

Laxfield Neighbourhood Development Plan 2018 – 2036

Record of Independent Examination Correspondence

First published: 15 October 2020

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Introduction

This document will provide an on-going record of all ‘general’ correspondence during the Laxfield Neighbourhood Plan examination period between the Examiner (Janet Cheesley), the Parish Council / NP Working Group, and Mid Suffolk District Council. It will also act as a record of matters raised and responses to these.

As required, specific documents will continue to be published on the district councils Thorndon NP webpage: www.midsuffolk.gov.uk/LaxfieldNP

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

- 1. 14 Oct 2020 - E from Examiner: Confirmation of Start, Procedures & Qstns**
- 2. 15 Oct 2020 - E from MSDC: Links to planning permissions for allocated sites at Policies LAX 3 & LAX 4. [Link also to site mentioned in late rep’]**
- 3. 24 Oct 2020 - Laxfield PC response to Exam questions from 14 Oct**
- 4. 26 Oct 2020 – E from Examiner: Further questions and responses from Parish and District Council**

1. E-mail from Examiner – Confirmation of Start, Procedures, and Questions.

Dated: 14 Oct 2020
From: Janet Cheesley
To: Paul Bryant (BMSDC), Sue Innes (Chair, Laxfield PC), Ian Poole (Places4People Ltd), Laxfield Parish Clerk
Subject: Laxfield Neighbourhood Plan Examination
Attach: [NPIERS Guidance to Service Users and Examiners 030418.pdf](#)

I am writing to set out how I intend to undertake the examination of the Laxfield 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 enclose the NPIERS Guidance to Service Users and Examiners, which may be of interest regarding the examination process. **[MSDC note: See weblink provided at top of this page]**

I confirm that I have received the documents from Mid Suffolk District Council, including the Regulation 16 representations. I understand that Paul has given the Parish Council the opportunity to comment on these representations. I must emphasise that the Parish Council is not obliged to make comment and I am not inviting new evidence. I will take any comments into consideration when I receive them, which I understand will be by 23 October.

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.

If this has not already happened, please can it be mentioned on the District Council's web site that I have started the examination.

I have not yet read all the documents. At this moment I am seeking clarification from the Parish Council on the following:

- 1) I am yet to visit the Parish. Please can you let me know if construction on either of the two allocated sites has started or completed.
- 2) I am not sure if I have the Landscape Appraisal and Built Character Assessment Reports mentioned in Policy LAX 9. I do have two landscape reports and a Village Appraisal. Please can you clarify which are the documents referred to in Policy LAX 9.
- 3) I am seeking clarification as to whether there is a document in the public realm that explains the criteria used to select the Buildings of Local Significance listed in Appendix 2 to the Plan. I am not seeking new evidence, nor asking for evidence that has not previously been publicly available, as it is not appropriate to do so.
- 4) Please can I have a copy of the Local Green Space Appraisal referred to as supporting evidence for Policy LAX 15.

Please can Paul provide links to the planning permissions for the two allocated sites in Policies LAX 3 and LAX 4.

Regards

Janet Cheesley

[Ends]

2. Links to planning permissions for allocated sites in Policies LAX 3 and LAX 4.
 [Link also to site mentioned in late rep’]

Dated: 15 Oct 2020
From: Paul Bryant (BMSDC),
To: Janet Cheesley
Cc: Sue Innes (Chair, LPC), Ian Poole (Places4People Ltd), Laxfield Parish Clerk
Attach: DC_19_00038-Full_Planning_Grant / DC_19_00156-Full_Planning_Grant

Dear Janet, All

Thank you for your e-mail dated 14 October (and copied below) which confirms that this examination has started. We will update our website as requested.

In response to your request for links to the planning permissions for the two allocated sites in Policies LAX 3 and LAX 4 please see the table below and the attached Decision Notice files. We have also exchanged separate correspondence about a late representation sent obo Newhall Properties (Eastern) Ltd and, as requested, I set out details of that application.

