

St Neots Town Council

**Protect. Improve. Create.
St Neots Neighbourhood Plan
2014 - 2029**

Submission Version

Independent Examiner's Report

By Ann Skippers BSc (Hons) Dip Mgmt (Open) PGC(TLHE)(Open) MRTPI FHEA FRSA AoU

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Summary

I have been appointed as the independent examiner of the St Neots Neighbourhood Plan.

The St Neots Neighbourhood Plan is the first neighbourhood plan to reach examination stage in Huntingdonshire. It is clear that the Town Council has built on earlier work and research to develop the Plan. An interesting and far reaching marketing campaign has been used to engage the community.

St Neots is facing significant growth and has a rich heritage illustrated by a historic town centre, many listed buildings and a valued riverside setting. The Plan tries to ensure that this growth is successfully integrated into the town with the necessary infrastructure and service provision. It does so in a pragmatic and positive way.

I have concluded that the St Neots Neighbourhood Plan subject to modification

- Has regard to national policies and advice
- Contributes to the achievement of sustainable development
- Is in general conformity with the strategic policies of the development plan for the area
- Does not breach, and is otherwise compatible with EU obligations and the European Convention of Human Rights
- Meets all other requirements that I am obliged to examine.

I have recommended a number of modifications to policies in the Plan that are intended to ensure that the basic conditions are met satisfactorily and that the Plan is clear and consistent.

Subject to those modifications, I have no hesitation in recommending that the St Neots Neighbourhood Plan goes forward to a referendum. In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers
Ann Skippers Planning
27 February 2015

Ann Skippers Planning is an independent consultancy that provides professional support and training for local authorities, the private sector and community groups and specialises in troubleshooting, appeal work and neighbourhood planning.

W www.annskippers.co.uk
E ann@annskippers.co.uk



1.0 Introduction

This is the report of the independent examiner into the St Neots Neighbourhood Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

The St Neots Neighbourhood Plan is the first neighbourhood plan in Huntingdonshire District to reach examination stage. St Neots has a rich heritage illustrated by a historic town centre and many listed buildings. The River Great Ouse forms a green corridor through the centre of the town. St Neots faces significant growth and the Plan tries to ensure that this growth is successfully integrated into the market town with the necessary infrastructure and service provision. It does so in a pragmatic and positive way.

2.0 Appointment of the independent examiner

I have been appointed by Huntingdonshire District Council (HDC) with the agreement of St Neots Town Council, to undertake this independent examination. I have been appointed through the Neighbourhood Plan Independent Examiners Referral Service (NPIERS).

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over twenty years experience in planning and have worked in the public, private and academic sectors. I therefore have the appropriate qualifications and experience to carry out this independent examination.

3.0 The role of the independent examiner

The examiner is required to check¹ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

¹ Set out in paragraph 8 (1) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions² are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, European Union (EU) obligations and
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two basic conditions in addition to those set out in primary legislation and referred to in the paragraph above. These are:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site³ or a European offshore marine site⁴ either alone or in combination with other plans or projects
- Having regard to all material considerations, it is appropriate that the neighbourhood development order is made where the development described in an order proposal is Environmental Impact Assessment development (this is not applicable to this examination as it refers to orders).

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

² Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

³ As defined in the Conservation of Habitats and Species Regulations 2012

⁴ As defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case Huntingdonshire District Council (HDC). The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

4.0 Compliance with matters other than the basic conditions

I now check the various matters set out above in section 3.0 of this report.

Qualifying body

St Neots Town Council is the qualifying body able to lead preparation of a neighbourhood plan. This complies with this requirement.

Plan area

The Plan covers the town of St Neots which is contiguous with the Town Council administrative boundary. HDC approved the designation of the area on 17 October 2013. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. Figure 1 on page 13 of the Plan clearly shows the area.

Plan period

The Plan covers a period of 15 years from 2014 – 2029. This time period appears on the front cover of the Plan, is mentioned in the Vision section of the Plan and is confirmed in the Basic Conditions Statement.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. Where I consider a policy or proposal to fall within this category, I have recommended it be moved to a clearly differentiated and separate section or annex of the Plan or contained in a separate document. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but non-land use matters should be clearly

identifiable.⁵ Subject to any such recommendations, this requirement can be satisfactorily met.

5.0 The examination process

It is useful to bear in mind that the examination of a neighbourhood plan is very different to the examination of a local plan.

The general rule of thumb is that the examination will take the form of written representations.⁶ However, there are two circumstances when an examiner may consider it necessary to hold a hearing. These are where the examiner considers that it is necessary to ensure adequate examination of the issue or to ensure a person has a fair chance to put a case.

After consideration of the documentation and representations, I decided it was not necessary to hold a hearing.

I did however seek on two occasions further written factual clarification of two issues. In my 'set up' letter of 21 December 2014 I noted that the St Neots Town Council website contained two 'Neighbourhood Plan Map Amendments' relating to the Neighbourhood Area and Local Green Spaces. I asked for clarification on what these amendments related to and for confirmation that any necessary consultation had been carried out in accordance with the statutory requirements. HDC confirmed that minor amendments had been made following discussion and that the amended maps had been subject to the necessary consultation.

I undertook an unaccompanied site visit to St Neots and its environs on 2 February 2015.

After my visit, it was necessary to request some further factual information from the local authority and the qualifying body. I sent an email to both bodies on 3 February asking for i) plan(s) that clearly identified the boundaries of the six proposed Local Green Spaces and ii) a list of adopted development plan policies that the bodies feel are relevant to the proposed Local Green Spaces. A very prompt response was given that satisfied both requests for clarification.

I am grateful to the exemplary support and quick responses that the officer at HDC has given me during the course of the examination.

I have also specifically referred to some representations and sometimes identified the person or organisation making that representation. However, I have not referred to each and every representation in my report. Nevertheless each one has been considered carefully and I reassure everyone that I have taken all the representations received into account during the examination.

⁵ Paragraph 004 of Planning Practice Guidance

⁶ Schedule 4B (9) of the Town and Country Planning Act 1990

6.0 Consultation

The Town Council has submitted a Consultation Statement in accordance with the requirements set out in the Neighbourhood Planning (General) Regulations 2012. This provides details of who was consulted and how, together with the outcome of consultation on the earlier pre-submission version of the Plan.

It is clear there is a strong track record in involving the community in initiatives with the aim of enhancing St Neots and its environs.

The neighbourhood planning process built on earlier work including a Healthcheck published in 2009, but began in earnest with a survey in Autumn 2013. A copy of the survey is appended to the Consultation Statement. The Consultation Statement sets out the key findings from the survey. A number of useful tables outline how these issues have been taken forward into the Plan recognising that some of the issues raised were non-planning related and needed to be dealt with in a different way.

A focus group was then held to test options together with a meeting with HDC Officers as Plan policies began to emerge.

There has been an organised and thorough marketing campaign to raise awareness and encourage participation which included banners, posters and leaflets.

As part of this campaign, an official media partnership was established with the local newspaper launching with a full cover advertising wrap. Together with a dedicated webpage and use of social media including Facebook and Twitter, this meant that a combination of ways were used to publicise the Plan and to raise awareness.

The pre-submission draft of the Plan was published for six weeks from 7 February – 21 March 2014. Over 20 events and focus groups being held during this consultation period. The roadshows and focus groups covered a variety of sectors of the community in a variety of locations including a residential home, mum and toddler groups, local supermarket, farmers markets, the museum and library.

The Consultation Statement explains that those consultation bodies referred to in Schedule 1 of the Neighbourhood Planning (General) Regulations 2012 and whose interests were considered to be affected were given to 3 April 2014 to allow all the relevant bodies to be identified and be given the full time period to respond as part of this consultation stage.

The Consultation Statement then sets out a summary of the representations received and how they were addressed. It details three meetings of the Town Council's Development and Growth Committee that considered the comments received and amendments to the Plan before finalising it and submitting it to HDC.

