

## Mid Suffolk District Council

### Botesdale & Rickinghall Neighbourhood Development Plan



### Submission Consultation Responses

In January 2019 Botesdale and Rickinghall Parish Council (the 'qualifying body') submitted their Neighbourhood Development Plan to Mid Suffolk District Council for formal consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The consultation period ran from Monday 11 February until Wednesday 27 March 2019.

In total, 9 organisations submitted representations. These are listed below and copies of their representations are attached.

Ref No.	Consultee
(1)	Breckland District Council
(2)	Natural England
(3)	Historic England
(4)	Environment Agency
(5)	Anglian Water
(6)	National Grid
(7)	Suffolk County Council
(8)	LRM Planning Limited
(9)	Gladman Developments Ltd

(1) Breckland District Council

**From:** Chapman-Allen, Marion <Marion.Chapman-Allen@breckland.gov.uk>  
**Sent:** 10 February 2019 17:42  
**To:** BMSDC Community Planning <communityplanning@baberghmidsuffolk.gov.uk>  
**Subject:** RE: BOTESDALE & RICKINGHALL NDP - Reg 16 Submission Consultation

Thank you. I have no comments at this time

Regards  
Marion

Sent from my Windows Phone

## (2) Natural England

**From:** SM-Defra-Consultations (NE) <consultations@naturalengland.org.uk>  
**Sent:** 06 March 2019 13:52  
**To:** BMSDC Community Planning <communityplanning@babberghmidsuffolk.gov.uk>  
**Subject:** Natural England Response - Botesdale & Rickinghall Neighbourhood Plan Pre-Submission Consultation (Reg 16)

Our ref: 273251

Dear/Sir/Madam,

RE: Botesdale & Rickinghall Neighbourhood Plan Pre-Submission Consultation (Reg 16)

Thank you for consulting Natural England on the above Neighbourhood Plan.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is unable to provide a response to this consultation, as we have to take a risk based approach in deciding when to provide detailed advice to development plan consultations. The lack of comment from Natural England does not imply that there are no impacts on the natural environment. However we would like to take this opportunity to provide you with information sources that the neighbourhood planning body may wish to use in developing the plan, and to highlight some of the potential environmental risks and opportunities that neighbourhood plans or orders may present: this information is attached. In particular we would draw your attention to the SSSI Impact Risk Zones, available as a GIS dataset. Although designed to be used to help local planning authorities decide when to consult Natural England on developments likely to affect designated sites, they may be of use to you in understanding potential impacts from the Plan on nearby designated sites. The dataset and user guidance can be accessed from the [data.gov.uk](https://data.gov.uk) website.

Natural England has not assessed this Plan for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecologist for advice. Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

Yours faithfully,

Danielle Priestner  
Consultations  
Natural England  
Hornbeam House, Electra Way  
Crewe Business Park  
Crewe, Cheshire CW1 6GJ

email [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk)

[www.gov.uk/natural-england](https://www.gov.uk/natural-england)

# Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

## Natural environment information sources

The [Magic](http://magic.defra.gov.uk/)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)<sup>2</sup>.

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>3</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas** (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>4</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)<sup>5</sup> website and also from the [LandIS website](http://www.landis.org.uk/)<sup>6</sup>, which contains more information about obtaining soil data.

## Natural environment issues to consider

The [National Planning Policy Framework](https://www.gov.uk/government/publications/national-planning-policy-framework--2)<sup>7</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/)<sup>8</sup> sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

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<sup>1</sup> <http://magic.defra.gov.uk/>

<sup>2</sup> <http://www.nbn-nfbr.org.uk/nfbr.php>

<sup>3</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>4</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>5</sup> <http://magic.defra.gov.uk/>

<sup>6</sup> <http://www.landis.org.uk/index.cfm>

<sup>7</sup> <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<sup>8</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

## Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>9</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>10</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

## Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>11</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>12</sup> to help understand the impact of particular developments on protected species.

## Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)<sup>13</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

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<sup>9</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>10</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>11</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>12</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>13</sup> <http://publications.naturalengland.org.uk/publication/35012>

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) <sup>14</sup>).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

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<sup>14</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>



By e-mail to:  
Paul Bryant  
Neighbourhood Planning Officer  
Babergh and Mid-Suffolk Councils

Our ref: PL00075385  
Your ref:  
Date: 14/03/2019

Direct Dial: [REDACTED]  
Mobile: [REDACTED]

Dear Mr Bryant,

**Ref: Botesdale and Rickinghall Neighbourhood Plan Regulation 16 Consultation**

Thank you for your correspondence dated 8<sup>th</sup> February 2019 inviting Historic England to comment on the Regulation 16 Submission version of the Botesdale and Rickinghall Neighbourhood Plan.

We welcome the production of this neighbourhood plan, and are pleased to note that the historic environment of the parish is referred to throughout. Aside from congratulating those involved, we do not wish to provide detailed comments at this time. We would refer you to any previous advice submitted at Regulation 14 stage, and for any further information to our detailed guidance on successfully incorporating historic environment considerations into your neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

I would be grateful if you would notify me if and when the Neighbourhood Plan is made by the district council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed NP, where we consider these would have an adverse effect on the historic environment.

Please do contact me, either via email or the number above, if you have any queries.

Yours sincerely,

[REDACTED]

Edward James  
Historic Places Advisor, East of England  
Edward.James@HistoricEngland.org.uk





Mr Paul Bryant  
Babergh and Mid Suffolk District Council  
Spatial Planning Policy Team  
8 Russell Road  
Ipswich  
Suffolk  
IP1 2BX

**Our ref:** AE/2019/123829/01-L01

**Your ref:**  
Botesdale&Rickinghall/NP/Reg16

**Date:** 22 March 2019

Dear Mr Bryant

**BOTESDALE & RICKINGHALL NEIGHBOURHOOD DEVELOPMENT PLAN 2017 - 2036 - REGULATION 16 CONSULTATION**

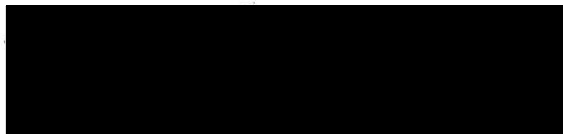
**BOTESDALE & RICKINGHALL PARISH COUNCIL**

Thank you for your consultation dated 08 February 2019. We have inspected the Regulation 16 Submission Draft for the Botesdale & Rickinghall Neighbourhood Development Plan, as submitted, and following our comments provided to the Parish at the Regulation 14 Consultation, letter referenced AE/2018/123685/01 and dated 04 January 2019, we have no further comments to add.

We refer you back to the advice comments in our letter to the Parish at Regulation 14.

We trust that this advice is useful.

Yours sincerely



**Mr Ed Abigail**  
**Planning Advisor**

Direct dial [REDACTED]

Direct e-mail Ed.Abigail@environment-agency.gov.uk





# Response Form

## Botesdale & Rickinghall Neighbourhood Development Plan 2017 - 2036

### The Neighbourhood Planning (General) Regulations 2012 - Regulation 16 (as amended)

#### Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	Mr Stewart Patience
Job Title (if applicable):	Spatial Planning Manager
Organisation / Company (if applicable):	Anglian Water Services Ltd
Address:	Thorpe Wood House, Thorpe Wood, Peterborough
Postcode:	PE3 6WT
Tel No:	██████████
E-mail:	<a href="mailto:sPatience@anglianwater.co.uk">sPatience@anglianwater.co.uk</a>

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	
Address:	
Postcode:	
Tel No:	
E-mail:	

## Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	B&R12
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support  Support with modifications  Oppose  Have Comments

**Please give details of your reasons for support / opposition, or make other comments here:**

We note that it is proposed to designate an area of land as an area of landscape sensitivity as shown on Map 14 based upon the evidence provided by the supporting Landscape Assessment.

Map 14 appears to show Botesdale Water Recycling Centre located on Bury Road, Botesdale in Anglian Water's ownership within this area. However the Landscape Assessment report submitted with the plan does not appear to include an assessment of landscape quality of this area and the reasoning for why this area should form part of the designation.. Botesdale WRC is adjacent to area 1 as identified in the report.

Anglian Water has a statutory obligation as a sewerage undertaker to provide water recycling services to our customers in our area of responsibility. Restrictive designations could result in an unintended barrier to water and water recycling operations and improvements.

