed buildings in NP area, all along Main Street.           | Policy will sit alongside the NP. No conflict.  |
| ENV13 Local register of buildings and structures   | Establishes approach which must be taken in managing impact on buildings on local register.      |   | Policy will sit alongside the NP. No conflict.  |
| ENV14 Sites of archaeological interest   | Establishes approach which must be taken in managing impact on sites of archaeological interest. |   | Policy will sit alongside the NP. No conflict.  |
| ENV15 Historic Parks and Gardens   | Not applicable. No historic parks and gardens in NP area.  |   |   |
| ENV16 Enabling development associated with heritage assets   | A policy which allows for development to take place where this helps to enhance heritage assets  |   | Policy will sit alongside the NP. No conflict.  |
| COM1 Location of retail and town centre uses   | Establishes development management approach towards new retail uses across the district.         |   | Policy will sit alongside the NP. No conflict.  |
| COM2 Retail uses in town centres   | Not applicable to Witchford  |   |   |
| COM3 Retaining community facilities  | Policy resisting the loss of community facilities  |   | WNP IC3 Protection of Witchford's Community Facilities complements approach taken at Local Plan level.  |
| COM4 New community facilities  | Establishes approach for new community facility proposals  |   | WNP IC2 – Witchford's Village Hall and Recreation Ground is an allocation for expanded and improved facilities which complements Local Plan approach. |
| COM5 Strategic green infrastructure  | Policy ensuring no development undermines strategic green infrastructure in district.            | Appendix 4 of the Local Plan 2015 indicates eastern part of NP area | Policy will sit alongside the NP. No conflict.  |

| <b>Table 5.2: How do the Neighbourhood Plan policies sit alongside the East Cambridgeshire 2015 Local Plan policies.</b> |  |   |   |
|--|--|---|---|
| <b>Plan Policy</b>   | <b>Description (where applicable to Witchford)</b>   | <b>Specific implication to Witchford NP area?</b>   | <b>Comment regarding broad conformity</b>   |
|  |  | falls within strategic green infrastructure corridor.   |   |
| COM6 Telecommunications  | Establishes approach for new telecommunications proposals  |   | Policy will sit alongside the NP. No conflict.  |
| COM7 Transport impact  | Establishes that development should be designed to reduce the need to travel, particularly by car. Also states opportunities should be maximised for increased permeability and connectivity to existing networks. |   | WNP T1 – Getting around the village and WNP C1 – Connecting Witchford and Ely through sustainable and safe cycle and pedestrian routes are both policies which complement Local Plan approach and identify local opportunities for improvement. |
| COM8 Parking provision   | Policy is accompanied by parking standards which schemes should comply with.   |   | Policy will sit alongside the NP. No conflict.  |
| Local Plan 2015 Part Two – Village visions   | There are forty-six village/town visions in Part Two of the Local Plan. Vision 8.44 is the one for Witchford.  | This 3-page section describes Witchford as a large village. The section estimates there will be 37 dwellings built during the period 2013 to 2031 and clarifies that the only development likely to come forward will be housing built on suitable infill sites. The section does clarify the infrastructure requirements for the parish. | The growth proposed in the WNP departs from the strategy set out in the 2015 Local Plan. The growth in the WNP is a response to the housing requirement figure provided by ECDC.  |

## 6 Compatibility with EU Obligations and Legislation

- 6.1 European Union Directive 2001/42/EC requires a Strategic Environmental Assessment (SEA) to be undertaken for certain types of plans or programmes that would have a significant environmental effect. The EU Directive has been transposed into UK legislation through the Environmental Assessment of Plans and Programmes Regulations 2004 (the Regulations). Regulation 9 states that the responsible body (the local planning authority) shall determine whether or not a plan is likely to have a significant effect and that before making such a determination it shall take into account the criteria set out in Schedule 1 of the Regulations and consult the consultation bodies (Natural England, Historic England and the Environment Agency).
- 6.2 The WNP steering group submitted a formal screening request regarding the need for a Strategic Environmental Assessment (SEA) and a Habitats Regulation Assessment (HRA) of the draft WNP in March 2019. A Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Opinion was prepared by East Cambridgeshire District Council (SCDC) for the WNP in April 2019. The three statutory bodies Natural England, Historic England and the Environment Agency were consulted on the screening report.
- 6.3 Following consideration of the responses from the statutory consultees, ECDC District Council determined that the WNP is unlikely to result in significant environmental effects and therefore does not require a strategic environmental assessment. The Councils also determined that the Neighbourhood Plan is not likely to result in significant effects on any European site.
- 6.4 In line with Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) this document is also submitted alongside the Neighbourhood Plan.
- 6.5 The NP Screening Report produced in April 2019 also concludes that the making of the NP is not expected to result in likely significant effects on designated sites and that "a full HRA is not required".

### Human Rights and Equalities

- 6.6 The Neighbourhood Plan has been prepared having regard to the fundamental rights and freedom guaranteed under the European Convention on Human Rights
- 6.7 An assessment has been carried out to assess the potential impacts of the Witchford NP in relation to the protected characteristics as identified in the Equality Act 2010. This assessment is shown in Table 6.1 and shows that the draft Neighbourhood Plan is not likely to lead to increased inequalities or discrimination in the plan area. Some of the policies are identified as having positive impacts on people who may experience disadvantage by virtue of their age or disability. This is primarily due to the fact the NP is focused on increasing the quality of the pedestrian environment and cyclist environment (thereby increasing access to facilities for younger people or older people who may not have access to private transport) and on ensuring new housing provision meets the range of needs in the community (thereby increasing access to people with mobility impairments).

| <b>Table 6.1: Assessment of NP against protected characteristics</b> |               |  |
|--|---------------|--|
| <b>Protected Characteristic</b>                                      | <b>Impact</b> | <b>Commentary</b>  |
| Age  | +<br>Positive | <p>Four of the plan objectives seek to improve access to housing and facilities for all age groups. Objective 3 relates specifically to meeting the full range of housing needs. Objective 5 relates to better traffic management so as to provide better access for pedestrians and cyclists (thus meeting needs of all age groups). Objective 6 looks specifically at improving non-vehicular access to Ely for Witchford residents.</p> <p>Applicable policies are WNP H1 Housing Mix, WNP H2 Affordable Housing, WNP T1 Getting Around the Village and WNP T2 Connecting Witchford and Ely through sustainable and safe cycle and pedestrian routes.</p> |
| Disability   | +<br>Positive | Objective 3 relates specifically to meeting the full range of housing needs. Policy WNP H1 Housing Mix specifically requires accessible housing standards. This should have a positive impact on people with mobility impairments.   |
| Gender Reassignment  | 0<br>Neutral  | No specific impact identified.   |
| Marriage and civil partnership                                       | 0<br>Neutral  | No specific impact identified.   |
| Pregnancy and maternity  | 0<br>Neutral  | No specific impact identified.   |
| Race   | 0<br>Neutral  | No specific impact identified.   |
| Religion or belief   | 0<br>Neutral  | No specific impact identified.   |
| Sex  | 0<br>Neutral  | No specific impact identified.   |
| Sexual orientation   | 0<br>Neutral  | No specific impact identified.   |

**7** How the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017

- 7.1 The SEA/HRA screening report produced by ECDC in April 2019 and appended to the SEA screening determination concludes that the implementation of the Neighbourhood Plan is not expected to result in likely significant effects on designated sites and that, as such, a full HRA is not required. The response to this screening report from Natural England agrees with this conclusion.
- 7.2 It is therefore concluded that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.