

Fressingfield Neighbourhood Development Plan 2018 - 2036

**Report by Independent Examiner to Mid Suffolk
District Council**

Janet L Cheesley BA (Hons) DipTP MRTPI

CHEC Planning Ltd

28 October 2019

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Summary and Conclusion

1. The Fressingfield Neighbourhood Development Plan has a strong vision supported by a series of objectives. It is an extremely well written Plan, providing clear informative background evidence to support the majority of the policy requirements.
2. The Plan provides for around 60 new dwellings within the Plan period. Of these, 51 have the benefit of planning permission, with the majority on two allocated sites. The remainder would be on small windfall sites and infill plots within the settlement boundary.
3. I have recommended modification to some of the policies in the Plan for the reasons set out below. A large number of the recommended modifications ensure that the policies are precise.
4. Even though I have recommended a number of modifications to the Plan, these do not significantly or substantially alter the intention or nature of the Plan.
5. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that, subject to my recommendations, the Plan meets the Basic Conditions. It is appropriate to make the Plan. Subject to my recommendations being accepted, I consider that the Fressingfield Neighbourhood Development Plan 2018 - 2036 will provide a strong practical framework against which decisions on development can be made. I am pleased to recommend that the Fressingfield Neighbourhood Development Plan 2018 - 2036, as modified by my recommendations, should proceed to Referendum.**

Introduction

6. On 9 February 2018 Mid Suffolk District Council (MSDC) approved that the Fressingfield Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The Area covers the whole of the Parish of Fressingfield.
7. The qualifying body is Fressingfield Parish Council. The Plan has been prepared by the Neighbourhood Plan Steering Group on behalf of the Parish Council. The Plan covers the period 2018 to 2036.
8. I was appointed as an independent Examiner for the Fressingfield Neighbourhood Development Plan 2018 to 2036 in July 2019. I confirm that I am independent from the Parish Council and MSDC. I have no interest in any of the land affected by the Plan and I have appropriate experience to undertake this examination. As part of my examination, I have visited the Plan area.

Legislative Background

9. As an independent Examiner, I am required to determine, under Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether:
- the policies in the Plan relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
 - the Plan meets the requirements of Section 38B of the 2004 PCPA where the plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area; and
 - that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.
10. I am obliged to determine whether the Plan complies with the Basic Conditions. The Basic Conditions are:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority; and
 - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations and human rights requirements.
11. *The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018* came into force on 28 December 2018. They state:
- Amendment to the Neighbourhood Planning (General) Regulations 2012.*
- 3.—(1) The Neighbourhood Planning (General) Regulations 2012(5) are amended as follows.*
- (2) In Schedule 2 (Habitats), for paragraph 1 substitute:*
- “Neighbourhood development plans*

1. *In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act(6)—*

The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).”

12. Since 28 December 2018, a neighbourhood plan is required to be examined against this extra Basic Condition. I will make further reference to this matter below.
13. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.

EU Obligations EU Obligations, Strategic Environmental Assessment (SEA) and Habitat Regulation Assessment (HRA)

14. Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) (EA Regulations) set out various legal requirements and stages in the production of a Strategic Environmental Assessment (SEA).
15. *The Fressingfield Neighbourhood Development Plan 2016 - 2036 Pre-submission Draft Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA): Screening Report –was prepared by Place Services in May 2019. Based on this Screening Report MSDC prepared a Strategic Environmental Assessment (SEA) Screening Determination in June 2019. It states: The Screening Report prepared by Place Services notes that the Plan allocates two sites for development in advance of the emerging Babergh & Mid Suffolk Local Plan however both of these have outline planning permission. It is considered that although the Plan area contains sensitive natural or heritage assets and does ‘allocate’ sites for future housing development, the effects on the environment would have been considered at the development management stage in determining those planning applications.*
16. *As such, the content of the Fressingfield Neighbourhood Plan has therefore been **screened out** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.*
17. The statutory consultees concurred with this conclusion. Based on the screening determination and consultee response, I consider that it was not necessary for the Plan to require a full SEA Assessment. The SEA screening accords with the provisions of the European Directive 2001/42/EC.
18. As regards HRA, MSDC prepared a *Habitats Regulations Screening Determination* in June 2019. There is one Habitats site which lies within 20 km of Fressingfield Parish. This is Dews Pond Special Area of

Conservation. However, none of the individual Zones of Influence are triggered for this Plan. As such, the Screening Determination concludes that the Plan *does not require further assessment under the Habitats Regulations 2017*.

19. Natural England concurred with this conclusion. Based on the screening determination and consultee response, I consider that the Plan did not require a full HRA under Articles 6 or 7 of the Habitats Directive. I am satisfied that the Plan does not breach the requirements of Chapter 8 of Part 6 of *the Conservation of Habitats and Species Regulations 2017(7)*.
20. A Neighbourhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. I am satisfied that the Plan is compatible with EU obligations and, in particular, does not breach the European Convention on Human Rights obligations.

Policy Background

21. The *National Planning Policy Framework* (NPPF) (2019) sets out the Government's planning policies for England and how these are expected to be applied. The *Planning Practice Guidance* (2014) (PPG) provides Government guidance on planning policy.
22. At the heart of the NPPF is the presumption in favour of sustainable development. Paragraph 8 sets out the three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. The three overarching objectives are:
 - a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
 - c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*
23. Fressingfield Parish is within the local authority area of Mid Suffolk District Council (MSDC). The development plan for the Fressingfield

Neighbourhood Development Plan Area comprises the saved policies in the Mid Suffolk Local Plan (1998); The Mid Suffolk Local Plan First Alteration: Affordable Housing (2006); The Mid Suffolk Core Strategy Development Plan Document (2008); and The Mid Suffolk Core Strategy Focused Review (2012).