*(Continue on separate sheet if necessary)*

**What improvements or modifications would you suggest?**

We would therefore ask that Botesdale WRC be excluded from the proposed designation.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

**I consider that a hearing should be held because ...**

*Please be as brief and concise as possible ..*

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	✓
The final 'making' (adoption) of the Botesdale & Rickinghall NP by Mid Suffolk DC	✓

**Signed: Stewart Patience**

**Dated: 27<sup>th</sup> March 2019**

B&R NP Consultation  
c/o Mr Paul Bryant  
Spatial Planning Policy Team  
Babergh & Mid Suffolk District Council  
Endeavour House  
8 Russell Rd  
Ipswich  
IP1 2BX

Lucy Bartley  
Consultant Town Planner

Tel: [REDACTED]  
[n.grid@woodplc.com](mailto:n.grid@woodplc.com)

Sent by email to:  
[communityplanning@baberghmid.suffolk.gov.uk](mailto:communityplanning@baberghmid.suffolk.gov.uk)

26 February 2019

Dear Sir / Madam

**Botesdale & Rickinghall Neighbourhood Plan Consultation  
SUBMISSION ON BEHALF OF NATIONAL GRID**

National Grid has appointed Wood to review and respond to development plan consultations on its behalf. We are instructed by our client to submit the following representation with regards to the above Neighbourhood Plan consultation.

**About National Grid**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales and National Grid Electricity System Operator (NGESO) operates the electricity transmission network across the UK. The energy is then distributed to the eight electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid previously owned part of the gas distribution system known as 'National Grid Gas Distribution limited (NGGDL). Since May 2018, NGGDL is now a separate entity called 'Cadent Gas'.

To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect National Grid's assets.

**Specific Comments**

An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that it has **no record** of such apparatus within the Neighbourhood Plan area.

## Electricity Distribution

The electricity distribution operator in Babergh and Mid Suffolk Council is Energetics Electricity. Information regarding the transmission and distribution network can be found at: [www.energynetworks.org.uk](http://www.energynetworks.org.uk)

## Appendices - National Grid Assets

Please find attached in:

- Appendix 1 provides a map of the National Grid network across the UK.

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our infrastructure. We would be grateful if you could add our details shown below to your consultation database.

Lucy Bartley  
Consultant Town Planner

[n.grid@woodplc.com](mailto:n.grid@woodplc.com)

Wood E&I Solutions UK Ltd  
Nicholls House  
Homer Close  
Leamington Spa  
Warwickshire  
CV34 6TT

Spencer Jefferies  
Development Liaison Officer, National Grid

[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick  
Warwickshire  
CV34 6DA

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

Yours faithfully

[via email]

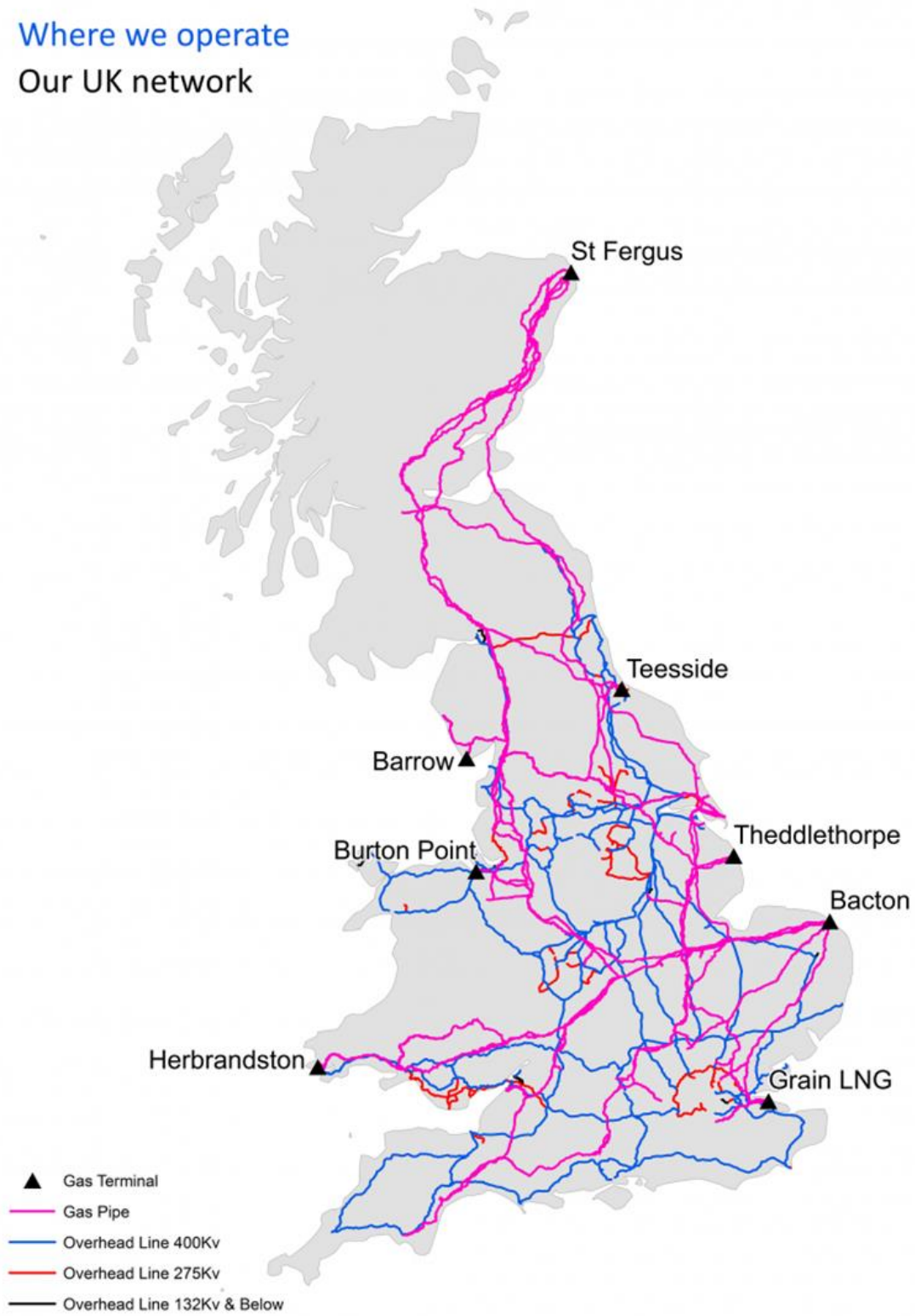
**Lucy Bartley**  
**Consultant Town Planner**

cc. Spencer Jefferies, National Grid

## APPENDIX 1: WHERE NATIONAL GRID'S UK NETWORK

Where we operate

Our UK network



Date: 26<sup>th</sup> March 2019  
Enquiries to: Cameron Clow  
Tel: [REDACTED]  
Email: cameron.clow@suffolk.gov.uk



Robert Hobbs  
Babergh and Mid Suffolk District Councils  
Endeavour House  
Ipswich  
Suffolk  
IP1 2BX

Dear Robert Hobbs,

**Regulation 16 version of the Botesdale and Rickingham Neighbourhood Plan**

Thank you for consulting Suffolk County Council (SCC) on the Regulation 16 version of the Botesdale and Rickingham Neighbourhood Plan.

The County Council welcomes the Parish Councils' efforts in bringing forward this Plan and is grateful for the amendments made in line with SCC's suggestions at the previous consultation stage.

It is noted that the recommendation to amend policy B&R16 was not accepted. Part h of the proposed policy B&R16 states (with emphasis added):

*produce designs, in accordance with standards, that maintain or enhance the safety of the highway network ensuring that all vehicle parking is provided within the plot and seek always to ensure permeability through new housing areas, connecting any new development into the heart of the existing settlement*

The County Council's concern is that, if "all vehicle parking is provided within the plot", it will not be possible to require that the design of development to account for on street parking. Parking on street is inevitable; residents might choose to do so and there are frequently short- and longer-term visitors, such as tradespeople and deliveries.

In considering SCC's recommendation, the Parish Council's consultation statement notes that on-street parking 'can have a significant detrimental impact on accessibility and the built environment.' This is entirely correct and is the reason why SCC recommends that street designs include an appropriate proportion of on-street parking; to manage and reduce impacts on accessibility and the visual impact of vehicular parking. The Suffolk Parking Guidance contains examples of good and bad on street parking. Below are examples from the guidance that SCC want to avoid.