Numerous attempts and a variety of methods have been employed to encourage participation, and to provide opportunities to comment on the issues important to the community and the emerging Plan primarily at the pre-submission stage.

Following on from the pre-submission period, the submission Plan was approved by the Town Council on the 10 April 2014 and submitted to HDC later that month. Further changes were made following meetings between the Town Council and HDC. This resulted in a six-week consultation period from 29 July to 9 September 2014.

This attracted a number of representations which I have taken into account in preparing this report.

As one representation points out there are one or two places in the Consultation Statement that seem to require completion. Another states that no mention has been made of the online Planning Practice Guidance. However, there is sufficient content and information in the document to enable me to undertake the examination. I would however, urge the Town Council to remedy these small deficiencies for the sake of completeness.

A number of representations sought various things to be addressed such as traffic management or the provision of street bins or rents in the Town Centre for example. Some of these matters will not be related to development and use of land and I am sure will be captured for future action in different ways by the Town Council.

Others pointed out that the Plan does not refer to some other documents such as the Local Transport Plan or that issues such as water efficiency, public rights of way, health and wellbeing or arts provision should be covered in the Plan. Some wanted other sites to be designated. Whilst these are good points well made in the representations, the Plan does not have to deal with all issues comprehensively and it is not my role to add items in, but rather to examine what is in front of me.

Not everyone is supportive of particular policies in the Plan. Should the Plan go forward to referendum, people will have their say at the referendum.

Others offered support. I also note that English Heritage considers that earlier issues raised have been “taken on board”. Natural England generally welcomes the Plan considering “it provides a useful framework for the future of the community”.

The evidence demonstrates that the Plan has emerged as a result of seeking, and taking into account, the views of the community and other bodies. The Plan therefore satisfies the Regulations in this respect.

7.0 Compliance with the basic conditions

National policy and advice

The main document that sets out national planning policy is the National Planning Policy Framework (the NPPF) published in 2012. In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the strategic development needs set out in Local Plans, plan positively to support local development, shaping and directing development that is outside the strategic elements of the Local Plan and identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with the neighbourhood plan to proceed.⁷

The NPPF also makes it clear that neighbourhood plans should be aligned with the strategic needs and priorities of the wider local area. In other words neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. They cannot promote less development than that set out in the Local Plan or undermine its strategic policies.⁸

On 6 March 2014, the Government published a suite of planning practice guidance. This is an online resource available at www.planningguidance.planningportal.gov.uk. The planning guidance contains a wealth of information relating to neighbourhood planning and I have had regard to this in preparing this report. This is referred to as Planning Practice Guidance (PPG).

The NPPF indicates that plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency.⁹

Planning Practice Guidance indicates that a policy should be clear and unambiguous¹⁰ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that it should be concise, precise and supported by appropriate evidence, reflecting and responding to both the context and the characteristics of the area.

The Basic Conditions Statement takes each of the 12 core planning principles in the NPPF and sets out how the Plan has responded to national guidance.

Sustainable development

A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole¹¹ constitutes the

⁷ National Planning Policy Framework (2012) paras 14, 16

⁸ *Ibid* para 184

⁹ *Ibid* para 17

¹⁰ Planning Practice Guidance para 041

¹¹ National Planning Policy Framework (2012) para 6 which indicates paras 18 – 219 of the Framework constitute the Government's view of what sustainable development means in practice

Government's view of what sustainable development means in practice for planning. The Framework explains that there are three dimensions to sustainable development: economic, social and environmental.¹²

The Basic Conditions Statement and the Sustainability Assessment, which I discuss later, offer an explanation of how the Plan contributes to the achievement of sustainable development.

The development plan

The local planning authority for the area is Huntingdonshire District Council (HDC). The current development plan for the area consists of:

- The Core Strategy (adopted September 2009) which sets the spatial vision, objectives and strategic directions of growth to 2026 and
- Saved policies from the Local Plan 1995 and the Local Plan Alteration 2002.

The Core Strategy indicates that Huntingdonshire lies within the designated London/Stansted/Cambridge/Peterborough Growth Area, but is still predominantly rural in character. As St Neots lies within the Cambridge sub-region there is a great deal of development pressure. St Neots has the largest population of all the settlements in the District.

The town is also identified as a 'Market Town' in which development schemes of all scales maybe appropriate within the built-up area. Consequently as a main location for growth in the District, the town will also take a larger proportion of retail and other town centre uses. Easy access to shops and services by sustainable modes will be vital to promoting this as a sustainable community. The town centre should benefit from increased consumer demand and expenditure and opportunities should be maximised to provide additional retail floorspace within the town centre to reduce residents' need to travel elsewhere to shop. To promote social cohesion the proposed eastern urban extension will include a new district centre incorporating shops and other services that residents will require on a day-to-day basis. This should complement the town centre, not compete with it.

The Basic Conditions Statement¹³ explains that it has been assumed that the strategic policies of the development plan will be contained in the Core Strategy. This assumption has been based on words on the Council's website that says the Core Strategy sets the strategic framework for the area and contains strategic policies.

This is a dangerous, and in my view, wrong assumption. Whilst it might well be the case that most of the strategic policies could be found in the Core Strategy this does not necessarily mean that there will be no strategic policies in the earlier Local Plan documents. This is confirmed in the advice on the Planning Practice Guidance website which confirms that not every policy will be strategic or that the only policies that are

¹² National Planning Policy Framework para 7

¹³ Basic Conditions Statement page 12

strategic will be labeled as such.¹⁴ The guidance also suggests that the local planning authority should set out its strategic policies providing details of these to the qualifying body and the examiner.

However, the Basic Conditions Statement whilst being factually wrong in places, includes a helpful table showing each Plan policy assessed against the NPPF, the Core Strategy, Local Plan policies where no Core Strategy policies apply in the view of the qualifying body as well as taking into account emerging policies, other documents and a summary of the consultation results. I am therefore reassured that the evolution of the Plan has been in line with what I would have expected.

For the avoidance of any doubt, I have taken all three documents that comprise the development plan into account in this examination.

In addition the Basic Conditions Statement explains that the Plan must meet the basic conditions in the opinion of the examiner and “they do not need to be agreed with the local planning authority”.¹⁵ For clarity, it is the local planning authority that decides whether the Plan meets the basic conditions – and it does so formally after the examination has taken place. The examiner’s suggested modifications are just that – recommendations.

Emerging Local Plan

The District Council is currently producing a new Local Plan for the area. The Local Plan will cover the period up to 2036 and, once adopted, will replace all current parts of the development plan including the Core Strategy 2009 and the saved policies of the Local Plan 1995 and the Local Plan Alteration 2002.

The Council is about to conduct further stakeholder consultation as part of the preparation for the pre-submission Local Plan 2036, publication of which is currently targeted for June 2015.

The Plan has usefully taken account of the emerging Local Plan, but this does not form part of the examination.

European Union Obligations

A neighbourhood plan must be compatible with European Union (EU) obligations, as incorporated into United Kingdom law, in order to be legally compliant.

Strategic Environmental Assessment

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment is relevant. Its purpose is to provide a high level of protection of the environment by incorporating environmental considerations into the process of

¹⁴ Planning Practice Guidance para 075

¹⁵ Basic Conditions Statement page 12

preparing plans and programmes. This Directive is commonly referred to as the Strategic Environment Assessment (SEA) Directive. The Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004.

The Town Council carried out their own SEA screening exercise¹⁶ in February 2013. This concluded that there are unlikely to be any significant environmental effects arising from the Plan and that consequently a full SEA did not need to be undertaken.

A screening exercise has been carried out by Huntingdonshire District Council as the responsible authority. This screening determination dated 19 June 2014 confirms that the Plan is unlikely to have significant environmental effects and that an environmental assessment is not required.

