

Woolpit Neighbourhood Development Plan

Independent Examination - Consultation on Proposed Significant Modifications

Between 22 June and 13 July 2020, and at the request of the request of the Independent Examiner, Mid Suffolk District Council undertook a focused, two-week consultation on proposed significant modifications to the Woolpit NDP. These were first set out in an 'Open Letter' from the Examiner to Woolpit Parish Council dated 4 March 2020. They were further confirmed in a letter from the Examiner dated 24 June 2020. The proposed significant modifications are as follows:

"The deletion of Policy WPT1 (Spatial Strategy). The sites identified in Policies WPT3 (Land S of Old Stowmarket Road) and WPT4 (Land E of Green Lane) would remain as existing commitments, rather than allocations. The deletion of Policy WPT5 (Land N of Woolpit Primary School) as this site does not currently have planning permission. The reasons for these significant changes are outlined in my 'Open Letter' to Woolpit Parish Council dated 4 March 2020."

In total, twenty-six (26) organisations / households submitted written representations on the matter above. Written comments were also received from two household that appear to relate to issue not specifically identified above but which, nonetheless, are reproduced here (no's 27 and 28). A late representation was also received from the Water Management Alliance (see no' 29).

All comments received have been forwarded on to the Independent Examiner.

Ref No.	Consultee
(1)	Suffolk County Council
(2)	Drinkstone Parish Council
(3)	Natural England
(4)	Environment Agency
(5)	Historic England
(6)	Anglian Water
(7)	Avison Young (obo National Grid)
(8)	Evolution Town Planning Ltd (<i>obo Hopkins Homes</i>)
(9)	Pigeon Investment Management (<i>obo various</i>)
(10)	Resident - Bennett
(11)	Resident - Brett
(12)	Resident - Burleigh
(13)	Resident - Curry
(14)	Resident - Ebsworth
(15)	Resident - Eburne
(16)	Resident – Edmundson A
(17)	Resident – Edmundson C
(18)	Resident – Edmundson R

(19)	Resident - Ewans
(20)	Resident - Foster
(21)	Resident - Hughes
(22)	Resident - Mawhood R
(23)	Resident - Mawhood D
(24)	Resident - Moore
(25)	Resident - Sibley
(26)	Resident - Turner

(27)	Resident - Hudson
(28)	Resident - Seggar
(29)	Water Management Alliance (Late representation)

(1) SUFFOLK COUNTY COUNCIL

Date: 13th July 2020
Enquiries to: Cameron Clow
Tel: [REDACTED]
Email: [REDACTED]



Mid Suffolk District Council
Endeavour House,
8 Russel Road,
Ipswich
IP1 2BX

Dear Mr Bryant,

Woolpit Neighbourhood Plan Additional Consultation

Thank you for consulting Suffolk County Council (SCC) on the proposed changes to of the Woolpit Neighbourhood Plan.

The purpose of this response is to highlight potential consequences of removing housing policies from the plan, particularly regarding the provision of school infrastructure.

Primary Education

SCC provided an update regarding the provision of education infrastructure in the response to the regulation 16 consultation of the neighbourhood plan. This described the flexible approach that was adopted by SCC in delivering the appropriate primary school places to accommodate for development. This will require either expanding the existing school up to a 420 place primary school, or building a new school as part of application DC/18/04247.

Removal of neighbourhood plan housing allocations would mean the removal of a policy provision to protect the ability of the existing primary school to expand. Where possible SCC seek to protect a schools ability to expand in order to future proof provision. Policy WPT5 contains a clause that states.

“Land to enable the expansion of Woolpit Primary school to 420 pupils, with access for pedestrians and deliveries direct through the development.”

This policy requirement will be lost should Policy WPT5 be removed from the plan. Creating the risk that future windfall development near the school could prevent SCC from future proofing education provision in the area.

NPPF paragraph 94 states: “it is important that a sufficient choice of school places is available to meet the needs of existing and new communities” and creation, expansion or altering of schools should be given “great weight” in the preparation of plans and decisions.

Given the importance granted to expanding schools within the NPPF, SCC recommends that a policy within the neighbourhood plan is inserted in order to protect the schools ability to expand in the event that development adjacent to the school comes forward. While this land is not currently in the Joint Local Plan as an allocation, it could come forward as windfall. The following wording policy wording is proposed for insertion into the plan:

Development adjacent to the primary school should ensure the ability of the primary school to expand up to 420 places and access to the school through the development.

A logical place to incorporate this wording would be Policy WPT2. Including this will help to ensure that the right number of school places can be provided for Woolpit.

I hope that these comments are helpful. SCC is always willing to discuss issues or queries you may have.

If there is anything I have raised you would like to discuss, please use my contact information at the top of this letter.

Yours sincerely,

Cameron Clow
Senior Planning and Growth Officer
Growth, Highways, and Infrastructure

(2) DRINKSTONE PARISH COUNCIL

Email from: Drinkstone Parish Council

Received: 7 July 2020

Subject: Re: 2-WEEK CONSULTATION - Proposed Significant Mods to Woolpit NP

Dear Paul,

Further to the abridged further consultation as above, please find below comments from Drinkstone Parish Council:

Resolved:

Drinkstone Parish Council respond to Mid Suffolk District Council noting the changes proposed by the External Examiner Option 1, and record its desire to see Mid Suffolk use the Landscape Appraisal undertaken by Alison Farmer Associates as part of Woolpit's Neighbourhood Plan preparation process to guide future housing allocations in its emerging local plan.

Please confirm receipt of this response.

Kind regards,

Hilary Workman
Clerk & RFO to Drinkstone Parish Council

[Ends]

Date: 13 July 2020
Our ref: 320546
Your ref: Woolpit NP



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Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

communityplanning@babberghmidsuffolk.gov.uk

FAO Mr Paul Bryant

BY EMAIL ONLY

Dear Mr Bryant

2-Week Consultation - Proposed Significant Modifications to Woolpit Neighbourhood Plan

Thank you for your consultation on the above dated 24 June 2019 .

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 a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England has no comments to make on these modifications to the Woolpit Neighbourhood Plan.

Natural England commented on other aspects of the plan in our response dated 9 January 2020 (our ref 303737) which covered the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely,

Patrick Robinson
Norfolk and Suffolk Area Team

(4) ENVIRONMENT AGENCY

Email from: Environment Agency
Received: 25 June 2020
Subject: RE: 2-WEEK CONSULTATION - Proposed Significant Mods to Woolpit NP

Good morning Paul,

Thank you for the below re-consultation, I have reviewed the changes and the open letter from the examiner and can confirm that we have no further comment to provide.

Our comments still stand from our previous letter dated 7 February 2020 and referenced AE/2020/124803/01-L01 as there are no new allocations and the sites that remain still remain outside of our statutory constraints.

Please let me know if you require anything further.

Kind Regards

Natalie Kermath
Sustainable Places Planning Advisor – East Anglia Area (East)

Environment Agency | Icen House, Cobham Road, Ipswich, Suffolk, IP3 9JD

[Ends]

(5) HISTORIC ENGLAND

Email from: Historic England
Received: 13 July 2020
Subject: RE: 2-WEEK CONSULTATION - Proposed Significant Mods to Woolpit NP

Dear Paul,

Thank you for notifying Historic England about the consultation detailed below.

I have now had an opportunity to review the Open Letter from the Inspector to Woolpit Parish Council, which sets out that the Inspector considers the neighbourhood plan does not meet the Basic Conditions.

At this time, I do not consider it necessary for Historic England to provide any further comment, as the matter does not relate specifically to questions regarding the historic environment. If Woolpit Parish Council withdraws the plan from examination in order to prepare a new spatial strategy that meets the required housing targets, I would anticipate that Historic England may wish to provide comment on any additional allocations proposed, as well as potentially the need for an SEA, at that time.

