

Mid Suffolk District Council

**Badwell Ash & Long Thurlow
Neighbourhood Plan
2024 – 2038**

Independent Examiner's Report

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8 August 2025

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Summary

I have been appointed by Mid Suffolk District Council to carry out the independent examination of the Badwell Ash and Long Thurlow Neighbourhood Plan.

The Parish is located some 12 miles from both Bury St Edmunds and Stowmarket. Badwell Ash is the main village with the hamlets of Badwell Green and Long Thurlow. The area has a rich history and is well served by a range of community buildings and facilities.

It is clear that a great deal of thought has gone into producing the Plan. It has been supported by a detailed and comprehensive survey to residents and a range of different supporting documents. It is excellently presented with some helpful diagrams throughout. Based around five themes, the Plan contains 25 policies. These cover a variety of topics including the enhancement of the Village Hall and the definition of a new settlement boundary for Long Thurlow. Both these policies are innovative and locally distinctive. The Plan has been careful not to duplicate policies at District level, but rather to add a layer of local detail. The Plan has been supported by an exemplary Consultation Statement and Basic Conditions Statement.

Although it has been necessary to recommend some modifications, these are generally of a minor nature to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. The number and nature of these modifications reflects the overall quality of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Mid Suffolk District Council that the Badwell Ash and Long Thurlow Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
8 August 2025



1.0 Introduction

This is the report of the independent examiner into the Badwell Ash and Long Thurlow Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Mid Suffolk District Council (MSDC) with the agreement of the Parish Council to undertake this independent examination.

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

2.0 The role of the independent examiner and the examination process

Role of the Examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ 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
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and paragraph 11(2) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- 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.

The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case MSDC. The

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act and paragraph 11(2) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

Examination Process

It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and paragraph 11 of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended).⁶

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷

In addition, PPG is clear that neighbourhood plans are not obliged to include policies on all types of development.⁸ Often representations suggest different or new text, amendments to policies, additional policies or different approaches. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required. Additionally, I do not consider it forms part of my role to make recommendations on supporting documents such as the Design Guidance and Codes.

PPG⁹ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.¹⁰

After consideration of all the documentation and the representations made, I decided that it was not necessary to hold a hearing.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council made comments on the Regulation 16 stage representations and I have taken these into account.

I am very grateful to everyone for ensuring that the examination has run so smoothly and in particular Paul Bryant at MSDC.

⁶ Paragraph 11(3) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) and PPG para 055 ref id 41-055-20180222,

⁷ PPG para 055 ref id 41-055-20180222

⁸ Ibid para 040 ref id 41-040-20160211

⁹ Ibid para 056 ref id 41-056-20180222

¹⁰ Ibid

I made an unaccompanied site visit to familiarise myself with the Plan area on 25 May 2025.

The Government published a new NPPF on 12 December 2024. Transitional arrangements set out in the document¹¹ explain that the policies in the updated NPPF will only apply to those neighbourhood plans submitted from 12 March 2025 onwards. As a result, this examination uses the NPPF updated in December 2023. It is noted that the Plan refers to the December 2024 version of the NPPF and I consider this to be acceptable and pragmatic.

Modifications and how to read this report

Where modifications are recommended they appear in a bullet point list of **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in **bold italics** in the bullet point list of recommendations. Modifications will always appear in a bullet point list.

As a result of some modifications consequential amendments may be required. These can include changing policy numbering, section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

MSDC has also highlighted some inconsistencies with how the Design Guidance and Codes document is referred to throughout the Plan (see MSDC for more detail). Documents should be referred to consistently throughout the Plan.

I regard these issues as primarily matters of final presentation and do not specifically refer to all such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

3.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

A Steering Group was established to progress the Plan. Three key stages of work and community engagement were undertaken. The first, December 2023 to March 2024, included well attended 'key issues' drop in sessions; Placecheck; production of the Data Profile; and a Character Appraisal. The second stage, December 2023 to June 2024 saw the commissioning of the Housing Needs Assessment, the Design Guidance and Codes and the Landscape and Biodiversity Evaluation documents. A residents survey was

¹¹ NPPF December 2024, para 239

conducted with a high response rate of 41%. The third stage, April to December 2024, saw policy drafting and the pre-submission consultation taking place.

Throughout the process, there was a dedicated Plan page on the Parish Council's website and a dedicated Plan website, social media was used, posters and flyers advertised various stages, the Parish magazine had regular articles and updates and updates at Parish Council meetings were given.

Pre-submission consultation was held between 27 September to 8 November 2024. An exhibition launched the consultation period. Both hard and online copies of the Plan were available.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 10 March to 25 April 2025.

The Regulation 16 stage resulted in 15 representations. I have considered all of the representations and taken them into account in preparing my report.

I note that a representation from the Defence Infrastructure Organisation explains that development can form a physical obstruction to the safe operation of aircraft or the operation of technical assets and the creation of environments attractive to large and flocking bird species can pose a hazard to aviation safety in identified safeguarding zones. As a result the Ministry of Defence should be consulted on certain applications within the safeguarding zones. This is primarily a matter for development management at MSDC level.

4.0 Compliance with matters other than the basic conditions

Qualifying body

Badwell Ash Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

The Plan area is coterminous with the administrative boundary for the Parish. MSDC approved the designation of the area on 23 September 2022. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 15 of the Plan.

Plan period

The Plan period is 2024 – 2038. This is clearly stated in the Plan itself. The requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹²

In this case, the Plan includes some actions.¹³ They are clearly distinguishable from the planning policies. I therefore consider this approach to be acceptable for this Plan.