The screening assessment has been considered by Natural England, English Heritage and the Environment Agency. None of these three statutory consultees disagree with the Council's conclusion.

I am therefore satisfied that the Plan does not require a SEA to be carried out.

Sustainability Assessment

A neighbourhood plan does not have to have a sustainability appraisal. However, as one of the basic conditions is that such a plan must show how it contributes to the achievement of sustainable development a Sustainability Appraisal is often a very useful way of demonstrating this.

The Town Council has produced a Sustainability Assessment (SA) which takes its lead from the District Council's Draft Local Plan Draft Sustainability Appraisal Report. As the SA is not a legal requirement I have simply regarded the SA as part of the evidence base for the Plan. Although there are some policies without alternatives or the alternatives assessed are similar in nature and whilst I disagree with some of the assessments made, the document demonstrates that the policies have been analysed against the background of the sustainability objectives. Overall it does help to show that consideration has been given to how the Plan will help to achieve sustainable development.

European Convention on Human Rights (ECHR)

The Plan has regard to fundamental rights and freedoms guaranteed under the ECHR and complies with the Human Rights Act 1998. There is nothing in the Plan that leads me to conclude there is any breach of the Convention or that the Plan is otherwise incompatible with it.

¹⁶ Included as Appendix 3 in the Basic Conditions Statement

Habitats Regulations Assessment/other Directives

There are no European sites within the Plan area. HDC have confirmed that a Habitats Regulations Assessment is not required.

I am not aware of any other European Directives which apply to this particular neighbourhood plan and in the absence of any substantive evidence to the contrary, I am satisfied that the Plan is compatible with EU obligations.

8.0 General comments on the Plan

The Plan is an attractive and colourful document. It is laid out clearly with a helpful table of contents. The Plan is divided into six topic themed sections. An implementation and delivery section is included. Non-planning issues arising from community engagement are recognised, but generally clearly differentiated from those relating to development and the use of land.

It is apparent that a vast number of people and organisations have been actively involved over a significant period of time. Their commitment and passion for St Neots and the Plan's evolution shines through.

An Evidence Base document summarises information from a variety of sources to provide a useful context for the Plan as well as setting out the concerns relating to the emerging Local Plan.

In the next section I consider the Plan against the basic conditions. Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies they appear in ***bold italics***.

9.0 Detailed comments on the Plan and its policies

Introduction

This section sets the scene for the Plan. For additional clarity, accuracy and factual correctness I recommend:

- Add "*alongside other development plan documents*" to the end of the second paragraph "which begins "Neighbourhood Plans form part of the statutory development plan..." (page 10) and
- Insert "*much of*" in between "...immediately superseded" and "...the previous national planning policy guidance..." in the first paragraph under the subheading National Planning Policy Framework (NPPF) on page 10 of the Plan.

St Neots and its Surrounding Area

This is a useful section which provides interesting context on St Neots and highlights some of the key issues facing the community.

A representation is concerned that the figure of 20,000 inhabitants planned for the town and the comment that “...no available land for employment, recreation or services infrastructure.” on page 14 of the Plan are incorrect and misleading. I urge the Town Council to reconsider this to see whether it can be reworded.

Vision and Objectives

Whilst the vision section is quite long, and moves away from more commonly found visions that comprise an overarching short statement, it explains what the aspirations and ethos of the Plan are. In addition developing a vision is rarely an easy task and the vision has been developed as a result of consultation with residents.

Five ‘overarching’ objectives, highlighted in yellow, follow on from the vision covering employment; retail, leisure and community facilities; natural and historic environment, countryside and river setting; housing and community assets; and transport related issues.

I recommend that the final ‘overarching’ objective “Improve Traffic Flow Into, Out Of and Within the Town and Improve Parking Availability and Suitability throughout the Town” is reworded to read “*Improve the provision of sustainable transport throughout the town*” as suggested in a representation made by Cambridgeshire County Council as this better reflects the thrust of national and strategic policy.

Under each of these headings are succinct bullet points which are many and varied in nature, but try to set out the action needed in order to achieve the aspirations of the community and the Plan’s ambitious drive.

However, some of the bullet points do not have regard to national planning policy or guidance. Others do not relate to development and the use of land. Others do not seem to have follow through in the Plan. This all might create confusion with regard to the status of the objectives and potentially detract from the development and land use planning role of the Plan.

The NPPF is clear that Neighbourhood Plans should provide a practical framework for decision-making.¹⁷ The objectives and more specifically their bullet points as currently presented do not achieve that.

As a result I recommend that the five ‘overarching’ objectives, highlighted in yellow in the Plan, are retained as the Plan’s objectives, but that the bullet points beneath each one that I identify below are either reworded, deleted or moved to a separate non-planning section of the Plan.

¹⁷ National Planning Policy Framework paragraph 17

The bullet points to be reworded, deleted or moved are:

- **“Protect employment land allocations to maintain a prosperous economy and balanced community”** should be reworded to read ***“Employment land allocations will be supported and regularly reviewed to maintain a prosperous economy and balanced community to improve local job opportunities.”*** This better reflects national policy and also takes account of a representation about this bullet point
- **“Develop a distinctive St Neots brand to promote and improve visitor spending in the Town Centre”** should either be deleted or moved to the non-planning section
- **“Encourage investment from both inside and outside the town”** should either be deleted or moved to the non-planning section
- **“Protect land allocated for employment to improve local job opportunities”** should be deleted as it overlaps with the first bullet point (now reworded) and does not have sufficient regard to national policy
- **“Encourage the development of gym facilities at key hubs (such as the station) and developing green gyms within public open space areas”** should either be deleted or moved to the non-planning section and is in any case covered by an earlier bullet point
- **“Encourage the development of visitor accommodation in the town”** should be deleted as it does not appear to have any follow through in the Plan
- **“Support the continued development of community spirit”** should either be deleted or moved to the non-planning section
- **“Provide a balanced mix of housing style and size to reflect the needs of the local St Neots population with a maximum of 40% affordable housing in all new major developments”** should be deleted as it does not have regard to national policy or achieve sustainable development as it places a cap on affordable housing provision and is not, in any case, followed through in the Plan
- **“Provide a site for allotments”** should be deleted as there is no site allocation policy to support this in the Plan
- **“Ensure that leisure and community facilities are in place before new housing developments are completed”** should be deleted as there is no follow through and arguably this would be a strategic matter
- **The first seven bullet points under the heading “Improve Traffic Flow Into, Out Of and Within the Town and Improve Parking Availability and Suitability throughout the Town”** (itself recommended for modification) should be

deleted as they either do not reflect the NPPF and / or go beyond the remit of the Plan and /or are non land use matters

- **“Develop a safe and segregated cycle network within and around St Neots and between key communities and ensure that all new junctions and road improvements cater for cyclists” should be reworded to read “Sustainable transport modes including safe cycling provision will be supported”** to better reflect the NPPF
- **The last five bullet points under the heading “Improve Traffic Flow Into, Out Of and Within the Town and Improve Parking Availability and Suitability throughout the Town” (itself recommended for modification) should be moved to the non-planning section.**

Aesthetics

Paragraph 1.1.4 on page 22 of the Plan refers to non-planning issues, but ones that have arisen as part of the consultation process. This is also true of paragraphs 1.2.5 and 1.2.6.

I recommend that paragraphs 1.1.4, 1.2.5 and 1.2.6 be moved to the non-planning section of the Plan.

Policy A1

This policy seeks public realm enhancement and its aim accords with national policy and guidance in recognising the contribution that public realm makes to high quality design and making places better for people. The policy would support findings outlined in the Evidence Base document that improving the attractiveness of the Town Centre would improve its vitality and viability. However, the policy as currently worded does not address any viability considerations. Therefore to meet the basic conditions I **recommend that Policy A1 be reworded to read:**

“Proposals in the Town Centre that create new or enlarged units will be expected to contribute to the improvement of the Town Centre’s public realm where viable.”

