

## **Appendix 3 - The draft Decision Statement**

### **Buckden Neighbourhood Development Plan**

#### **Draft Decision Statement**

Following an independent examination Huntingdonshire District Council's Cabinet confirmed on the 10 December 2020 that the Buckden Neighbourhood Development Plan will proceed to a Neighbourhood Planning Referendum.

#### **Background**

The Buckden neighbourhood area was designated on 5 September 2018 under the Neighbourhood Planning (General) Regulations (2012). The plan area covers the parish of Buckden and is contiguous with the Parish council's administrative boundary.

Buckden Parish Council, as the qualifying body, submitted the Buckden Neighbourhood Development Plan and its supporting evidence to Huntingdonshire District Council on 7 July 2020. The statutory six-week submission consultation was held from 21 July 2020 to 1 September 2020.

Huntingdonshire District Council, in discussion with Buckden Parish Council, appointed an independent examiner, Mr Andrew S Freeman BSc (Hons) DipTP DipEM FRTPIMs, to review whether the submitted Neighbourhood Development Plan met the Basic Conditions as required by legislation. Mr Freeman issued his report on 23 October 2020 which recommended that the Neighbourhood Development Plan, subject to the modifications proposed in his report, met the Basic Conditions and should proceed to referendum.

Following discussions with the qualifying body it was decided that the Examiner's recommendations would be accepted in full.

The Basic Conditions 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 (or any part of that area);
- 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 above. These are:

- The making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site 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).

### **Decision and Reasons**

Huntingdonshire District Council's Cabinet considered the recommendations on 10 December 2020 and agreed to accept the Examiner's proposed modifications and approve the Buckden Neighbourhood Plan to proceed to referendum.

The modifications to the Neighbourhood Development Plan, as needed to ensure it meets the Basic Conditions and in accordance with the Examiner's recommendations are listed in the following table.

### **Examiner's Recommended Modifications Received 23 October 2020**

The statement below sets out the modifications considered by the examiner as necessary to enable the submission neighbourhood plan to meet the required basic conditions.

<b>Proposed modification (PM)</b>	<b>Page no.</b>	<b>Modification</b>
PM1	Page 23	At the beginning of Policy Housing Need 1, replace "Development" with "Housing development".
PM2	Page 23	Substitute the following for the wording of the second bullet point in Policy Housing Need 2: "where a significant proportion (to be determined by reference to the current Housing Needs Assessment or any subsequent Housing Needs Survey within the Neighbourhood Plan area) of the market and affordable housing is appropriate for meeting the needs of the elderly, disabled and infirm; or"....

<b>Proposed modification (PM)</b>	<b>Page no.</b>	<b>Modification</b>
PM3	Page 22	Add a new paragraph after Paragraph 5.3.2 stating: “An almshouse is a unit of residential accommodation (usually a house or flat) which belongs to a charity and is provided exclusively to meet the charity’s purpose such as but not limited to the relief of financial need or infirmity and is occupied or is available for occupation under a licence by a qualified beneficiary who may be required to contribute a weekly sum towards its maintenance. An almshouse charity is a charity which is established to provide one or more almshouses.”
PM4	Page 23	Replace the second paragraph of Policy Housing Need 3 with the following: “Proposals for residential development of more than 10 dwelling shall not include dwellings with four or more bedrooms unless there is demonstrable evidence that the inclusion of such dwellings is necessary to achieve viability of the development.”
PM5	Page 23	In the second bullet point in Policy Housing Need 4, delete “where possible”.
PM6	Page 24	In Policy Housing Need 4, delete bullet points three to six.
PM7	Page 27	In Policy Building Design 2, replace the bullet point relating to shared usage roads with the following text: “Shared usage roads are expected to be built to adoptable standards, be used only for the lowest order of roads, serve no more than four dwellings and avoid acting as a through link to other streets.”
PM8	Page 29	Add the following paragraph after Paragraph 5.7.4: “Detailed guidance on flood assessment and provision of SuDS within developments is provided in the Cambridgeshire Flood and Water Supplementary Planning Document. The Cambridgeshire Surface Water Management Plan (2014) identifies Buckden as a surface water flooding wetspot and should be referred to for specific information.”