In these examples parking obstructs the footway and visibility. In contrast, the examples below show how on street parking can function, even with more urbanised environments than the Parish is planning for. These are clearly defined parking spaces, meaning vehicles avoid obstructing the footway and impact on visibility is reduced.



For the avoidance of doubt, SCC is not advocating that all parking be on-street. The preference is for parking on the plot, but with provision to be made for on-street parking in a safe and well-designed manner, to respond to peaks in demand.

To prevent street design from making provision for a site's likely on-street parking requirements, as the draft policy does, gives rise to increased risks to accessibility and design quality. Therefore, in the absence of this change, the County Council does not support policy B&R16, and recommends amendment as set out in the letter dated 21 December 2018.

In respect of the Basic Conditions and this policy, SCC offers the following thoughts:

*a) Regard to national policies and advice contained in guidance issued by the Secretary of State*

NPPF 102e) states "transport issues should be considered from the earliest stages of plan making and development proposals so that... patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places"  
NPPF 110c) states "applications for development should... create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards."

Changes to policy B&R16 would enable a proportion of well designed, integrated on street parking allowing the plan to align with the above parts of national planning policy and so meet basic condition a.



*d) Contributes to the achievement of sustainable development*

Unplanned on street parking can lead to unattractive and obstructed streets, as highlighted by the parish council. This can be particularly challenging for people with mobility issues, where cars park partially on footways, leaving people with less room to navigate the street. This is likely to occur without on-street parking being designed into developments. As a result, the policy would result in a less inclusive and safe street and so the policy would fail to meet the social objective of achieving sustainable development and so not meet basic condition d.

*e) General conformity with the strategic policies for the area*

Policy CS5 of the Mid Suffolk Core Strategy (adopted September 2008) includes the following requirement.

*Design: Development will be of a high quality design that respects the local distinctiveness and the built heritage of Mid Suffolk, enhancing the character and appearance of the district. It should create visual interest within the street scene and where appropriate encourage active uses at ground floor level, creating uses of public space which encourage people to walk and cycle.*

Street designs which do not make appropriate provision for on-street parking threaten the implementation of this policy, as poorly designed streets can lead to vehicular parking which is both visually unattractive and, in reducing accessibility, acts as an obstacle to walking and cycling. Without amendment, the policy would not meet basic condition e.

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I hope that these comments are helpful. SCC is always willing to discuss issues or queries you may have. If there is anything raised in this letter that you would like to discuss, please contact Cameron Clow, whose details are at the top of this letter.

Yours sincerely,



James Cutting  
Planning Strategy Manager



Date: 26<sup>th</sup> March 2019  
Our Ref: MJR/18.314

B&R NP Consultation  
c/o Mr Paul Bryant,  
Spatial Planning Policy Team  
Babergh & Mid Suffolk District Councils  
Endeavour House  
8 Russell Road, Ipswich  
IP1 2BX

Dear Mr Bryant,

### **Regulation 16 Botesdale and Rickenhall Neighbourhood Plan Pre-Submission Consultation**

I am writing on behalf of my clients, Llanover Estate in response to the Regulation 16 consultation on the Botesdale & Rickenhall Neighbourhood Plan (hereafter NP). Our clients control site B&R7 "land south of Diss Road" which already benefits from planning permission along with a wider area of land that is capable of assisting the community in meeting its own needs to 2036 (and beyond) in respect of housing and community facilities / infrastructure.

In addition to this covering letter our submission includes:

- Duly completed forms;
- Enclosure 1: Appraisal of the sites submitted to MSDC against the objectives of the Neighbourhood Plan;
- Red Line plan;
- Plan 1: suggested amendments to MAP 13 to reflect application 17/02760;
- Plan 2: Short term opportunity- potential extension to application 17/02760; and
- Plan 3: Longer term opportunity – potential extension to application 17/02760.

Our representations are submitted as a follow up to our previous Parish Council consultation submission which included the additional area of land that is within our clients ownership. We do not repeat our comments in detail herein rather this submission is intended to supplement the representations previously made based on the additional information that has now been published by the Parish within the Basic Conditions Test and the Consultation reports.

We would reiterate in the first instance that we are supportive of the principle of the preparation of the NP, we believe that it is vital for communities to be actively involved in planning positively for their futures through the planning system. However, we are concerned that the process in the Plan's current form does not meet the basic conditions and in any event will be out of date shortly due to the progress of the Joint Local Plan which will supersede the NP and render this process abortive. We believe that it would be more appropriate in plan-making terms to align the NP with the JLP.

Notwithstanding the above, in order for the NP to proceed to independent examination and then referendum, it is required to meet the Basic Conditions as set out in Paragraph 8(2) of Schedule 4B of

the Town and Country Planning Act (1990) as applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004.

We are concerned that the NP presently fails to meet these Basic Conditions with respect to housing, employment and community provision and should not proceed to examination for the following reasons:

1. The Plan's proposals do not have regard to national policies and advice contained within guidance issued by the Secretary of State;
2. It does not contribute to the achievement of sustainable development; and
3. It is not in general conformity with the strategic policies contained within the development plan for the area.

We believe that there are steps that can be made to remedy these problems. We would suggest that in the first instance its preparation is delayed in order to allow it to align with the JLP and subsequently additional new sites should be identified in order to meet the needs of the villages and identify a robust housing and employment requirement over the entire plan period to 2036 rather than relying upon sites that already have planning permission and meet existing needs not future needs.

We set out our comments accordingly based on the above basic conditions tests (albeit there is considerable overlap between the three areas):

### 1. Regard to National Planning Policy

National guidance is set out within the National Planning Policy Framework (NPPF). Under the transitional arrangements the 2012 version applies to the Neighbourhood Plan.

NPPF (2012) at para 14. indicates ***“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”***. For plan-making (including neighbourhood plans) it is clear that this means that plans should positively seek opportunities to meet the development needs of their area and they should meet objectively assessed needs. By relying upon existing commitments (i.e. sites that already have planning permission) and setting no formal housing requirement up to 2036 we believe that the NP is in conflict with National Planning Policy.

This intent is underlined by the Government's requirement to ***“boost significantly the supply of housing land”*** (para 47) and the requirement at Para 50 ***“to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities”*** and in achieving this:

- ***plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes); and***
- ***identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.***

In terms of economic growth, the NPPF also sets out the Government's priority for the creation of a ***“strong, competitive economy”***. Para 28 is clear that Planning policies should ***“support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development”*** and furthermore that neighbourhood plans should ***“support the sustainable growth and expansion of all types of business and enterprise in rural areas”***.

However, the NP does not seek to achieve any of these aims, rather it relies upon existing housing commitments (B&R2) and makes no provision for employment (B&R18). We believe that in not seeking to meet needs the NP is in conflict with national policy and there are numerous problems that the NP would face.



It is important to note that the Mid Suffolk and Babergh Joint Local Plan (JLP) is being prepared under the more up to date requirements of the 2019 version of the NPPF. In accordance with para. 65 of the NPPF, the JLP will establish a new housing requirement for Botesdale and Rickenhall to 2036. This will distribute growth amongst the main locations for growth which include the NP area. We note within the NP that an assumption has been made (para 9.2 and 9.3) that the level of new allocations to be identified across the district will be 6670 (with 15% to 30% to be distributed across the core villages), this approach is simplistic and misleading for the following reasons:

1. the figure of 6670 will need to be updated when the next version of the JLP is published. Importantly this will exclude completions and sites with planning commitments. Therefore there will be a new requirement for sites to be identified across the Authority (commitments cannot be double counted as new allocations as well as commitments); and
2. the strategy will need to determine an appropriate level of growth for each of the core villages, those that score highly (such as Botesdale and Rickenhall) in the Council's evidence base will clearly be expected to accommodate more growth.

This is likely to result in a conflict between the JLP and the NP, as two differing approaches to the provision of housing will exist. In such circumstances, the conflict will be resolved in favour of the most up-to-date development plan document, which in this case will be the JLP rendering the NP out-of-date in a relatively short period of time.