A representation from Cambridgeshire County Council suggests that pedestrianisation of the High Street is included within Policy A1. Whilst this proposal is not in the policy itself this is referred to in the text in this section of the Plan and takes the form of reporting the results of the consultation. The pedestrianisation is not included as a policy or proposal in the Plan and clearly such a scheme would need more feasibility work to be carried out as well as widespread support. I have recommended that the paragraphs referring to this aspiration are moved to a non-planning section.

Policy A2

The Government attaches great importance to the design of the built environment and this policy sets out a number of principles designed to help ensure that new development on the edges of St Neots satisfactorily integrates with the existing town through design and landscaping. This ties in with the objectives of the Core Strategy and saved Local Plan policies support this. I note that Natural England has lent support to this policy.

As it currently is worded the policy applies to all development. Yet criterion (a) refers to dwellings. In order to remove any possible uncertainty about what development the policy applies to, **I recommend that the first criterion is reworded as follows: “ (a) The density of *residential* development....”.**

A representation asks that the policy should be made more flexible with regard to commercial development bearing in mind operational and viability considerations. The policy whilst requiring soft landscaping, does not prescribe its amount or form and therefore the policy is flexible enough for these considerations to be taken on a case-by-case basis.

The policy is clear on what it applies to and what its expectations are. Subject to the modifications above, it meets the basic conditions.

Policy A3

Policy A3 seeks high quality design that reinforces local distinctiveness. This aim reflects national policy and guidance. The NPPF states that good design is a key aspect of sustainable development and this policy helps to achieve that aim by setting out a number of requirements that set out what will be expected from new development in this neighbourhood context.

The Great Ouse Catchment Flood Management Plan states that the location, layout and design of development can help to manage flood risk and given the concerns over flood risk, there is an opportunity in this policy to address both issues.

There is little evidence for the maximum three storeys for buildings on the fringes of sites and this is usually a design led matter. There is a possibility that such an unevidenced requirement may also adversely affect viability and stifle creative design solutions and innovation. The latter part of this paragraph seeks multiple access points that again will depend on many factors. Similar points are also made by representations.

The final paragraph of the policy refers to discussion with the Town Council. This would more appropriately be found in the supporting text to the policy as a representation has indicated and indeed paragraph 1.4.9 on page 27 of the Plan says a similar thing.

If the modifications suggested below are made, there will be sufficient flexibility within the policy itself and the supporting text offers further flexibility by indicating that innovative and sustainable buildings will be supported.

In order for the policy to comply with the basic conditions the following changes to the policy should be made:

- Paragraph 2 of the policy which begins “Design should be guided..” should be reworded to read as follows:
- *“Design should be guided by the overall scale, density, massing, height, landscape, layout, materials, detailing, roof orientation, relationship to back of pavement, wall to window ratios, proportions of windows, plan depth, plot width and access, the site and its surroundings including considerations of flood risk management.”* and
- Paragraph 3 of the policy which begins “ New buildings should be...” should be deleted and
- Paragraph 6 of the policy which begins “Early discussion...” should be deleted.

Paragraphs 1.4.10 and 1.4.11 on page 28 of the Plan expect a Site Analysis and Landscape Strategy to accompany major applications. Both these would usually form part of the District Council’s validation requirements. However, given the wording used, and subject to agreement by HDC, these paragraphs can be retained subject to the following modifications:

- **In paragraph 1.4.10 Insert the word “usually” so it reads “Major applications will usually be expected to be accompanied by a Site Analysis...”** and
- **In paragraph 1.4.11 insert the word “often” so it reads “A Landscape Strategy will often help to demonstrate...”**.

Cambridgeshire Constabulary has asked for a change of wording to paragraph 1.4.15 on page 28 of the Plan. I agree the suggested wording makes the paragraph clearer and more robust and to make it align better with national policy and to provide more options, **I recommend that paragraph 1.4.15 should be replaced in its entirety with the following:**

“Good design should incorporate measures to design out crime in line with the principles set out in the NPPF. Consultation will be expected, at the initial design stage of any major proposals, with Cambridgeshire Police to identify crime prevention and community safety measures to be incorporated in developments.”

Policy A4

Landscape backdrops are required by this policy for Love's Farm East and Wintringham Park and other developments where appropriate. In principle landscape backdrops can, as the policy and supporting text indicate, provide opportunities for biodiversity and act as screening helping to integrate development into its surroundings. These are both matters which reflect national planning policy. I note the policy is supported by Cambridgeshire County Council.

Although a representation makes the point that this policy might well be out of date before finalisation as there are planning applications relating to the Eastern Expansion area, the policy also refers to "other developments where appropriate" and therefore does not only relate to Love's Farm East and Wintringham Park.

However, this phrase "where appropriate" does beg the question as to when the policy might apply and is therefore ambiguous. However, the supporting text indicates that this requirement is particularly important for major developments of 50 or more dwellings. Given the current planning applications on the two areas specifically mentioned in the policy, specific references to Love's Farm East and Wintringham Park should be deleted and the 'major developments' requirement of 50 or more dwellings referred to in paragraph 1.5.3 on page 29 of the Plan should be incorporated into the policy for greater clarity. This will 'catch' any future major proposals.

Another representation argues that it is not clear where or what is required by the policy. The modification suggested will ensure there is clarity as to what the policy will apply to. In relation to what is required, the policy is clear and further explanation is given in the supporting text.

I recommend that Policy A4 should be modified by the deletion of "Proposals for Love's Farm East and Wintringham Park, as well as other developments where appropriate...". Insert at the start of the policy "*Developments for 50 or more dwellings....*" before "should include landscape backdrops...".

In the Table of Contents section 1.5's heading is "buffer strips". This should be modified to "Landscape Backdrops".

Entertainment and Leisure

For improved accuracy, **paragraph 2.1.2 on page 32 of the Plan should be updated.**

Policy EL1

This policy supports new and enhanced leisure and recreation uses in Riverside Park in general subject to satisfactory scale and design, and specifically an outdoor theatre. This is an example of a policy that seeks to plan positively for the use of shared space

and cultural and other facilities. This in turn will enhance opportunities for meeting and encourage a healthy and inclusive community. Whether or not some proposals might be 'permitted development' as pointed out in a representation, this is a general as well as a specific policy and therefore issues of this nature can be resolved on a case-by-case basis.

A representation expressing concern about the impact on living conditions and amenities including biodiversity and a reduction in open space would be matters considered at a more detailed application stage. A point is also made about flooding and the Environment Agency has requested that a modification is made to this policy as flood risk will be a significant factor.

Accordingly, in order for the policy to meet the basic conditions **it is recommended that a new third paragraph reading "All proposals will need to be supported by a flood risk assessment."** be added at the end of the policy.

Policy EL2

Policy EL2 supports the provision of a bandstand in Regatta Meadow. Like Policy EL1 this is a positive policy that accords with the basic conditions subject to flooding considerations being acknowledged. **It is recommended that a new third paragraph reading "All proposals will need to be supported by a flood risk assessment."** be added at the end of the policy.

Policy EL3

This policy supports a swimming pool. Although the supporting text identifies the site more, the policy refers to the site of the "previous swimming pool". Whilst this might well be obvious to members of the community, the site needs to be clearly identified in order for the policy to provide a practical framework. There is little doubt that the principle of support for a pool would enhance facilities and encourage healthy lifestyles as well as supporting social and community cohesion. But the policy is imprecisely worded. If the site is identified accurately, HDC rightly make the point that this becomes a site allocation and that the policy has not been assessed as such for the purposes of SEA. As a result there is little option open to me and **I must recommend that Policy EL3 and its accompanying text is deleted. The aspiration can however be moved to the non-planning section of the Plan** as I am mindful that this is an important aspiration for the community. Consequential amendments will need to be made to the supporting text.