24. The strategic policies in the development plan include policies regarding housing provision and the conservation and enhancement of the natural and historic environment.
25. MSDC with Babergh District Council published a new Joint Local Plan Preferred Options Consultation Document in July 2019. This covers the period to 2036.
26. Whilst there is no requirement for the Neighbourhood Plan to conform to emerging policies, I note that the Neighbourhood Plan has been prepared taking into consideration latest evidence informing the Local Plan process with regard to the scale of residential development proposed.
27. There has been an objection to the Plan with regard to it being prepared in advance of the adoption of the Joint Local Plan. I consider it relevant to refer to the High Court Judgment of *Gladman Developments Limited v Aylesbury Vale District Council & Winslow Town Council [2014] EWHC 4323 (Admin)* on 18 December 2014 with regard to this matter.
28. The following is an extract of paragraph 58 of that judgment: *In my judgment, a neighbourhood development plan may include policies dealing with the use and development of land for housing, including policies dealing with the location of a proposed number of new dwellings, even where there is at present no development plan document setting out strategic policies for housing. The examiner was therefore entitled in the present case to conclude that the Neighbourhood Plan satisfied basic condition 8(2) (e) of Schedule 4B to the 1990 Act as it was in conformity with such strategic policies as were contained in development plan documents notwithstanding the fact that the local planning authority had not yet adopted a development plan document containing strategic policies for housing. Further, the examiner was entitled to conclude that condition 8(2) (d) of Schedule 4B to the 1990 Act was satisfied. That condition requires that the making of the neighbourhood development plan “will contribute to the achievement of sustainable development”. The examiner was entitled to conclude that a neighbourhood plan that would provide for an additional 455 dwellings, in locations considered to be consistent with sustainable development, did contribute to the achievement of sustainable development notwithstanding that others wanted more growth and development plan documents in future might provide for additional growth. Similarly, the examiner was entitled to conclude that having regard to national guidance and advice, including the Framework, it was appropriate to make the neighbourhood plan even though there might, in future, be a need for further growth.*

The Neighbourhood Development Plan Preparation

29. I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
30. The initial consultation process included a survey in April 2017 to take stock of villagers' views on matters of importance and development. This was followed by a series of meetings during May/June in 2017.
31. A Steering Group workshop was held in June 2018 to consider four main issues. Steering Group members met with a range of local groups and organisations between June and early September 2018 to try to ascertain the key issues within the community. They held a specific youth event in October 2018.
32. Two drop-in style public exhibitions were held in September 2018 at Sancroft Hall. An online survey was also available on the Neighbourhood Plan website for those members of the public who were unable to attend the drop-in events. In March 2019 a specific meeting was held with landowners.
33. The consultation period on the pre-submission draft of the Plan ran from 29 March to 17 May 2019. The consultation began with two drop-in style exhibitions. The consultation was publicised via a dedicated website, an article in Six Sense, the delivery of flyers, erection of posters and banners. A press release was issued to local media. Copies of the draft Plan and response forms were available at seven locations in the Parish and also on the website.
34. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. The consultation and publicity went well beyond the requirements and it is clear that the qualifying body went to considerable lengths to ensure that local residents, including specific groups in the community, were able to engage in the production of the Plan. I congratulate them on their efforts.
35. MSDC publicised the submission Plan for comment during the publicity period between 5 August and 27 September 2019 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of thirteen responses were received. I am satisfied that all these responses can be assessed without the need for a public hearing.
36. Some responses suggest additions and amendments to policies. My remit is to determine whether the Plan meets the Basic Conditions and other legal requirements referred to above. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested

additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration. I gave the Parish Council the opportunity to comment on the Regulation 16 representations. I have taken their comments into consideration. Their comments have been placed on the MSDC web site.

The Fressingfield Neighbourhood Development Plan

37. Paragraph 16 in the NPPF requires plans to be prepared positively, in a way that is aspirational but deliverable; and serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area. In addition, paragraph 16 in the NPPF requires plans to contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.
38. PPG states: *A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.* (Paragraph: 041 Reference ID: 41-041-20140306).
39. I do refer to clarity and precision with regard to some recommendations to modifications to the Plan. Where I do so, I have in mind the need for clear and unambiguous policies, thus ensuring that the Plan has regard to national policy in this respect.
40. It is not for me to re-write the Plan. Where I have found editing errors, I have identified them as minor editing matters and highlighted these as such. These have no bearing on whether the Plan meets the Basic Conditions.
41. I have noticed that the 2018 rather than the 2019 NPPF is referred to in a number of paragraphs. These are paragraphs 6.15, 6.27, 6.38 and 6.51 and the definition of Local Green Space in Appendix C. **I see these as minor editing matters.**
42. I understand that there are 58 Listed Buildings in the Parish. Paragraph 2.15 and the Character Appraisal should be corrected accordingly. **I see these as minor editing matters.**
43. Paragraphs 3.5 and 5.2 should refer to the Mid Suffolk Hinterland Village figures, rather than those for Babergh. **I see this as a minor editing matter.**

44. I note that paragraph 7.4 is incorrect where it refers to houses used to house employees of CE Davidson. Therefore, this reference should be deleted. **I see this as a minor editing matter.**
45. Policies in a neighbourhood plan can only be for the development and use of land. Where there are community aspirations (identified as Community Action Projects in this Plan), these have to be clearly differentiated from policies for the development and use of land. The Plan includes a Draft Village Improvement Plan, which lists target improvements.
46. For ease of reference, I have used the same policy titles as those in the Plan. I have briefly explained national policy and summarised main strategic policies where relevant to each neighbourhood plan policy. I have tried not to repeat myself. Where I have not specifically referred to other relevant strategic policy, I have considered all strategic policy in my examination of the Plan.
47. PPG states: *While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no 'tick box' list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.* (Extract from paragraph: 040 Reference ID: 41-040-20160211).