Proposed modification (PM)	Page no.	Modification
PM9	Pages 29 and 30	<p>In Policy Flood Risk and Drainage Policies 1 delete the text and substitute the following: “The design of any new development shall respect the fragile nature of Buckden’s drainage network and minimise surface water flood risk by demonstrating that the run-off rate is consistent with the guidance outlined in the Cambridgeshire Flood and Water SPD and Anglian Water’s Surface Water Policy. SuDS shall be designed to meet the standards identified by the adopting body.”</p> <p>Delete the related table footnote.</p>
PM10	Page 30	<p>At the end of the first paragraph of Flood Risk and Drainage Policies 3, add: “This provision does not apply to smaller soakaways as outlined in Part H of the Building Regulations.”</p>
PM11	Page 35	<p>Add a new policy (Conservation Area 3 – Heritage Statements) with the following wording: “The location and relationship of heritage assets to the existing road network is of key importance to the village. Where required, a Heritage Statement shall assess and report on the potential impact of any proposal on affected heritage assets and their settings.”</p>
PM12	Pages 42 and 43	<p>Replace the text at the beginning of Policy Transport 1 with the following: “Proposals that will have a significant impact on the highways network shall be accompanied by a Transport Assessment or Transport Statement as appropriate to the scale of the development proposed. This shall include consideration of...”.</p> <p>In the second paragraph, add “significant” before “impact”.</p> <p>Add an additional bullet point: “The junction of Leadens Lane with Mill Road”.</p>
PM13	Pages 43 and 44	<p>Change the beginning of Policy Transport 2 so that it says, “development proposals shall provide...”.</p> <p>Change the second sentence of Policy Transport 2 so that it says, “Any development which, taken with all existing, allocated and permitted but unbuilt development...”.</p>

Proposed modification (PM)	Page no.	Modification
		<p>Change the end of the first paragraph of Policy Transport 2 so that it reads, "...an average of more than 15 vehicles at peak times shall be considered to represent a severe impact to the road network."</p> <p>Change the third paragraph of Policy Transport 2 so that it reads, "...a current Ratio of Demand Flow to Capacity in a peak hour of over 1.0, at the time of the full or outline planning application..."</p> <p>At the end of the fourth paragraph, add: "shall be considered to represent a severe impact to the road network."</p>
PM14	Page 44	In Policy Transport 3, substitute "prevents construction traffic from accessing the village's Conservation Area" for "minimises any harmful effects of traffic entering the village's Conservation Area".
PM15	Page 50	Change the beginning of Policy Footpath and Cycling 1 to read, "In so far as they fall within this Neighbourhood Plan area, proposals that enhance..."
PM16	Page 50	Replace the wording of Policy Footpath and Cycling 2 with the following: "Developments affecting existing public rights of way shall seek to retain the existing route unless an alternative would significantly enhance the public enjoyment of using the route."
PM17	Pages 56 and 57	<p>In Policy Community Services 1, at the end of the first sentence in the second paragraph, add the following: "...including but not limited to primary and early years educational facilities and GP services within the village".</p> <p>In the same paragraph, at the end of the second sentence, add: "in accordance with HDC's Developer Contributions Supplementary Planning Document (2011) or any successor documents".</p> <p>Delete paragraphs three, four, five and seven.</p>

Proposed modification (PM)	Page no.	Modification
PM18	Page 59	<p>In the first sentence of Policy Business 1, delete “Buckden” and insert: “the built-up area of Buckden or on land well-related to the built-up area”.</p> <p>In the same sentence, replace “are expected to” with “shall”.</p>
PM19	Page 65	<p>Change the end of the first sentence of Policy Biodiversity 1 so that it reads, “...will be safeguarded from development, with protection prioritised (as informed by the Wildlife Review evidence document).”</p> <p>In the second paragraph, replace “an adverse impact” with “a significant adverse impact”.</p>
PM20	Page 65	<p>In the first sentence of Policy Biodiversity 2, delete “significant” before “net gains”.</p>
PM21	Page 68	<p>In the first sentence of Policy Green Space 1, add, “is in accordance with Green Belt policy and” before “will support and enhance”.</p>
PM22	Page 68	<p>In Policy Green Space 2, replace the text after “character of the village” with “and development will not be supported in these areas unless the proposal preserves the openness of the open green space”.</p>
PM23	Pages 70, 71 and 72	<p>In Paragraph 13.2.6, delete “:4.23 LP 2” and replace with “starting from Paragraph 4.26 and including Policy LP 3”.</p> <p>Use the correct information concerning the boundary of the Ouse Valley<sup>1</sup> (replacement of Figure 27).</p> <p>Amend the beginning of Policy Great Ouse Valley 1 such that it reads, “Development proposals shall not take place in, or encroach into, the Great Ouse Valley as defined in Policy LP 3 of the Huntingdonshire Local Plan and surrounding...”.</p> <p>Replace the second paragraph of Policy Great Ouse Valley 2 with: “Exceptionally, development proposals to support Anglian Water’s infrastructure footpath and</p>

<sup>1</sup> As supplied by Huntingdonshire District Council at Pages 11 and 12 of its Regulation 16 representations.

<b>Proposed modification (PM)</b>	<b>Page no.</b>	<b>Modification</b>
		cycle provision or conservation projects may be supported.”
PM24	Page 72	Change the beginning of Policy Great Ouse Valley 2 to read: “Any development in Buckden shall demonstrate...”.
PM25	Page 82 and 83	In the first bullet point of Policy Landscape 1, change “Figure 35” to “Figure 36”.  Delete the fourth bullet point of the policy.
PM26	Page 83	Delete Policy Landscape 3.