Parking and Traffic

Representations variously make the points that this section is too car orientated and arguably quite emotive. Whilst I appreciate that in policy documents we are often used to seeing more objective language used, the Plan has been developed as a result of consultation by the community. My role is to check whether it meets the basic conditions and not to alter its tenor unnecessarily.

Policy PT1

National planning policy is broadly reflected in this policy as it seeks to promote sustainable transport.

The policy refers to “major development proposals” and defines this in the supporting text as over 10 dwellings or non-residential development over 1,000 square metres. Then the size of development is further broken down in relation to over 100 dwellings and 10 – 20 dwellings. Whilst I found this to be quite confusing and incomplete, and it seems to be at odds with the NPPF, the requirements relate to the submission of a Travel Plan. I think it is more likely that a Transport Assessment or Transport Statement would better serve the purposes of the policy. All three though would tend to be matters for HDC as local planning authority as they would be part of the validation process.

The last paragraph of the policy gives support for improved facilities at the railway station. Whilst in itself this is welcomed, the policy offers no hints as to what might be required or sought. There is no way of knowing whether a particular proposal might satisfy this part of the policy. There is therefore a need to reword this paragraph too.

So in order to make the policy clear and align better with the NPPF, **it is recommended that the policy be reworded as follows:**

- **Begin paragraph one of the policy “*Development proposals must demonstrate how opportunities for the use of sustainable modes of transport are maximised. This should be achieved...throughout St Neots.*” and**
- **Paragraph 2 which begins “All major development proposals...” should be deleted and**
- **Paragraph 3 which begins “The Town Council...” should be reworded to read “The Town Council will support proposals to improve facilities *that enhance safe and suitable access to the railway station or support sustainable and health objectives*”.**

A representation from South Cambridgeshire District Council suggests that sustainable travel links to the station e.g. cycle paths are also included. I note that the issues listed do not form a complete list, but this can be added to paragraph 3.2.7 on page 40 of the

Plan if the Town Council desire without any impact as to whether the Plan accords with the basic conditions or not.

A representation seeks greater clarity on the car share schemes and electric vehicle charging points referred to in paragraph 3.2.6 on page 40 of the Plan. I do understand that such matters can affect viability of development proposals and need early consideration. However, I am confident that given the wording of Policy PT1 and its supporting text that promoters of development will be aware of the Plan's content and be able to accommodate this consideration as part of their wider proposals. There is flexibility within the wording of the supporting text.

Policy PT2

This policy sets out a minimum car parking standard for new residential development explaining that inadequate parking and congestion are particular problems in this area. In principle the setting of a local parking standard is supported by national policy and the evidence indicates that car ownership levels are high compared to the national average. In addition I recognise that in certain areas other means of transport cannot always be practical. However, this policy requires a minimum of 1.5 spaces to be provided for new residential development. There is little explanation of the rationale for setting the standard at 1.5 spaces which in itself seems to me to be rather illogical and impractical to provide. Therefore whilst the principle of such a policy would meet the basic conditions the details of this policy do not, as it is unclear and undeliverable and is insufficiently evidenced.

In addition the policy does not support parking at the rear of dwellings or onstreet parking. Onstreet parking is not usually used in calculations of parking provision. As a representation indicates a design-led approach to parking provision is usually preferred as this offers greater flexibility.

Therefore **I recommend Policy PT2 should be deleted in its entirety.** Consequential amendments will need to be made as the associated text to this policy, namely paragraphs 3.3.1 (page 41) to 3.3.5 (page 42), should be deleted. Consequential amendments to the numbering of the Plan will then also be required of course.

Whilst I anticipate that this recommendation will be a disappointment to the Town Council, I note that Policy A3 includes mention of car parking being successfully integrated into the design and that this goes partway towards the objectives of Policy PT2.

In addition, support for parking restrictions is given in paragraph 3.3.6 on page 42 of the Plan. This is not a development and use of land issue and therefore **paragraph 3.3.6 should be moved to the non-planning section of the Plan if desired or deleted in its entirety.**

Policy PT3

The number of public car parking spaces in the Town Centre are retained by this policy which also seeks additional provision offering support for a new multi-storey car park as well as encouraging the improvement of car parks through, for example, the use of CCTV.

National policy recognises that different solutions will be needed in different areas and that opportunities to maximise sustainable transport options will vary. The policy's sentiment is broadly in line with national policy's aim of improving the quality of parking in town centres so that it is safe, secure and convenient. The retention of spaces is generally justified in the supporting evidence base. However, there is nothing in the Plan to indicate where those car parking spaces are or how many there might be. Therefore the policy should be modified to make it clear that it is the overall loss of spaces that should be resisted.

Representations make the point that the provision of additional parking should be considered as part of a wider strategy. I agree that it would be wise to ensure that there is a comprehensive approach and that no unintended consequences result.

Whilst the policy refers to car parks, the NPPF also seeks appropriate provision for motorcycles and therefore this should be added to the policy to ensure that it meets the basic conditions.

Therefore **I recommend that Policy PT3 is replaced in its entirety by the following wording:**

“The loss of public car and motorcycle parking spaces in the Town Centre will be resisted unless it can be demonstrated that the proposal is accessible by other sustainable transport modes and that the loss of any such spaces would not adversely affect the vitality and viability of the Town Centre.

Support will be given to the development of a multi-storey car park provided that it is of an appropriate scale, mass and design and has appropriate regard to the Conservation Area and other heritage assets and is considered as part of a comprehensive transport and parking strategy for the Town Centre.

Support will be given to improving the quality of parking in the Town Centre so that it is convenient, safe and secure. Proposals for improvement are encouraged to include the installation of CCTV.”

In addition, support for free of charge public car parks is given in paragraph 3.4.4 on page 43 of the Plan. Whilst appropriate charging is mentioned in the NPPF, this is not a development and use of land issue and therefore **paragraph 3.4.4 should be moved to the non-planning section of the Plan.**

Policy PT4

This policy requires roads on new development to be completed to adoptable standards within a year of 90% of properties being occupied. Secondly, it sets out a number of schemes which the Town Council wishes to promote by working in partnership with various other bodies. Lastly, the policy requires regular assessment of the impact of increased traffic and unspecified action to be taken if harm is found.

Whilst I understand the aspirations of this policy, I consider it to be undeliverable and unviable.

It would be very hard to enforce a requirement that roads are completed to adoptable standards on the basis of 90% occupancy rates. Indeed representations also point out that this is not within the remit of the Plan as such matters fall within different jurisdictions and is, in any case, unworkable in practice. This would seem to put an onerous and inflexible requirement on the development industry without any robust evidence to say why it is desirable or what implications there might be.

The second strand of the policy focuses on aspirations that fall outside of the remit of the Plan as they are either strategic matters or outside the Plan area or involve other organisations. There is also concern in the representations that some of the projects are contradictory. Others refer to effects on Sites of Scientific Interest. It is apparent that much more work needs to be carried out before these projects can proceed.

The final sentence of the policy is undeliverable and lacks clarity.

For the reasons given above, this policy does not meet the basic conditions.

Therefore it is recommended that Policy PT4 is deleted in its entirety, but that the second paragraph and the six projects it refers to can be moved to the non-planning section of the Plan. As a consequence paragraphs 3.5.1 and 3.5.2 on page 43 of the Plan should also be deleted.

Parks and Open Spaces

Policy P1

Policy P1 seeks to designate six areas as Local Green Spaces. Helpfully Figure 2 on page 47 of the Plan clearly identifies and shows the proposed areas. However, I requested a larger scale plan of each proposed area to help me with the examination and this factual information was kindly supplied by HDC.

The Local Green Space designation has been introduced via the NPPF.¹⁸ Identifying such areas should be consistent with local planning of sustainable development and

¹⁸ NPPF paragraphs 76 and 77

complement investment. The NPPF makes it clear that this designation will not be appropriate for most green areas or open space. Further guidance about Local Green Spaces is given in Planning Practice Guidance.