Housing and Community

FRES 1 Housing provision

48. Core Strategy Policy CS1 identifies Fressingfield as a Primary Village. Whilst Core Strategy Focused Review Policy FC 2 outlines the provision and distribution of housing in the District, this is not up to date.
49. There is no legal requirement to test the Neighbourhood Plan against emerging policy although PPG advises that the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which the neighbourhood development plan is tested. The qualifying body and the local planning authority should aim to agree the relationship between policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan, with appropriate regard to national policy and guidance.
50. Policy SP03 in the emerging Joint Local Plan Preferred Options Consultation Document identifies Fressingfield as a Hinterland Village. The minimum housing requirement in the emerging Joint Local Plan for Fressingfield is 56 dwellings.

51. Policy FRES 1 provides for around 60 new dwellings within the Plan period. Of these, 51 have the benefit of planning permission, with the majority on two allocated sites. The remainder would be on small windfall sites and infill plots within the settlement boundary. MSDC has not made adverse comment regarding this approach.
52. Two sites are being promoted for development through representations on the submission Plan: one for residential development off John Shepherd Road and one for a mix of residential/commercial development along Stradbroke Road. The Neighbourhood Plan Examination process does not require a rigorous examination of district wide housing land requirements. This is the role of the examination of the emerging Joint Local Plan. In the absence of up to date adopted strategic housing policies, it is not my role to determine whether the Neighbourhood Plan would be inconsistent with the adopted version of the emerging Joint Local Plan. From the limited evidence before me, I consider the minimum housing figure of 56 dwellings in the emerging Joint Local Plan provides me with the best guidance on housing numbers for the Plan area.
53. As the two allocated residential sites have planning permission, I am satisfied as far as I can reasonably be expected to be that the chosen sites are deliverable and together with the overall housing strategy in the Neighbourhood Plan will contribute towards the achievement of sustainable development by the provision of sustainable growth. Thus, I do not consider it necessary for the inclusion of additional sites.
54. Policy FRES 1 focuses development within the Settlement Boundary in accordance with Core Strategy Policy CS1. Policy FRES 1 specifies that development outside the settlement boundary to meet the growth envisaged should be in accordance with paragraph 79 in the NPPF. That paragraph is concerned with isolated homes in the countryside.
55. Paragraph 77 in the NPPF states: *in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs*. In addition, it supports the provision of rural exception sites for the provision of affordable housing. Paragraph 71 in the NPPF allows for the possibility of the development of entry-level exception sites. The penultimate paragraph in Policy FRES 1 has regard to national policy in this respect where it supports residential development outside the Settlement Boundary if there is an identified local need. However, there is a contradiction within the policy with regard to new development that is acceptable under paragraph 79 of the NPPF, as, apart from having to identify an essential need for a rural worker's dwelling, there is no requirement to identify a local need in paragraph 79.
56. Policy FRES 1 does not have regard to NPPF paragraph 77 which supports the provision of rural exception sites and Policy FRES 1 does not allow for the possibility of the development of entry-level exception sites as outlined in Paragraph 71.

57. Core Strategy Policy CS2 seeks to restrict development in the countryside other than in defined categories. These include extensions to dwellings. Policy FRES 1 is more restrictive than Core Strategy Policy CS2. In particular, it would require residential extensions outside the Settlement Boundary to be supported by a housing needs assessment.
58. I see no robust evidence to justify restricting development in the countryside in this Parish to a greater degree than the restriction on development in the countryside in the rest of the District. Therefore, to have regard to national policy and to be in general conformity with strategic policy I have suggested revised wording to the penultimate paragraph in Policy FRES 1.
59. Subject to the modification I have recommended above, Policy FRES 1 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy FRES 1 meets the Basic Conditions.
60. **Recommendation: to meet the Basic Conditions I recommend modification to the penultimate paragraph in Policy FRES 1 to read as follows:**
- Proposals for new residential development outside of the Settlement Boundary, other than development in accordance with paragraph 79 of the NPPF 2019 or residential extensions, will only be permitted where it can satisfactorily be demonstrated that there is an identified local need for the proposal supported by a housing needs assessment and that it cannot be satisfactorily located within the Settlement Boundary.**

FRES 2 Housing size, type and tenure

61. Paragraph 59 in the NPPF states that the needs of groups with specific housing requirements need to be addressed, to support the Government's objective of significantly boosting the supply of homes.
62. Core Strategy Policy CS9 seeks to ensure a mix of housing types, sizes and affordability to cater for different accommodation needs.
63. Policy FRES 2 encourages different types of housing to meet local needs. Background evidence supports this approach. To ensure that housing development takes account of both existing and future needs throughout the Plan period, in the interest of precision I suggest that reference is made to such development being in line with the latest evidence of need. I have suggested revised wording.
64. Suffolk County Council has recommended that Policy FRES 2 supports the provision of Extra Care accommodation. The housing for older people criterion in Policy FRES 2 provides some examples of accommodation. This does not preclude the provision of Extra Care accommodation. Whilst such an additional reference would be acceptable, my remit is to determine

whether the Plan meets the Basic Conditions. The addition of specific reference to such accommodation is not required for this policy to meet the Basic Conditions.

65. Subject to the above modification, Policy FRES 2 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy FRES 2 meets the Basic Conditions.

