

**INDEPENDENT EXAMINATION OF THE
GIDDINGS, WINWICK AND HAMERTON NEIGHBOURHOOD DEVELOPMENT PLAN**

EXAMINER: Andrew Freeman BSc (Hons) DipTP DipEM FRTPI

Examination Ref: 01/AF/GWHNP

Paul Hargrave
The Giddings, Winwick and Hamerton Neighbourhood Plan Lead

Natalie Elworthy
Senior Planning Policy Officer
Huntingdonshire District Council
Pathfinder House
St Marys Street
Huntingdon, PE29 3TN

Via email

2 July 2026

Dear Mr Hargrave and Ms Elworthy

Following the submission of the Giddings, Winwick and Hamerton Neighbourhood Development Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I have one key initial action point for Huntingdonshire District Council, based on the legal changes outlined in Annex 1. I also have a number of questions for the District Council and Great and Little Gidding Parish Council, set out in Annex 2, to which I would like to receive written responses by **Friday 17 July 2026**.

1. Examination Documentation

I can confirm that I am satisfied that I have received the draft Plan and accompanying documentation, including the Consultation Statement; the Basic Conditions Statement; the Final Screening Opinion (Strategic Environmental Assessment and Habitats Regulations Assessment) for the Giddings, Winwick and Hamerton Neighbourhood Plan, and the Regulation 16 representations to enable me to undertake the examination.

Subject to my detailed assessment of the draft Plan, I have not at this initial stage identified any very significant and obvious flaws in the Plan that might lead me to advise that the examination should not proceed.

Notwithstanding this, you will be aware that since the Neighbourhood Plan underwent Regulation 16 consultation, sections 98¹ and 99² of the Levelling-up and Regeneration Act 2023 came into force on 25 March 2026. This is by virtue of *The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026*, which were made on 2 March 2025. I set out the principal changes that may potentially have an impact on the Neighbourhood Plan examination at Annex 1.

As a result, I am providing you with an opportunity to comment on the changes set out in Annex 1, in so far as they relate to the submitted Giddings, Winwick and Hamerton Neighbourhood Plan. I also

¹ View at: <https://www.legislation.gov.uk/ukpga/2023/55/section/98>

² View at: <https://www.legislation.gov.uk/ukpga/2023/55/section/99>

consider that any persons who may have an interest in the examination should be given the similar opportunity to comment, including those who submitted representations at Regulation 16.

Therefore, I request that Huntingdonshire District Council place a notice on its website cross referencing this letter, advising that the anyone with an interest in the examination may, should they wish, comment on the legal compliance and Basic Conditions changes outlined in Annex 1 so far as they relate to the Giddings, Winwick and Hamerton Neighbourhood Plan.

It should be made clear that there is no need for responses to repeat representations that have already been made in relation to any other matters (since the Regulation 16 representations stand as submitted). Similarly, it is not an opportunity to raise new matters that do not relate to these legal points.

I suggest that the local authority's website should advise that **2 weeks** will be provided to submit comments to Huntingdonshire District Council. I would also request the District Council contact those who made representations at Regulation 16 to alert them to this opportunity. Should any person(s) request additional time in order to respond, you should seek to accommodate this provided a revised and reasonable response date is proposed.

Any responses received at the end of the 2 week (or, where requested, extended) period, along with those of the Great and Little Gidding Parish Council and Huntingdonshire District Council, should be forwarded to the IPe office team for my attention.

2. Site Visit

Depending on a response to my questions at Annex 2, I will aim to carry out a site visit to the neighbourhood plan area during week commencing 20 July 2026. The site visit will assist in my assessment of the draft Plan, including the issues identified in the representations.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

From my initial assessment of the Plan and supporting documents, I have identified a number of matters where I require some additional information from Huntingdonshire District Council and Great and Little Gidding Parish Council.

I have 18 questions seeking further clarification, which I have set out in Annex 2 to this letter. I would be grateful if you can seek to provide written responses by **Friday 17 July 2026**.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within around 6 – 8 weeks of submission of the draft Plan. However, in view of the additional engagement requested on the changes to the legal framework, coupled with the additional questions, I must provide you with sufficient opportunity to reply. Consequentially, the examination timetable may be extended. Please be assured that I will aim to mitigate any delay as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter and any subsequent response is placed on the Great and Little Gidding Parish Council and Huntingdonshire District Council websites.

Thank you in advance for your assistance.

Yours sincerely

Andrew Freeman

Examiner

Annex 1: Legislative Changes

*The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2023*³, commence sections 98⁴ and 99⁵ of the Levelling-up and Regeneration Act 2023. These amend the Planning and Compulsory Purchase Act 2004⁶ and the Town and Country Planning Act 1990⁷ in respect of the legal compliance and the Basic Conditions requirements for neighbourhood plans.

In summary, the further legal compliance requirements are as follows:

- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, the plan must be designed to secure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and
- so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, the plan must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.

In addition, there is a new Basic Condition requirement:

- the making of the neighbourhood development plan would not result in the development plan for the area of the authority proposing that less housing is provided by means of development taking place in that area than if the neighbourhood development plan were not to be made. **Note:** this **replaces** the former Basic Condition that the neighbourhood plan be in general conformity with the strategic policies contained in the development plan for the area.⁸

These revised requirements apply from 25 March 2026. As the examination is currently in progress (and a 'decision' has not yet been taken by the Local Planning Authority on whether the Neighbourhood Plan should proceed to referendum), the requirements will need to be assessed as part of the examination of the Giddings, Winwick and Hamerton Neighbourhood Plan.