5.0 The basic conditions

Regard to national policy and advice

The Government revised the National Planning Policy Framework (NPPF) on 19 December 2023 and updated it on 20 December 2023. This revised NPPF replaces the previous NPPFs published in March 2012, revised in July 2018, updated in February 2019, revised in July 2021 and updated in September 2023.

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.¹⁴

¹² PPG para 004 ref id 41-004-20190509

¹³ The Plan para 5.3 on page 37; Section 6 on page 44; and the Parish Infrastructure Improvement Plan

¹⁴ NPPF para 13

Non-strategic policies are more detailed policies for specific areas, neighbourhoods or types of development.¹⁵ They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹⁶

The NPPF also makes it clear that neighbourhood plans gives communities the power to develop a shared vision for their area.¹⁷ However, neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁸

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁹

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.²⁰

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous²¹ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.²²

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.²³ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²⁴

Whilst this has formed part of my own assessment, the Basic Conditions Statement clearly sets out how the Plan's policies correspond to the NPPF.

¹⁵ NPPF para 28

¹⁶ Ibid

¹⁷ Ibid para 29

¹⁸ Ibid

¹⁹ Ibid para 31

²⁰ Ibid para 16

²¹ PPG para 041 ref id 41-041-20140306

²² Ibid

²³ Ibid para 040 ref id 41-040-20160211

²⁴ Ibid

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²⁵ This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²⁶

The three overarching objectives are:²⁷

- 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 well-designed, beautiful and safe places, 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 protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁸

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how each Plan objective and policy helps to achieve sustainable development.

General conformity with the strategic policies in the development plan

The development plan consists of the Babergh and Mid Suffolk Joint Local Plan Part 1 (JLP) which was adopted by MSDC on 20 November 2023. The Suffolk Minerals and Waste Local Plan 2020 and other made neighbourhood plans also form part of the development plan, but are not directly relevant to this examination.

²⁵ NPPF para 7

²⁶ Ibid para 8

²⁷ Ibid

²⁸ Ibid para 9

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out the relationship between the strategic policies of the JLP and the Plan policies.

Retained European Union Obligations

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

With reference to Strategic Environmental Assessment (SEA) requirements, PPG²⁹ confirms that it is the responsibility of the local planning authority, in this case MSDC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is MSDC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

Strategic Environmental Assessment and Habitats Regulations Assessment

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

A Screening Determination dated December 2024 has been prepared by MSDC. This in turn refers to a SEA Screening Opinion Final Report prepared by Land Use Consultants

²⁹ PPG para 031 ref id 11-031-20150209

Ltd dated November 2024 which concluded that the Plan was unlikely to have significant environmental effects.

Consultation with the statutory bodies was undertaken. Responses from Historic England and Natural England were received and concurred with the conclusions of the SEA Screening Report.

I have treated the Screening Opinion Report and the Screening Determination to be the statement of reasons that the PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.³⁰

Taking account of the characteristics of the Plan, the information put forward and the characteristics of the areas most likely to be affected, I consider that retained EU obligations in respect of SEA have been satisfied.

Turning now to HRA, a Habitats Regulations Screening Determination dated December 2024 has been prepared by MSDC. This in turn refers to a HRA Screening Report of November 2024 prepared by Land Use Consultants.

A number of European sites lie within 20km of the Plan area. These are the Breckland Special Protection Area (SPA) and Special Area of Conservation (SAC), the Redgrave and South Lopham Fens Ramsar site; and the Waveney and Little Ouse Valley Fens SAC.

The Screening Report concludes that no likely significant effects are predicted, either alone or in combination with other plans and projects.

Natural England concurred with the findings of the Screening Report.

The Screening Determination concludes that Appropriate Assessment (AA) is not required.

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the distance from, the nature and characteristics of the European sites and the nature and contents of the Plan, I agree with the conclusion of the Screening Determination and consider that the prescribed basic condition relating to the Conservation of Habitats and Species Regulations 2017 is complied with.

³⁰ PPG para 028 ref id 11-028-20150209

Conclusion on retained EU obligations

PPG establishes that the ultimate responsibility for determining whether a plan meets retained EU obligations lies with the local planning authority.³¹ MSDC does not raise any concerns in this regard.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a comprehensive statement in relation to human rights and equalities. Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

6.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. Where modifications are recommended they appear in **bold text**. As a reminder, where I suggest specific changes to the wording of the policies or new wording these appear in **bold italics**.

The Plan is presented to an exceptionally high standard and contains 25 policies. There is foreword and a helpful contents page at the start of the Plan.

1. Introduction

This is a helpful introduction to the Plan that sets out basic information about the Plan and how it has evolved. This is a very clear and well-written section that offers a good explanation of the work carried out and the next stages. There is a clear and very helpful diagram which shows the different stages of the neighbourhood planning process. Some natural updating will be needed as the Plan progresses towards the next stages.

I note that the Design Guidance and Codes document produced by AECOM has been updated to January 2025. A modification is made to update paragraph 1.9.

There is also a correction to the date of area designation in paragraph 1.13.

- **Update the first part of the bullet point that refers to the Design Guidance and Codes document in paragraph 1.9 on page 9 of the Plan to:**

“produced by consultants AECOM using Locality Technical Support completed in August 2024 and updated in February 2025.”

³¹ PPG para 031 ref id 11-031-20150209

- **Correct the date in paragraph 1.13 on page 9 of the Plan to “23 September 2022”**

2. National and local planning policy context

This section usefully explains the policy context for the Plan. Some natural updating will be needed as the Plan progresses through the various stages and to update information including on the Local Plan as it has now been confirmed that MSDC and BDC will produce a full Joint Local Plan Review instead of a Joint Local Plan – Part 2.