Until the JLP is adopted any planning application that is submitted for housing within the Neighbourhood Plan area will be determined on the basis of the 2019 NPPF. Indeed, where there is no 5 year housing land supply para 11 of the 2019 version of the NPPF indicates that decisions should apply a presumption in favour of development where the relevant policies are out of date. As such policy B&R1 would be considered to be out of date as soon as it is adopted. The current version of the NP (para 4.2) refers to there being a five year land supply for Mid Suffolk, however, this is not the case. Appeal decision (APP/W3520/W/18/3194926) published in September 2018, found numerous procedural problems with the published land supply position and in fact concluded that **"it is highly likely that the Council's HLS is less than 3.4 years."** The appeal decision stated that the Council's local housing need is **"585 dwellings per annum (dpa) and a 20% buffer is to be applied. This amounts to 3,510 dwellings for the next five years, or 702 dpa"**. Planning applications will be determined on this basis until the shortfall is remedied. We believe that the NP could take more positive steps to help address this shortfall or risk unplanned growth based on speculative planning applications to meet needs.

Accordingly, the approach taken is directly at odds with the policies of National government which require future needs to be identified and planned for in a positive way.

We note that further guidance is set out within NPPG, we do not repeat all of the points previously made, however we believe there are a number of highly relevant points:

1. NPPG Paragraph: 043 Reference ID: 41-043-20140306) indicates that **"A local planning authority should share evidence with those preparing the neighbourhood plan, in order for example, that every effort can be made to meet identified local need through the neighbourhood planning process."** There is an opportunity for the two plans to be more closely aligned, however, in the consultation statement the Parish indicates that there is no need to do this and the Council would not provide information. This may be due to additional work being undertaken on the JLP to respond to the most up to date version of the NPPF. Indeed, the housing requirement will be known shortly (the JLP is due to be consulted upon during the summer) and in the highly likely event that the two plans are in conflict, the most recent will take precedence (Paragraph: 084 Reference ID: 41-084-20180222). Plainly there is significant value in seeking to align the two plans, this may well mean a slight delay to the NP however, this would be preferable to all the work presently being undertaken being abortive;



2. Leading on from the previous point, NPPG (Paragraph: 042 Reference ID: 41-042-20170728) indicates that **“A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.”** However the latest sites submitted as part of the JLP process have not been considered rather it is most likely that they will now be identified through the JLP and new allocations around the villages identified in that way; and
3. NPPG (072 Reference ID:41-072-20140306) requires that all plan-making and decision-taking should help to achieve sustainable development (condition d). A qualifying body preparing a neighbourhood plan must **“demonstrate how its plan or Order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to how any potential adverse effects arising from the proposals may be prevented, reduced or offset”**. We consider other NPPG requirements in respect of sustainability in the following section however, in not meeting existing and future needs then it cannot be the case that sustainable outcomes are achieved.

For reasons that we set out in our previous representation (to the Parish Council) and herein we believe that the Plan in its present form does not comply with the requirements of National Policy and will not lead to a sustainable outcome (which we consider in the next section).

## 2. Contribution towards sustainable development

It is clear from the previous section that the underlying aim of National Policy is the achievement of sustainable development. Indeed, this is the “golden thread” running through the planning system. Accordingly, the NPPF sets out the following three overarching objectives for meeting sustainable development which it indicates are interdependent and need to be pursued in mutually supportive ways:

- a) ***an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;***
- b) ***a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and***
- c) ***an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.***

However, we are fundamentally concerned that in its present form it will not be possible for the plan to contribute towards achieving sustainable development as it does not cater for the social and economic objectives and in particular meeting the needs of its communities.

In the first instance, the plan (section 9) will not cater for the most up to date housing requirement in accordance with the Standard Method rather it relies upon existing commitments that are meeting the existing shortfall in the Local Plan requirement. In this regard the Basic Conditions statement (page 10) simply indicates that the plan *“identifies the amount of new housing that will be constructed during the plan period and allocates sites where the majority of these homes will be built”* and indicates that the housing policies make *“provision for the lifetime of the Plan”*. However as noted in the previous section this is not the case and by failing to address the most up to date requirements there cannot be a sustainable outcome (as we note in the previous section).

The Consultation statement indicates that because there are no detailed proposals on the outline applications there is “no demand”. This is not the case and is not how “need” is calculated. With regards



to existing commitments (with outline planning permission), it is important to understand the process and timings between outline permission being granted (approval in principle) and a RM application being submitted.

Indeed, in between outline planning permission being granted and a Reserved Matters application being submitted, there will be considerable work undertaken on detailed elements of the scheme (including technical work and design). For instance, on our clients site, since outline permission was granted in summer 2018, a marketing exercise was undertaken in order to dispose of the site (for which there was considerable demand) and a preferred developer chosen. That developer is now preparing a detailed scheme in discussions with the Council and other stakeholders with a view that a RM application will be submitted shortly. As such it is very misleading to suggest that there is a lack of demand. Any prolonged delay in a detailed submission coming forward is more likely to be due to a constraint or technical solution which underlines the problem with a limited supply of sites.

This confirms the importance of having a suitable and deliverable supply of sites as where there is an outline permission *“it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”*

Secondly, we indicated previously that by failing to plan for future needs, in its present form the Plan does not address the issues that it has identified and nor will it meet its own objectives. It does not provide for employment land and we note that the evidence base identified a number of demographic issues that are to be addressed, these include:

- *“Given the low proportion of 20-34 year olds in the villages, the evidence base recommends that the Plan should consider how to make the village more accessible, affordable and attractive to young working age adults and young families”. And*
- *“Population projections for Mid Suffolk suggest that the pattern of Botesdale and Rickenhall having an older population than typical for England or Suffolk will persist, with the proportion over 65 increasing substantially. The Plan should consider future access to housing for older residents with health and mobility needs and care services;”*

The consultation statement indicates that the allocated sites can adequately address these problems through the detailed design stage. Unless there is a specific condition attached to any of the outline permissions (or they are intended for a specific use class i.e. C2 for residential care), then there will be **no requirement** for any of the detailed applications to address these needs (nor those in B&R9, 10 and 11). There may be affordable housing contributions but these will be dictated by the Council’s waiting list. It cannot be considered a sustainable outcome (nor in line with national policy) to have no means of addressing the identified needs of the villages.

Thirdly, the basic conditions statement simply indicates that a suitable supply of homes will be provided. However, this in itself will not be the case (for the reasons set out herein). It does not demonstrate that the Plan will achieve a sustainable outcome and whilst we note that there is “No legal requirement” for a sustainability appraisal this would be a useful tool for flagging up issues to be addressed.

### 3. General Conformity with the Development Plan for the area

The statutory development plan for the Neighbourhood Plan area comprises the following documents:

- (i) The Mid Suffolk District Local Plan 1998 (MSDLP) which was saved in accordance with the Secretary of State’s Direction dated 14 September 2007;
- (ii) The Mid Suffolk District Core Strategy 2008 (CS), as adopted in September 2008 covering the period until 2025; and
- (iii) The Core Strategy Focused Review 2012 (CSFR) as adopted on 20 December 2012 covering the period until 2027.



In the first instance, the Neighbourhood Plan timeframe does not accord with any of these periods. Rather it significantly extends the period through to 2036 without soundly based housing, employment, community, commercial and infrastructure requirements. In meeting needs, any current sites identified only meet existing needs from these periods rather than future needs. In NPPF (2019) terms these are considered to be out of date for the purposes of policies related to housing.

It is the vision of the Core Strategy that the main residential growth will be focused within the main towns and the Key Service Centres, also accommodating appropriate levels of residential growth with appropriate objectives of focusing development in these locations.

Policy CS 1 confirms that Botesdale / Rickingham is one of a small number of Key Service Centres where the majority of new development (including retail, employment and housing) will be directed including 25% of all housing allocations. Clearly therefore the NP area is a key focus for growth in the period to 2027 and the commitments (with planning permission) are meeting the existing need.

Where there is a significant shortfall of housing land (a 3.4 year supply) it is expected that such locations will need to identify additional sustainable land for housing.

### Land South of Diss Road

As stated above, it is important to understand that the principle of development has been established and Reserved Matters applications (which are due shortly) will comply with the principle already established. The Plan has not been amended to reflect the outline planning application as we suggested. As such it must be recognised that the plan in respect of our clients site is only informative and can only apply should a new planning application be submitted. Indeed, it cannot make additional requirements that are outside the scope of the established permission. It is important to note that a Reserved Matters application is not a new planning application (or permission) rather it is the discharge of planning conditions pursuant to the outline application.

Indeed, we remain of the view that MAP 13 should be updated (B&R7) as per our previous comments and submission (plan 1). If this is not updated then it should be made clear that this would only be relevant to new applications and cannot change planning permissions that have already been granted.