LAX 3	<p>Land at Mill Lane</p> <p>DC/19/00038 Application for Full planning permission – Erection of 4 no. dwellings, garages and new access. Land to the East of Mill Road, Laxfield, Suffolk</p> <ul style="list-style-type: none"> • Officer Delegated Report – Decision Notice issued on 13 Feb 2019 [see attached] • Please see further below re how to access the other application documents via our website, including Application Form, Planning Statement, site plans etc. and our Officer Delegated Report. • There is some monitoring evidence to suggest that a start on site has been made but we defer to the parish council as they are best placed to confirm the latest situation.
LAX 4	<p>Land off Cullingford Close</p> <p>DC/19/00156 Application for Full planning permission – Erection of 13no. dwellings (comprising 9no. open market dwellings and 4no. affordable dwellings) associated works including car parking and garaging Land to the East of Mill Road, Laxfield, Suffolk</p> <ul style="list-style-type: none"> • Officer Delegated Report – Decision Notice issued on 18 Oct 2019 [see attached] • Please see further below re how to access the other application documents via our website, including Application Form, Planning Statement, site plans etc. and our Officer Delegated Report. • I have found no monitoring evidence to suggest that a start on site has been made but defer to the Parish Council as they are best placed to confirm the latest situation.
N/A	<p>Land on the south side of Framlingham Road</p> <p>DC/19/02312 Outline Planning Application (with all matters reserved except access) – Erection of 49 dwellings and associated operations, including; vehicular and pedestrian access, provision of school car park, open space, infrastructure and landscaping. Land on the South Side of Framlingham Rd, Laxfield, Suffolk</p> <ul style="list-style-type: none"> • This application was discussed at Mid Suffolk Development Control Committee B on Wed 5 Feb 2020. The application was considered under agenda item 105. The minutes of that meeting show that, by a unanimous vote, the application was approved subject to completion of a section 106 agreement. Please us this link and scroll down to the relevant agenda item: https://baberghmidsuffolk.moderngov.co.uk/ieListDocuments.aspx?Cid=147&Mid=2752

- Please also see instructions below re how to access the remaining application documents via our website.

To access the relevant planning application documents online:

1. Go to: <https://planning.baberghmidsuffolk.gov.uk/online-applications/>
2. Scroll to bottom of page. In last search box, enter relevant application ref' number in the following format = '19/00038'. Once done, press search.

The application web page will open or you will see a box listing all applications relevant to that site. If the latter please select the one that you are interested in. Once on the correct page, use the blue headings to view, e.g. Details. Comments, and Documents.

Kind regards

Paul Bryant
N'hood Planning Officer | BMSDC

Screen shot only of attached PDF files. All sourced from the Councils Planning Application search page as per instructions above



DC_19_00038-FULL_PLANNING_GRANT



DC_19_00156-FULL_PLANNING_GRANT

[Ends]

3. Laxfield Parish Council response to Examiner questions from 14 Oct 2020

Dated: 24 Oct 2020
From: Ian Poole (Places4People Ltd)
To: Janet Cheesley, Paul Bryant (BMSDC), Sue Innes, Laxfield Parish Clerk
Attach: [See bullet list below]

Dear Janet

Apologies for not getting the information you requested back to you by yesterday. However, I am now pleased to be able to attach the following:

1. The Parish Council's comments on the responses received to the Regulation 16 Submission Consultation [MSDC note: [See here](#)]
2. The Parish Council's response to the questions raised in your email dated 14 October. [MSDC Note: [See extract below](#)]
3. In association with those questions, the Local Green Space Assessment and the Laxfield Character Appraisal. [MSDC Note: [See below](#)]

I trust you will find these helpful in the examination of the Plan, but please do not hesitate to contact me if I can assist further?

Kind regards
Ian

At this moment I am seeking clarification from the Parish Council on the following:

Q1: I am yet to visit the Parish. Please can you let me know if construction on either of the two allocated sites has started or completed.

Parish Council Response: *to follow?*

Q2: I am not sure if I have the Landscape Appraisal and Built Character Assessment Reports mentioned in Policy LAX 9. I do have two landscape reports and a Village Appraisal. Please can you clarify which are the documents referred to in Policy LAX 9.

Parish Council Response: Attached

MSDC note: See [Laxfield Built Environment Character Assessment](#)

Q3: I am seeking clarification as to whether there is a document in the public realm that explains the criteria used to select the Buildings of Local Significance listed in Appendix 2 to the Plan. I am not seeking new evidence, nor asking for evidence that has not previously been publicly available, as it is not appropriate to do so.

