

## **Appendix 3 - Draft Decision Statement**

### **Sawtry Village Neighbourhood Plan 2022-2036**

#### **Draft Decision Statement**

Following an independent examination Huntingdonshire District Council's Cabinet confirmed on the 19 September 2023 that Sawtry Village Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum.

#### **Background**

The Sawtry neighbourhood area was designated on 23 October 2019 under the Neighbourhood Planning (General) Regulations (2012). The plan area covers the parish of Sawtry and is contiguous with the Parish council's administrative boundary.

Sawtry Parish Council, as the qualifying body, submitted The Sawtry Village Neighbourhood Plan 2022-2036 and its supporting evidence to Huntingdonshire District Council 21 March 2023. The statutory six week submission consultation was held from 12 April 2023 to 24 May 2023.

Huntingdonshire District Council, in discussion with Sawtry Parish Council, appointed an independent examiner, David Hogger BA MSc MRTPI MCIHT, to review whether the submitted Neighbourhood Plan met the basic conditions as required by legislation. The examiner issued his report on 31 July 2023 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 does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017, which set out the habitat regulation assessment process for land use plans, including consideration of the effect on habitats sites.
- 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 19 September 2023 and agreed to accept the Examiner's proposed modifications and approve Sawtry Village Neighbourhood Plan 2022-2036 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.

## Examiner's Recommended Modifications Received 31 July 2023

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.

### Notes:

- Additions are shown in bold and deletions denoted with strikethrough.
- Page references are those in the submitted draft Sawtry Neighbourhood Plan.
- In the interests of brevity, where whole paragraphs have been deleted, the modification refers to the deletion of all the text.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Pages 18 and 19  Paragraphs 4.1 to 4.6	Remove <u>all</u> of Chapter 4 (paragraphs 4.1 to 4.6) to form a new Appendix 2.  (Note: Subsequent Chapter and paragraph numbers will have to be changed).
PM2	Page 21  Paragraph 7.1.2	Modify the penultimate sentence of paragraph 7.1.2 to read:  This includes addressing windfall housing proposals and potential rural exception sites <b>(which could be considered in Sawtry if there is local needs evidence)</b> .
PM3	The plans on Pages 48, 77 and 81 (Policy SNP1)	Modify the boundaries of LGS sites 13 (St David's Way and All Saints Way) and 17 (St Judith's Field and dog walking area) so that 'land pending ownership' (as identified on Plan 1 of the Evidence for Local Green Spaces March 2023) is excluded.
PM4	Page 25  Policy SNP3	Modify the first sentence to read:  Land north of Greenfields shown on Map 7 in chapter 10 is identified for community use and proposals to create new or enhanced community facilities for recreation and leisure, including new pitches, together with associated infrastructure, including additional

		parking <b>and</b> /or drainage measures, will be supported.
PM5	Page 25 Policy SNP3	<p>Modify the last sentence of the policy to read:</p> <p><b>Other recreation and leisure</b>  <del>Developments in the Parish</del> will be supported <del>which</del> <b>if they</b> extend or improve the existing sporting, leisure and recreational facilities, including the sports pavilion on the existing Greenfield site subject to including suitable landscaping.</p>
PM6	Page 26 Policy SNP4	<p>Delete <u>all</u> of the second clause in the policy and replace it with:</p> <p><b>Development proposals that would result in the loss of medical or health facilities will not be supported unless:</b></p> <ul style="list-style-type: none"> <li>• <b>evidence is provided to demonstrate that they are poorly used or not viable in terms of community demand or need for that specific type of primary care service; or</b></li> <li>• <b>adequate replacement provision is made elsewhere nearby, within or close to the community served by the geographical catchment for the specific medical or health facility.</b></li> </ul>
PM7	Page 28 Policy SNP5	<p>Modify the first sentence of the second clause of the policy to read:</p> <p>Proposals <del>which look to develop or replace</del> <b>to redevelop, extend or replace an existing community facility</b> facilities through enabling development on part or all of the land or buildings <b>occupied by the existing community facility</b>, will be supported where it can be satisfactorily demonstrated through viability evidence that all profits are being reinvested in the development of</p>