Given our view in respect of aligning the NP with the JLP, we would restate our comments in respect of the wider area of land our clients have submitted to Mid Suffolk District Council for their consideration (as shown in the submitted red line plan). The wider area of land (plans 2 and 3 attached) could over the long term accommodate additional residential and employment development, open space and community uses.

Indeed, we consider that actively planning for the future is an appropriate way of addressing some of the problems that the villages are facing (in attracting and retaining young families) and seeking to achieve the vision and objectives in a sustainable manner. In this regard we have prepared two options as to how our clients site can contribute towards the future of the village.

If our clients land is considered comprehensively then:

1. It provides the potential to provide additional residential development that could include specialist accommodation for younger people / families, and for the elderly;
2. it provides an opportunity for land to be provided that could accommodate a new community building in a central sustainable location adjacent to an existing facility, which could help achieve a number of the Parish's aspiration for a multi-use building for community use – could include postal counter service, archive / museum, child youth facilities, after school clubs, indoor sports; clubs; music room, cinema screenings, and associated parking);



3. It provides the opportunity for green infrastructure to be included that could include formal play facilities as part of any wider review of open space.

We consider that this would give rise to a more sustainable outcome, the appraisal in Enclosure 1 sets out how it will contribute towards the plans objectives.

### **1. Short term Opportunity – potential extension to application ref. 17/02760 (plan 2)**

An initial option for the extension of land south of Diss Road has been prepared and comprises:

- c.1.8ha of additional land to the south of the existing planning consent
- potential to provide an additional 30 to 50 dwellings;
- potential to provide specific accommodation for the elderly and / and or young families in line with the evidence base;
- an additional 0.19ha of Public Open Space;
- up to c. 2.5ha of land potentially set aside for community / recreation uses; and
- vehicular access via the existing consented scheme with further footpath links.

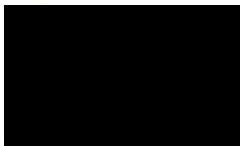
### **2. Longer term opportunity – potential extension to application ref. 17/02760 (plan 3)**

An alternative and larger area of land has also been identified that could provide for the longer term needs of the community and would allow for additional provision of resources. This includes the following that we propose would be phased according to need over the course of the Plan to 2036 (and beyond if required):

- c. 11 ha of additional land to the south and east of the existing planning consent;
- potential to provide a mixture of housing and employment to meet future needs;
- a long term comprehensive approach to the future sustainability and viability of the communities;
- potential to provide specific accommodation for the elderly and / and or young families in line with the evidence base;
- 3.4 ha of potential open space;
- c. 2.5ha of land potentially set aside for community / recreation uses;
- a financial contribution towards the construction of a new community focussed building;
- vehicular access via the existing consented scheme and existing routes along with further footpath links; and
- a self-contained development area which would not increase traffic through the villages, preserving the existing character.

I trust that this is of assistance and look forward to receiving confirmation of receipt. We would welcome the opportunity for an early meeting with the District in order to discuss how our clients land can help contribute to the vision of the Neighbourhood. Should you need any further information or explanation in the meantime, please do not hesitate to contact me.

Yours sincerely,



**Michael Rees**  
**Director**  
**LRM Planning Ltd**





**Enclosure 1: Appraisal of the sites submitted to MSDC against the objectives of the Neighbourhood Plan**

Objective of the Plan	Score	Comment
<b>Historic and Natural Environment Objectives</b>		
1. Conserve and enhance the heritage assets of Botesdale and Rickinghall.	0	Through design and citing there is unlikely to be an adverse impact upon any heritage assets, this would be ensured at the detailed design stage through a detailed planning application
2. Protect and improve the features which contribute to historic character.	+	There is potential to enhance the entrance to the village from the north through careful design and landscaping with both options presented.
3. Maintain the villages' rural setting.	+	Careful design can ensure that development meets needs but does not adversely impact upon the rural setting. It is expected that landscape buffers and design would be incorporated into proposals that could safeguard this position.
4. Protect the important green spaces, woodland and countryside and public rights of way.	+	The proposals shown in plans 2 and 3 provide an opportunity to identify enhancement opportunities in wider land within the same ownership.
5. Protect important views and links to the wider countryside.	+	Important views identified within the evidence base can be incorporated into future proposals through design.
6. Promote the inclusion of native planting in and developments.	++	The proposals could consider this at the detailed planning stage.
<b>Housing and Development Objectives</b>		
7. Ensure that the amount of new housing growth in Botesdale and Rickinghall, collectively a Core Village, is appropriate and of a scale that the local infrastructure can support.	++	The proposals will contribute towards future requirements with plan 3 looking to provide an appropriate level of housing and facilities for the life of the plan and beyond.
8. Deliver housing that is tailored to the needs of local residents	++	The proposals could provide a range of types of accommodation subject to local need.
9. Ensure all development is of a high-quality design, eco- friendly and of a scale and nature that reinforces local character.	++	This could be considered through the detailed planning stage.
10. Deliver development that is permeable by pedestrians and	++	The proposals allow for permeability to be incorporated.



cyclists and has improved access to rights of way in and around the villages		
<b>Jobs, Services and Facilities</b>		
11. Protect and improve the facilities and services.	++	The proposals provide the opportunity to create additional facilities and jobs that are identified within the plan as aspirations. Plainly with plan 3 there is scope for proposals to meet a wider range of needs and provide a greater community / employment offer.
12. Ensure that the broadband and mobile connectivity throughout the Plan Area meets the domestic, social and business needs of the community.	0	The proposals could contribute towards this objective.
13. Support small-scale business creation and retention.	+	The proposals will support local businesses. Plan 3 allows for potential employment land.
<b>Transport and Travel</b>		
14. Support and encourage safe and sustainable transport, including walking, cycling and public transport.	+	The proposals provide an opportunity to contribute towards safe transport routes.
15. Improve bus services to enable access to services, secondary and tertiary education and employment	+	The proposals could provide a contribution towards bus services.





# Response Form

## Botesdale & Rickinghall Neighbourhood Development Plan 2017 - 2036

### The Neighbourhood Planning (General) Regulations 2012 - Regulation 16 (as amended)

#### Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	
Job Title (if applicable):	
Organisation / Company (if applicable):	Llanover Estate
Address:	c/o Agent
Postcode:	
Tel No:	
E-mail:	

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	LRM Planning
Address:	Nyewood Court, Brookers Road, Billingshurst
Postcode:	RH14 9RZ
Tel No:	██████████
E-mail:	michaelrees@lrmpanning.com

## Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	Section 9 Housing	Policy No.	B&R2, 7, 9, 10 & 11
---------------	-------------------	------------	---------------------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support  Support with modifications  Oppose  Have Comments

**Please give details of your reasons for support / opposition, or make other comments here:**

*Please be as brief and concise as possible ..*

**For the reasons set out in our covering letter the approach taken towards housing and within the above policies does not meet the basic conditions set out within our covering letter.**

*(Continue on separate sheet if necessary)*

**What improvements or modifications would you suggest?**

*Please be as brief and concise as possible ..*

**For the reasons set out, we believe that the plan should be delayed in order to align with the JLP and additional land for development should be identified. Our clients site provides an opportunity to meet housing, employment and community needs.**

*(Continue on separate sheet if necessary)*

If you are including additional pages these should be clearly labelled and referenced.