The NPPF explains that these are green areas of particular importance to local communities. The effect of such a designation is that new development will be ruled out other than in very special circumstances.

However, Policy P1 permits sustainable development in the Local Green Spaces for leisure and recreation. The NPPF states that local policy for managing development in a Local Green Space should be consistent with Green Belt policy.¹⁹ Therefore the question is whether this part of the policy is consistent with Green Belt policy. Green Belt policy does plan positively for outdoor sport and recreation including the provision of appropriate facilities for such uses. Therefore Policy P1 has had regard to national policy.

The policy then considers development adjacent to the Local Green Spaces.

The supporting text details each of the six Local Green Spaces explaining why each is important to the local community. The importance of open and green space is a recurring theme. Further information about each area with the exception of The Coneygeare is also included in an Appendix to the Plan. I take each space in turn.

Priory Park is described as a sub-urban public park. It has a number of amenities and is valued for its recreational richness. Whilst it is physically a large site, it is local in character and is constrained on three sides by development and by a road on the fourth boundary. The site would not result in a blanket designation or thwart the achievement of sustainable development or undermine plan-making at a strategic level or the growth of St Neots. It is close to the community it serves and indeed is clearly much valued by the people of St Neots. It meets the criteria for designation as a Local Green Space.

Riverside Park is close to the Town Centre and connects two parts of the town separated by the River Great Ouse. It is clear that the space is in close proximity to the community it serves and is special because of its setting and recreational value. Although the site is a large area, it is readily identifiable. In addition it consists of an important green area running through the heart of St Neots.

Sudbury Meadow, about 0.8 hectare in size, is located alongside the River Great Ouse and is close to the Town Centre. Primarily valued for its flora and fauna, it provides an accessible path and wildlife garden as well as having historic significance.

Regatta Meadow is also valued primarily for its flora and fauna and like Sudbury Meadow has historic significance. Local events such as the Regatta and Summer Fair take place here and it is clear that it is special to the local community.

¹⁹ NPPF paragraph 78

The Coneygare is located in old Eynesbury, and described as a small area of parkland. It is used regularly for village events and valued for this and its other assets such as a play area.

Riverside Park, Sudbury Meadow, Regatta Meadow and The Coneygare are clearly special and of particular importance to the community. They provide a number of recreational opportunities, provide the opportunity to hold events, but are also important for wildlife and provide a tranquil oasis. Given the location and characteristics of these areas alongside the River Great Ouse they are local in character in the context of the setting of the River. The designation of these areas would not undermine plan-making and they meet the criteria for the designation.

However, as representations point out that there may be some potential inconsistency with Policy EL1 if Riverside Park was to be designated as Local Green Space and indeed with Policy EL2 which relates to a bandstand in Regatta Meadow as well. The areas to which Policies EL1 and EL2 relate are clearly identified and shown on Figure 2.

Policy EL1 supports opportunities for an outdoor theatre and more generally outdoor sport and recreation and Policy EL2 a bandstand. There is no reason why all these three policies would automatically be at odds with each other, but there is some conflict as the policies are currently worded. I am mindful that the Local Green Space designation does place additional special protection measures on areas and effectively rules out new development other than in very special circumstances. Therefore given the community's aspirations for improved and new facilities and indeed the outdoor theatre and bandstand I urge the community to consider whether there would be any additional local benefit to be gained by designating the four proposed areas alongside the River as Local Green Spaces as indeed to do so may have an unintended consequences and harm the community's aspirations for these areas.

There are therefore two options for the community. The first is that should the community reach the view that it would be wiser to not designate these four areas to allow for more flexibility with new and enhanced leisure and recreation uses and so on, this would mean that Policies EL1 and EL2 can be retained and the deletion of these areas from Policy P1 would not affect my overall conclusion that the Plan can proceed to referendum.

The alternative option is to retain the areas in this policy, Policy P1, but delete Policies EL1 and EL2. This is because if Riverside Park and Regatta Meadow are retained as Local Green Spaces this would potentially create internal conflict between different policies in the Plan. For the avoidance of any doubt this action would also not affect my overall conclusion that the Plan can proceed to referendum, but it would place what in my view are unnecessary restrictions given the character, context and nature of these four areas.

I have given the community two options because both actions would, in my view, meet the basic conditions and allow the Plan to proceed. But to be clear Policy P1 retaining Riverside Park and Regatta Meadow as Local Green Spaces and Policies EL1 and EL2 is not an option that would meet the basic conditions because there would potentially be

internal conflict within the Plan and this does not lead itself to the precision and clarity that is needed from planning policy.

I now move on to considering the final area put forward as a Local Green Space.

Barford Road Pocket Park appears to have developed alongside the Eynesbury Manor housing site. It provides an area close to Eynesbury residents spreading out along the River Great Ouse. Less information is given about this space and I do not consider there to be robust justifiable evidence to show that this area is demonstrably special to the local community or holds particular local significance. It does not therefore meet the criteria for designation.

The second paragraph of Policy P1 can be retained insofar as it relates to the retained Local Green Spaces. However, in the interests of precision, references to “Park” should be modified to “Local Green Spaces”.

The third paragraph of Policy P1 could still apply to all six identified areas whether or not they have been retained as Local Green Spaces. Therefore it would be possible to separate this paragraph into a new separate policy if so desired. I consider that such a new separate policy would in itself meet the basic conditions provided.

A representation asks that the natural environment and wildlife value of each area is recognised more in the policy. However, it is not necessary for me to amend the policy in this way in order for the policy to meet the basic conditions.

Therefore in order to meet the basic conditions **the following modifications should in either optional scenario be made:**

- **Delete Barford Road Pocket Park from the list of proposed Local Green Spaces**
- **Retain the second paragraph of Policy P1, but remove reference to the Barford Road Pocket Park and change the word “Park” in the second sentence in this paragraph to “Local Green Space” (this occurs twice) and**
- **Consider separating the third paragraph of Policy P1 into a new policy.**

Then the community has an option:

Option 1) delete Riverside Park and Regatta Meadow from Policy P1 or

Option 2) retain Riverside Park and Regatta Meadow as Local Green Spaces in Policy P1, but delete Policies EL1 and EL2 (as proposed or modified).

Consequential amendments may also need to be made to the supporting text here and elsewhere in the Plan depending on what the community decides to do. I also understand that ‘Coneygear’ is spelt ‘Coneygeare’ and this should be corrected throughout the Plan.

Policy P2

This policy concerns open spaces. The policy seeks to protect and enhance existing open spaces and paragraph 4.3.3 on page 50 of the Plan directs the reader to Figure 1 on page 47. There is no Figure 1 on page 47, a map identified as Figure 2 is to be found there though and whilst it is headed “Local Green Spaces and Open Spaces”, it only labels the proposed Local Green Spaces and whilst some other areas are coloured in light green there is no key to suggest what these might be even if we suspect them to be the existing open spaces. However, in my view the policy would be stronger and clearer if it simply referred to ‘open space’; this would protect existing open spaces and also ones that are created as a result of new development throughout the Plan period. This modification also deals with points made by representations that seek other areas to be identified. Therefore Figure 2 should be amended to simply deal with the proposed Local Green Spaces.

National policy resists building on existing open space unless one of three criteria is met. As a representation points out only two of the three criteria are contained in this policy. The criterion missing, and which can be found in paragraph 74 of the NPPF, is that “an assessment has been undertaken which has clearly shown the open space...to be surplus to requirements”.

As a result paragraph two of Policy P2 should be modified to read “Proposals involving the loss of open spaces will only be supported if, following an assessment, it is clearly demonstrated that the open space is surplus to requirements or the open space would be replaced by equivalent or enhanced provision in a suitable location or the proposal involves the development of a sports or recreation facility the need for which clearly outweighs the loss.”