Kind regards,

Edward

Edward James MA BA ACIfA
Historic Places Adviser - East of England
Historic England



Historic England

Brooklands | 24 Brooklands Avenue | Cambridge | CB2 8BU

www.historicengland.org.uk

Twitter: @HE_EoE

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[Ends]

(6) ANGLIAN WATER

Email from: Anglian Water
Received: 25 June 2020
Subject: Woolpit NP Exam Consultation

Dear Sir/Madam,

Thank you for the opportunity to comment on the consultation on the proposed significant modifications to the Submission Woolpit Neighbourhood Development Plan. The following comments are submitted on behalf of Anglian Water and should be read together with our original response to the plan.

We note that the Examiner has recommended removing Policy WPT1 which includes reference to three housing allocation sites but that two of the sites would remain as existing commitments and that Policy WPT5 is also proposed to be removed.

The reason given is for consistency with the scale of housing for Woolpit Parish as proposed in the emerging Joint Babergh and Mid Suffolk Local Plan.

Anglian Water has previously commented on the Joint Babergh and Mid Suffolk Local Plan in 2019 and would expect to comment further on this plan and any further major planning applications for housing in Woolpit Parish. As such we have no further comments to make relating to the modifications to the Neighbourhood Plan as proposed by the Examiner.

I would be grateful if you could confirm that you have received this response.

Should you have any further queries relating to this response please let me know.

Regards,

Stewart Patience, MRTPI
Spatial Planning Manager

Anglian Water Services Limited

Anglian Water, Thorpe Wood House, Thorpe Wood, Peterborough, Cambridgeshire. PE3 6WT



[Ends]

Our Ref: MV/ 15B901605

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09 July 2020

avisonyoung.co.uk

Babergh Mid Suffolk Council
communityplanning@baberghmidsuffolk.gov.uk
via email only

Dear Sir / Madam
**Woolpit Neighbourhood Plan Significant Modifications Consultation
June – July 2020
Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Grid

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the 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 Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

Proposed development sites crossed or in close proximity to National Grid assets:

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

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

National Grid provides information in relation to its assets at the website below.

- www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/

Please also see attached information outlining guidance on development close to National Grid infrastructure.

Distribution Networks

Information regarding the electricity distribution network is available at the website below:

www.energynetworks.org.uk

Information regarding the gas distribution network is available by contacting:

plantprotection@cadentgas.com

Further Advice

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

Matt Verlander, Director

nationalgrid.uk@avisonyoung.com

Avison Young
Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

Spencer Jefferies, Town Planner

box.landandacquisitions@nationalgrid.com

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

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

**Matt Verlander MRTPI
Director**



For and on behalf of Avison Young

Guidance on development near National Grid assets

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's 'Guidelines for Development near pylons and high voltage overhead power lines' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their 'Guidelines when working near National Grid Electricity Transmission assets', which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets

Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's 'Guidelines when working near National Grid Gas assets' can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets

How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please contact:

- National Grid's Plant Protection team: plantprotection@nationalgrid.com

Cadent Plant Protection Team
Block 1
Brick Kiln Street
Hinckley
LE10 0NA
0800 688 588

or visit the website: <https://www.beforeyoudig.cadentgas.com/login.aspx>

Representations on Woolpit Neighbourhood Plan Examiners Amendments

July 2020



Opus House
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Representations on Woolpit Neighbourhood Plan Examiners Amendments

Reference: E295.C1.20.Rep06 B

1.0 Representations

1.1 These representations support and comment upon the recommendations made by the Neighbourhood Plan Examiner to amend the Woolpit Neighbourhood Plan. We support the proposal made by the examiner in her letter of the 4th March 2020 that the Neighbourhood Plan does not need to have a housing strategy, and does not need to allocate sites. This we agree that site allocations can be left to the Local Plan.

1.2 In an area of high housing need such as Mid Suffolk new homes need to be delivered in sustainable locations. Therefore, recognising the most up to date housing need for the District, and allocating homes to the most sustainable locations within the Districts settlement hierarchy is important.

1.3 These representations are made on behalf of Hopkins Homes. Hopkins Homes have an option agreement over the land proposed for 300 homes in planning application DC/18/0247 that is to the north of Woolpit. Hopkins Homes have worked with village representatives to improve the design of their proposal since its inception. These changes have included:

- designing the development to provide a relief road which will take traffic from the village centre,
- positioning new open space to allow the expansion of the village cricket and tennis clubs,
- providing land for a new burial ground extension, as the existing cemetery is nearing capacity,
- providing a new village car park, and,
- creating circular walks with views to the nearby churches and other areas, as at present there is no public access to the land controlled by Hopkins Homes.

1.4 This local consultation process will continue through reserved matters, and the design will also be influenced by local and national policies which guide the design of developments. Our client's site delivers important infrastructure which benefits a

wider area such as a new primary school and a contribution to a cycle link to Elmswell. Many facilities are shared between Woolpit and Elmswell such as primary schools, the Woolpit Health Centre, Elmswell Railway Station and sports facilities in both villages. Delivering facilities alongside homes in this area has long been a priority for District and County Councils.

- 1.5 We support the deletion of policy WPT1. As drafted this policy significantly underestimates the number of homes to be delivered in Woolpit. The emerging Joint Local Plan proposes a minimum figure of 727 new homes for Woolpit, Policy WPT1 proposes a far lower number of 'around 250 dwellings'. A Basic Condition of a Neighbourhood Plan is that it must deliver sustainable development. Without delivering the District housing requirement the Neighbourhood Plan does not do this. In addition, the Neighbourhood Plan fails to deliver the strategic requirements of the emerging Joint Local Plan as it does not deliver sufficient housing in Woolpit. As a result, the Neighbourhood Plan does not have regard to the policies and advice of the Secretary of State. A consequence of not meeting the District housing distribution requirement is that housing is delivered in less sustainable locations.
- 1.6 We propose that the supporting text for this policy which is in part 4.1 of the Neighbourhood Plan and on page number 65 headed 'Calculation of housing need in Woolpit for the period 2016-2036' should also be deleted. These parts of the Neighbourhood Plan justify the delivery of 250 homes in Woolpit, and do not reflect the 2019 District housing figures as required by national planning guidance.
- 1.7 The reference to the Housing Needs Survey in paragraph 4.2.2 should be deleted as this is out of date when compared to the Joint Local Plan housing requirements.
- 1.8 We agree with the deletion of Policy WPT 5 as including this is not necessary if allocations are to be removed from the Neighbourhood Plan. The supporting text for this policy which is in paragraphs 4.5.1 and 4.5.2 should also be deleted.
- 1.9 We agree that policies WPT3 and WPT4 could become commitments rather than allocations. As planning consent has been granted for these sites, and as development is underway on the Green Road site (Policy WPT4) these policies could

be amended to include only site specific criteria such as the provision of the Health Centre car park that is set out in policy WPT3, with more general matters left to other policies.

1.10 In view of the need to deliver housing of the scale required by the Districts Local Plan, the other policies such as WPT14, WPT15, WPT18, and WPT19 need to contain sufficient flexibility to allow development to take place subject to appropriate safeguards and mitigation. For example, in designing the Hopkins Homes application layout views towards the spire of Woolpit Church from the north were retained in the masterplan layout. A similar approach can be taken in other areas with development respecting local characteristics.

1.11 In conclusion, the Neighbourhood Plan does not meet the Basic Conditions required for a Neighbourhood Plan to proceed to referendum without the changes proposed by the examiner. Without the changes the plan does not deliver the strategic requirements of the higher level plans, and does not deliver sustainable development. The Local Plan is still in preparation however the National Planning Practice Guidance states that the Neighbourhood Plan should have regard to the most up to date housing evidence that will support the preparation of the Local Plan. This evidence in the 2019 draft Local Plan is significantly different from the 2017 Local Plan evidence referenced in the draft Neighbourhood Plan. The Neighbourhood Plan should deliver sustainable development and meet the aims of national planning policy. An important part of delivering sustainable development is delivering sufficient homes and facilities such as schools to meet local needs in the most sustainable locations. The Neighbourhood Plan does not do this as it does not address local housing or infrastructure needs.