66. **Recommendation: to meet the Basic Conditions I recommend modification to Policy FRES 2 to read as follows:**

FRES 2 Housing size, type and tenure

Encouragement will be given to a wide range of types of housing that meet local needs to enable a mixed and inclusive community.

In line with the latest evidence of need, developments should provide:

- **Housing for older people (e.g. Retirement living housing/supported/sheltered housing, bungalows and retirement complexes)**
- **Family housing – 2-3 bedrooms**
- **Starter homes/first time buyers**
- **Adaptable, ‘life-time’ homes**
- **Affordable housing**

Support is given for maximising the delivery of affordable housing on all qualifying sites in Fressingfield.

It should be noted that the above housing types may not be suitably accommodated on every site.

FRES 3 Infrastructure

67. Developer contributions can only be sought where they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and paragraph 56 in the NPPF.

68. Core Strategy Policy CS6 requires new development to provide or support the delivery of appropriate and accessible infrastructure to meet the justified needs of new development.

69. Policy FRES 3 seeks to ensure that sufficient infrastructure is available to support new development. My only concern is that developer contributions

may not always be in the form of funding. There may be instances where the developer provides the infrastructure itself. In the interest of precision, I suggest revision to Policy FRES 3 to refer to providing or supporting the delivery of necessary infrastructure. This would be in general conformity with Core Strategy Policy CS6.

70. Subject to the above modification, Policy FRES 3 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy FRES 3 meets the Basic Conditions.

71. **Recommendation: to meet the Basic Conditions I recommend modification to Policy FRES 3 to read as follows:**

FRES 3 Infrastructure

New development will only be permitted if it can be demonstrated that sufficient supporting infrastructure (physical, medical, educational, green and digital) is available to meet the needs of that development. Where an infrastructure deficit currently exists, new development should not exacerbate that deficit. Where the need for new infrastructure is identified to meet the needs of that development, developments should provide or support the delivery of it in order to enhance the quality of life for the community.

FRES 4 Community facilities

72. Paragraph 92 in the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should, amongst other matters, plan positively for the provision of community facilities and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.

73. Core Strategy Policy CS6 seeks to ensure that new development provides or supports the delivery of appropriate and accessible infrastructure to meet the justified needs of new development. Core Strategy Policy CS2 permits community services and facilities in the countryside that meet a proven local need.

74. The above two paragraphs are relevant to both Policies FRES4 and FRES5.

75. Policy FRES 4 seeks to retain existing community facilities and encourages additional ones. This is in general conformity with strategic policy.

76. I have a concern with the Sports and Social Club being identified as a community facility as it is also designated as a Local Green Space in Policy FRES 7. Policies for managing development within a Local Green Space (LGS) should be consistent with Green Belt Policy.

77. My concern is that the criteria in Policy FRES 4 regarding the potential loss of a community facility may well conflict with the restrictions on development in a LGS. In the interest of precision, I suggest that the Sports and Social Club building is identified separately from the grounds for the purposes of these two policies. The building can be retained as a community facility and the club grounds retained as LGS. Similarly the reference to the school in Policy FRES 4 should exclude the school playing field which is identified as a LGS in Policy FRES 7.
78. As regards play areas, there is only one formal area with play equipment on it as part of the LGS at the Sports and Social Club. For the same reasons as mentioned above with regard to internal conflict in the Plan between Policies FRES 4 and FRES 7, reference to play areas should be deleted from Policy FRES 4. I have suggested revised wording to the last paragraph of Policy FRES 4 accordingly.
79. A paragraph can be added to the explanatory text preceding Policy FRES 4, explaining the exclusions from the policy. **I see this as a minor editing matter.**
80. Subject to the above modifications, Policy FRES 4 has regard to national policy, contributes towards sustainable development, particularly the social objective and is in general conformity with strategic policy. Modified Policy FRES 4 meets the Basic Conditions.
81. **Recommendation: to meet the Basic Conditions I recommend modification to the last paragraph in Policy FRES 4 to read as follows:**
- For the purposes of the policy, the definition of Community Facilities includes the Sports and Social Club building, community buildings, shop, public houses, surgery, and school, (excluding school playing field).**

FRES 5 Fressingfield Hub

82. It is clear from the background evidence that there is local community support for the creation of a Fressingfield Hub. Policy FRES 5 supports such a provision, subject to impact on its surroundings. As such, Policy FRES 5 has regard to national policy to plan positively for the provision of community facilities, contributes towards sustainable development, particularly the social objective and is in general conformity with strategic policy. Policy FRES 5 meets the Basic Conditions.

The Natural, Historic and Built Environment

FRES 6 Protecting landscape character and natural assets and enhancing village gateways/entrances

83. Paragraph 170 in the NPPF requires the planning system to contribute to and enhance the natural and local environment. This includes protecting and enhancing valued landscapes.
84. Paragraph 175 in the NPPF seeks to protect habitats and biodiversity. An extract from this paragraph states: *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.*
85. Core Strategy Policy CS5 seeks to ensure that all development maintains and enhances the environment, including the historic environment, and retains the local distinctiveness of the area.
86. Core Strategy Focused review Policy FC1.1 seeks to ensure that proposals for development conserve and enhance the local character of different parts of the district.
87. Policy FRES 6 seeks to protect the landscape character and natural assets and enhance village gateways. Four key views have been identified. These views are identified in the *Heritage and Settlement Sensitivity Assessment for Babergh and Mid Suffolk District Councils* (March 2018) as part of the evidence base for the emerging Joint Local Plan. In addition, key views were assessed in the *Character Appraisal 2018/19* background evidence document accompanying the Plan. I have visited the viewpoints. I am satisfied that the protection of the views identified in Policy FRES 6 is justified by the supporting evidence.
88. To have regard to national policy outlined in Paragraph 175 in the NPPF, the third paragraph in Policy FRES 6 concerning ancient woodland and veteran trees should include '*unless there are wholly exceptional reasons and a suitable compensation strategy exists*'. Subject to this modification, Policy FRES 6 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified Policy FRES 6 meets the Basic Conditions.
89. There should be an 'and' between 'highway safety' and 'visual amenity' in the last sentence. **I see this as a minor editing a matter.**
90. **Recommendation: to meet the Basic Conditions I recommend modification to the third paragraph in Policy FRES 6 to read as follows:**

Proposals should avoid harm to or loss of irreplaceable habitats such as ancient woodland and veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.