MSDC puts forward a suggestion for revised wording of paragraph 2.5, 2.6 and 7.20 and Figure 3; this updates the situation at District level. There may be other references and parts of the Plan that require some natural, factual updating such as references to the JLP. I regard these as minor modifications which can be agreed between MSDC and the Parish Council.

- **Delete the last part of the final sentence of paragraph 2.5 on page 12 of the Plan that starts with the words “...except for...”**

- **Revise paragraph 2.6 to read:**

“The two Councils had intended to bring forward a Part 2 Joint Local Plan, which would have identified a spatial distribution/settlement hierarchy, open spaces and site-specific allocations. However, following publication of the new NPPF (December 2024), they announced that they would now proceed with a full Joint Local Plan review. The JLP, along with any Neighbourhood Plan, provides the basis for determining planning applications and future development in the local area and should be consistent with the National Planning Policy Framework.”

- **Amend Figure 3’s JLP Part 2 box to read “*emerging Joint Local Plan Review*”**

3. Badwell Ash and Long Thurlow

This is a detailed and very interesting and informative section about the history and present attributes of the Parish.

4. How the Plan was prepared

This is a detailed and clear description of the evolution of the Plan and demonstrates the stages of work very well, but also the amount of work that has gone into producing the Plan.

5. Vision, objectives and policies

It is clear that the vision statement has captured the many and varied issues raised by the local community throughout the process.

The vision statement for the area is:

“Badwell Ash and Long Thurlow will be a thriving, healthy, safe, rural community with good facilities for all, improved pedestrian and cycle access/ connectivity and appropriate viable businesses supported by the community. Any development will reflect current and future housing needs, be sympathetically designed, built with suitable infrastructure and be sustainable with ambitious Net Zero targets. Our local heritage will continue to be proactively valued and improved. From an environmental perspective, the rural setting, green spaces and wildlife will be protected, nurtured and enhanced.”

The vision statement is underpinned by five objectives across the themed areas of design and housing; community infrastructure; accessibility; business and natural environment which apply across the Plan area. There are also policies which are area based.

Both the vision and the objectives are clearly articulated and relate to the development and use of land and put sustainable development at the heart of the Plan. There are some excellent diagrams which clearly show the connections between the issues raised, vision and objectives. Health and wellbeing is also put centre stage.

6. Projects

This useful section explains that issues often arise during engagement that are not directly related to the development and use of land. It refers to the Community Infrastructure Levy (CIL) which Parishes receive and explains how this is considered in this Parish.

7. Parish wide policies

Design and housing

Policy BALT1: Design guidance and codes is a relatively long policy essentially bringing the Design Guidance and Codes 2025 work undertaken by AECOM into this policy. It seeks to deliver locally distinctive development of a high quality that protects, reflects and enhances local character taking account of the NPPF's stance on design.

The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.³² Being clear about design expectations is essential for achieving this.³³

It continues that neighbourhood planning groups can play an important role in identifying the special qualities of an area and explaining how this should be reflected in development.³⁴ It refers to design guides and codes to help provide a local framework

³² NPPF para 131

³³ Ibid

³⁴ Ibid para 132

for creating beautiful and distinctive places with a consistent and high quality standard of design.³⁵

It continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history whilst not preventing change or innovation, establish or maintain a strong sense of place, optimise site potential and create places that are safe, inclusive and accessible.³⁶

JLP Policy SP10 in addressing climate change, seeks, amongst other things, to support sustainable design and construction.

Non-strategic JLP Policy LP23 refers to sustainable design and construction. Non-strategic JLP Policy LP24 refers to design and residential amenity.

The policy refers to the Parish wide design guidance to be found in the Design Guidance and Codes document requiring proposals to demonstrate how they have had regard to that guidance. The second element of the policy then refers to the five Character Areas identified and the Design Codes that sit with each identified area requiring proposals to demonstrate how they have met the specific design codes of the relevant area.

The policy provides a clear basis and strong link to the Design Guidance and Codes document with a view to ensuring that the distinctiveness, character and sense of place are recognised alongside high quality appropriate new development. The policy meets the basic conditions by having regard to national policy and guidance, being in general conformity with the JLP and helping to achieve sustainable development. However, there are some factual amendments to update given that the latest version of the Design Guidance and Codes is dated February 2025.

- **Update the references in Policy BALT1 as follows:**
 - ***“...Design Guidance and Codes Updated February 2025...”***
 - ***“...Parish wide design guidance (pages 46 – 56, Sections 3.3 – 3.11)***
 - **Delete criterion g.**
 - ***“g. Sustainable drainage (Section 3.9)***
 - ***“h. Biodiversity (Section 3.10)***
 - ***“i. Commercial and community assets (Section 3.11)***
 - **CA1: Historic Core (page 59)**
 - **CA2: Badwell Ash wider village (Page 63)**
 - **CA3: Long Thurlow (page 66)**
 - **CA4: Badwell Green (page 70)**
 - **CA5: Rural Hinterland (page 73)**

³⁵ NPPF para 133

³⁶ Ibid para 135

Policy BALT2: Scale and pattern of new housing development. It is useful at this juncture to set out the planning policy context.

JLP Policy SP01 sets out the housing figures for the District and indicates that the mix of tenure, size and type of housing development should be informed by needs assessments.