		enhanced or additional community facilities.
PM8	Page 28 Policy SNP5	Delete <u>all</u> of the penultimate clause and replace it with:  <b>Land east of St Andrew’s cemetery, as shown on Map 8 in chapter 10, is identified for cemetery use and proposals to create new or enhanced cemetery facilities will be supported. An appropriate risk assessment will need to accompany any planning application. Proposals to use this land for any alternative use will not be supported.</b>
PM9	Page 29 Policy SNP5 (final clause)	Delete <u>all</u> of the final clause and replace it with:  <b>Development proposals that would result in the loss of a community facility, as identified on Plan --<sup>35</sup>, will not be supported unless</b>  <ul style="list-style-type: none"> <li>• <b>evidence is provided to demonstrate that the facility is poorly used or not viable in terms of community demand/needs; or</b></li> <li>• <b>adequate replacement provision is made elsewhere, within or close to the community served.</b></li> </ul> [See PM10 below].
PM10	Page 28/29	Insert a Plan which identifies the community facilities to which policy SNP5 applies.
PM11	Page 32 Policy SNP8	In the second line of the policy insert <b>‘the Parish of’</b> before Sawtry.
PM12	Page 32 Policy SNP8	Modify the second sentence of policy SNP8 to read:  <del>Proposals of parties, including local land owners, community organisations,</del>

<sup>35</sup> To be numbered by the Parish Council.

		<p><del>Sawtry Parish Council, Huntingdonshire District Council and Cambridgeshire County Council</del> to develop or improve appropriate sustainable transport infrastructure will be supported.</p>
PM13	<p>Page 34 Policy SNP9</p>	<p>Delete <u>all</u> of the final clause and replace it with:</p> <p><b>Proposals to develop on-street electric vehicle charging infrastructure, including through the use of existing street furniture across Sawtry will be supported subject to:</b></p> <ul style="list-style-type: none"> <li>• they should not adversely affect the historic environment or highway or pedestrian safety;</li> <li>• they are in compliance with other relevant legislation, for example section 278 of the Highways Act 1980; and</li> <li>• they do not detrimentally impact areas of significance as referenced in the HDC Landscape and Townscape SPD (March 2022)</li> </ul>
PM14	<p>Page 35 Paragraph 7.4.13</p>	<p>Insert a new paragraph of text after paragraph 7.4.13 to read:</p> <p><b>The Parish Council considers that a variety of measures will be needed to enhance the personal safety of individuals. In new development this will include designing layouts that promote opportunities for natural surveillance and ensuring that pedestrian linkages are well lit and avoid the potential for anti-social behaviour. The aim should be to ensure that crime and disorder, and the fear of crime, do not undermine the quality of life or social cohesion.</b></p>

PM15	Page 35 Policy SNP10	<p>Add a new second clause in the policy to read:</p> <p><b>The Parish Council will support appropriate proposals which include:</b></p> <ul style="list-style-type: none"> <li>• <b>a layout of development which creates safe, convenient and overlooked attractive streets and spaces;</b></li> <li>• <b>high quality open space which is integral to the overall layout of the development;</b></li> <li>• <b>carefully planned landscaping; and</b></li> <li>• <b>other appropriate measures to improve public safety.</b></li> </ul>
PM16	Page 37 Policy SNP11	<p>Delete all of the second clause of the policy and replace it with:</p> <p><b>The Neighbourhood Plan looks to encourage appropriate proposals that comply with development plan policies connected with the Established Employment Area at Black Horse Business Park and the permitted Oakwood Business Park. Proposals for high quality and professional occupation employment, such as research and development, that would diversify the existing local employment provision will be particularly supported.</b></p>
PM17	Page 37 Policy SNP11	<p>Add a new final clause to the policy to read:</p> <p><b>Proposals at or relating to Brookside Industrial Estate will need to satisfactorily demonstrate that traffic movements, particularly HGV movements that would need to go through Sawtry, would not lead to unacceptable impacts on the historic environment; living conditions (including relating to</b></p>

		<b>noise and disturbance); air quality; and pedestrian safety within the Parish.</b>
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