FRES 7 Local Green Spaces

91. The NPPF in paragraphs 99 - 101 states: *the designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*

The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.*

Policies for managing development within a Local Green Space should be consistent with those for Green Belts.

92. I have visited the Parish and seen the proposed Local Green Spaces. My comments on each site are set out below.
93. a) Graveyard and land to rear of Methodist Church, New Street. This comprises two parcels of land. The graveyard clearly meets the criteria for designation. It is in close proximity to the community, local in character and demonstrably special, particularly for its tranquillity. Similarly the land to the rear meets the criteria other than the inclusion of the Scouts Hut. Whilst the designation of LGS does not preclude the inclusion of buildings, these are usually ancillary buildings, such as small maintenance huts on large playing fields. I note that the Scouts Hut is to be relocated and I am unaware of the future use of the existing building behind the Methodist Church. The existing Scouts Hut does not meet the criteria for designation as part of the LGS and, incidentally, any redevelopment of that building may be restricted by the LGS designation. As the existing Scouts Hut does not meet the criteria for designation as part of the LGS, I recommend the deletion of the building from the LGS designation. The surrounding green area can remain.
94. b) Land surrounding Fox and Goose i) Sancroft Field, ii) The Old Stables and

Paddock, and iii) Pond. All three of these green areas clearly meet the criteria for designation. They are in close proximity to the community, local in character and demonstrably special, particularly for their visual amenity. However, I am concerned about including the Old Stables building. It does not meet the criteria for designation as part of the LGS. As an aside, I do realise that the community would like to use this building as a community hub in the future. It would then be protected as a community building under Policy FRES 4. As the Old Stables do not meet the criteria for designation as part of the LGS, I recommend the deletion of the building from the LGS designation. The surrounding green area can remain.

95. c) Churchyard of St Peter and St Paul. The churchyard clearly meets the criteria for designation as a LGS. It is in close proximity to the community, local in character and demonstrably special, particularly for its tranquillity. For the same reasons as mentioned above, the inclusion of the Church as a LGS does not meet the criteria for designation as part of the LGS. Therefore, I recommend the deletion of the Church building from the LGS designation.
96. d) Land south of Victoria Terrace – community gardens. These gardens meet the criteria for designation. They are in close proximity to the community, local in character and demonstrably special, particularly for their recreational value.
97. e) Sports and Social Club. The playing fields and children’s play area meet the criteria for designation as LGS. They are in close proximity to the community, local in character and demonstrably special, particularly for their recreational value. As previously mentioned under Policy FRES 4 and as mentioned above with regard to other buildings in proposed LGS, the Sports and Social Club building does not meet the criteria for designation as part of the LGS. Therefore, I recommend the deletion of the building from the LGS designation.
98. f) Pilgrims Green, Laxfield Road. This area meets the criteria for designation as LGS. It is in close proximity to the community, local in character and demonstrably special, particularly for its visual amenity.
99. g) Land at Church Farm Green. This area meets the criteria for designation as LGS. It is in close proximity to the community, local in character and demonstrably special, particularly for its visual amenity.
100. h) Graveyard at Baptist Chapel, Low Road. This area meets the criteria for designation as LGS. It is in close proximity to the community, local in character and demonstrably special, particularly for its tranquillity.
101. i) Cemetery on Stradbroke Road. Whilst this site is clearly demonstrably special to the community because of its tranquillity, it is not in reasonably close proximity to the community it serves. Thus, this cemetery does not meet the criteria for designation as a LGS and thus should be deleted from Policy FRES 7.
102. j) School Playing Field. This area meets the criteria for designation as LGS. It is in close proximity to the community, local in character and demonstrably special, particularly for its recreational value.

103. It is clear in the NPPF that development on LGS is only allowed in very special circumstances, consistent with Green Belt policy. These very special circumstances are not defined in the NPPF and it is not for me to decide what constitutes a very special circumstance. Therefore, to have regard to national policy, I recommend modification to the last sentence in Policy FRES 7. I have suggested revised wording.
104. The LGS maps need to be of a suitable scale for ease and accuracy of identification. The scale of Maps 6.2 a) b) and c) are not sufficient. In the interest of precision, I recommend the inclusion of inset OS based maps at an appropriate scale that ensures the precise boundaries of the LGS are clearly identifiable.
105. Subject to the modifications suggested above, Policy FRES 7 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified Policy FRES 7 meets the Basic Conditions.

106. **Recommendation: to meet the Basic Conditions, I recommend:**

1) the inclusion of inset OS based maps at an appropriate scale that ensures the precise boundaries of the Local Green Spaces are clearly identifiable. On these maps I recommend the deletion of the Scouts Hut building, the Church Building, the Old Stables building, the Sports and Social Club building and the Cemetery on Stradbroke Road as LGS.