A further Basic Condition⁹ related to the new environmental assessment framework¹⁰ is commenced albeit, until such time as a completed framework for the implementation of Environmental Assessment Reports is in place, compliance with this Basic Condition cannot be assessed.

³ View at: <https://www.legislation.gov.uk/uksi/2026/169/made#top>

⁴ View at: <https://www.legislation.gov.uk/ukpga/2023/55/section/98>

⁵ View at: <https://www.legislation.gov.uk/ukpga/2023/55/section/99>

⁶ Section 38B of the 2004 Act: <https://www.legislation.gov.uk/ukpga/2004/5/section/38B>

⁷ Paragraph 8(2), Schedule 4B to the 1990 Act (and s.38C to the 2004 Act):

<https://www.legislation.gov.uk/ukpga/1990/8/schedule/4B> and

<https://www.legislation.gov.uk/ukpga/2004/5/section/38C>

⁸ Basic Condition '(e)' is replaced by '(ea)'.

⁹ New Basic Condition '(fa)'.

¹⁰ Part 6, Levelling-up and Regeneration Act 2023: <https://www.legislation.gov.uk/ukpga/2023/55/part/6>

Annex 2: Examiner Questions

From my initial reading of the Giddings, Winwick and Hamerton Neighbourhood Plan, the supporting evidence and the representations that have been made to the Plan, I have the following questions for Huntingdonshire District Council and Great and Little Gidding Parish Council. I have requested the submission of responses by **Friday 17 July 2026**.

Where I am requesting additional clarification, suggested text and similar, this is with a view to informing the specific terms of any relevant examiner modification(s) that I may recommend. Accordingly, all of the points set out below flow from the requirement to satisfy the Basic Conditions.

Questions for Huntingdonshire District Council

1. Is all or any part of the neighbourhood area the subject of any local nature recovery strategy under Section 104 of the Environment Act 2021?

Questions for Great and Little Giddings Parish Council

2. If relevant, does the Parish Council consider the Plan is compatible with any local nature recovery strategy under Section 104 of the Environment Act 2021?
3. Does the Parish Council consider that the Plan is compatible with the development and use of land in the Neighbourhood Area contributing to the mitigation of, and adaptation to, climate change?
4. The front cover of the Plan shows the date “2023”. Paragraph 5.1.1 of the Plan states, “A plan period of 2036 has been chosen to match the plan period of the HDC Local Plan to 2036.” Please confirm that the Plan period is to be taken as 2023 to 2036.
5. Please confirm the dates (within August and September 2025) when the Regulation 14 consultation formally started and finished.
6. GWH NP POLICY 1, 1 – avoiding the introduction of *inclusive elements*: What are “inclusive elements”?
7. GWH NP POLICY 1, 1 – “key views and vistas”: Are these defined anywhere? Are these the “Important views across GWH” shown in Figure 15? Are there others?
8. GWH NP POLICY 1, 2 – “Gidwickhams Contextual Analysis”: Is this the same as the GWH Village Contextual Analysis, October 2025? Why is it called *Gidwickhams* Contextual Analysis?
9. GWH NP POLICY 1, 2: In this part of the policy, what does “with reference” mean? Does this mean that the demonstration of character and identity should cross-refer to the Contextual Analysis?
10. GWH NP POLICY 1, 2 – requirement for locally distinctive built form, scale, proportions, details and materials: Does this mean that all these elements are to be locally distinctive (in some way distinguishable from the rest of the development in the villages); or is it a reference to the distinctive built form etc of the villages?
11. GWH NP POLICY 1, 8: Can every residential unit be expected to have direct access to an area of private amenity space? For example, a first-floor apartment would not normally have *direct* access, even though private amenity space may be available for the use of the occupants.

12. GWH NP POLICY 1, 9: The Nationally described space standard can only be applied, through development plan policy, where there is evidence of local need and where the viability of development is not compromised. Please comment on these considerations in the context of the Neighbourhood Plan.
13. GWH NP POLICY 2, 4 – Standard Water Planning Guidance: Has the correct reference been used? What does water guidance have to do with broadband provision? The referenced guidance does not appear to deal with open access ducting. Where is guidance “to industry standards” to be found?
14. GWH NP POLICY 3, 1 – 20% biodiversity net gain: The Planning Practice Guidance (PPG) states that, *“Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.”*¹¹ Please comment on these considerations in the context of the Neighbourhood Plan.
15. GWH NP POLICY 3, 2 – Loss of natural habitats: Is this provision intended to apply to any and all natural habitats?
16. GWH NP POLICY 5 – Local Green Spaces: Is it the intention that the referenced Local Green Spaces should be formally designated through Policy 5?
17. GWH NP POLICY 5: Have all the owners of the Local Green Spaces been specifically consulted regarding designation?¹² Please supply details including copies of any objections received.
18. GWH NP POLICY 5 – 1: There is reference in the policy to nine recognised green spaces; but Paragraph 15.10.1 of the Neighbourhood Plan also refers to 6 churchyards (not dealt with in the Local Green Spaces Evidence Report). What is the intended status of the churchyards?

¹¹ See PPG section on ‘Biodiversity net gain’ (PPG Reference ID: 74-006-20240214).

¹² See PPG section on ‘Open space, sports and recreation facilities, public rights of way and local green space’ (PPG Reference ID: 37-019-20140306).