

**INDEPENDENT EXAMINATION OF THE
ALCONBURY NEIGHBOURHOOD DEVELOPMENT PLAN**

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

Examination Ref: 01/AM/ANP

Tracey Gilbert
Chair of Alconbury Parish Council

Natalie Elworthy
Senior Planning Policy Officer
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St Marys Street
Huntingdon, PE29 3TN

Via email

21 July 2026

Dear Ms Gilbert and Ms Elworthy

Following the submission of the Alconbury 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 Huntingdonshire District Council and Alconbury Parish Council, set out in Annex 2, to which I would like to receive written responses by **Monday 3 August 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 for Alconbury 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 Alconbury Neighbourhood Plan. I also 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

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>

they wish, comment on the legal compliance and Basic Conditions changes outlined in Annex 1 so far as they relate to the Alconbury 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 Alconbury Parish Council and Huntingdonshire District Council, should be forwarded to the IPe office team for my attention.

2. Site Visit

I carried out a site visit on 14 July which will assist in my assessment of the draft Plan, including the issues identified in the representations.

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 Alconbury Parish Council.

I have 16 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 **Monday 3 August 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 Alconbury Parish Council and Huntingdonshire District Council websites.

Thank you in advance for your assistance.

Yours sincerely

Andrew Mead

Examiner

Annex 1: Legislative Changes

*The Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026*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 Alconbury 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 Alconbury 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 Alconbury Parish Council. I have requested the submission of responses by **Monday 3 August 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 (HDC)

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 Alconbury Parish Council (APC)

2. If relevant and appropriate, 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, where appropriate, with the development and use of land in the Neighbourhood Area contributing to the mitigation of, and adaptation to, climate change?
4. **Policy AL 1.** I note the comment of HDC that the second bullet point should be rephrased to reflect the positive and proactive approach advised by NPPF. However, I may recommend taking this further in order to avoid the policy being used as a means of stopping any form of development on relevant nearby sites. This might be achieved by combining the second and third bullet points: I suggest the following possible modification on which **I would be grateful for comments from both Councils:** *“Development at Sensitive Settlement Edges and Important Village Gateways (See Map 6) will be supported where it would safeguard or, if possible, enhance the character of the landscape and the character of the adjoining part of Alconbury village.”*
5. **Policy AL 3.** Section 1 of the policy includes “Ridge and Furrow” twice. Map 7 only identifies one site of “Ridge and Furrow”. Please could this anomaly be explained and corrected?
6. **Policy AL 4.** The policy is headed “Alconbury’s Local Green Spaces” but the text of the policy includes Section 1 Local Green Spaces and Section 3 Other Green Spaces, the latter being where “... it is expected they be preserved as green spaces”. It is unclear to me what this section of the policy means. What is the policy difference between the two types of green space so far as development management is concerned? **I would be grateful for comments from both Councils.**
7. **Policy AL 5.** In the Regulation 16 representations submitted by Savills on behalf of Endurance Estates Land Promotion Ltd, the reasonable comment is made that Policy AL 5 and, by implication, the Alconbury Design Guide, appears geared towards residential development. Therefore, I am considering modifying Section 1: first bullet point to: *“guided by the Alconbury Design Guide 2025, where appropriate”*. **I would be grateful for comments from both Councils.**
8. **Policy AL 6.** Please comment on the Regulation 16 representations of HDC.
9. **Policy AL 7.** Please comment on the Regulation 16 representations of HDC.

- 10. Policy AL 8.** Please comment on the Regulation 16 representations of HDC.
- 11. Policy AL 9.** Please comment on the possible changes to the policy suggested by HDC.
- 12. Policy AL 10.** Please comment on the possible change to Section 2 of the policy suggested by HDC.
- 13. Policy AL 11.** In the HDC Regulation 16 representations, a comment is made about Section 3 of the policy suggesting the Plan should specify which types of scales of development to which it would apply. My suggestion would be to substitute “*Where appropriate, proposals should take opportunities, etc, ...*” for “All proposals should take opportunities, etc, ...”. **I would be pleased to have comments of both Councils.**
- 14. Appendix 3.** Please comment on the suggestions by HDC in the Regulation 16 representations about the two changes identified on page 121 of the Appendix.
- 15. Appendix 4.** Please comment on the suggestions by HDC in the Regulation 16 representations about the change identified on page 126 of the Appendix.
- 16. Alconbury Design Guide (ADG).** The ADC is referred to in Policy AL 5 Section 1.
- (a) HDC make several observations about the ADG in the Regulation 16 representations, the first of which concerns the distinction between “should” and “could” on page 16. However, I am content with how the ADG treats the distinction. For example, if “should” is strengthened to “required” I consider that a false expectation is raised when, in development management, other material considerations will always be a factor which could outweigh the design policy. **I would be pleased to have comments from both Councils on my view.**
 - (b) I would be pleased to have comments from APC on the other suggestions by HDC for page 46, Figure 27, Figure 28, page 50, Figure 35 and page 65 of the ADG.