2) modification to Policy FRES 7 to read as follows:

FRES 7 Local Green Spaces

The following areas as shown on Maps [xx] below are designated as Local Green Spaces as they are considered to be of local significance to their community due to their visual, historical, recreational or wildlife value:

a) Graveyard and land to rear of Methodist Church, New Street

b) Land surrounding Fox and Goose (3 parcels – [Map xx])

i) Sancroft Field,

ii) Paddock, and

iii) Pond

c) Churchyard of St Peter and St Paul

d) Land south of Victoria Terrace – community gardens

e) Sports and Social Club playing fields and play area

- f) Pilgrims Green, Laxfield Road
- g) Land at Church Farm Green
- h) Graveyard at Baptist Chapel, Low Road
- i) School Playing Field

Proposals for development on the Local Green Spaces will only be permitted in very special circumstances.

FRES 8 Non Designated Heritage Assets

107. Recently updated PPG states:

There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence.

Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets.

(Extract part of Paragraph: 040 Reference ID: 18a-040-20190723 dated 23 July 2019).

108. Paragraph 197 in the NPPF states: *in weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*
109. Core Strategy Policy CS5 seeks to ensure that all development maintains and enhances the environment, including the historic environment, and retains the local distinctiveness of the area.
110. Policy FRES 8 identifies buildings and structures of local heritage interest to be treated as non-designated heritage assets. I note that the supporting evidence was compiled using criteria for selection as advised by Historic England in *the Historic England Advice Note 7: Local Heritage Listing*.
111. It is clear from the evidence before me that the buildings and structures identified in Policy FRES 8 are historic buildings and structures of significance to the local community. They have been chosen using clear criteria for selection and have been identified on sound evidence.

112. The criteria for demolition, redevelopment or substantial alteration to these buildings and structures in Policy FRES 8 elevates the status of these non-designated heritage beyond the balanced judgement outlined in paragraph 197 in the NPPF. I see no justified evidence for this approach.
113. There is no need to repeat national policy with regard to the need for a balanced judgement. To have regard to national policy, I recommend the deletion of the last paragraph in policy FRES 8.
114. Subject to the above modification, modified Policy FRES 8 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy FRES 8 meets the Basic Conditions.
115. **Recommendation: to meet the Basic Conditions, I recommend the deletion of the last paragraph in Policy FRES 8.**

FRES 9 Fressingfield Vernacular

116. Paragraph 124 in the NPPF emphasises that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve.
117. Paragraph 125 in the NPPF states: *plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.*
118. Paragraph 127 in the NPPF lists criteria for design policies, including that developments *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).*
119. Core Strategy Policy CS5 requires development to be of a high quality of design that respects the local distinctiveness and the built heritage of the District, enhancing the character and appearance of the District.
120. The *Character Appraisal 2018/19* background evidence document provides a comprehensive detailed appraisal of the distinct character and 'feel' of the Parish.
121. The above paragraphs are relevant to both Policies FRES 9 and FRES 10.

122. Policy FRES 9 identifies important and distinctive building materials, roof characteristics and orientation in the Parish derived from the Character Appraisal. From my site visit, it is clear that these details create the character and 'feel' of the Parish.
123. Policy FRES 9 requires all new developments to incorporate these characteristic details. The definition of development in planning policy encompasses a wide range, including change of use and there may be many instances where small scale development cannot incorporate such details. In addition, it is not practical for a new development to incorporate all the design details specified in the policy. The status of the Character Appraisal is as an informative guidance document. In the interest of precision, I have suggested revised wording to the last paragraph in Policy FRES 9.
124. PPG, (at Paragraph: 001 Reference ID: 56-001-20150327), makes it clear through a link to a Written Ministerial Statement of 25 March 2015 that it is not appropriate to refer to any additional local technical standards or requirements relating to the construction or performance of new dwellings in neighbourhood plans. Therefore, reference to the use of sustainable materials in the last sentence cannot apply to residential property. In addition, as sustainable construction is part of Policy FRES 12, there is no need to repeat it here.
125. Subject to the above modifications, modified Policy FRES 9 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy FRES 9 meets the Basic Conditions.
126. **Recommendation: to meet the Basic Conditions, I recommend modification to the last paragraph in Policy FRES 9 to read as follows:**
- All new developments should have regard to these characteristic details and their incorporation into the design of schemes is encouraged. Innovative and contemporary design that incorporates characteristic details is encouraged.**

FRES 10 Design

127. Policy FRES 10 is a general design policy that seeks to ensure that new development reflects local distinctiveness and character and is largely based on the findings of the Character Appraisal.
128. Criterion c) requires soft well landscaped boundaries with a minimum edge of 5 metres, where adjacent to open countryside or edge of settlement. Whilst I appreciate the need for soft well landscaped boundaries, I have no robust background evidence to justify the five metre requirement. In particular, such a requirement cannot be concluded from the Character Appraisal. Therefore,

to avoid over prescription that cannot be justified, I recommend deletion of the five metre reference.

129. Criterion h) refers to minimising the loss of important trees and hedgerows. I have not been provided with evidence listing such important trees and hedgerows, other than ancient woodland and veteran trees referred to in Policy FRES 6. In particular, the Character Appraisal does not identify important trees. I do recognise the need to retain trees and hedgerows that make a positive contribution to the character and appearance of the Parish. Therefore, in the interest of precision, I recommend modification to this criterion to refer to trees and hedges that make a positive contribution to the character and appearance of the surrounding area.
130. Criterion i) refers to 'Secure by Design'. This is guidance rather than policy. Therefore, in the interest of precision, criterion i) needs to refer to 'having regard to Secure by Design', rather than 'meeting the requirements' of the guidance. I have suggested revised wording.
131. Subject to the above modifications, modified Policy FRES 10 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy FRES 10 meets the Basic Conditions.
132. Criterion d) starts with 'be designed'. This should read 'are designed'. **I see this as a minor editing matter.**
133. Just prior to my examination of this Plan, the Government published updated design guidance, including the National Design Guide. My suggested modifications to Policies FRES 9 and FRES 10 are not due to the publication of this guidance. Had this not been the case, in the interest of fairness I would have sought the views of the Parish Council with regard to the impact of the new guidance on Policies FRES 9 and FRES 10.
134. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) modification to criterion c) in Policy FRES 10 to read as follows:**
- c) have soft well landscaped boundaries where adjacent to open countryside or edge of settlement.**
- 2) modification to criterion h) in Policy FRES 10 to read as follows:**
- h) minimise the loss of trees and hedgerows, that make a positive contribution to the character and appearance of the Parish, in the design of necessary road access and visibility splays.**
- 3) modification to criterion i) in Policy FRES 10 to read as follows:**
- i) have regard to guidance in Secure by Design to minimise the likelihood and fear of crime.**