1.12 Without the changes proposed above and by the examiner the Neighbourhood Plan fails three of the basic conditions by not:

- being in general conformity with the strategic policies contained in the Development Plan for the area of the authority, and the emerging Local Plan and most up to date housing figures;
- achieving sustainable development; and

- having regard to national policies and advice contained in guidance issued by the Secretary of State.

(9) Pigeon Investment Management
(obo Pigeon Capital Management 2 Ltd (Pigeon) and the landowners of WPT5
(Land North of Woolpit Primary School)



Linden Square, 146 Kings Road, Bury St Edmunds, Suffolk IP33 3DJ

Woolpit NP Examination Consultation
c/o Mr P Bryant,
Spatial Planning Policy Team,
Babergh & Mid Suffolk District Council,
Endeavour House,
8 Russell Road,
Ipswich, IP1 2BX
communityplanning@babermidsuffolk.gov.uk

Dear Mr Bryant

Two-week consultation on Proposed Significant Modifications to the Woolpit Neighbourhood Plan

Representations on behalf of Pigeon Capital Management 2 Ltd (Pigeon) and the landowners of WPT5 (Land North of Woolpit Primary School)

This Statement has been prepared by Pigeon Investment Management on behalf of Pigeon Capital Management 2 Ltd (Pigeon) and the landowners of WPT5 (Land North of Woolpit Primary School) in response to the current consultation on Proposed Significant Modifications to the Woolpit Neighbourhood Plan.

The Landowners have previously submitted representations in response to the Regulation 14 and Regulation 15 Neighbourhood Plan Consultations in April 2019 and February 2020 respectively.

Purpose of the Consultation

The current Consultation follows concerns raised by the Examiner in relation to the Neighbourhood Plan and its compliance with the 'Basic Conditions' set out in paragraph 8(2) of Schedule 4B of the Town and County Planning Act 1990 as applied to neighbourhood plans by Section 38A of the Planning and Compulsory Purchase Act 2004. In an 'Open Letter' sent by the Examiner to Woolpit Parish Council dated 4 March 2020 it was identified that the submission draft Woolpit Neighbourhood Plan "contained a fatal flaw" in that the Plan fails to make sufficient provision for new housing growth in accordance with the advice provided by Mid Suffolk District Council (emphasis added).

In particular, it was noted in the Examiner's letter that:

"The Babergh and Mid Suffolk Joint Local Plan Preferred Options Consultation Document was published in July 2019. Woolpit is identified as a Core Village with a minimum requirement of 727 new houses."

It goes on to note that:

“Unfortunately, the spatial strategy in the neighbourhood plan does not take into consideration the up to date housing need evidence informing the emerging Local Plan. Indeed, there is a shortfall of around 477 dwellings. This is such a significant shortfall that I have reached the conclusion that I do not consider the spatial strategy has regard to national guidance and does not contribute towards sustainable development. Therefore, if the spatial strategy were to remain in the Plan, I would be unable to recommend that the Plan proceeds to referendum.”

As a result, at the Examiner’s request, Mid Suffolk District Council is undertaking a short, focused, two-week consultation on the following proposed significant modifications:

To meet the Basic Conditions I propose the deletion of Policy WPT1 [Spatial Strategy]. The sites identified in Policies WPT3 [Land south of Old Stowmarket Road] and WPT4 [Land east of Green Lane] would remain as existing commitments, rather than allocations. I propose to delete Policy WPT5 [Land north of Woolpit Primary School] as this site does not currently have planning permission. The reasons for these significant changes are outlined in my ‘Open Letter’ to Woolpit Parish Council dated 4 March 2020.”

Policy WPT1 – Spatial Strategy

Pigeon accept that there is a significant difference in the level of growth identified for Woolpit within the emerging Local Plan and the associated evidence (727 dwellings) and that which is identified within Policy WPT1 of the draft Neighbourhood Plan (approximately 250 dwellings). In that regard, it is clearly evident that the spatial strategy and housing requirement set out in Policy WPT1 of the draft Neighbourhood Plan and its supporting text is not in general conformity with the strategic policies within the emerging Local Plan and therefore fails to meet the Basic Conditions in that respect.

However, that being the case, it does not automatically follow that the only means of remedying that inconsistency is to delete Policy WPT1 in its entirety and to remove the identification of the new housing allocations listed within Policy WPT1 from the Neighbourhood Plan to ensure compliance with the Basic Conditions.

The inconsistency arises from the reference to the lower housing requirement within Policy WPT1 (and supporting text) and the suggestion that the allocation sites identified are exhaustive with the exception of windfall sites within the settlement boundary. This would have the effect of limiting development to levels far lower than proposed as part of the emerging Local Plan which would clearly not be in conformity with the strategic policies and requires being addressed.

Nonetheless, the identification of the individual sites listed in the policy does not in itself prevent or preclude the identification of further sites through the Local Plan, particularly as two of these are committed in any event and there is a significant deficit in housing numbers for the Local Plan to address. This is discussed further below in respect of Policy WPT5.

The implication of the deletion of these policies are that the identification of the local housing need and the strategy and allocations to subsequently meet that need will be left to the emerging Local Plan to address, with the exception of existing commitments. However, such an approach itself

needs to be clearly set out within the Neighbourhood Plan policies to ensure that the housing policies within the Neighbourhood Plan are effectively tied together to ensure that they are consistent both in themselves and with the emerging Local Plan.

It is considered that this could be achieved either through amendments to Policy WPT1 (as proposed at Appendix 1), removing the references to the housing requirement and limits on development and including text confirming that the housing requirement for the village would be determined through the emerging Local Plan with additional allocations identified as required.

Alternatively, if Policy WPT1 were to be deleted in its entirety as currently proposed, consequential amendments would still need to be made to Policy WPT2 to include reference to the retained allocations and to make clear that the housing strategy, including the housing requirement for the village and the further allocations required to meet that requirement will be determined through the emerging Local Plan.

Policy WPT5 New homes at Land North of Woolpit Primary School

Pigeon consider that the proposed deletion of this site from the Neighbourhood Plan is unnecessary to address the issues identified by the Examiner that the Plan fails to make sufficient provision for new housing growth in accordance with the advice and evidence provided by Mid Suffolk District Council in connection with the emerging Local Plan.

An outline planning application is currently under determination by Mid Suffolk District Council for up to 40 new homes and land for the extension of Woolpit Primary School. The application is supported by plans and technical documents demonstrating that this number of new homes can be accommodated and delivered on the site while achieving a high-quality scheme which complies with all other relevant policies in the adopted Development Plan and the NPPF. Access to the site will be provided through the permitted scheme allocated under Policy WPT3 and agreements are in place between the landowners and developers to facilitate this.

This application follows extensive discussions with the Parish Council, Mid Suffolk District Council, Suffolk County Council and the local community regarding the development. Statutory consultation comments received to date have supported the principle of development for this site and technical matters are largely resolved such that it is expected that a planning permission will be secured shortly.

The progress on this site demonstrates that it is a sustainable and deliverable site that will deliver a key piece of social infrastructure for the village in the form of land for the extension of Woolpit Primary School. This is key to ensuring that the village has the capacity to meet any future growth identified through the Local Plan and meeting Objectives SO1 and SO6 of the Neighbourhood Plan. Moreover, its continued identification within the Neighbourhood Plan would not preclude the identification of further sites to meet the outstanding housing requirement through the emerging Local Plan.

Consequently, we consider that the site should continue to be identified for a mixed-use allocation within the Neighbourhood Plan as set out in Policy WPT5 (subject to the proposed amendments previously set out in our Regulation 15 consultation response).

Conclusions

Pigeon accept that the spatial strategy and housing requirement set out in Policy WPT1 of the Neighbourhood Plan and its supporting text is not in general conformity with the strategic policies within the emerging Local Plan and therefore fails to meet the Basic Conditions in that respect.

