

# **Debenham Neighbourhood Development Plan 2016 – 2036**

## **Independent Examination**

**Last updated: 15 October 2018**

### **Introduction**

This document will provide an on-going record of all 'general' correspondence during the Debenham Neighbourhood Plan's examination period between the Examiner (Janet Cheesley), the Parish Council / NP Working Group, and Mid Suffolk District Council (See item 1).

As required, specific documents will continue to be published on the district councils Debenham NP webpage: [www.midsuffolk.gov.uk/DebenhamNP](http://www.midsuffolk.gov.uk/DebenhamNP)

### **Copies of e-mails / letters appearing on the following pages:**

1. E-mail dated 14 Sept 2018 relating to general procedures etc.
2. E-mails dated 19 Sept 2018 relating to the evidence base documents shown in Section 15 of the submitted Plan.
3. MSDC response to query re site DEB 5 (Land E of Aspall Rd) (dated 3 Oct 2018)
4. Supporting document query (12 Oct 2018)

## **1. E-mail dated 14 Sept 2018 relating to general procedures etc.**

**From:** Janet Cheesley  
**To:** Debenham Parish Clerk, Paul Bryant (BMSDC)  
**Dated:** 14 September 2018  
**Subject:** Debenham Neighbourhood Plan

Dear Paul and Dina

I am writing to set out how I intend to undertake the examination of the Debenham Neighbourhood Plan. My role is to determine whether the Plan meets the Basic Conditions and other legal requirements. I intend to ensure that the Parish Council feels part of the process. As such, I will copy the Parish Council into all correspondence, apart from contractual matters that are dealt with direct with the local planning authority. Likewise, please can you ensure that any correspondence from you is copied to the other party. This will ensure fairness and transparency throughout the process.

Paul will be my main point of contact. Once I have read all the papers, I may ask for any missing documents or seek clarification on some matters. It may be appropriate for me to seek clarification on matters from the Parish Council. I must emphasise very strongly that this does not mean that I will accept new evidence. In the interest of fairness to other parties, I cannot accept new evidence other than in exceptional circumstances. If the Parish Council is unsure as to whether information it is submitting may constitute new evidence, may I suggest that you send it to Paul in the first instance for his opinion.

It may be that there is very little correspondence from me during the examination. I will endeavour to keep you both up to date on the progress of the examination. The default is for an examination to be conducted without a hearing. If I feel one is necessary, I will inform you both as early as possible, but this is likely to be near the end the examination process. If I do intend to hold a hearing, I will inform you of the procedure at that time.

I will be visiting the Parish during the examination. I will not need to be accompanied during my visit. If I am 'spotted', I would appreciate it if I were not approached.

I will issue a draft report for fact checking by both parties. I will ask you both to check my report for factual errors such as dates, sequence of events, names and so on that might need to be corrected. The report will be confidential and must not be presented to a public meeting. I must emphasise that this is not an opportunity to make comments on the report other than those that relate to factual errors. In particular, I will not be inviting, and will not accept, comment on any suggested modifications. The draft report will only be published as the final version if there are no factual errors found and if there is no other reason, such as a sudden change in national policy, that could be significant to my recommendations. I will endeavour to issue my final report shortly after the fact checking stage.

I confirm that I have received the documents from Mid Suffolk District Council, including the Regulation 16 representations. I have not yet read all the documents, but I have noticed that the Consultation Statement does not include a list of people consulted at the Regulation 14 stage. Regulation 15(2) requires the Consultation Statement to contain details of the persons

and bodies who were consulted about the proposed neighbourhood plan. Please can the list be provided and place on the District Council's web site. [\[BMSDC note: Now published on Debenham webpage\]](#)

I did give the Parish Council the opportunity to make comment on the Regulation 16 representations over the last few weeks. I have received these comments together with a Proposals map. Please can these be placed on the District Council's web site. [\[BMSDC note: Now published on Debenham webpage\]](#)

Please can this email be placed on the District Council's web site. If there is future correspondence regarding matters of clarification, I will ask for those to be similarly made available.