**Section Two: Your representation(s)**

**To which part of the document does your representation relate?** (*You may wish to complete a separate form for each separate representation*)

<b>Paragraph No.</b>	Section 11	<b>Policy No.</b>	B&R 18 and 21
----------------------	------------	-------------------	---------------

**Do you support, oppose, or wish to comment on this paragraph?** (Please tick one answer)

Support  Support with modifications  Oppose  Have Comments

**Please give details of your reasons for support / opposition, or make other comments here:**

*Please be as brief and concise as possible ..*

**For the reasons set out in our covering letter the approach taken towards jobs and services and within the above policies does not meet the basic conditions set out within our covering letter.**

*(Continue on separate sheet if necessary)*

**What improvements or modifications would you suggest?**

*Please be as brief and concise as possible ..*

**For the reasons set out, we believe that the plan should be delayed in order to align with the JLP and additional land for development should be identified. Our clients site provides an opportunity to meet housing, employment and community needs.**

*(Continue on separate sheet if necessary)*

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

**I consider that a hearing should be held because ...**

*Please be as brief and concise as possible ..*

**Due to the significant policy issues involved.**

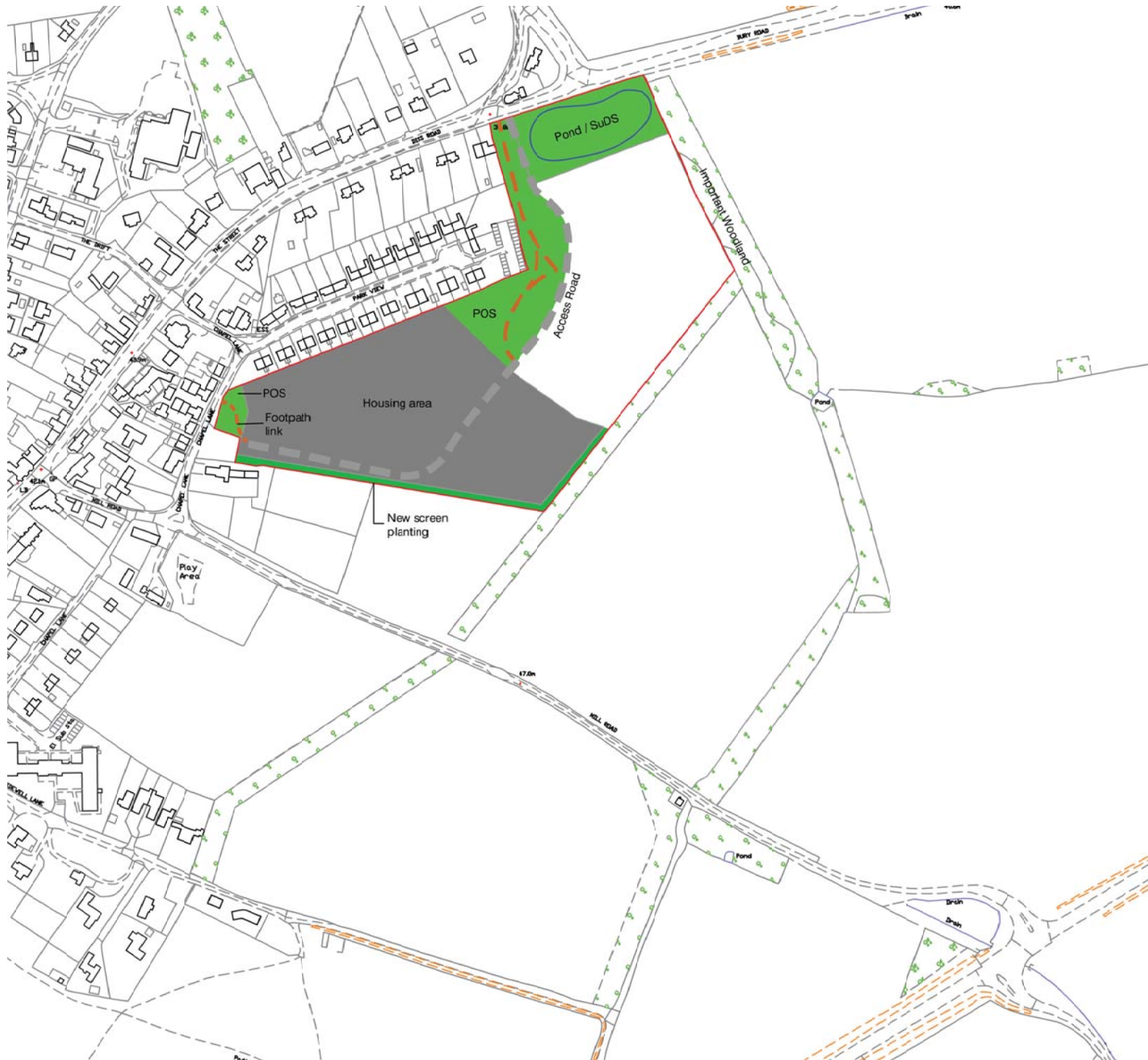
*(Continue on separate sheet if necessary)*

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	x
The final 'making' (adoption) of the Botesdale & Rickingham NP by Mid Suffolk DC	x