Parish Council Response: The identification of the Buildings of Local Significance has been based on the advice contained in Historic England's Advice Note 7 – "Local Heritage Listing"

<https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7>

and, in particular, the criterion listed on page 9 of the Advice Note. To assist, we have provided a table below on how each building met those criteria.

It has been brought to our attention that Waterloo House is in fact already a Grade II* in appendix 1. As such, should not be identified in Appendix 2.

How the identified Buildings of Local Significance fit with the Historic England Local Heritage Listing Criteria	
1.	Gatehouse (was Gay House), Vicarage Road – Aesthetic Interest
2.	The Manse (next to the Chapel and in front of the Old Manse) – Historical Association
3.	The Malt House & the Maltings – Historical Association and Landmark Status
4.	Old Schools – Historical Association and Social and Communal Value
5.	Jasmine House, Vicarage Road – Historical Association and Landmark Status
6.	Workshop/outhouse adjacent to 4, Guildhall Cottages – Aesthetic Interest, Historical Association and Group Value
7.	Waterloo House – On reflection, given that Waterloo House is Listed Grade II*, it shouldn't form part of the list of Buildings of Local Significance.
8.	Bridge House, Gorams Mill Lane – Aesthetic Interest
9.	Old Bank House, The Street – Historical Association
10.	Old Police House, Station Road – Historical Association

Q4: Please can I have a copy of the Local Green Space Appraisal referred to as supporting evidence for Policy LAX 15.

Parish Council Response: Attached

MSDC note: See [Laxfield NP Local Green Space Appraisal](#)

[Ends]

4. Further questions and responses from Parish and District Council

Dated: 26 Oct 2020
From: Janet Cheesley
To: Ian Poole (Places4People Ltd), Paul Bryant (BMSDC), Sue Innes, Laxfield Parish Clerk

Dear Ian

Thank you for your reply and accompanying documents.

Has the Built Environment Character Appraisal been made publicly available? I am thinking of whether it has been published on the Parish Council's website, part of minutes of meetings, or available at public meetings etc.

Policy LAX 9 refers to the Landscape Appraisal and Built Environment Character Assessment. I now have the latter, but unsure if I have the former. Is it the 'Landscape around Laxfield [Environmental Assessment]' or the 'Laxfield – Landscape Character and Habitats [Natural Environment]', or a combination of the two?

I note your comments regarding the time limit for completion of a Section 106 agreement for the site off Framlingham Road. I am seeking clarification from Paul via this email as to whether there has been an extension of time given for the completion of this agreement. My reason for asking is in case the covid situation has delayed matters.

Kind Regards

Janet Cheesley

Dated: 27 Oct 2020
From: Ian Poole (Places4People Ltd),
To: Janet Cheesley, Paul Bryant (BMSDC), Sue Innes, Laxfield Parish Clerk

Dear Janet

To follow up on your further questions of 26 October:

- 1 – I can confirm that the Built Environment Character Appraisal has been publicly available during the preparation of the Plan including at consultation events. It has now been put back on the Neighbourhood Plan pages of the Laxfield Parish Council website.
- 2 – The "Landscape Appraisal" is, as you suggest, a combination of the Landscape around Laxfield [Environmental Assessment] and the 'Laxfield – Landscape Character and Habitats [Natural Environment]'. It might be appropriate for the Neighbourhood Plan to be amended to clarify this in order to provide certainty to users?

Kind regards
Ian

Dated: 27 Oct 2020
From: Paul Bryant (BMSDC),
To: Janet Cheesley
Cc: Ian Poole (Places4People Ltd), Sue Innes, Laxfield Parish Clerk

Dear Janet

To add to Ian's response [above] I also have a response of sorts re your s106 query:

After e-mailing the Case Officer, they have confirmed that discussions between the District Council and Applicant are on-going but they are unable say when a final s106 agreement will be signed/published. On the question as to whether there has been an extension of time given for the completion of this agreement, no specific response is given other than a reminder [to me] that legal agreements take time.

Paul Bryant
N'hood Planning Officer | BMSDC

[Ends]