At the end of the examination, I would welcome feedback as to whether the way the examination has been conducted has enabled the Parish Council to feel included in the process.

Regards  
Janet Cheesley

- ends -

## **2. E-mails dated 19 Sept 2018 relating to the evidence base documents shown in Section 15 of the submitted Plan**

**To / From:** Stephen Palframan / Janet Cheesley  
**cc:** Debenham Parish Clerk, Paul Bryant (BMSDC)  
**Date:** 19 September 2018  
**Subject:** [Evidence base documents]

Steve

Thank you for your email. I realise that providing links to all the evidence base in Section 15 is an onerous task. In order for me to take into consideration documents you have relied upon in the production of the Plan, I would need the links. In the absence of such links, I will simply mention that I was unable to take them into consideration. This is not a problem. Should I feel that I need selected items, I will ask for them.

Please can Paul put this email correspondence on the MSDC web page.

Kind Regards  
Janet Cheesley

### **-----Original Message-----**

Janet,

Please allow me to introduce myself.....

I am Steve Palframan, Chairman of Debenham Parish Council, the Debenham Neighbourhood Plan Delivery Committee, and the main author of the Plan.

Following a discussion with Paul Bryant at Mid Suffolk District Council yesterday, we agreed it might be appropriate for me to write to you in connection with some of the points you have raised recently via email. We also thought it more appropriate for me to be the main contact at the Parish Council, given my involvement in the construction of our Plan.

It might be best if I start by explaining a little bit more about section 15 in the Plan.

We started work on our Plan in December of 2012, and right from the outset, we decided to log every information source which we used (no matter how small), to ensure that we could if necessary trace back any issue that needed further clarification.

Section 15 is merely a record of those information sources created as an internal 'filing system' hence the rather obscure file names. We decided that there was the potential for individuals or organisations to seek clarification on our draft Plan especially at the Regulation 14 stage, and so we kept section 15 in the draft Plan. We did not receive requests for additional information regarding any of the 73 items listed in section 15.

The section was available to readers and responders of, and to, the Regulation 16 consultation undertaken by MSDC. Again no requests for additional information were forthcoming. It has therefore served its original purpose of simply being a list of narratives used in the construction of our Plan.

Over the last few months we have had a change in the Parish Council's website platform, and our long standing web editor has retired due to ill health, and been replaced. Whilst we are endeavouring to modernise and make a more 'user friendly' website, our priorities must be to get basic Parish Council administration up and running and available to the public. This means our ability to divert our web editor to work on retrospective information is limited at present. I am doubtful, furthermore, that the total content of the 73 listed items in Section 15 are still available, or even now exist! However, should you require further selected items, we will of course endeavour to locate and forward them to you as quickly as possible. I do believe that to create website links for all these listed items is a huge task, may not be possible, and quite frankly, of little value to the process.

You did warn us that you cannot accept new information, quite understandably. You didn't indicate whether at this late stage it was acceptable to withdraw any aspects of our submission. I am just wondering if by withdrawing section 15 we can ease the process, but you may feel that is inappropriate, or not possible. I would welcome your advice on this.

You also indicated at the end of your examination you would seek our views on the inclusive nature of the process of examination. We look forward to being able to contribute positively to this.

I shall be away next week but will ensure I pick up any emails from you.

Many Thanks,

Steve

- ends -

**3. MSDC response to examiner query re site DEB 5 (Land east of Aspoll Road) and flood risk.**

**To: Janet Cheesley**  
**From: Mid Suffolk DC**  
**cc: Debenham Parish Clerk, Environment Agency**  
**Date: 3 October 2018**  
**Subject: Site DEB 5**

We refer to a recent telephone conversation in which you asked for clarification from us on Site DEB 5 (Land east of Aspoll Road) and the need for this to be the subject of a sequential test in respect of flooding.