JLP Policy SP03 sets out an expectation that housing will come forward through extant permissions, allocations in neighbourhood plans, windfall development and through allocations in the JLP Part 2. It indicates that settlement boundaries will also be reviewed as part of the work on the JLP Part 2. However, MSDC has announced its intention to undertake a full Joint Local Plan review and not a Part 2 Plan in the light of various Government announcements about changes to the planning system. It would be reasonable to expect that the review of settlement boundaries and any site allocations would now form part of the work on a full Joint Local Plan review.

Part of the work on the Plan has been to revise the existing settlement boundary for Badwell Ash to take account of recent development and to develop a new settlement boundary for Long Thurlow based on earlier work at MSDC level, but updating this. The proposed settlement boundary for Badwell Ash and Long Thurlow are shown on pages 53 and 54 of the Plan respectively. This seems to me to be a logical and pragmatic way forward. I saw at my site visit that both settlement boundaries have been defined appropriately.

I note the comments made in relation to the proposed settlement boundary at Long Thurlow. Whilst there are always numerous ways to define such boundaries, in my experience it is common for such boundaries to 'cut across' residential gardens in order to draw the boundary tightly around built development to manage the level of development. I accept the boundary could have been defined differently (and could be subject to further review in the future). However, the boundary put forward is logical and pragmatic as I noted a different character and pattern of development on either side of Long Thurlow Road with more 'backland' development to the north.

Policy BALT2 directs new development to those areas within the settlement boundaries. Brownfield land is prioritised and the scale of development should reflect the respective settlements' position in the District's settlement hierarchy.

Outside the settlement boundaries, development is only permitted where it would be in accordance with national policies or is a rural exception site. JLP Policy SP03 explicitly states that outside the settlement boundaries, development is only permitted where a site is allocated for development, it is in accordance with a made neighbourhood plan, it is in accordance with JLP policies or it is in accordance with the NPPF. I therefore consider the policy should be amended to include District or neighbourhood level policies.

With this modification, Policy BALT2 will meet the basic conditions by having regard to national policy, be in general conformity with the JLP given it supports the strategy

within that document and JLP Policy SP03 in particular and help to achieve sustainable development.

There are updates to reflect the District level situation at paragraphs 7.17, 7.18, 7.20, 7.21, 7.22 and 7.23 as well as to Figures 31 and 32. Amongst other things, these modifications will help to clarify the settlement boundary position at Long Thurlow which has been subject to some representations.

- **Amend the last paragraph of Policy BALT2 to read:**

“Proposals for development outside of the identified the settlement boundaries will only be supported where it meets the criteria set out in the National Planning Policy Framework (paragraph 84) or it accords with other national, district or neighbourhood level policies or is an exception site...”

- **Amend paragraph 7.17 on page 51 of the Plan by changing the word “is” to “was” in the following instances:**
 - ***“...parish between 2018 and 2037 was 150 dwellings...”***
 - ***“The 150 dwelling figure was a ‘commitment’ figure in that...”***

- **Amend the first sentence of paragraph 7.18 to read:**

“The figure for Long Thurlow was more complex. It was comprised of 3 dwellings that were already committed, with the remaining 15 originally made up from ...”

- **Amend the last sentence of paragraph 7.20 on page 52 of the Plan to read: “... which are made in any forthcoming *Joint Local Plan Review*.”**
- **Move the “Neighbourhood Plan Settlement Boundaries” sub-heading to sit before paragraph 7.21**
- **Amend paragraph 7.21 to read:**

“Policy SP03 also refers to settlement boundaries. For Badwell Ash, this means the settlement boundary established through the 1998 Mid Suffolk Local Plan, which was then carried forward by the 2008 Mid Suffolk Core Strategy and now by Part 1 of the JLP. At Long Thurlow, a settlement boundary previously set out in the 1998 Local Plan was removed by the 2008 Core Strategy when the area was re-designated as a countryside village. Consequently, there is no current settlement boundary in force for Long Thurlow. For those places with settlement boundaries, the established approach is that development within them is likely to be acceptable in principle, subject to the details being worked out. Development proposals outside of established settlement boundary are restricted to certain use types or are otherwise required to demonstrate a justifiable exception to adopted policy guidance.”

- Amend paragraph 7.22 to read:

“Given the time that has elapsed since the settlement boundary at *Badwell Ash* has been reviewed, and the level of new development that has taken place since, this Neighbourhood Plan proposes a *new* settlement boundary *here* which includes *both* completed and permitted sites (at February 2025). This new settlement boundary is shown in *Figure 31 (and on the Policies Map)*.”

- Amend paragraph 7.23 to read:

“As noted earlier, *JLP Part 1* does not identify a settlement boundary at *Long Thurlow*. However, it is recognised that the built-up area of Long Thurlow (within the Neighbourhood Plan Area) consists of in excess of 60 dwellings and has seen some new development in recent years. Therefore, this Neighbourhood Plan identifies a new settlement boundary for Long Thurlow, based largely on a *proposal that had been put forward by Mid Suffolk in a much earlier iteration of their JLP*, but with some minor additions to reflect development on the ground. This new settlement boundary is shown in *Figure 32 (and on the Policies Map)*.”

- Retain Figure 31 but delete the words “as defined in the Local Plan” from the Key and the word “Below” from the figure title
- Retain Figure 32 but delete the word “Proposed” from the Key and the word “Revised” from the figure title

Policy BALT3: Housing mix. This policy is supported by a Housing Needs Assessment 2024 commissioned from AECOM. Information from that report is included in the supporting text.