Paragraph five seeks new open spaces to be provided centrally within development sites. This is a fairly onerous requirement that does not offer much flexibility and therefore may adversely affect the quality of development and also its viability. Therefore the words “Where possible” should be added at the start of this paragraph as one of the representations suggests.

New development at the Eastern Expansion is required to provide some 2.9 hectares of allotments together with open space to the standard required by the District Council and specifies where allotments and open space should be provided. Therefore paragraph six should be deleted because it refers to the Eastern Expansion and its requirements potentially affect the viability and deliverability. This part of the policy does not offer sufficient flexibility or any certainty.

Finally the policy lends support for a new cemetery. The Evidence Base document states that it is anticipated that the existing cemetery will have reached full capacity by 2021. HDC comment that a cemetery is not planned for the Eastern Expansion area. I note the policy supports a new cemetery and goes on to identify possible locations. I suggest that the sentence beginning “Possible locations for a new cemetery include

Love's Farm and Wintringham Park." is deleted. The word "suitable" should be inserted before site.

I note Natural England have lent support to this policy.

Therefore in order to meet the basic conditions **all of the following modifications need to be made:**

- **Amend Figure 2 on page 47 so that it only shows the (retained) Local Green Spaces and change the title accordingly and delete paragraph 4.4.3 on page 50**
- **Change the first paragraph to read *"Open spaces within St Neots will be protected from encroachment. Every opportunity should be taken to enhance open spaces throughout the town, including the protection and enhancement of wildlife and its habitats."***
- **Modify paragraph two to read *"Proposals involving the loss of open spaces will only be supported if, following an assessment, it is clearly demonstrated that the open space is surplus to requirements or the open space would be replaced by equivalent or enhanced provision in a suitable location or the proposal involves the development of a sports or recreation facility the need for which clearly outweighs the loss."***
- **Insert the words *"Where possible"* at the beginning of paragraph five which presently begins "New areas..."**
- **Delete paragraph six which begins "As a minimum, the Eastern expansion will..."**
- **insert the word "suitable" after "the development of a..." and before "site" in the final paragraph of the policy and**
- **Delete the sentence "Possible locations for a new cemetery include Love's Farm and Wintringham Park".**

Policy P3

This is a positively worded policy that promotes the setting of the River Great Ouse. The policy promotes appropriate leisure uses and an active frontage including residential uses above lower and ground floors. Connections for people and wildlife are promoted and enhancement of, and access to, the riverside supported. This accords with the thrust of the NPPF of promoting biodiversity and local distinctiveness and creating a mix of uses and places for people to meet.

The Environment Agency suggests some additional words to the second paragraph. **Paragraph two of the policy should be modified to include “or which benefit from their proximity to the river” after “...along the riverfront...”.**

I am confident that the first two paragraphs of the policy as modified are clear as to where the policy applies and will enable a balance of leisure and tourism uses with the open setting and the desire to enhance biodiversity as well as be visually appropriate.

The policy then supports leisure uses for The Old Falcon, a listed building. The Plan does not indicate what the status of The Old Falcon is although it is clearly well known locally. Whilst the supporting text indicates community support for a café, restaurant or bar and a nightclub, the policy restricts redevelopment to leisure and residential use. I suspect this is a case of the way the policy is written, but as it stands at the moment café/cocktail bar uses might be prevented by the policy because of the Use Classes they fall within. I regard this as a technical writing glitch and given that the supporting text is clear on those uses the community would support, **this paragraph of the policy should be modified to read:**

“Support will be given to redevelopment of The Old Falcon for uses that would contribute to an active river frontage, enhance river use or the functional relationship with the River Great Ouse and facilities that support this. Particular encouragement is given to food and drink and leisure and recreation uses as well as residential uses on upper floors if this is compatible with other planning policies.”

The modification above also takes account of the suggested rewording offered by the Environment Agency.

The policy finally supports the Community Hydro scheme, but no further information or mention of this is given in this section of the Plan. **Therefore paragraph four of the policy should be moved to the non-planning section of the Plan.**

Policy P4

Policy P4 deals with flooding. This issue is a key concern of the community. The policy requires that development is directed to areas at low risk of flooding and will only be supported where proposals will not increase the risk of flooding. The NPPF advocates a sequential, risk-based approach to the location of development. This policy then subtly differs from the wording of the NPPF. The policy should be modified to have regard to the NPPF. As this change in wording would in effect duplicate national policy, it is not necessary to include this part of the policy within the Plan.

However, the third paragraph of the policy regarding sustainable drainage systems (SUDs) can be retained if so desired. There is also support for this element of the policy in representations.

The last (fourth) paragraph of the policy should be moved to supporting text.

Therefore to summarise **the recommended modifications are to delete the first and second paragraphs and move the fourth paragraph to the supporting text.** Consequential amendments to the text will be needed.

I also note that paragraph 4.5.7 refers to Cambridgeshire County Council becoming the SUDs approval body. My understanding is that the approval process is still uncertain at this point in time and may in any case change in the future, **I recommend that the reference to Cambridgeshire County Council is deleted from the first sentence and that the paragraph simply refers to the SUDs Approving Body.** The remainder of the paragraph apart from the need to change the first sentence can be retained.

Rejuvenation

Policy RD1

Support for economic development is given by this policy in line with the general thrust of the NPPF. In addition the regeneration of previously developed land is supported. The policy meets the basic conditions and no modifications are recommended.

Policy RD2

This policy protects employment uses. This appears to capture all employment sites, not just the ones that might be identified as established employment areas at District level and would also include allocated employment sites.

The Plan indicates that economic growth is important for St Neots and identifies a need to balance homes and jobs and reduce levels of out-commuting. Therefore the policy protects all employment sites and premises. It offers some flexibility by indicating the circumstances in which a change of use may be acceptable including reference to marketing. It states that preferred alternative uses will be to retail or leisure in order to try and retain or create jobs.

However, the policy is perhaps somewhat sloppily worded as the policy seems to equate “employment” with “commercial” use and yet I consider that retail and leisure uses are also commercial uses. Retail and leisure uses also provide employment as the Plan states.

The NPPF is clear that alternative uses on allocated employment land should be determined on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities and the need to be able to respond to changes in economic circumstances. Given the evidence put forward, the policy’s wording has sufficient regard to the NPPF as its supporting text defines what evidence will be required in relation to market signals and it identifies a preference for other land uses that would generate employment supporting the local community’s aspirations. This offers sufficient flexibility in this particular area’s context. However,

the wording of the policy should be clarified to provide a practical framework for decision-taking in line with the NPPF.

The policy is more onerous than the NPPF and District level policies as it applies to non-allocated sites as well. As a result then in order to meet the basic conditions **the policy should be modified to:**

- **(only) refer to established employment areas and those areas allocated for employment uses**
- **the words “commercial” in paragraph two of the policy should be replaced with “employment” and**
- **the word “commercial” in the final (third) paragraph of Policy RD2 should be replaced by the word “employment”.**

Policy RD3

The policy supports a variety of employment-related uses for the Eastern Expansion employment allocation. It is positively and flexibly worded and meets the basic conditions and no modifications are proposed.

A representation rightly points out that paragraph 5.3.1 on page 60 of the Plan is factually incorrect. Therefore **the words “Huntingdonshire District Local Plan” in this paragraph should be replaced by “the Core Strategy adopted in 2009”.**

Policy RD4

The background to this policy is the recognition that there is a mismatch between employer need and skills. As a result this policy aims to support buildings that will improve the local skills base. However, the policy also supports initiatives and other opportunities as well as encouraging links between employers and education providers. These elements of the policy go beyond development and use of land and therefore would be more appropriately placed in the separate section of the Plan that relates to non-planning issues.