As the Debenham Neighbourhood Plan (NP) has been submitted before the 24 January 2019 the relevant national policy is set out in paragraphs 100 and 101 of the March 2012 NPPF.

We have discussed this matter with the Environment Agency (EA) and sought clarification from them of their representation dated 20 July 2018 on the submitted Neighbourhood Plan. The EA has confirmed that their comments only refer to the need for the sequential approach to be followed within the site. Their advice is that the decision on whether the site should be the subject of a sequential test is a matter for the local planning authority.

In this respect the site has been the subject of a detailed site assessment report both as part of the Debenham NP and as part of the preparation of the new Babergh Mid-Suffolk Local Plan. Those assessments are:

[Debenham Neighbourhood Plan Site Assessment \(Final\) Report – AECOM Dec 2017](#)  
[BMSDC \(Draft\) Joint Strategic Housing Land Availability Assessment \(SHEELA\) \(Aug 2017\)](#)

In both cases the site has been assessed as being within Flood Zone 1 and flooding was not therefore identified as an overriding constraint to development (although the draft SHEELA (at page 435) did discount the site for other reasons).

To assist you further we provide a more detailed extract from the Environment Agency's Flood Zone Map on the next page. This clearly shows site DEB 5 as being outside of flood zones 2 and 3.

It is acknowledged that part of Aspoll Road, particularly the western side of the road, is within Flood Zones 2 and 3. The EA has advised that the implications of this can be dealt with through a flood risk assessment at the planning application stage.

For these reasons it is the local planning authority's view that a sequential test report in relation to site DEB 5 is not required.

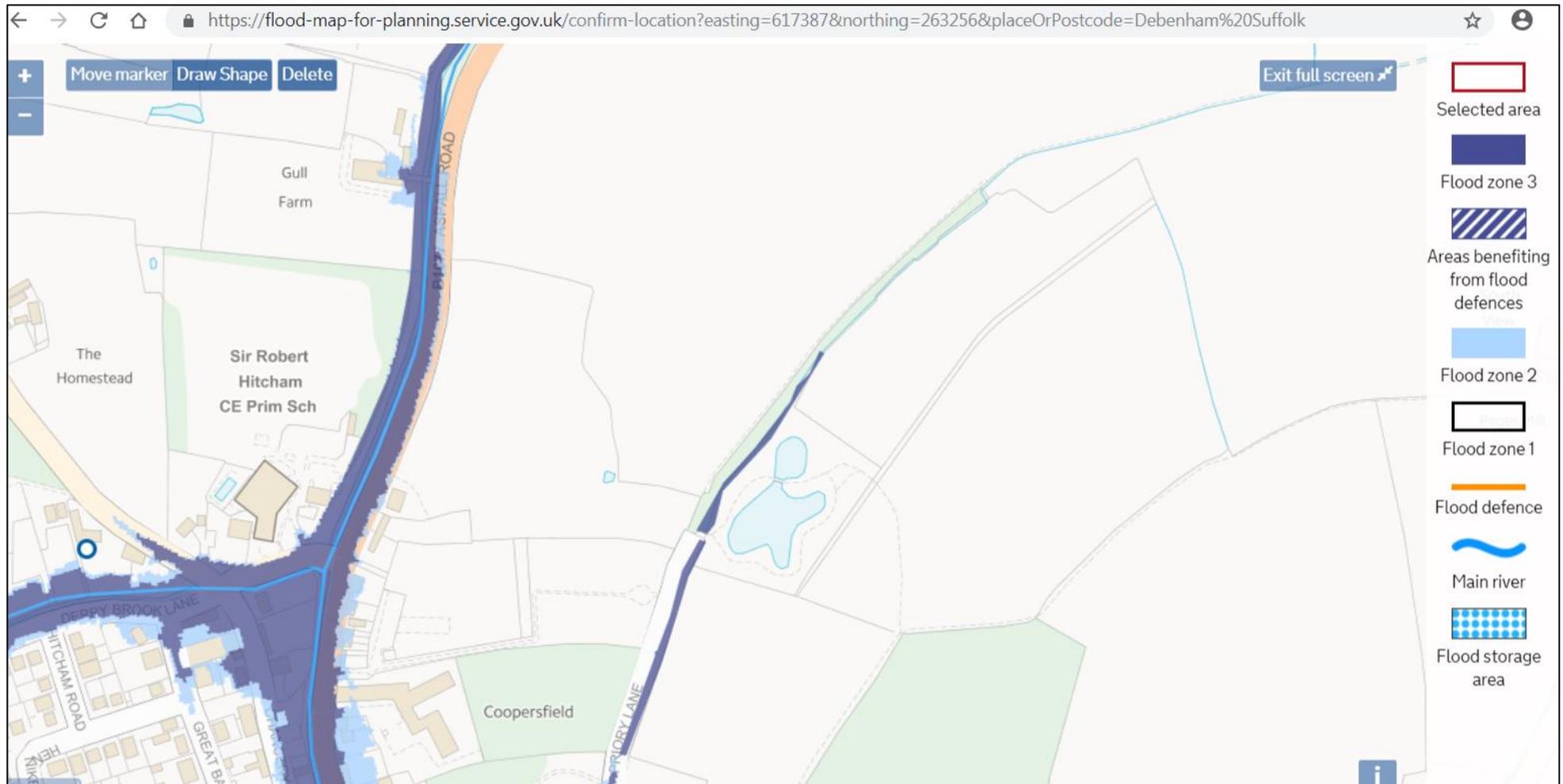
You will also note that both the EA representation of 20 July 2018 and Section 7 of the submitted Neighbourhood Plan refer to the Natural Flood Management schemes in Debenham. The scheme at the Gulls has now been completed and should further alleviate flooding in the Aspoll Road area. This is a factor that can be considered as part of a flood risk assessment at the planning application stage.

