

## Heydon Neighbourhood Development Plan

### Examiner's Clarification Note

#### Heydon Parish Council Response - shown in green font

This Note sets out my initial comments on the submitted Plan. It also sets out areas where it would be helpful to have some further clarification. For the avoidance of any doubt, matters of clarification are entirely normal at this early stage of the examination process.

Heydon Parish Council thanks the Examiner for the opportunity to provide clarification on the points raised in this note.

#### Initial Comments

The Plan provides a clear and concise vision for the neighbourhood area. It is underpinned by a series of background documents which directly inform some of the policies. This is best practice.

The presentation of the Plan is very good. The difference between the policies and the supporting text is clear. In addition, the Plan makes good use of various high-quality maps. The Vision and the theme-based objectives helpfully provide a structure for the Plan, its policies, and the community actions.

#### Points for Clarification

I have read the submitted documents and the representations made to the Plan. I have also visited the neighbourhood area. I am now able to raise issues for clarification with the Parish Council.

The comments made on the points in this Note will be used to assist in the preparation of the examination report and in recommending any modifications that may be necessary to the Plan to ensure that it meets the basic conditions. I set out specific policy clarification points below in the order in which they appear in the submitted Plan:

Responses to the representations from the Trustees of 3rd Viscount Devonport's Discretionary Trust and the District Council are included at Appendix 1 and Appendix 2 below.

#### *Policy HEY1*

I note that the Heydon Parish Landscape Appraisal (undertaken by Alison Farmer Associates in 2022) sets out the context for the identification of a proposed Area of Valued Landscape including Heydon Valley, Chishill Down, and the Heydon North west Slopes character areas.

There is an opportunity for the Parish Council to respond to the representation made by the Trustees of 3rd Viscount Devonport's Discretionary Trust on this matter later in the Note.

Please see Appendix 1 below for this response.

### *Policy HEY2*

I note that the Parish Council proposes to follow the same basis for identifying Important Countryside Frontages that was used by the District Council in the adopted Local Plan. I also note the descriptions of proposed Important Countryside Frontages 3 and 4 in paragraph 5.2.3 of the Plan.

Objections have been received from the District Council (ICF3) and Trustees (ICF3 and 4) to the proposed designations. There is an opportunity for the Parish Council to respond to these representations later in this Note.

Please see Appendix 1 and Appendix 2 below for this response.

I am minded to recommend that the second part of policy should be repositioned into the supporting text. This will acknowledge that the development plan is intended to be read as a whole, and there is no need for the Neighbourhood Plan to repeat a local plan policy. Does the Parish Council have any comments on this proposition?

The Parish Council would prefer to keep the wording as drawn but the Examiner's suggestion to relocate the second part of the policy has merit if this is not accepted.

### *Policy HEY3*

I looked at a selection of the proposed locally important views during the visit, and I note that Appendix 1 comments comprehensively about each view.

Paragraphs 5.3.1 and 5.3.2 of the Plan advise that the Heydon Parish Landscape Appraisal (HLA) 2022 identifies several locally important views into and out of the settlement. They also advise that subsequent consultation with the community during the Plan process has further refined and identified views which are of particular importance to villagers. In this overall context, please can the Parish Council clarify which views were identified in the HLA, which have been proposed by the community, and if any of the HLA views have been refined by the community.

The HLA 2022 identifies a number of views towards the settlement and outward to the wider landscape from the settlement, these are indicated on Figures 5, 6 and 7 of the HLA. This document alongside the output and action plan resulting from the Community Led Plan 2022 (p 23) formed the basis of further work within the Neighbourhood Plan. Improved, and in some cases additional, photographs have been added on many of the views for greater clarity.

The following LIVs have been added or refined during the Plan process through community engagement and further review -

View 4

View 5

View 6 - refined views

[View 8](#)

[View 9 - refined views](#)

[View 10](#)

[View 12](#)

[View 14](#)

[View 15](#)

[View 16 - refined views](#)

[View 17 - refined view](#)

[View 18](#)

There is an opportunity for the Parish Council to respond to the representation made by the Trustees of 3rd Viscount Devonport's Discretionary Trust on this matter later in the Note.

[Please see Appendix 1 below for this response.](#)

*Policy HEY4*

This is an excellent policy which is underpinned by the work on Character Areas. In the round it is a first-class local response to Section 12 of the NPPF.

[We thank the Examiner for this comment.](#)

*Policy HEY5*

I saw the significance of the proposed Local Green Spaces during the visit. I note that the policy is underpinned by the Local Green Spaces Assessment.

*Policy HEY6*

I looked at a selection of the proposed non-designated heritage assets during the visit, and I note that Appendix 2 comments comprehensively about each proposed asset. I also note that the second part of the policy follows the approach taken in paragraph 216 of the NPPF.