FRES 11 Localised flooding and pollution

135. The NPPF in paragraph 155 seeks to direct development away from areas at highest risk of flooding. Paragraphs 163-164 specify the need for site - specific flood risk assessments, and sequential and exception tests, as applicable, in areas at risk of flooding. Applications for some minor development, including change of use, should not be subject to these tests but should meet the requirements for site-specific flood risk assessments.
136. Paragraph 165 in the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
137. Core Strategy Policy CS4 seeks to ensure that new development contributes to the delivery of sustainable development and reflects the need to plan for climate change. It supports development proposals that avoid areas of flood risk and seeks sustainable drainage systems where technically feasible.
138. Policy FRES 11 seeks to ensure that new development does not increase localised flooding.
139. Suffolk County Council has stated that rainwater capture and grey water recycling are not flood mitigation measures or drainage solutions, so are not appropriate for this flooding policy. Suffolk County Council sees no evidence to support the proposed reduction in flow discharge by 10%. In addition, Suffolk County Council has highlighted the distinct difference between sustainable drainage systems being unviable and inappropriate (the latter is the terminology used in the NPPF). I concur with these concerns.
140. To have regard to national policy, Suffolk County Council has suggested revised wording for the first paragraph in Policy FRES 11. The Parish Council supports the suggested modification. I am satisfied that the suggested modification meets the Basic Conditions. It has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy.
141. Suffolk County Council has suggested that Laxfield Road is included in the list of identified flooding areas as their maps indicate a cluster of flood events along this road. This can be added to Map 6.4, but I see no need for the list of identified flooding areas to be included in FRES 11. It is a statement rather than planning policy. I suggest that paragraph 6.47 incorporates reference to Laxfield Road. I have noticed that paragraph 6.47 refers to Appendix D when it should be Appendix E. In addition, I have noticed that the areas of localised flooding need to be annotated in the key for Map 6.4. **I see these as minor editing matters.**
142. Suffolk County Council has enclosed a River and Sea Flood Risk for Fressingfield Parish Map and a Surface Water Flood Risk for Fressingfield Parish Map. In the interest of precision, these should replace the flood risk maps in Appendices E and F.

143. **Recommendation: to meet the Basic Conditions, I recommend:**

1) modification to Policy FRES 11 to read as follows:

FRES 11 Localised flooding and pollution

All new development (including minor development) is required to use appropriate sustainable drainage systems to mitigate its own flooding and drainage impacts, avoid increase of flooding elsewhere and seek to achieve lower than greenfield runoff rates. No development will be supported in areas of significant flood risk.

2) the flood risk maps in Appendices E and F are replaced with the Suffolk County Council's River and Sea Flood Risk for Fressingfield Parish Map and the Surface Water Flood Risk for Fressingfield Parish Map.

FRES 12 Energy efficiency, low carbon technology and renewable energy

144. Paragraph 148 in the NPPF states: *the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.*

145. Core Strategy Policy CS3 seeks to reduce contributions to climate change.

146. Policy FRES 12 seeks to ensure that all new development is designed to anticipate climate change. As mentioned under Policy FRES 9, national guidance clearly indicates that it is not appropriate to refer to any additional local technical standards or requirements relating to the construction or performance of new dwellings in neighbourhood plans. Therefore, Policy FRES 12 can only apply to non - residential development. I suggest that Policy FRES 12 is modified accordingly.

147. The accompanying text can explain that it is not appropriate to refer to any additional local technical standards or requirements relating to the construction or performance of new dwellings in neighbourhood plans. **I see this as a minor editing matter.**

148. Subject to the above modification, modified Policy FRES 12 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy FRES 12 meets the Basic Conditions.

149. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy FRES 12 by the addition of the following sentence at the beginning of the policy:**

This policy only applies to non - residential development.

Economic Development and Transport

FRES 13 New and existing businesses

150. The NPPF supports a prosperous rural economy. Core Strategy Focused Review Policy FC 3 directs the majority of new employment to the towns and Key Service Centres. It supports economic development proposals in rural areas that cannot be more sustainably located closer to existing settlements and where the proposal is restricted in size, scale and type appropriate to a rural setting.
151. Policy FRES 13 seeks to support existing businesses and encourage new business in suitable locations. My one concern is with regard to the last paragraph which refers to new buildings of an 'appropriate scale and design'. It is not clear in the policy what 'appropriate means in this context'. In the interest of precision, I suggest the incorporation of new buildings into the preceding paragraph. I have suggested revised wording.
152. Subject to the above modification, Policy FRES 13 has regard to national policy, contributes towards sustainable development, particularly the economic objective and is in general conformity with strategic policy. Modified Policy FRES 13 meets the Basic Conditions.
153. **Recommendation: to meet the Basic Conditions, I recommend modification to the last two paragraphs in Policy FRES 13 to be combined to read as follows:**

New small scale businesses appropriate to a rural area, particularly those that result in the reuse of redundant or unused historic or farm buildings, and new buildings to accommodate new business or agricultural uses will be positively encouraged, provided they do not have a significant adverse impact on the character of the area, the amenity of residents or result in an unacceptable increase in traffic generation.