We trust that this clarifies the position for you and satisfies you that the Debenham Neighbourhood Plan is compliant with national policy in this respect.

Paul Bryant (Neighbourhood Planning Officer - BMSDC)

Paul Munson (Planning Consultant, Spatial Planning Policy - BMSDC)

### Aspoll Road extract from Environment Agency's Flood Zone Map



#### 4. Supporting documents query

**To / From:** Janet Cheesley, Debenham Parish Council, Paul Bryant (BMSDC)  
**Dated:** 12 October 2018  
**Subject:** Links to documents

Please can I have electronic links to:

- 1) The Joint Babergh and Mid Suffolk Landscape Character Assessment supporting policies 17-23 (referred to on page 62 in the Neighbourhood Plan) and
- 2) MSDC's policy on Community Infrastructure Levy supporting policy 24 (referred to on page 63 in the Neighbourhood Plan).

Please can these links be published on the MSDC web site.

Thank you  
Janet Cheesley

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Dear Janet, (Steve)

I believe that the links you are looking for are as per below:

- 1) **Joint BMSDC Landscape Guidance (Aug 2015):** Please see <https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/Joint-Landscape-Guidance-Aug-2015.pdf>. The reference to 'away' from ridge tops and upper valley sides' seems to relate to para 2.3.3 (document pg 14)
- 2) **Community Infrastructure Levy:** We have a whole section on the website relating to CIL (see: <https://www.midsuffolk.gov.uk/planning/community-infrastructure-levy-and-section-106/community-infrastructure-levy-cil/>) but the '[CIL Quick Guide](#)' page seems most appropriate.

**Steve:** *Perhaps you could confirm that the above is what is intended before I update our 'Examination Correspondence' document with links to the above.*

Paul Bryant  
Neighbourhood Planning Officer | BMSDC

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Yes happy to confirm, many thanks.

Steve Palframan (Debenham PC)

- ends -