In order for this policy to meet the basic conditions **the policy should be reworded to read:**

“Development proposals that include provision for lifelong learning and skills development or training facilities that will improve the local skills base will be favourably considered.” and

then add to the non-planning section:

“The Town Council wish to encourage and support initiatives that provide opportunities for lifelong learning and skills development. It is keen to foster links between employers and education providers. The Town Council will also work with schools within the town and colleges in Cambridgeshire to provide new and improved training facilities in St Neots.”

Cambridgeshire County Council refers to the importance of apprenticeships in their representation and the Town Council can include such a reference if desired to the aspiration if so desired. This will have no bearing on whether the Plan meets the basic conditions or not.

Shops and Services

Policy SS1

Figure 3 shows the area defined as the Town Centre together with the extent of the Primary Shopping Area and the Primary Shopping Frontage. The map, on page 64 of the Plan, is clear. However, HDC point out that this map is taken from the emerging Local Plan and appropriate copyright information should be added. Of equal importance is that the extent of the Town Centre and the Primary Shopping Area and Primary Shopping Frontage shown on the map might change as the emerging Local Plan proceeds. Therefore this map cannot be relied on unless the Plan designates new boundaries itself and there is no evidence that the Plan seeks to do this.

Policy SS1 starts by supporting the expansion of the primary retail frontage and primary shopping area. The Core Strategy advocates further growth in the Town Centre and it is left to the emerging Local Plan to provide more detail. In these circumstances it would be inappropriate to include the map, but nevertheless given the policies in the Core Strategy, Policy SS1 can be modified to support the growth of the Town Centre. **Figure 3 on page 64 of the Plan should be deleted and the first sentence of the policy reworded to read “Support for the expansion of the Town Centre and Town Centre uses will be given.”** Consequential amendments to the text will be required following the deletion of Figure 3.

I do not see any particular issue with particular support for certain types of uses as detailed in paragraph two of the policy as the policy in itself does not preclude anything else and so is flexible and can respond to changing circumstances. Support for additional markets is also in line with the NPPF.

However, the supporting text at paragraph 6.1.8 defines town centre uses. This definition is at odds with the one for main town centre uses in the glossary that duplicates the NPPF. **Paragraph 6.1.8 should be modified to include all the main town centre uses in the glossary and NPPF. The second sentence can be retained with the insertion of the words “In addition” before “The community...”**

The policy also supports the amalgamation of two units into one. It sets a high bar in seeking to retain existing facades in this scenario. Therefore to ensure there is sufficient flexibility **I recommend the words “where appropriate” are added to the end of the existing third paragraph of the policy.**

Lastly, the policy supports upper floor residential use so long as town centre uses are not lost. As this effectively encourages vacant upper floors to be brought back into use it is in line with a vibrant town centre.

A representation on behalf of Sainsburys Supermarkets Ltd indicates there are unlikely to be any sites in Town Centre for supermarkets despite what the policy says and would like the policy to acknowledge that out of centre sites will be considered acceptable where they met national planning policy tests. Whilst this is a helpful comment, the policy would not preclude the development of out of centre supermarkets and as the relevant tests are already in national policy there is no need to revise this policy in this way in order to meet the basic conditions.

Policy SS2

This policy supports the reuse of historic buildings in the Town Centre for town centre uses. Any changes also need to respect the character and appearance of the building. The policy meets the basic conditions and no modifications are recommended.

Policy SS3

This policy tries to address concern about facilities and local services and the impact of new development on them. The principle is in line with the creation of sustainable communities. The policy requires new residential development to be delivered alongside sufficient education, health and places of worship provision. This broadly reflects infrastructure requirements identified in the Evidence Base document based on the Local Investment Framework. However, as a representation suggests the policy contains a fairly narrow list and there is a danger that other important infrastructure and services may be marginalised as a result of the policy.

In order for the policy to meet the basic conditions **it is recommended that the words “community facilities and services including” are added after “will be delivered alongside necessary” and the words “community facilities and services” are inserted after “access to” and before “school places...” towards the end of the policy.**

Paragraph 6.3.3 on page 68 of the Plan goes beyond development and use of land considerations and **should be moved to the non-planning section** of the document.

Implementation and Delivery

This section of the Plan sets out the community's priorities for projects indicating partners and funding possibilities. The projects are generally well linked to the Plan's policies and will be a helpful resource.

The text on page 70 of the Plan should be modified to reflect a representation from Cambridgeshire County Council. **The modification, to ensure that the Plan is positively worded, is to replace the first sentence of the third paragraph with:**

“New development creates a need to provide new infrastructure, facilities and services to successfully incorporate new development into the surrounding area to benefit existing, new and future residents. Financial contributions...”

Some of the projects are not planning related. A list of these non-planning related projects is shown below. For clarity **the projects listed below should be removed from this section of the Plan and transferred into the non-planning section.** I also note that some representations are not supportive of some of the transport related measures. I have either identified some of these as non-planning issues or if they have remained in the Plan there will of course be an opportunity to vote on the contents of the Plan at any referendum.

- **Opening up of Priory Lane; pedestrian of the High Street, dualling the A428**
- **Eastern expansion to provide allotments and formal open space**
- **Delivery of a swimming pool on site of outdoor swimming pool**
- **Encourage links between training providers and local employers**

Some changes to the list may be required as a consequence of the recommended modifications and I draw the attention of both the Town and District Councils to this issue so that it might be actioned before the Plan proceeds. In addition some representations suggest additional projects. It is not my role to add these to the Plan, but I am sure that the Town Council will consider the representations carefully.

It is good to see recognition that monitoring will be required.

Non-planning Issues

It is important that issues raised by the community as part of the neighbourhood planning process are captured even though they might not relate to development and use of land issues. This section of the Plan clearly does this in a useful table format. I have recommended a number of items be moved to this section. As a result there might be consequential amendments required to the document.

Glossary

The Plan includes a glossary which replicates the definitions in the NPPF. There is therefore no reason to make any changes to this section of the Plan.

10.0 Conclusion

The St Neots Neighbourhood Plan, subject to the modifications I have recommended, establishes a vision for the future of St Neots. I am satisfied subject to those modifications that the Plan meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am delighted to recommend to Huntingdonshire District Council that the St Neots Neighbourhood Plan as modified by my recommendations should proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the St Neots Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion. I therefore consider that the Plan area is appropriate.

11.0 Formal recommendations

I recommend to Huntingdonshire District Council that, subject to the modifications proposed in this report, the St Neots Neighbourhood Plan should proceed to a referendum.

I recommend that the Plan should proceed to a referendum based on the St Neots Neighbourhood Plan area as approved by Huntingdonshire District Council on 17 October 2013.

Ann Skippers
Ann Skippers Planning
27 February 2015

Appendix List of Documents

Protect. Improve. Create. St Neots Neighbourhood Plan 2014-2029

St Neots Neighbourhood Plan Consultation Statement

St Neots Neighbourhood Plan Basic Conditions Statement

St Neots Neighbourhood Plan Evidence Base

St Neots NP Screening Determination dated 19 June 2014

St Neots NP Sustainability Assessment

St Neots Healthcheck September 2009 (EDAW/AECOM)

amt-I Market Town Benchmarking St Neots 2012 Report February 2013

Great Ouse Catchment Flood Management Plan Summary Report January 2011
(Environment Agency)

LDF Core Strategy September 2009

Huntingdonshire Local Plan Part One adopted December 1995

Huntingdonshire Local Plan Alteration adopted December 2002

Huntingdonshire's Draft Local Plan to 2036 Stage 3 Consultation 31 May 2013

Huntingdonshire Local Plan to 2036 Environmental Capacity Study: St Neots Spatial
Planning Area

St Neots Town Council Response to the Draft District Plan

HDC Housing Strategy 2012 – 2015 September 2012

HDC Huntingdonshire Retail Study 2013 (Deloitte)

LDF Developer Contributions SPD December 2011

Parks Information Sheets

Extract from Local Plan Appropriate Assessment Screening