FRES 14 Enhancement and redevelopment opportunities

154. The NPPF strongly promotes the re - use of brownfield land to make an effective use of land.

155. Core Strategy Core Policy 7 proposes a target of 50% of dwellings being built on brownfield/previously developed land.
156. Policy FRES 14 promotes the redevelopment of underused or unused sites within the Settlement Boundary. My only concern is with the precision of the wording. The scale and design should not be a separate consideration from the character of the area or amenities of neighbours. In the interest of precision, I have suggested revised wording.
157. Subject to the above modification, Policy FRES 14 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy FRES 14 meets the Basic Conditions.

158. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy FRES 14 to read as follows:**

FRES 14 Enhancement and redevelopment opportunities

Proposals that would result in a positive visual, environmental or historic enhancement to any existing underused or unused site, e.g. brownfield sites within the Settlement Boundary, will be supported provided that, they are of a suitable scale and design that does not detract from the overall character of the area or adversely impact upon the amenity of adjoining residents.

FRES 15 Transport and highway safety

159. The NPPF promotes sustainable transport, including opportunities to promote walking, cycling and public transport. Paragraph 110 specifically refers to applications for development giving first priority to pedestrian and cycle movements.
160. Paragraph 109 in the NPPF states: Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
161. Core Strategy Policy CS6, amongst other matters, seeks to reduce the need to travel and make safer and easier access by public transport, walking and cycling.
162. Policy FRES 15 encourages improvement in levels of walking and cycling and seeks to prevent risk to highway safety.
163. Suffolk County Council has raised objection to Policy FRES 15 and has suggested revised wording. The Parish Council has agreed with the revised wording.

164. As previously mentioned, the definition of development in planning policy encompasses a wide range, including house extensions. The Suffolk County Council's revised wording takes this into consideration by ensuring that links to existing networks are appropriate to the scale and location of development. As such, I concur with this suggested modification to Policy FRES 15.
165. The second paragraph in Policy FRES 15 does not enable new development to increase traffic flows. In such a rural area most new development is likely to increase traffic flows to some extent and such a requirement to prevent any increase would prevent sustainable development. To ensure that regard is had to national policy, it would require modification to this paragraph to re-iterate NPPF paragraph 109. Such a re-iteration is not necessary in a neighbourhood plan. Therefore, I suggest that the second paragraph in Policy FRES 15 is deleted.
166. Subject to the above modifications, Policy FRES 15 has regard to national policy, contributes towards sustainable development, and is in general conformity with strategic policy. Modified Policy FRES 15 meets the Basic Conditions.
167. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy FRES 15 to read as follows:**
- All new developments shall take opportunities to provide safe and attractive pedestrian and cycle links that connect to existing networks appropriate to the scale and location of the development and seek to improve levels of walking and cycling in the Neighbourhood Plan area.**

Referendum and the Fressingfield Neighbourhood Development Plan Area

168. I am required to make one of the following recommendations:
- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
 - the Plan as modified by my recommendations should proceed to Referendum; or
 - the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.
169. **I am pleased to recommend that the Fressingfield Neighbourhood Development Plan 2018 - 2036 as modified by my recommendations should proceed to Referendum.**

170. I am required to consider whether or not the Referendum Area should extend beyond the Fressingfield Neighbourhood Development Plan Area. I see no reason to alter or extend the Neighbourhood Development Plan Area for the purpose of holding a referendum.

Minor Modifications

171. The Plan is a well-written document, which is easy to read. Where I have found errors, I have identified them above. It is not for me to re-write the Plan. If other minor amendments are required as a result of my proposed modifications, I see these as minor editing matters which can be dealt with as minor modifications to the Plan. In particular the Preface and Introduction will need updating as will paragraph 2.24 regarding bus provision, paragraph 3.3 regarding the Joint Local Plan, paragraph 8.5 regarding when the Plan is 'made' and the Policies Maps in Appendix A.

Janet Cheesley

Date 28 October 2019

Appendix 1 Background Documents

The background documents include:

The National Planning Policy Framework (The Framework) (2019)
The Planning and Compulsory Purchase Act 2004
The Localism Act (2011)
The Neighbourhood Planning (General) Regulations (2012)
The Neighbourhood Planning (General) (Amendment) Regulations (2015)
The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2016)
The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2017)
The Neighbourhood Planning Act (2017)
The Planning Practice Guidance (2014)
The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018
The Saved Policies in the Mid Suffolk Local Plan (1998)
The Mid Suffolk Local Plan First Alteration: Affordable Housing (2006)
The Mid Suffolk Core Strategy Development Plan Document (2008)
The Mid Suffolk Core Strategy Focused Review (2012)
Babergh & Mid Suffolk Joint Local Plan: Preferred Options Consultation Document (July 2019)
Regulation 16 Representations
Comments on REG16 Representations by Fressingfield NDP Steering Group (October 2019)
All Supporting Documentation submitted with the Plan
Examination Correspondence (On the MSDC web site)
Heritage and Settlement Sensitivity Assessment for Babergh and Mid Suffolk District Councils (March 2018)
Ipswich and Waveney Housing Market Areas Strategic Housing Market Assessment Part 1 (May 2017)
Ipswich Housing Market Area Strategic Housing Market Assessment - Partial Part 2 update (January 2019)
Fressingfield Conservation Area Appraisal (December 2008)