However, that being the case, it does not automatically follow that the only means of remedying that inconsistency is to delete Policy WPT1 in its entirety and to remove the identification of the new housing allocations listed within Policy WPT1 from the Neighbourhood Plan to ensure compliance with the Basic Conditions. It is considered that an alternative means of addressing the issues identified would be to delete references to the housing requirement and associated restrictions on growth from the Policy and for the Neighbourhood Plan to confirm that the housing requirement and further allocations to meet that requirement would be determined through the emerging Local Plan.

Moreover, Pigeon consider that the proposed deletion of Policy WPT5 from the Neighbourhood Plan is unnecessary to address the issues identified by the Examiner that the Plan fails to make sufficient provision for new housing growth in accordance with the advice provided by Mid Suffolk District Council. The evidence shows it is a sustainable and deliverable site that will deliver a key piece of social infrastructure for the village. Its continued identification within the Neighbourhood Plan would not preclude the identification of further sites to meet the outstanding housing requirement through the Local Plan. Consequently, we consider that the site should continue to be identified for a mixed-use allocation within the Neighbourhood Plan as set out in Policy WPT5.

I trust that the above representations are in order and will be given due consideration by the Examiner as part of the Examination. If further information is required please do not hesitate to contact me.

It is requested that we are kept informed of progress of the Neighbourhood Plan.

Thank you in anticipation of your assistance with this matter.

Yours sincerely,

Neil Waterson MRTPI MIED PIEMA
Senior Planning Manager

cc. E Havers, Clarke & Simpson

Appendix 1 – Proposed revised text for Policies WPT1 and WPT2

Policy WPT1 Spatial Strategy

~~It is estimated that this Plan can provide around 250 dwellings to be developed in Woolpit between 2017 and 2036. The actual number of homes to be built will be subject to detailed site assessments of the allocated sites based on the relevant policies of the Development Plan. Housing requirements for Woolpit for the period 2017 to 2036 will be established through the Babergh Mid Suffolk Joint Local Plan which is currently under preparation. The growth will be met through the allocation of the following sites: The following sites which already benefit from planning permission or are expected to receive permission shortly will help meet the village’s housing requirement:~~

- Land south of Old Stowmarket Road (WPT3) providing around 120 dwellings;
- Land east of Green Road (WPT4) providing around 49 dwellings;
- Land north of Woolpit Primary School (WPT5) providing around 40 dwellings and an anticipated windfall allowance of approximately 40 dwellings.

~~Additional allocation sites to meet the identified housing requirement will be identified through the Joint Local Plan. Proposals for new housing development will need to have regard to the requirements of Policy WPT2. The focus of new development will be within the Settlement Boundary as defined on the Policies Map. Proposals for development located outside the Settlement Boundary will only be permitted where it can be satisfactorily demonstrated that there is an identified local need for the proposal and that it cannot be satisfactorily located within it.~~

Policy WPT2 Location and scale of new housing developments

All new residential proposals will be supported subject to their:

- being within the capacity of the existing infrastructure and road layout of the village, or providing the necessary additional capacity;
- not eliminating or encroaching on the gaps between the main village of Woolpit and one or more of the outlying settlements;
- being well related to the existing pattern of development;
- preserving or enhancing the character and appearance of the Conservation Area.

All proposals should take into account any cumulative impact taken with other existing housing commitments in the village. They should also demonstrate that:

- the scale and character of the proposal respects the landscape, landscape features, streetscape, heritage assets and important spaces and key views in and out of the village;
- the proposal will conform positively to the local character, shape and scale of the area;
- the development (for example through its scale) will preserve or enhance the existing focal points, and the village centre and its Conservation Area;
- the proposed housing density is consistent with the village character and adjacent housing.

~~Woolpit should remain a village, and to preserve its village character, major developments must be appropriately subdivided and landscaped in order to meet this objective.~~

A landscape and visual impact appraisal will be required for all major development proposals outside the existing settlement boundary unless they are located in an area of low landscape and visual sensitivity as shown in the Landscape Appraisal. In all areas outside the settlement, development proposals would have to demonstrate due regard to the particular sensitivities identified in the Landscape Appraisal and seek ways to mitigate effectively against potential harmful impacts, particularly in areas with higher sensitivity.

(10) WOOLPIT RESIDENT – Bennett

Email from: Mr / Mrs Bennett
Received: 10 July 2020
Subject: Bury Road Planning Applications and ‘FOCUSED’ CONSULTATION on Proposed Significant Modifications to the Woolpit NP 2016 – 2036

Dear Sirs,

I write to put on record my concerns about the above Outline Planning Permission granted and the proposal to significantly modify the Woolpit Neighbourhood Plan. I am writing in support of the view from the WPC that the decision to grant outline permission is legally flawed and that MSDC erred in law in finding the current key policies to be out of date and gave too much weight to the emerging plan. These comments apply also to the Neighbourhood plan.

I would ask that my comments above are taken fully into account and that you reconsider your stance in light of the clear legal advice that has emerged.

I look forward to hearing from you.

[Mr & Mrs] Bennett

[Ends]

(11) WOOLPIT RESIDENT – Brett

Email from: Mr / Mrs Brett

Received: 9 July 2020

Subject: Woolpit Neighbourhood Plan Exam Consultation

Woolpit Neighbourhood Plan as it stands is consistent with the policies of the current development plan. The result of the extensive consultation, and the views expressed must not be ignored.

It is very important that the historic village of Woolpit remains a village, a well integrated sustainable community that respects, and wishes to safeguard its historic character.

The Woolpit Neighbourhood Plan can provide enough housing, around 250 additional homes, to meet local needs up to 2036.

Any development of new houses must be undertaken at a steady rate so that integration takes place gradually for the benefit of all the village.

Mr / Mrs Brett

[Ends]

(12) WOOLPIT RESIDENT - Burleigh

Email from: Mr / Mrs Burleigh
Received: 12 July 2020
Subject: Land off Bury Road Woolpit, 300 dwellings, new spine road and school
Cc: Woolpit Parish Council

I attended the Planning Meeting and it was quite clear from the start that Chair K .Guthrie had agreed with her fellow Conservatives

that planning permission should be granted. As the Neighbourhood Plan had not been formally approved, it could therefore be completely disregarded. The fact that the MDSC Draft Plan had not been approved was not however a problem.

MSDC erred in law in finding the key policies to be out of date and in failing to give adequate reasons.

MSDC failed to apply the correct legal test with regards to the weight to be given to emerging plan policies.

What is the point in taking some 3/4 years to prepare a Neighbourhood Plan if it is completely disregarded?

Why should a majority of 3/4 Councillors completely override the wishes of the Villagers of Woolpit who do not want this site developed?

We request that the Planning Committee reconsider this application.

P & C Burleigh

(13) WOOLPIT RESIDENT – Curry

Email from: D Curry
Received: 10 July 2020
Subject: Woolpit Neighbourhood Plan 2016-2036

Dear Sirs

I object to the 'Proposed Significant Modifications' to our Neighbourhood Plan above. Further, I wish to make known my (and most of the local community's) objection to Woolpit having been chosen as a key village for housing development without any local consultation.

1. Your records will show that the Neighbourhood Plan Steering Group repeatedly sought guidance on the number of houses that Mid Suffolk District Council wished them to allocate to Woolpit. As this information was not forthcoming, the Group developed a logical and reasonable formula to make a calculated proposal. In accordance with this proposal the Parish Council worked with a developer and supported the development of land south of Old Stowmarket Road. There is therefore no reason why this development should be excluded from the present number of homes proposed for Woolpit.

In addition, despite very many local objections the development of land east of Green Road was approved on appeal subject to mitigation of traffic issues at the pinch point as Green Road enters the village centre. This estate is being built despite such mitigation not being achieved. The District Council will be responsible for major congestion and road rage incidents and it hardly seems fair that these 49 houses are not to be included in the number required. I suggest this means outside examiners should listen to the local people before accepting housing applications.