The NPPF states that to help support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land comes forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.³⁷ It continues that the overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community.³⁸

Within this context, it is clear that size, type and tenure of housing needed for different groups in the community should be assessed and reflected in policy.³⁹ These groups include affordable housing, families with children, older people and those with disabilities.⁴⁰

³⁷ NPPF para 60

³⁸ Ibid

³⁹ Ibid para 63

⁴⁰ Ibid

In rural areas, the NPPF explains that policies should be responsive to local circumstances and support housing developments that reflect local needs.⁴¹

In Mid Suffolk District, the JLP will seek to deliver some 10,165 net dwellings (JLP Policy SP01). It encourages a mix of tenure, size and type of new housing depending on needs.

JLP Policy SP02 refers to affordable housing seeking a 35% contribution on sites of more than 10 units or 0.5 hectare. It also requires affordable housing to be well-designed and integrated within the development.

Policy BALT3 seeks to ensure that where new housing is proposed, it meets the latest available evidence of local needs and creates a mix of housing. Specifically, it sets out a preference for 2-3 bedroomed homes, supports accessible housing, sets out a tenure balance and requires affordable housing to be indistinguishable from market housing and spread throughout mixed tenure sites.

However, whilst it reflects the information in the Housing Needs Survey, it is not future proofed and so a modification is made to ensure that there is flexibility and the policy will 'stand the test of time'.

With this modification, Policy BALT3 is a detailed and local interpretation of JLP Policies SP01 and so it will meet the basic conditions by having regard to national policy and guidance, being in general conformity with these strategic policies and helping to achieve sustainable development. I note that the JLP indicates that neighbourhood plans can set out an approach to help influence the mix of housing tenure, size and type specific to the local area as long as it is in general conformity with JLP Policies SP01 and SP02.⁴²

MSDC has made a comment about First Homes; the references can remain as the Plan is examined against the December 2023 NPPF as the representation acknowledges.

- **Amend the footnote 6 to Policy BALT3 to read: “Housing Needs Assessment or the most up to date available information”**

Policy BALT4: Exception sites sets out support for affordable housing schemes including community-led housing, on exception sites.

The NPPF offers support to rural exception sites that provide affordable housing to meet identified local needs and indicate that some market housing on these sites may help to facilitate this.⁴³ The NPPF differentiates between rural exception sites and sites suitable for community-led housing whereas non-strategic JLP Policy LP07 treats the two types of development in largely the same way except for ensuring that community-led housing schemes are initiated and led by a legitimate local community group and that the scheme has general community support.

⁴¹ NPPF para 82

⁴² JLP para 07.10, page 27

⁴³ NPPF para 82

The NPPF is clear that support for community-led housing (defined in the NPPF's glossary) is for exception sites which would not otherwise be suitable as rural exception sites.⁴⁴ These sites must be adjacent to existing settlements and proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the NPPF and comply with any local design policies and standards.⁴⁵ The criteria set out in the NPPF is largely mirrored in non-strategic JLP Policy LP07.

Policy BALT4 distinguishes between the two types of sites in line with the NPPF. I find that one of the criteria could be made clearer and so a modification is made to address this.

With this modification, Policy BALT4 will meet the basic conditions by having regard to national policy, being a local interpretation of JLP Policies SP01, SP02 which sets out local expectations for affordable housing and SP03 and helping to achieve sustainable development.

▪ **Amend criterion d. of Policy BALT4 to read:**

- “The type of housing proposed meets an identified housing needs in**
- i. the parish (as evidenced by *an up to date and proportionate assessment of housing needs*) and**
 - ii. contains one or more types of affordable housing in accordance with *the most recent available information on housing mix.*”**

Policy BALT5: Amenity protects the living conditions of occupiers in adjacent dwellings from new development. This is in line with the NPPF's agent of change principle which ensures that new development can be integrated effectively with existing commercial or community development and that suitable mitigation should be carried out by the agent of change.⁴⁶ It applies equally to residential amenity.

Non-strategic JLP Policy LP15 refers to pollution and amenity. Non-strategic JLP Policy LP24 refers to design and residential amenity including the protection of the health and amenity of occupiers.

This policy meets the basic conditions by having regard to national policy, being in general conformity with the JLP and helping to achieve sustainable development. No modifications are therefore recommended.

⁴⁴ NPPF para 73

⁴⁵ Ibid

⁴⁶ Ibid para 193

8. Parish wide policies

Community Infrastructure

There are four policies in this section.

Policy BALT6: Parish wide community facilities recognises the contribution that local services and facilities make to the local community. It resists the loss of seven named facilities which are the Village Hall and associated sports field, play area and open air gym; the White Horse public house; a bus shelter; the Fish Bar; St Mary's Church; three cemeteries and the village shop and post office. These are shown on Figure 33 on page 66 of the Plan. The policy recognises some exceptions to changes of uses. The second element of the policy supports new and enhanced facilities encouraging a number of different ones including allotments and a community orchard. Lastly, the policy supports improvements to accessibility.

The Plan recognises the importance of housing development going hand in hand with appropriate and necessary infrastructure in the broadest sense of the word. It explains that the Parish has a variety of community facilities and services.

To support a prosperous rural economy, the NPPF expects planning policies to enable the retention and development of accessible local services and community facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.⁴⁷ It also states that policies should guard against the unnecessary loss of valued facilities and services as part of its drive to promote healthy and safe communities, particularly where this would reduce the community's ability to meet day-to-day needs.⁴⁸

The NPPF cites open space and sports venues as part of the local services and community facilities which planning policies should retain and enable.⁴⁹ In addition, the NPPF recognises that planning policies should help to achieve healthy, inclusive and safe places which enable and support healthy lifestyles.⁵⁰ It recognises that access to a network of high quality open spaces and opportunities for sport and physical activity is important for health and wellbeing and can also deliver wider benefits for nature and support efforts to address climate change.⁵¹ It states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless surplus to requirements or replacement by equivalent or better provision in terms of quantity and quality in a suitable location.⁵²

Non-strategic JLP Policy LP28 supports new local services and community facilities where the proposal is well related to and meets the needs of the local community. The loss of such facilities is only supported where there is an alternative or improved facility

⁴⁷ NPPF para 88

⁴⁸ Ibid para 97

⁴⁹ Ibid para 88

⁵⁰ Ibid para 97

⁵¹ Ibid para 102

⁵² Ibid para 103

or the facility is no longer viable or performing a functional role in its existing use and is not needed for an alternative community use.