**Signed: Michael Rees**

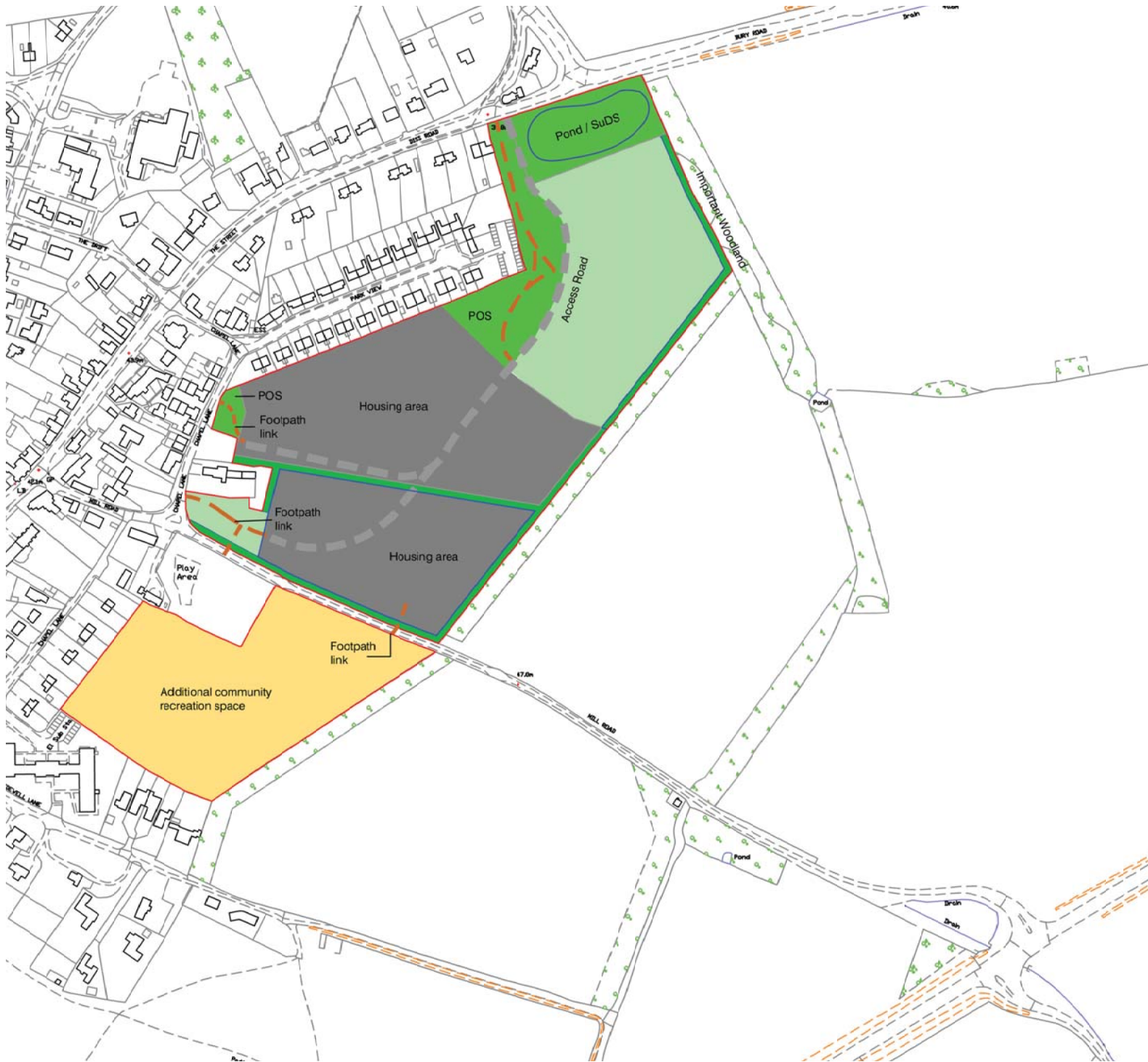
**Dated: 26/3/2019**



# PLAN 1

Amendments to Map 13  
- to reflect app. 17/02760

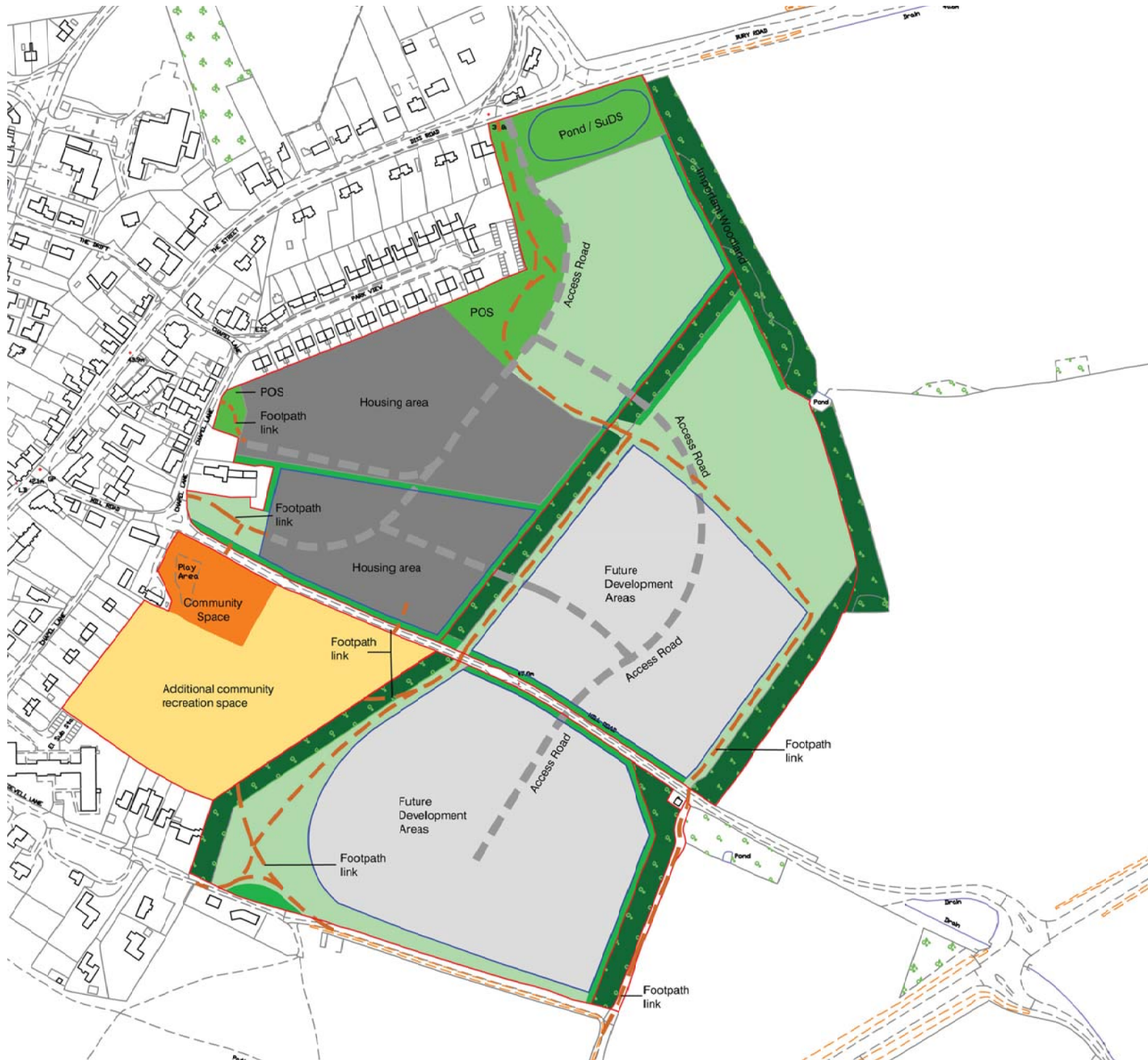
Plans Not To Scale | DECEMBER 2018



# PLAN 2

Short Term Opportunity  
- Potential extension to app. 17/02760





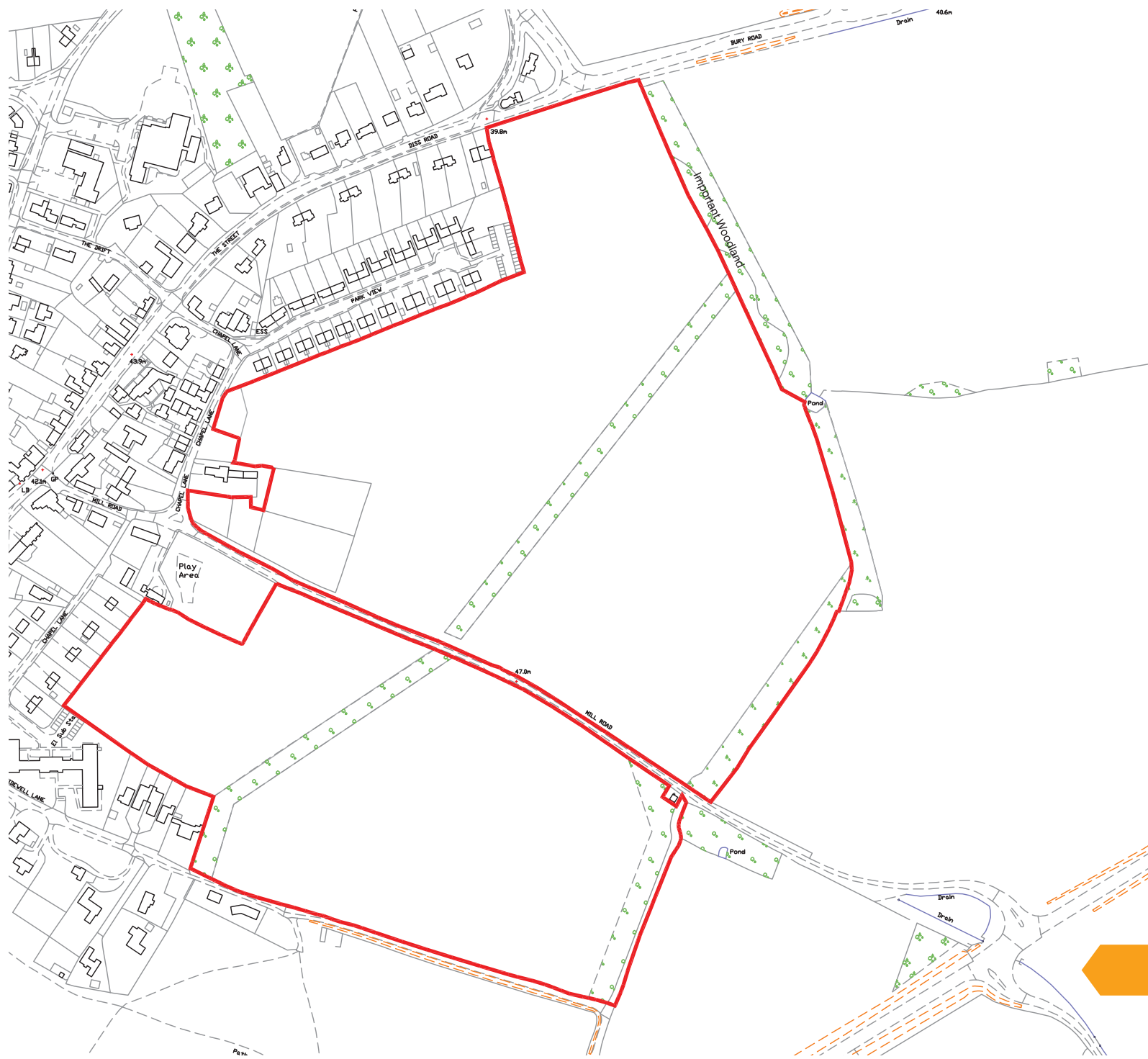
## PLAN 3

Longer Term Opportunity  
- Potential extension to app. 17/02760

Plans Not To Scale | DECEMBER 2018



Red line area = 24.0 Ha



Red Line

Spatial Planning Policy Team,  
Babergh & Mid Suffolk District Council,  
Endeavour House,  
8 Russell Road,  
Ipswich,  
IP1 2BX

Gladman House, Alexandria Way  
Congleton Business Park  
Congleton, Cheshire  
CW12 1LB

T: [REDACTED]  
F: [REDACTED]

By email only to: [communityplanning@baberghmidsuffolk.gov.uk](mailto:communityplanning@baberghmidsuffolk.gov.uk)

[www.gladman.co.uk](http://www.gladman.co.uk)

**RE: Botesdale and Rickinghall Neighbourhood Plan Regulation 16 Consultation**

Dear Sir/Madam,

This letter provides Gladman Developments Ltd (Gladman) representations in response to the draft version of the Botesdale and Rickinghall Neighbourhood Plan (BRNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This letter seeks to highlight the issues with the plan as currently presented and its relationship with national and local planning policy. Gladman has considerable experience in neighbourhood planning, having been involved in the process during the preparation of numerous plans across the country, it is from this experience that these representations are prepared.