There is an opportunity for the Parish Council to respond to the representation made by the Trustees of 3rd Viscount Devonport's Discretionary Trust on this matter later in the Note.

[Please see Appendix 1 below for this response.](#)

*Policy HEY10*

The aspirations of the policy are self-evident. Nevertheless, should its approach dovetail with existing development plan policies? In this context I note that Heydon is classified as an Infill Village in Policy S/11 of the Local Plan with a development site size limit of up to two dwellings. I also note that Policy H/9 of the Local Plan outlines the housing mix requirements for development, but applies only to developments of

10 or more dwellings. Policy H/9 also refers to a requirement that 5% of homes in a development should be built to the accessible and adaptable dwellings M4(2) standard, and that this standard would not be triggered by a site size limit of up to two dwellings that applies to the village.

In these circumstances, the following questions arise:

- is the policy deliverable?
- is the element in the policy about accessible and adaptable buildings either reasonable or commercially-viable?

In addressing these questions the Parish Council would comment as follows:

The PC believe that the Plan provides justification of the housing needs through Figure 5 and Figure 7 – setting out the number of bedrooms in the parish compared to the district, and occupancy rates in dwellings in parish and district. The Census data evidences that 43% of dwellings have four bedrooms or more, and that 63% of the dwellings in the Parish have two more bedrooms than required and is considerably higher than the district wide level. Therefore, we wish to retain the policy to ensure that smaller homes are prioritised over larger homes and believe that this is deliverable.

1.0 We propose that the wording of policy Hey 10 part 1 be amended to read-

‘Development proposals that create one or more new dwellings will be supported where they deliver smaller homes (with one or two bedrooms) over larger homes (three or more bedrooms), unless an alternative dwelling size, type and mix can be justified through reference to up-to-date evidence on Parish housing stock and local needs or local site-specific circumstances’

2.0 In relation to policy HEY 10 part 3, whilst the we would anticipate that the cost thresholds for delivering these homes would be higher, the PC would be flexible in amending the policy to provide more emphasis that the policy supports the design of these homes in being either M4 (2) or M4 (3) which allows for a more viable approach.

The policy as drafted does already include an ‘or’ element, stating ‘All new dwellings and residential conversions should be designed to meet the Building Regulations accessible and adaptable dwellings M4 (2) standard **or** the Building Regulations wheelchair user M4 (3) standards’

There is an opportunity for the Parish Council to respond to the representation made by the Trustees of 3rd Viscount Devonport’s Discretionary Trust on this matter later in the Note.

Please see Appendix 1 below for this response.

### *Policy HEY11*

This is a good policy which acknowledges the importance of community facilities. The second part of the policy acknowledges that the use and viability of the facilities may alter in the Plan period.

Nevertheless, to what extent do the second and third parts of the policy repeat the content of policies in the Local Plan?

The Parish Council acknowledge this issue and would suggest inclusion of the second and third parts of the policy in the supporting text.

There is an opportunity for the Parish Council to respond to the representation made by the Trustees of 3rd Viscount Devonport's Discretionary Trust on this matter later in the Note.

Please see Appendix 1 below for this response.

### *Policy HEY12*

I saw the significance of the King William IV public house during the visit.

As currently worded, the second part of the policy sets a requirement for the provision of a community meeting space on site alongside other proposed uses, if the use as a public house is not to be retained having been demonstrated to no longer be a viable use through a marketing exercise.

In the context of the overall policy a series of related questions arise:

- has the Parish Council any evidence to suggest that such an approach would be commercially-viable?
- did the Parish Council consider an alternative option for a potential developer to demonstrate that there is no requirement for such a community meeting space, and that it makes no allowance for alternative community uses of the site (using evidence to demonstrate that delivery of either a public house or a community meeting space on the site would not be viable or feasible)?
- did the Parish Council consider the appropriateness of allowing alternative community uses of the site, should evidence be available to demonstrate that the delivery of either a public house or a community meeting space on the site would not be viable or feasible?

In a broader context, would the suggested need for the approach taken in the second part of the policy be removed if the intention of Community Action 11 delivered an alternative village meeting space within the village?

To address the Examiner's comments in regard to HEY 12 the Parish Council would suggest some flexibility in the wording of the first bullet of policy HEY 12 part 2. The policy essentially seeks to ensure that all options to provide continued community use are exhausted before the loss of the King William IV is accepted, therefore amendments to the policy to ensure this objective remains clear are welcomed.

We wish Community Action 11 to be retained as this is related to meeting spaces to deliver the wider community needs.

### *Policy HEY13*

I note the relationship between the third part of the policy and Community Action 13. Are there any emerging or costed proposals for the delivery of the intended pedestrian and cycling route?