Policy BALT6 meets the basic conditions by having regard to national policy, being in general conformity with the relevant development plan policies and by helping to achieve sustainable development. No modifications are therefore recommended.

Policy BALT7: Badwell Ash Village Hall supports proposals to improve or redevelop the existing village hall. It is recognised that the facility is an important hub for the local community and it is good to see this opportunity being taken to help secure an improved future for this facility.

Policy BALT7 meets the basic conditions by having regard to national policy, being in general conformity with the relevant development plan policies and by helping to achieve sustainable development. No modifications are therefore recommended.

Policy BALT8: Infrastructure is a short policy that sets out the need for new development to be accompanied by suitable infrastructure. Recognising the possibility of new housing development in the future and combined with a concern that recent development may not have been accompanied by relational increase in infrastructure to support this growth, the concept behind the policy is to ensure that infrastructure keeps pace with new housing growth.

The NPPF is clear that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner.⁵³ In discussing the economic objective of sustainable development, the NPPF refers to the identification and coordination the provision of infrastructure with growth.⁵⁴ It continues that for plan making, plans should align growth and infrastructure.⁵⁵ Additionally, the NPPF is clear that non-strategic policies, such as those in neighbourhood plans, can include the provision of infrastructure at a local level.⁵⁶

Non-strategic JLP Policy LP30 requires applicants to give adequate consideration to the timing and level of infrastructure provision including the potential to phase development to ensure that infrastructure is provided in a timely manner.

Whilst Policy BALT8 is not specific as to the types of infrastructure sought, the importance of aligning growth and infrastructure is clear. For that reason, the policy has regard to the NPPF and is in general conformity with the JLP. It will help to achieve sustainable development. The policy therefore meets the basic conditions.

Anglian Water supports the policy, but has requested some additional text to the supporting text.

⁵³ NPPF para 7

⁵⁴ Ibid para 8

⁵⁵ Ibid para 11

⁵⁶ Ibid para 28

- **Add a new paragraph after 8.17 that reads:**

“Anglian Water encourages developers to engage in early discussions with our pre-development team to ensure that connections to a sustainable point of connection or any upgrades to their network are addressed when any planning application is submitted to the local planning authority.”

Policy BALT9: Flood risk and mitigation directs new development away from areas at highest risk of flooding and encourages the appropriate use of sustainable drainage systems (SuDs). This has regard to the NPPF which encourages new development to incorporate SuDs where appropriate.⁵⁷

JLP Policy SP10 sets out a requirement to mitigate and adapt to climate change including through approaches to the impacts of flooding. Non-strategic JLP Policy LP26 refers to water resources and infrastructure including the use of water efficiency measures. Non-strategic JLP Policy LP27 deals with flood risk and vulnerability and also refers to SuDs.

The supporting text explains that the Parish has recently experienced periods of flash and localised flooding and that this is a key concern for the local community. As a result, the policy seeks to ensure that new development addresses flood risk.

Policy BALT9 meets the basic conditions particularly having regard to the NPPF, being in general conformity with the JLP and especially those strategic policies referred to above and helping to achieve sustainable development.

9. Parish wide policies

Accessibility

Policy BALT10: Pedestrian and cycle connectivity seeks to increase new routes and enhanced connections around the Parish and to make the Parish safer and more accessible to pedestrians and cyclists. The link to better health and wellbeing is recognised. The policy specifies and encourages five routes which would be particularly welcomed by the local community.

The NPPF promotes sustainable transport. In particular, it indicates that transport issues should be considered from the earliest stages of plan-making and, amongst other things, the opportunities to promote walking, cycling and public transport are identified and pursued.⁵⁸

Non-strategic JLP Policy LP29 supports active travel and the protection and enhancement of PROW networks.

This policy sets out to achieve the ambitions of the NPPF, is in general conformity with

⁵⁷ NPPF paras 173, 175

⁵⁸ Ibid para 108

the JLP and will help to achieve sustainable development. It therefore meets the basic conditions and no modifications are recommended.

A representation from Suffolk County Council (SCC) recommends that some additional text is included in the policy. Due to the nature of the text, I feel it would be useful to include it, but within the supporting text at an appropriate point.

I note National Highways supports this policy.

- **Add to paragraph 9.5 on page 74 of the Plan: “Suffolk County Council Public Rights of Way must be consulted and early engagement with SCC is encouraged.”**

Policy BALT11: Public Rights of Way protects existing public rights of way (PROW) and encourages new development to provide or enhance PROWs.

Policy BALT11 has regard to the NPPF which is clear that planning policies should protect and enhance public rights of way (PROW) and access, taking opportunities to provide better facilities for users.⁵⁹ The NPPF seeks to enable and support healthy lifestyles including through the protection and enhancement of PROW including through adding links to existing networks.⁶⁰

Such networks can also help with providing opportunities and options for sustainable transport modes.⁶¹

Non-strategic JLP Policy LP29 supports active travel and the protection and enhancement of PROW networks.