Please take the above as a complaint at the high-handed action of the Examiner in disregarding the well developed Woolpit Neighbourhood Plan, which is at a more advanced stage than the proposed Joint Local Plan - which should be developed in accordance with all the local Neighbourhood Plans.

2. Outline planning permission for the erection of up to 300 dwellings, construction of a new spine road, two roundabouts, land for a new primary school, burial ground extension, village car park and associated infrastructure at Land Off Bury Road, Woolpit, was granted under application DC/18/04247 by Mid Suffolk District Council (MSDC) Planning Referrals Committee on 21 February 2020, subject to the parties signing a section 106 agreement.

Our Parish Council, supported by legal opinion, considers that this granting of permission was illegal as the only current Local Plan does not include such a development and neither does the Woolpit Neighbourhood Plan, which is at a more advanced stage than the proposed new Local Plan. Clearly MSDC has not kept its planning policy up to date, you have failed to give adequate reasons for finding the key policies out of date and you have failed to apply the correct legal tests to give adequate weight to the emerging Plan policies.

I strongly recommend that MSDC confer with your leading counsel regarding this matter and possibly discusses it with Woolpit Parish Council's barrister. I suggest that both parties would wish to avoid the cost and time of a judicial review.

Woolpit does not want this development on land off Bury Road. This village has a medieval centre which already has major traffic problems. We need a more gradual and organic growth to accommodate further housing.

D Curry

[Ends]

(14) WOOLPIT RESIDENT – Ebsworth

Email from: Mr / Mrs Ebsworth

Received: 9 July 2020

Subject: [*Legal Action by Woolpit Parish Council - Bury Road*]

In respect of the above case.

Whilst we appreciate that nationally more housing is required, Woolpit needs to be well integrated, sustainable and **also to safeguard its village feel and historical character.**

Most of our village services are operating at full capacity (eg. pre Covid 19 it took 3 weeks to see a doctor).

There is also the 'green' aspect to consider, in that houses need to be built where there is nearby work for the occupants. Travelling from Woolpit to Cambridge and Ipswich, with the resulting CO2 hardly complies with national government strategy.

Almost 100% of our villagers voted for Woolpit to remain a village and be protected. This is why 4 years work has been spent on our Village Plan.

Please, please consider the views of the majority.

Yours sincerely

[Ends]

(15) WOOLPIT RESIDENT - Eburne

Email from: S Eburne
Received: 12 July 2020
Subject: Woolpit Neighbourhood Plan Examiner Consultation

Dear Ms Cheesley

Woolpit Neighbourhood Plan Examination Consultation

I disagree with the suggested deletion of Policy WPT1 (Spacial Strategy) and consider that the document submitted by the Woolpit Neighbourhood Plan group should remain in its original form.

1. The majority of residents (almost 100%) welcomed the formation of the Woolpit Neighbourhood Plan mainly because of concern that there was a strong possibility of developers applying for planning permission for large amounts of housing. This was compounded by the result of the questionnaire delivered to each household when the overwhelming response was that residents felt it important that Woolpit remain a village and not be swamped. Some additional housing should be permitted but this should be limited. If Policy WPT1 is omitted, I cannot see how a referendum will succeed, as allowing such a large amount of additional housing would negate the main reason for agreeing to produce a Neighbourhood Plan.
2. I strongly feel that housing should be apportioned across the district, and not allocated to larger villages that are already thriving, when smaller villages would welcome expansion. Therefore the suggestion in the Neighbourhood Plan of provision for around 250 dwellings would seem entirely appropriate and would be a 30% increase of the current housing in Woolpit.
3. The Mid Suffolk District Council draft Local Plan has not yet been adopted and at present there is no timetable for this. Indeed as there is a 50/50 split in the District Councillors, there is a possibility that some of the proposed policies, in particular on housing, will be changed. For this reason the draft Local Plan should not be given so much precedence.
4. Planning permission for 300 houses allocated off Bury Road is now subject to legal action by Woolpit Parish Council which has sought legal opinion on advice from a barrister that there are grounds to challenge this, and this could lead to a judicial review. Therefore this site should not be included when assessing housing needs in Woolpit.

For all these reasons, I very much hope you will reconsider and accept the Woolpit Neighbourhood Plan in its original form.

Yours sincerely

S Eburne

[Ends]

(16) WOOLPIT RESIDENT – Edmondson A

Email from: A Edmondson
Received: 13 July 2020
Subject: Woolpit NP Exam Consultation, Bury Road Application

TO THE EXAMINER re Bury Road, Woolpit, Planning Application and deletion of Policy WPT1.

Planning application by Hopkins Homes for 300 homes, Bury Road, Woolpit.

I would ask for the examiner to re-examine her research as her decisions are based on flaws due to errors on the part of MSDC.

- 1) MSDC having failed to keep its planning policy documents up to date
- 2) MSDC Planning Officers seeking to pre-empt the planning process by treating the draft Joint Local Plan as if it has been adopted.

Too much weight has been given to this emerging draft Joint Local Plan which has not yet been adopted (and might not be for some time to come) rather than to the Woolpit Neighbourhood plan which as it stands is consistent with policies of the current development plan and is the only adopted policy.

By deleting Policy WPT1 it would appear that you, the Examiner, are ignoring the fact that the Woolpit Parish Council and residents have been working and consulting for the past 4 years to formulate the Woolpit Neighbourhood Plan. This has included a detailed questionnaire giving every resident the opportunity to indicate their thoughts, suggestions and ideas.

The overriding result is the desire to maintain and protect the historic village by embracing the development and integration of new homes at a steady rate to 2036.

A Edmondson

[Ends]

(17) WOOLPIT RESIDENT – Edmondson C

Email from: C Edmondson
Received: 13 July 2020
Subject: TO THE EXAMINER re Bury Road, Woolpit, Planning Application and deletion of Policy WPT1

TO THE EXAMINER

Re: Bury Road, Woolpit – Planning Application and Deletion of Policy WPT1

Further to the Planning application by Hopkins Homes for 300 homes on Bury Road in the village of Woolpit.

I am writing to express my concern and worry of the fact that a single person, with possibly an odd advisor, can alter, rewrite and revoke decisions that have been made by the vast majority of the residents in Woolpit.

Please can I ask the examiner to re-examine her research as I feel that her decisions are flawed, due to the fact that they appear to be based on errors on the part of MSDC.

- a. MSDC Planning Officers seeking to pre-empt the planning process by treating the draft Joint Local Plan as if it has been adopted.
- b. MSDC failed to keep its planning policy documents up to date.

Too much weight has been given to this emerging draft Joint Local Plan, which has not yet been adopted (and might not be for some time to come), rather than to the Woolpit Neighbourhood plan which as it stands is consistent with the policies of the current development plan and is the only adopted policy.

By deleting Policy WPT1 it would appear that you, the Examiner, are ignoring the fact that the Woolpit Parish Council and residents have been working and consulting for the past 4 years to formulate the Woolpit Neighbourhood Plan.

The Woolpit Neighbourhood Plan has included a detailed questionnaire giving every resident, of the village, the opportunity to indicate their thoughts, suggestions and ideas. Decisions were made after months and years of discussion and work done by individuals, communities and the Local Parish Council. This was to give a consensus of opinion in the formation of the Woolpit plan. I find it astonishing that all this can be overridden in favour of a development opposed overwhelmingly by the vast majority of the village and by the Parish council.

I would like to remind you that where the inspector overrode a recent decision by the MSDC Council it was then found that the necessary criteria for the approach roads were against Highways department recommendations and to date, as far as I know has not yet been resolved.

I would therefore ask you to completely reject the plans in their entirety for the redevelopment which I am afraid will destroy Woolpit as a village and turn it into a dormitory town to serve Ipswich, Cambridge and Bury St. Edmunds with little or no benefit to Woolpit Village whatsoever.

The overriding result is the desire to maintain and protect the historic village by embracing the development and integration of new homes at a steady rate to 2036.

