

Appendix 3 - The draft Decision Statement

Grafham and Ellington Neighbourhood Plan

Draft Decision Statement

Following an independent examination Huntingdonshire District Council's Cabinet confirmed on the 18 November 2021 that the Grafham and Ellington Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.

Background

The joint Grafham and Ellington neighbourhood area was designated on 3 September 2019 under the Neighbourhood Planning (General) Regulations (2012). The plan area covers the parishes of Grafham and Ellington and is contiguous with both Parish council's administrative boundaries. As this was a joint neighbourhood plan area, a 6 week consultation was carried out in accordance with the regulations.

Grafham and Ellington Parish Councils, as the qualifying body, submitted the Grafham and Ellington Neighbourhood Plan and its supporting evidence to Huntingdonshire District Council on 28 June 2021. The statutory six week submission consultation was held from 12 July to 27 August 2021.

Huntingdonshire District Council, in discussion with Grafham and Ellington Parish Councils, appointed an independent examiner, Andrew S Freeman BSc (Hons) DipTP DipEM FRTPI, to review whether the submitted Neighbourhood Plan met the Basic Conditions as required by legislation. Andrew Freeman issued his report on 5 October 2021 which recommended that the Neighbourhood 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 18 November 2021 and agreed to accept the Examiner's proposed modifications and approve the Grafham and Ellington Neighbourhood Plan to proceed to referendum.

The modifications to the Neighbourhood Plan, as needed to ensure it meets the Basic Conditions and in accordance with the Examiner's recommendations are listed in the following table. The Examiner also concluded that any other non-material amendments, including suggestions and corrections set out in the representations and correspondence¹ and any updated factual references to the revised NPPF (2021) can be incorporated into the final version of the Plan.

Examiner's Recommended Modifications Received 4 October 2021

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. Strike-through text indicates a deletion and bold indicates the insertion of additional text.

¹ [Email on behalf of the Parish Councils to the Examiner](#), dated 21 September 2021.

Proposed modification (PM)	Page no.	Modification
PM1	Various	In all policies, substitute usages of the word “should” with “shall”.
PM2	Page 24	In the third paragraph of Policy GENP 1, replace “it meets a specific need identified by the local community or” with “there is material evidence of a local community need, a need that would be met by the proposal, or where the proposal complies”....
PM3	Page 28	In Policy GENP 2, replace “preserved, enhanced and celebrated” with “celebrated and preserved or enhanced”.
PM4	Pages 27 and 28	In the text preceding Policy GENP 2, state that reference to Cambridgeshire County Council’s Historic Environment Record and “Historic Assets of Grafham and Ellington” (Ref 22) will be of assistance in identifying archaeological sites of likely significance.
PM5	Page 32	In the second sentence of Policy GENP 3, delete the wording including and after “entry level” and replace with “housing on an entry-level housing site shall be limited to a maximum of 5% of the housing stock in the parish within which it is located”.
PM6	Page 32	In the first paragraph of Policy GENP 4, insert “material” before “detrimental effect”. Delete the second sentence of the paragraph. In the second paragraph, insert “material” before “loss of amenity”. Insert “through” before “loss of privacy”.
PM7	Page 36	In the first sentence of Policy GENP 5, insert “material” before “detrimental impact”. In the second paragraph, replace “Minor scale development proposals” with “Development proposals”. Insert “material” before “detrimental impacts”. In the third paragraph, insert “material” before “detrimental impact”.
PM8	Page 37	In Policy GENP 6, insert “material” before “detrimental impact”.
PM9	Page	In Policy GENP 9, at the end of the first three bullet points,

Proposed modification (PM)	Page no.	Modification
	44	<p>delete the full stop and insert “; or”.</p> <p>Delete the final sentence of the policy.</p>
PM10	Page 48	<p>In the third paragraph of Policy GENP 10, replace “statutorily designated sites such as Grafham Water SSSI” with “SSSIs such as Grafham Water”.</p> <p>Replace the final paragraph of the policy with the following: “Developments shall seek to deliver environmental enhancements having appropriate regard to the Nature Recovery Network, Natural Cambridgeshire’s “doubling nature” target, relevant aspirations in the NPPF and DEFRA’s 25-Year Environment Plan.”</p> <p>Provide links in Appendix B.</p>
PM11	Page 55	<p>Replace the second sentence of Policy GENP 11 with the following: “Where there is material evidence of the needs of residents, needs that would be met by the proposal, the provision of new or enhanced community facilities of an appropriate scale, within or on land immediately adjoining the built-up area, will be supported.”</p>
PM12	Pages 56, 59 and 86	<p>At the end of Paragraph 6.10.6, add “or Other Green Spaces”.</p> <p>Replace the second sentence of the opening paragraph of Policy GENP 12, and criteria a), b) and c), with the following: “Proposals shall be consistent with Green Belt policy as set out in the NPPF.”</p> <p>In Appendix C, replace the heading “Ellington’s Green Spaces” with “Ellington – Other Green Spaces and Village Green”.</p>
PM13	Page 68	<p>In the second paragraph of Policy GENP 13, insert “using a sustainable drainage system” after “surface water drainage solution”.</p> <p>At the end of the second paragraph, add the following: “Where this is the case, other infiltration methods such as swales, ponds and wetlands shall be explored or, where demonstrably unsuitable, such alternatives as may be acceptable to the local planning authority with the advice of the Lead Local Flood Authority.”</p> <p>In the first sentence of the third paragraph, replace “the</p>

Proposed modification (PM)	Page no.	Modification
		<p>fluvial flood risk” with “flood risk from any form”.</p> <p>Replace the second sentence of the third paragraph with the following: “A site-specific flood risk assessment in line with the requirements of local and national policy advice shall accompany a proposal on a site with an identified risk of flooding or where otherwise justified by the local planning authority.” Delete the remainder of the paragraph.</p> <p>In the text preceding Policy GENP 13, insert the following: “A site-specific flood risk assessment will be required in accordance with Policy GENP 13. This includes on sites where the requirement is based on local knowledge and notified by the local planning authority on the advice of the LLFA, Anglian Water, CC Highways, the Environment Agency or, in Ellington, the Alconbury and Ellington Internal Drainage Board (bodies from which pre-application advice should also be available).”</p>