There are no current proposals but the policy seeks to improve the network for safe use by walkers and other non-motorised users if development was to come forward and any financial contribution to the improvement would be based on the cost of works required.

Is the third part of the policy intended to support the access-related works anticipated in paragraph 5.13.8 of the Plan or general built development that would assist in the delivery of the pedestrian and cycling route? If it is the latter, is the commentary about 'where they comply with other planning policy requirements' intended to mean where any such proposals comply with the overall development plan? In short, the policy will need to be worded in a way that avoids any unintended consequences.

The Parish Council would like part three of the policy to be clear in achieving a safe, accessible pedestrian and cycling route linking Heydon village to the Heydon Chalk Pit, and are comfortable in removing the reference to 'where they comply with other planning policy requirements' if this is ambiguous or vague, and neither adds to, or detracts from the meaning of the policy.

### **Representations**

Does the Parish Council wish to comment on any of the representations made to the Plan? I would find it helpful if the Parish Council responded to the representation made by the Trustees of 3rd Viscount Devonport's Discretionary Trust.

The District Council make a series of comments both on the policies and other general matters. It would also be helpful if the Parish Council responded to this representation.

The Parish Council has worked closely and productively with the GCSP team throughout the NP process, there is much positive and helpful material in the Local Council representation, the PC understands these issues and will be guided by the Examiner's views.

The Parish Council wishes however to respond on some specific representation points from the Local Council, please see Appendix 2 below for these responses.

Note: The Parish Council is aware that no response was provided to the representation at Reg 14 from Cambridgeshire County Council. We would like to assure the Examiner that this oversight was entirely unintentional and resulted from an email receipt issue at the time. The Parish Council is happy to accept amendments resulting from this representation where the Examiner sees fit.

## **Protocol for responses**

I would be grateful for responses and the information requested by 31 March 2026. Please let me know if this timetable may be challenging to achieve. It is intended to maintain the momentum of the examination.

If certain responses are available before others, I would be happy to receive the information on a piecemeal basis. Irrespective of how the information is assembled, please could it come to me directly from the District Council. In addition, please can all responses make direct reference to the policy or the matter concerned.

Andrew Ashcroft

Independent Examiner

Heydon Neighbourhood Development Plan

9 March 2026

## APPENDIX 1

### Parish Council responses to the representation made by the Trustees of 3rd Viscount Devonport's Discretionary Trust

It should be noted that The Reg 16 representation from TVDDT would appear to repeat in large part the representation provided at Reg 14 and does not reflect numerous changes made in the Reg 16 Submission version, for example the representation includes reference to extension of the Heydon Conservation Area which was removed from the Reg 16 version.

#### HEY 1

The Parish Council believes that the HLA 2022 and policy context and rationale within the NP provide a very robust evidence base for inclusion of Chishill Down within the area of Valued Landscape. We would refer the Examiner in particular to pages 11,13 and 14 of the HLA 2022. Chishill Down is in addition the location of Down Plantation which forms a key and prominent feature in the wider landscape setting of the village, visible over a significant distance. See LIV 6c.

#### HEY 2

The Parish Council believes that ICF3 and ICF4 meet the criteria for inclusion.

#### HEY 3

The Parish Council believes that the proposed LIVs are all supported by robust evidence. The evidence base and written description for LIVs has been significantly enhanced in the Reg 16 submission version.

Please note the TVDDT representation appears to make reference in part to LIV numbering from the earlier Reg 14 version of the plan and does not appear to relate to specific LIVs as now proposed.

#### HEY 6

The TVDDT representation appears to repeat comments made at Reg 14 stage which the Parish Council has it believes addressed in the submission version of the Plan, for example removal of the Valued Landscape as a proposed NDHA. The evidence base and descriptive content has been significantly enhanced in this area and the Parish Council believes that the Plan presents a robust case in support of all designations.

#### HEY 10 & HEY 11

Heydon is classified as an Infill Village under policy S11 of the Local Plan with a development size limit of up to 2 dwellings and as such there is no opportunity for more significant development in the village.

## APPENDIX 2

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## Parish Council further responses to the representation made by the District Council

### HEY 2

The Parish Council believes that ICF3 meets the criteria for inclusion. Heydon village extends beyond the church down Heydon Lane to include for example Heydonbury and Lane Farm with its adjoining converted barn development. The existing ICF2 is itself outside the development framework.

### HEY 4

Part 3 - should refer to 'Heydon's Eastern Village Gateway'.

### Appendix 2 - Asset 7

The PC believe the walls have significant group value and all those proposed should be included.

### Appendix 2 - Asset 8

The PC believe that inclusion of the Spring Pond boundary as an NDHA is entirely supportable as it defines the character of the village at its Eastern Gateway regardless of its more recent repair which clearly follows the earlier design.