C Edmondson

[Ends]

(18) WOOLPIT RESIDENT – Edmondson R

Email from: R Edmondson
Received: 13 July 2020
Subject: Woolpit NP Exam Consultation , Bury Road Application

TO THE EXAMINER re Bury Road, Woolpit, Planning Application and deletion of Policy WPT1.

I am deeply worried that a single person with possibly an odd advisor can alter, rewrite and revoke decisions that have been made by a vast majority of the residents in Woolpit

Those decisions were made after years and months of discussion and work done by individuals, communities and the Local Parish Council to give a consensus of opinion in the formation of the Woolpit plan. I find it astonishing that all this can be overridden in favour of a development opposed overwhelmingly by the vast majority of the village and backed by the Parish council.

I would like to remind you that where the inspector overrode a recent decision by the MSDC Council it was then found that the necessary criteria for the approach roads were against Highways department recommendations and to date, as far as I know has not yet been resolved.

I would therefore ask you to completely reject the plans in their entirety for the redevelopment of the major North of Woolpit development which we are afraid will destroy Woolpit as a village and turn it into a dormitory town to serve Ipswich, Cambridge and Bury St Edmunds with little or no benefit to Woolpit whatsoever,

R Edmondson

[Ends]

(19) WOOLPIT RESIDENT – Ewans

Email from: Ms Ewans
Received: 2 July 2020
Subject: Woolpit NP

Dear Sirs,

It is a great pity that the change to our plan is being suggested. Sadly, accepting it appears to be the only way to save the plan as a whole. A great deal of good work has gone into it. The draft plan reflects the wishes of the villagers. The village is bitterly disappointed and wondering what was the point of it all if its wishes are to be ignored.

The District Council seeks to force more housing on the village than is sustainable. The village is not blind to the need for growth even if this need comes from outside the village, therefore the draft plan included a considerable number of new houses. Although more than most people want it was a compromise figure and is sustainable

The planning committee's decision in February for another 300 houses appears to preempt both the adoption of the WNP and the JLP. How can this be right?

[Ends]

(20) WOOLPIT RESIDENT – Foster

Email from: Ms Foster
Received: 2 July 2020
Subject: Focused Consultation to Modifications to Woolpit Neighbourhood Plan

For the attention of Mr P Bryant Spacial Planning Policy Team

Dear Sir

Please find my comments attached

For the attention of the Parish Council

Focused Consultation on the Neighbourhood Plan

I feel that the key points of Policy WPT1 are actually the most important in the entire plan. They reflect the opinion of the vast majority of the parishioners who gave their views during the considerable consultation that took place in the village during the course of developing the Neighbourhood Plan. Almost everyone spoken to was adamant about one thing and that was that Woolpit should remain a village, the definition of which is clearly set out in 4.1.1

To agree to the figure of 727 houses which is set out in the Joint Local Plan would fly in the face of all the effort and work that went into the research, the consultations, the outside agencies reports and the will of the people that went into the development of our Neighbourhood plan.

I accept that the PC did not have the figures that now appear in the JLP, but this is not through lack of inquiring or contacting the DC asking for information and figures in relation to the housing numbers, as our plan was emerging. In my view our plan comes out first as the JLP has not been published and is still in consultation phase.

The whole point of asking villages to prepare a Neighbourhood plan was to consult the people and so to advise the Local Authority of how many and where to build new homes, within LA guidelines, which were followed to the letter in the preparation of Woolpit's Neighbourhood Plan. This process should result in cohesive, viable communities and for the new developments to be integrated.

This aspect outlined in WPT1 is even more important in the light of the Covid 19 experience of many people who needed the support of a village and its residents helping each other and looking out for others, knowing if people were elderly or on their own.

If we agree to 727 new homes for Woolpit, most of them will be built in 'Woolpit North' which will form a separate community away from the centre of the village with new village bypass. This is not what Woolpit parishioners want, it is not part of the Neighbourhood Plan and it would ruin a unique picturesque and much sort after Suffolk village.

Ms Foster

[Ends]

(21) WOOLPIT RESIDENT – Hughes

Email from: Mr Hughes
Received: 2 July 2020
Subject: Focused Consultation on the Neighbourhood Plan

Although the Inspector says she has discovered a 'fatal' flaw in the Neighbourhood Plan, I think she overstates the nature of the flaw.

The Neighbourhood plan as it stands is entirely consistent with the strategic policies of the development plan currently in force. Mid Suffolk may be of the view that the existing development plan is out of date but until a new local plan has been adopted, it would be wrong in law to act as if it were, particularly as Mid Suffolk now has a 5 year supply of land which saves the existing plans from being deemed out of date under the NPPF.

Although there is no legal requirement to test the neighbourhood plan against the emerging local plan, this is precisely what the inspector has done and has given over-riding weight to the reasoning and evidence informing the draft local plan. All the PPG says is that the reasoning and evidence 'is likely to be relevant'.

How likely depends on the state of play in the emergence of the local plan. I have not seen any comments supporting the Local Plan from anyone who does not have a financial interest in the adoption of that plan. So far there has been no effort to deal with the very many points to the contrary raised in the consultation with the result that it would be premature and wholly unsafe to rely on anything in the draft Local Plan when considering whether the Neighbourhood Plan satisfies the Basic Conditions; the only proper test is whether the Neighbourhood plan is consistent with the existing development plan which enjoys statutory force.

I accept that if the Neighbourhood Plan is adopted as it stands and later is found to be inconsistent with whatever finally emerges as a Local Plan, the Neighbourhood Plan will have to be changed, but that is a separate issue.

There may be a difference between the vision in the village and the vision at Endeavour House, but that is a matter that can be sorted out, and will have to be , but In my view, in elevating that difference to the 'fatal' level, the Inspector has given the draft local plan a precedence which cannot be justified in law and, to that extent, has overstepped the mark and should reconsider her comments.

As to the substance of her proposals, I agree with [Ms] Fosters view that Policy WPT1 is the most important part of the Neighbourhood plan as it reflects the opinion of most of the Council tax payers in the village given during the consultation carried out in the development of the Neighbourhood Plan. It is quite clear from that consultation that the substance of the Neighbourhood Plan as it currently stands carries the consent of the village to development on the scale proposed.

For that reason , the proposed figure of 727 houses set out in the Joint Local Plan could not be adopted in a Neighbourhood Plan without flagrantly disregarding the will of the people. It would not be safe to presume that such a plan would command popular support in any referendum, even if chucking it out carried the financial penalty of foregoing an enhanced share of the CIL .

Mr Hughes

[Ends]

(22) WOOLPIT RESIDENT – Mawhood R

Email from: R Mawhood
Received: 8 July 2020
Subject: Woolpit Neighbourhood Plan Exam Consultation

I am against the changes to the Neighbourhood Plan proposed by the Examiner.

I cannot agree with the Examiner's conclusion that there is a 'fatal flaw' in Woolpit Neighbourhood Plan.

This Neighbourhood Plan was very carefully prepared, with extensive and thorough consultation in the community. This demonstrated very clearly the wish of the people of Woolpit to remain a village community with the rural characteristics of this parish. The community questionnaire provided an overwhelming mandate in favour of these priorities.

Furthermore, at no time during the preparation process, despite repeated requests from the Neighbourhood Plan Steering Group, did the local planning authority provide a housing allocation target figure. They were asked by email and in person for a target number, and flatly refused to supply one. If there was any flaw in the neighbourhood planning process, it was their failure to cooperate.

Not even in their response to the pre-submission consultation did Mid Suffolk District Council provide Woolpit Neighbourhood Plan with a housing allocation target. Only when the Neighbourhood Plan was at the point of completion did they publish such a target, in a consultation draft of the emerging Local Plan. Thus, not only did they clearly ignore the wishes of the people of Woolpit of which they were fully apprised, but they presented without warning or prior consultation a housing target for Woolpit which far exceeds the number that their previously published housing strategy options could have led anyone to expect.

In any case, the emerging Local Plan is still going through the process of consultation and has far to go before it becomes planning law. Nobody can be confident that what is currently proposed in consultation documents will remain in the final version. I think that the Examiner has exceeded her guidance in suggesting that the Local Plan is sufficiently advanced to 'trump' Woolpit Neighbourhood Plan; the latter is already complete.