**Legal Requirements**

Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The basic conditions that the BRNP must meet are as follows:

- (a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.*
- (d) The making of the order contributes to the achievement of sustainable development.*
- (e) The making of the order 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).*
- (f) The making of the order does not breach, and is otherwise compatible with, EU obligations.*
- (g) Prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).*

**Revised National Planning Policy Framework**

On the 24th July 2018, the Ministry of Housing, Communities and Local Government published the revised National Planning Policy Framework. The first revision since 2012, it implements 85 reforms announced previously through the Housing White Paper. This version was itself superseded on the 19<sup>th</sup> February 2019, with the latest version, largely only making alterations to the Government's approach for the Appropriate Assessment as set out in Paragraph 177, clarification to footnote 37 and amendments to the definition of 'deliverable' in Annex 2.

Paragraph 214 of the revised Framework makes clear that the policies of the previous Framework will apply for the purpose of examining plans where they are submitted on or before 24th January 2019. Given that the BRNP was submitted to the Council before this date, the comments below reflect the relationship between Neighbourhood Plans and the National Planning Policy Framework adopted in 2012.

**National Planning Policy Framework and Planning Practice Guidance**

The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of neighbourhood

plans to be in conformity with the strategic priorities for the wider area and the role in which they play in delivering sustainable development to meet development needs.

At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread through both plan-making and decision-taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change. This requirement is applicable to neighbourhood plans.

The recent Planning Practice Guidance (PPG) updates make clear that neighbourhood plans should conform to national policy requirements and take account the latest and most up-to-date evidence of housing needs in order to assist the Council in delivering sustainable development, a neighbourhood plan basic condition.

The application of the presumption in favour of sustainable development will have implications for how communities engage with neighbourhood planning. Paragraph 16 of the Framework makes clear that Qualifying Bodies preparing neighbourhood plans should develop plans that support strategic development needs set out in Local Plans, including policies for housing development and plan positively to support local development.

Paragraph 17 further makes clear that neighbourhood plans should set out a clear and positive vision for the future of the area and policies contained in those plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. Neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Paragraph 184 of the Framework makes clear that local planning authorities will need to clearly set out their strategic policies to ensure that an up-to-date Local Plan is in place as quickly as possible. The Neighbourhood Plan should ensure that it is aligned with the strategic needs and priorities of the wider area and plan positively to support the delivery of sustainable growth opportunities.

### **Planning Practice Guidance**

It is clear from the requirements of the Framework that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted development plan. The requirements of the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

On 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these update a number of component parts of the evidence base that are required to support an emerging neighbourhood plan.

On 19th May 2016, the Secretary of State published a further set of updates to the neighbourhood planning PPG. These updates provide further clarity on what measures a qualifying body should take to review the contents of a neighbourhood plan where the evidence base for the plan policy becomes less robust. As such it is considered that where a qualifying body intends to undertake a review of the neighbourhood plan, it should include a policy relating to this intention which includes a detailed explanation outlining the qualifying bodies anticipated timescales in this regard.

Further, the PPG makes clear that neighbourhood plans should not contain policies restricting housing development in settlements or preventing other settlements from being expanded. It is with that in mind that Gladman has reservations regarding the BRNP's ability to meet basic condition (a) and this will be discussed in greater detail throughout this response.

### **Relationship to Local Plan**

To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan. The adopted Development Plan relevant to the preparation of the BRNP is the Mid Suffolk Core Strategy adopted in 2008 and the subsequent Core Strategy Focused Review which was undertaken and adopted by the Council in December 2012.

Mid Suffolk District Council are working with neighbouring authority Babergh District Council to produce a new Joint Local Plan, having consulted on the Issues and Options document in late 2017. The Parish Council should be mindful of this document as it emerges and draft the policies within the BRNP as flexibly as possible to minimise any potential conflicts with the emerging Joint Local Plan.

The housing requirement in the Joint Local Plan will be based upon the new standardised methodology for calculating local housing needs. On 20th February 2019 the Government confirmed further revisions to the PPG on Housing and Economic Development Needs Assessments, identifying that the 2014-based household projections should now form the starting point when assessing an authority's Local Housing Need figure. This update has been introduced to ensure that the outputs of the standard method are consistent with the Government's goal in the Planning for the Right Homes in the Right Places consultation to build 300,000 homes per annum by the mid-2020s. This follows the release of the 2016-based household projections in September 2018, which forecast a lower level of household growth than previously envisaged.

The emerging Joint Local Plan proposes to designate Botesdale and Rickingham as a Core Village and consulted on a number of options for the percentage of the districts growth that would be appropriate in these settlements. The level of growth that these settlements are required to deliver is yet to be determined and as such the BRNP should be as flexible as possible regarding the level of development proposed. A failure to include sufficient flexibility will affect the longevity of the BRNP and conflicts will be superseded by the Joint Local Plan when adopted under Section 38(5) of the Planning and Compulsory Purchase Act 2004.

### **Botesdale and Rickingham Neighbourhood Plan**

This section highlights the key issues that Gladman would like to raise with regards to the content of the BRNP as currently proposed. It is considered that some policies do not reflect the requirements of national policy and guidance, Gladman have therefore sought to recommend a series of modifications to the plan to ensure compliance with the basic conditions.

#### **Policy B&R 1 – Spatial Strategy**

Gladman would object to the use of settlement limits if these would preclude otherwise sustainable development from coming forward. The Framework is clear that development which is sustainable should go ahead. The use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements would not accord with the positive approach to growth required by the Framework.

The BRNP has sought to determine a housing figure to plan for and allocate sites, making revisions to the settlement boundary to reflect this. However, if this housing figure has not been derived from discussions with the Council it is likely that this housing figure will change in the short term, following publication of the draft Joint Local plan. To minimise potential conflicts with the emerging Joint Local Plan, Gladman submit that this policy should be drafted more flexibly with demonstrably sustainable development adjacent to the settlement boundary also supported.

This issue is very similar to the examination of the Godmanchester neighbourhood plan<sup>1</sup>. In this example the Examiner found a change should be made to the policy to support sustainable development within and adjoining the settlement boundary due to the settlements position within the settlement hierarchy and the likelihood that housing needs would change in the settlement due to neighbourhood plan looking ahead over 10 years beyond the adopted plan period. These issues are very similar to what is encountered here in Botesdale and Rickingham and as such Gladman suggest that a similar change to that in Godmanchester is made to the BRNP.

#### **Policy B&R 2 – Housing Development**

Recognising that at this current time of preparing the neighbourhood plan it is difficult to ascertain what the housing needs of Botesdale and Rickingham will be over the plan period. Gladman suggest that the housing target of the BRNP should be identified as a minimum with the wording of the policy amended to state 'at least'. This will add important flexibility to the plan should housing needs of the neighbourhood area change as the emerging Joint Local Plan progresses.

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<sup>1</sup> <http://www.huntingdonshire.gov.uk/media/2780/godmanchester-neighbourhood-plan-examiner-final-report.pdf>

## **Policy B&R 10 – Delivering homes to meet the needs of all potential occupants and Policy B&R 11 – Housing Space Standards**

Gladman consider the contents of both of these policies to be strategic issues, affecting not only the BRNP area but having district wide implications and are therefore best left to the Council to determine. These policies should therefore be removed from the BRNP. Noting the Steering Groups concerns in relation to our Regulation 14 response that Local Plan policies on the issue are some way off, seeking the provision of these requirements needs to be fully justified with demonstration of a need as well as viability implications on proposed developments tested. Gladman have seen no evidence to demonstrate this and as such these policies should be removed.

### **Conclusions**

Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the BRNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.

Gladman is concerned that the plan in its current form does not comply with basic condition (a). The plan does not conform with national policy and guidance. Gladman hopes you have found these representations helpful and constructive. If you have any questions do not hesitate to contact me or one of the Gladman team.

Yours faithfully,

Richard Agnew  
Planner  
Gladman Developments Ltd.