Policy BALT11 meets the basic conditions by having regard to national policy and guidance, being in general conformity with the JLP and helping to achieve sustainable development. No modifications are therefore needed.

Policy BALT12: Traffic management and safety requires new development to be accompanied by a proportionate study to ensure that transport issues are satisfactorily considered and, where necessary, mitigated.

The Plan explains that transport issues are a key area of concern to the local community and that it is critical any new development ensures that any impacts arising are satisfactory.

I note National Highways supports this policy.

The policy aligns with the NPPF which states that transport issues should be considered from the earliest stages of plan-making and development proposals so that, amongst

⁵⁹ NPPF para 104

⁶⁰ Ibid

⁶¹ Ibid paras 108, 110

other things, the potential impacts of development on transport networks can be addressed.⁶² It therefore meets the basic conditions by having regard to national policy, being in general conformity with the JLP and helping to achieve sustainable development. No modifications are therefore needed.

10. Parish wide policies

Business

Supporting a prosperous rural economy is a key driver in the NPPF. It states that policies should enable the sustainable growth of all types of businesses in rural areas, both through conversions and new buildings and the development and diversification of agricultural and other land-based rural businesses.⁶³ It also supports sustainable tourism and leisure and accessible local services and community facilities.⁶⁴

The NPPF goes on to say that, in rural areas, sites may be beyond existing settlements and so it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and takes opportunities to make a location more sustainable.⁶⁵ The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.⁶⁶

JLP Policy SP05 seeks to retain existing strategic employment land and supports new provision. The policy also supports new employment land along strategic transport corridors such as the A12, but there are no identified strategic employment sites within the Plan area.

Non-strategic JLP Policy LP09 supports a prosperous rural economy. Proposals for employment use must be sensitive to their surroundings, have a high standard of design and have satisfactory access. Non-strategic JLP Policy LP10 resists the loss of employment sites unless the reuse or redevelopment of the site for employment and community uses has been explored through a six month marketing period and the proposal would not cause conflicts on amenity grounds with other uses in the vicinity.

Policy BALT13: New and existing businesses supports employment uses subject to satisfactory impacts having regard to national policy, being in general conformity with the JLP and helping to achieve sustainable development. It therefore meets the basic conditions and no modifications are recommended.

⁶² NPPF para 108

⁶³ Ibid para 88

⁶⁴ Ibid

⁶⁵ Ibid para 89

⁶⁶ Ibid

11. Parish wide policies

Natural Environment

There are four policies in this section.

The NPPF states that policies should contribute to and enhance the natural and local environment including through the protection of valued landscapes and sites of biodiversity value, recognising the intrinsic character and beauty of the countryside and, minimising impacts on, and providing net gains for, biodiversity.⁶⁷

To protect and enhance biodiversity, the NPPF encourages plans to identify and map and safeguard local wildlife rich habitats and ecological networks, wildlife corridors and promote priority habitats as well as pursuing net gains for biodiversity.⁶⁸

The NPPF defines green infrastructure (GI) as a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.

As part of its drive to promote healthy and safe communities, the NPPF recognises the provision of safe and accessible GI can enable and support healthy lifestyles.⁶⁹

The NPPF indicates that plans should take a proactive approach to mitigating and adapting to climate change, taking into account long-term implications and support appropriate measures to ensure that communities are resilient to climate change impacts.⁷⁰

As part of this drive, new development should be planned in ways that, amongst other things, utilise GI as appropriate adaptive measures.⁷¹

In relation to meeting the challenge of climate change, flooding and coastal change, the NPPF states that the planning system should support the transition to a low carbon future.⁷² The planning system 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.⁷³

It continues that plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal

⁶⁷ NPPF para 180

⁶⁸ Ibid para 185

⁶⁹ Ibid para 96

⁷⁰ Ibid para 158

⁷¹ Ibid para 159

⁷² Ibid para 157

⁷³ Ibid

change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures.⁷⁴

JLP Policy SP09 requires development to support and contribute to the conservation, enhancement and management of the natural and local environment and networks of green infrastructure including landscape, biodiversity, geodiversity and the historic environment and historic landscape. It also expects all development, through biodiversity net gain, to protect and enhance biodiversity ensuring measures are resilient to climate change.

Non-strategic JLP Policy LP16 refers to biodiversity and geodiversity including the loss of irreplaceable habitats and ancient woodland and biodiversity net gain. Non-strategic JLP Policy LP17 seeks to conserve and enhance landscape character including through the reinforcement of local distinctiveness and the identity of individual settlements, consideration of topographical impact and dark skies.

Policy BALT14: Biodiversity seeks to protect and enhance the biodiversity in the Plan area. Amongst other things, the NPPF indicates plans should pursue promote the conservation of priority habitats and ecological networks and pursue opportunities for net gain.⁷⁵ The policy sets out principles for determining planning applications which reflect those set out in the NPPF.⁷⁶ The policy is supported by the Wilder Ecology Report July 2024.

Anglian Water supports this policy, but has suggested additional text in relation to green infrastructure connectivity.

With this modification, Policy BALT14 will have regard to national policy, is in general conformity with the JLP, especially JLP Policy SP09 and will help to achieve sustainable development therefore meeting the basic conditions.

- **Add a new paragraph to Policy BALT14 at the end that reads:**

“Opportunities to maximise green infrastructure connectivity including through opportunities to minimise surface water run-off will be encouraged.”

Policy BALT15: Low carbon and eco-design including Zero Carbon buildings encourages proposals which are ‘zero-carbon ready’ by design.