Yours sincerely,

R Mawhood
Woolpit Resident

[Ends]

(23) WOOLPIT RESIDENT – Mawhood D

Email from: D Mawhood
Received: 10 July 2020
Subject: Woolpit NP Exam Consultation
Cc: Jo Churchill

Dear Ms Cheesley,

Woolpit Neighbourhood Plan Examination Consultation,

In my opinion the Woolpit Neighbourhood Plan should not be modified. It represents 4 years of consultation with the residents of Woolpit Village, and literally thousands of hours of unpaid work by volunteers.

1. The Neighbourhood Plan was undertaken in response to pressure by residents upon Woolpit Parish Council. Following the proposal of one single housing application of 49 houses, WPC called a meeting to discuss the idea of a NP. They put out chairs for perhaps 20 people, but so many residents came that they had to be turned away; a further meeting was held in the Church which due to its large seating capacity, has become the venue of subsequent housing meetings. The whole purpose of the NP, as discussed and agreed time and time again in this venue is summed up in Policy WPT1, which you suggest deleting. Namely: **SO4 To embrace the development of new homes but at steady rate so integration can keep pace for the benefit of the whole village.** Virtually 100% of the 637 questionnaires endorsed this concept. We are a community, and to operate as such, e.g. in the current Covid crisis, where a buddy system and other measures have been set up; or indeed routinely, as with hospital lifts, and meals for the elderly. It is vital that community integration of new housing can take place. An increase of 727 households from the current 850 is just far too much for our village community to absorb. It is unreasonable.

2. In your open letter you state that: 'The LPA should work with the qualifying body so that complementary neighbourhood and local plan policies are produced.' Initially the LPA welcomed the WNP and helpfully provided a Critical Friend for guidance. However despite numerous requests, in email and in person, the LPA flatly refused at any time to provide a housing allocation target. WNP therefore had no recourse but to base their eventual estimate of 250 houses upon highest likely scenario figures in JLP Options Doc August 2017. The Critical Friend advised that the JLP is not yet law and agreed with their calculations. Even in their response to the pre-submission consultation the LPA refused to give an indicative figure. This would appear to be contrary to the NPPF according to your letter to WPC where you state that: '*Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination.*

3. The Babergh and Mid Suffolk JLP is still emerging and is not yet law. It should be taken into account that unusually Babergh and Mid Suffolk do not have a majority District Council. The weighting is in fact 50/50, and the majority of any committee is therefore dependent on the Chairman's vote. I understand that the opposition Greens and Lib Dems are strongly opposed to the JLP in its current form. Furthermore there is a great deal of controversy within the wider community. Many of the hinterland villages are desperate to increase their housing stock in order to

keep their communities vibrant. Revision of the JLP is therefore likely in order to enable the hinterland villages, and this would take the strain off core villages such as Woolpit and Thurston.

4. Moreover in a very recent development, WPC has taken legal advice re the outline permission planning application by Hopkins Homes for 300 Homes off Bury Road which finds that this permission was not correctly made. The grounds stated in the WPC letter are:

1. MSDC erred in law in finding the key policies to be out-of-date.
2. MSDC erred in law in failing to give adequate reasons for finding the key policies to be out of date.
3. MSDC failed to apply the correct test with regards to the weight to be given to the emerging plan policies.

I understand that the Legal advice suggested that should this come to judicial review WPC would have a 50% chance of winning the case, which might well cause MSDC to reflect.

To conclude: Given the combination of (1) popular mandate by residents of village (2) LPA in breach of NPPF with regard to giving at least an indicative housing allocation (3) strong likelihood that the emerging JLP will be revised to take into account demands of hinterland villages (4) Legal advice that MSDC erred in law with regard to the Bury Road development, I feel that this may not be such an open and shut case as it may have seemed initially. In your letter you say that you considered whether to hold an exploratory meeting or hearing. Further to the public consultation, I hope that you may reconsider this.

Yours sincerely,

D Mawhood

[Ends]

(24) WOOLPIT RESIDENT - Moore

Email from: L Moore
Received: 12 July 2020
Subject: Woolpit neighbourhood plan

Woolpit is an historic and well ordered village. Both the school and the doctors practice are fully subscribed and getting an appointment usually entails at least a three week wait.

We are aware that the government is pushing for more housing but this needs to happen in a sensible and proportional manner.

Already permission has been granted for 120: 47 : and 5 more houses in the village which at present only has 900 homes. These new households will further pressurise the limited facilities. The granting of another 300 houses with the developer wanting to eventually build 600 is completely unrealistic and would ruin the village .

There is little or no employment available in Woolpit and therefore at least one person but probably two from each household will need to commute along the A14 to Bury, Ipswich or Cambridge, this is not compatible with the governments aim of lowering our carbon footprint.

The WNP was devised over several years with constant consultation with the village inhabitants, all aspects of housing requirements, transport, sustainability and preservation of a lovely historic village were taken into account. To have this plan, backed by the whole village, discarded in favour of a plan not yet written by MSDC is neither fair nor supportable. When the government introduced the idea of NPs it was to allow local inhabitants some measure of input concerning the future development of their surroundings, thus we would ask that you reconsider and give due weight to this very carefully thought out and well supported plan.

L Moore

[Ends]

(25) WOOLPIT RESIDENT - Sibley

Email from: J Sibley
Received: 12 July 2020
Subject: Woolpit Neighbourhood Plan 2016 -2036 Ref: Open Letter from the Examiner

Dear Mr Bryant, Ms Cheesley and the planning department,

I am writing to you with reference to the Woolpit Neighbourhood Development Plan Examination.

I believe that Woolpit Parish Council are challenging the decision made on 21st February because it is legally flawed.

Errors were made in the report of the District Council's planning officer which recommended granting planning permission.

Their legal advisers sent to MSDC a letter setting out the reasons why the decision was not correctly made, namely:

1. MSDC erred in law in finding the key policies to be out-of-date.
2. MSDC erred in law in failing to give adequate reasons for finding the key policies to be out-of-date.
3. MSDC failed to apply the correct legal test with regards to the weight to be given to emerging plan policies.

In view of this, I would suggest that your proposal of deleting Policy WPT1(Spatial Strategy) should not happen

Our Neighbourhood Team issued 850 households with Questionnaires and the summary was that we supported sustainable building of 250 houses during the years. We value the fact that Woolpit is an unique village and we want it to remain a village.

There are plans for 200+ houses which we can just about cope with our infrastructure. It was wrong to allow the 300+ plan to be passed during this COVID lockdown.

It is our village. We live and work in it. The green spaces in our village should be treasured.

Please review your examination and leave Policy WPT1 in place.

I look forward to hearing from you.

Yours sincerely
J Sibley

[Ends]

(26) WOOLPIT RESIDENT - Turner

Email from: R Turner
Received: 7 July 2020 [Same received again 12 July 2020]
Subject: Woolpit Local Plan Letter

Mid Suffolk District Council
Community Planning Dept
Woolpit NP Examination
FAO Mr P.Bryant - Spatial Flow Plan Policy Team

5th July 2020

Response to the Open letter of the Examiner, Ms Cheesley in respect of the Woolpit Neighbourhood Plan

The Examiner seeks by her letter of 4th March 2020, to remove from the Woolpit Neighbourhood Plan (NP), the central statement upon which the future of this village depends namely that it is a village for the people of Woolpit who seek to ensure a sustainable community and to safeguard its future for the benefit of its present and future inhabitants.

She expresses her objections in pages of bureaucratic jargon which ignore the simple and basic premises upon which NPs are based. They are expressions of the views and aspirations of the communities to which they relate - they are all about individuals not numbers.

She has FAILED to take account of the basic feature of a NP namely:

1. The NP is the expression of the collective views of the inhabitants of Woolpit.
2. It has taken the village 4 years to prepare this NP during which time the villagers have been consulted both by means of written questionnaires and at public meetings and their views form the basis of the Woolpit NP.
3. The District Council and its Local Plan (LP) is barely a few months old and is as the Examiner states "*emerging*". It has none of the depth of enquiry, consultation and informed research that is the hall mark of the Woolpit NP.
4. The District Council LP fails to take account of the needs of the local inhabitants in its misguided attempt to placate the demands of Central Government.

The Examiner does not appear to have either visited the village, met its local representatives nor the inhabitants.

She seeks to make the expression of her view that there is a Fatal Flaw - some sort of "*ex cathedra*" statement which the villagers can not challenge.

She adopts figures given to her by the District Council which are merely part of a LP which is still "*emerging*" and is in its very early stages compared with the well researched and proven figures of the Woolpit NP.

She appears to deny the democratic entitlement of the community in her statement:

"I see no benefit to any party for a meeting or hearing to be held."

She probably knows full well as do the District Council officials that any such meeting would unanimously reject the present draft District Council LP and enthusiastically support and adopt their NP - as they have done on several occasions to date.

The Examiner should, without further ado, withdraw her objections to the Woolpit NP policy “4. *Housing policies, paras 4.1 and 4.1.1.*” The Parish Council have been well aware of the current distribution and amount of housing that the District Council postulates in its emerging LP but maintains that the views of the village are entitled to be expressed in their NP.

The Woolpit NP has taken into consideration the current District Council LP. This emerging LP is in such an early stage of its development for which it has little evidential basis and only marginal value. It has not been properly tested by a public consultation with the villagers of Woolpit - who after all are those most likely to be affected if its own efforts are roughshod and overridden.

[R Turner]

Copies to:
Woolpit Parish Council
Woolpit Village Conservation Group
Richard Mawhood Esq

[Ends]

(27) WOOLPIT RESIDENT - Hudson

Emails from: P Hudson

Received: Between the 1 & 3 July 2020

Subject: RE: Woolpit Neighbourhood Plan 2016- 2036 Ref WPT4

E-mail received on 1 July

c/o Mr P Bryant, Spacial Planning Policy Team

Objection to Proposed Significant Modifications to the Woolpit Neighbourhood Plan 2016-2036

Forwarding for your information and attention matters brought to the attention of Mr Charvonias updating the situation re.WPT4 currently being examined by your legal team responses to which are all outstanding.

Regards,
P Hudson

On Wednesday, 10 June 2020, (?) E-mail to Arthur Charvonias, Babergh & Mid Suffolk DC)

Re: DC/19/00647, DC/19/00918, DC/20/01131

The Parish Council have advised that the following matter be brought to your attention.

I trust that it will receive the utmost scrutiny.

Thank you,
P Hudson

On Monday, 8 June 2020, (?) E-mail to Woolpit Parish Clerk:

Dear Peggy,

Do we know if MSDC have carried out or intend to carry out investigations under their 'Internal Audit, Risk Management and Fraud and Corruption' procedures regarding issues involving the Developer carrying out construction works contrary to Appeal Condition 12 requiring the prior approval of a (detailed) scheme which is currently outstanding and the 'unintentional' discharge of Condition12 in the light of evidence contained in the objections particularly the disclosure Mr Egan's letter to MSDC dated 30th June 2016 (nearly 4 years ago) which confirmed the road width narrowing significantly to 4.3 M - a matter which MSDC, Highways and the Developer have sought to evade ever since thus misinforming all subsequent proceedings, events and decisions?

If not they should do so immediately otherwise the matter must be taken further.

Construction works currently being carried out cannot be legitimate so must be halted.

The implications of all this are inescapable.

Best Regards,
P Hudson

Follow-up e-mail received 3 July and short exchange

Attn. Mr. P. Bryant

Further to my email yesterday you should be aware of Appeal Decision 23) page 26 'Prior To Occupation or Other Stage Conditions' which states: 'No dwelling shall be occupied until the highway improvements secured under Condition 12 above have been constructed in strict accordance with the approved details and made available for public use and thereafter retained post construction in the approved form.'

Considering the prevailing situation regarding Condition12 (DC/20/01131refers) and that construction works so far carried out unilaterally by the developer have been in breach of this condition, the above is significant.

Note Various 'Discharge Conditions' addressed in intervening period' is therefore incorrect and misleading.

It is imperative that the Examiner is fully appraised accordingly and I would be grateful if you would confirm this.

Regards.
P Hudson

Reply sent to Mr Hudson 2 July 2020:

Dear Mr Hudson,

Thank you for your e-mail received just before noon today. I can also confirm safe receipt of your e-mail sent yesterday.

I have not passed these on to the Independent Examiner just yet but will after the current 'Significant Proposed Modifications' consultation concludes on 13 July.

It is not for us (Mid Suffolk) to offer any suggestion to the Examiner re what action they take in response to comments received but in this case, and because your concerns relate to matters of enforcement at the Green Road site, they fall outside the scope of this specific consultation exercise and the remit of the Woolpit Neighbourhood Plan Examiner. i.e. she is not there to make judgement on individual planning application but has been appointed to test and examine the Woolpit Neighbourhood Plan as a whole and to determine whether or not it can proceed to a local referendum.

As I am sure you are already aware, the correct channels for dealing with breaches of granted planning application conditions is via colleagues in our [Planning Enforcement](#) department.

Your sincerely

Paul Bryant
Neighbourhood Planning Officer | Planning for Growth
Babergh & Mid Suffolk District Councils - Working Together

cc: Peggy Fuller (Clerk to Woolpit Parish Council)

Further response received 3 July 2020:

Dear Mr. Bryant,

Many thanks for your reply and I note your comments.

However I also note that in item 6E of the documents the Examiner has requested links to the planning application details including the Inspector's decision.

It is therefore entirely appropriate that she should also be referred to MSDC's planning website (ref. DC/20/01131) for the current status of Condition 12 requirements which is in the public domain.

She has also requested whether a section 106 has been signed.

In his email to me on 25/2/2020 Mr Pateman - Gee stated: 'there is not any 106 agreement'.

Yours Sincerely,
P Hudson

[Ends]

(28) WOOLPIT RESIDENT - Seggar

Email from: R & S Seggar
Received: 12 July 2020
Subject: Planning application by Hopkins Homes - DC/18/04247

To Mr Bryant and Ms Cheesley and the Planning Department

We fully endorse Woolpit Parish Council's letter of July 2020, stating that the decision to grant planning permission was legally flawed.

R & S Seggar

[Ends]

(29) WATER MANAGEMENT ALLIANCE

Email from: Eleanor Roberts
Received: 15 July 2020
Subject: RE: 2-WEEK CONSULTATION - Proposed Significant Mods to Woolpit NP

Good Morning,

Thank you for consulting the WMA on the Proposed Significant Modifications to the Woolpit Neighbourhood Plan. My apologies for the delayed response, while I note that the consultation has now closed I would like to ensure that you are aware of the following:

- The site is near to the Internal Drainage District (IDD) of the East Suffolk Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. A copy of the Board's Byelaws can be accessed on our website (https://www.wlma.org.uk/uploads/ESIDB_Byelaws.pdf), along with maps of the IDD (https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf). These maps also show which watercourses have been designated as 'Adopted Watercourses' by the Board. The adoption of a watercourse is an acknowledgement by the Board that the watercourse is of arterial importance to the IDD and as such will normally receive maintenance from the IDB.

Kind regards,

Ellie

Eleanor Roberts
Sustainable Development Officer

Water Management Alliance
Kettlewell House, Austin Fields Industrial Estate, King's Lynn, Norfolk, PE30 1PH, UK

e: info@wlma.org.uk | www.wlma.org.uk

Consisting of

Broads Drainage Board, East Suffolk Drainage Board, King's Lynn Drainage Board, Norfolk Rivers Drainage Board and South Holland Drainage Board in association with Pevensey and Cuckmere Water Level Management Board

Defenders of the Lowland Environment



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[Ends]