JLP Policy SP10 sets out a requirement to mitigate and adapt to climate change including through sustainable construction and design. Non-strategic JLP Policy LP23 refers to sustainable construction and design. Non-strategic JLP Policy LP26 refers to water resources and infrastructure including the use of water efficiency measures. Non-strategic JLP Policy LP27 deals with flood risk and vulnerability and also refers to SuDs.

⁷⁴ NPPF para 158

⁷⁵ Ibid para 185

⁷⁶ Ibid para 186

MSDC raises a concern about the feasibility of the second paragraph of the policy which refers to the testing of performance. A modification is made to address this concern.

I note Anglian Water supports this policy.

With this modification, Policy BALT15 will meet the basic conditions by having regard to national policy, being in general conformity with strategic policies and especially JLP Policy SP10 as relevant and helping to achieve sustainable development.

There is a minor update to paragraph 11.22.

- **Change paragraph two of Policy BALT15 to read:**

“Proposals for new or refurbished buildings should be accompanied by an explanation of how they will achieve the predicted performance levels as far as this is feasible to do at the application stage. This could be achieved through desk top modeling for example.”

- **Update the reference to “paragraph 11.20” in paragraph 11.22 on page 88 of the Plan to “paragraph 11.21”**

Policy BALT16: Dark skies. The NPPF indicates that policies should ensure new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.⁷⁷ In so doing, the NPPF refers to limiting the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.⁷⁸ This policy seeks to ensure that this aim of the NPPF is realised.

Non-strategic JLP Policy LP17 requires development to be sensitive to the landscape and visual amenity impacts including on dark skies.

The policy refers in the last sentence, to “Design Codes and Guidance”; this should be changed to “Design Guidance and Codes”.

With this minor modification, the policy therefore meets the basic conditions by particularly having regard to the NPPF, being in general conformity with the JLP and helping to achieve sustainable development.

- **Change the reference in the last sentence of Policy BALT16 to “...*Design Guidance and Codes.*”**

⁷⁷ NPPF para 191

⁷⁸ Ibid

Policy BALT17: Landscape and settlement gaps seeks to ensure that any development that would have an adverse impact on the visual scenic value and character of the landscape is resisted.

The second element of the policy requires new development to take into account the landscape type and characteristics of the area.

Thirdly, there are distinctive landscape breaks between the areas of settlement in the Plan area. These are to be maintained to prevent coalescence and the loss of individual settlement identity and distinctiveness. The settlement gaps are not defined.

It was readily apparent from my visit that the separation between settlements is an important contributory factor to the character and local distinctiveness of the area.

The policy has regard to the NPPF as it seeks to ensure that development is sympathetic to local character including built environment and landscape setting and will maintain a strong sense of place.⁷⁹ It is in general conformity with the JLP and will help to achieve sustainable development. It therefore meets the basic conditions.

12. Area specific policies

Badwell Ash

Policy BALT18: Important views in Badwell Ash identifies 11 views shown on Figure 39 on page 100 of the Plan. There are photographs and a brief description of each view in the Plan.

I have considered each of these views at my site visit. For those views I was not able to see, I was able to understand the extent and context of these views. I consider all of the views have been appropriately identified given the topography, landscape and character of the Parish.

The policy indicates that development proposals which would have a significant adverse impact will not be supported. I consider it would be preferable for the policy to be more precise in both what the policy seeks to protect and how this might be demonstrated. A modification is therefore recommended.

With this modification, I consider the policy recognises the intrinsic character and beauty of the countryside and seeks to protect a strong sense of place in line with the NPPF and JLP Policy SP09. It will help to achieve sustainable development.

- **Amend the last paragraph of Policy BALT18 to read:**

“Development proposals within or which would affect an important public local view should not detract from, or have an adverse impact on, upon the

⁷⁹ NPPF para 135

landscape or character or any key features of these views.

Proposals for new buildings outside the Settlement Boundaries should be accompanied by a Landscape Visual Impact Assessment, or other appropriate and proportionate evidence, that demonstrates how the proposal can be accommodated in the countryside without having a significant detrimental impact, by reason of the buildings' scale, materials and location, on the key features of the views. Any development which would have a significant adverse impact upon the landscape or character of the view concerned will not be supported."

Policy BALT19 Local Green Spaces in Badwell Ash seeks to designate 19 areas of Local Green Space (LGS). They are shown and numbered on Figure 40 on page 102 of the Plan to align with the policy and more detailed information is contained in Appendix C of the Plan.

The NPPF explains that LGSs are green areas of particular importance to local communities.⁸⁰ The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.⁸¹ It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.⁸²

The NPPF sets out three criteria for green spaces.⁸³ These are that the green space should be in reasonably close proximity to the community it serves, be demonstrably special to the local community and hold a particular local significance and be local in character and not be an extensive tract of land. Further guidance about LGSs is given in PPG.

Based on the information in Appendix C and my site visit, in my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily. No representations have been made that lead me to a different conclusion.

The proposed LGSs are demonstrably important to the local community, are capable of enduring beyond the Plan period, meet the criteria in paragraph 106 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given other policies in the development plan and this Plan.

Turning now to the wording of the policy, it designates the LGSs and states that development in the LGSs will be consistent with national policy for Green Belts. This has regard to the NPPF which is clear that policies for managing development within a

⁸⁰ NPPF para 105

⁸¹ Ibid

⁸² Ibid

⁸³ Ibid para 106

Local Green Space should be consistent with those for Green Belts.⁸⁴

Policy BALT19 will meet the basic conditions.

Policy BALT20 Non-designated Heritage Assets in Badwell Ash identifies 24 non-designated heritage assets.

The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.⁸⁵ It continues⁸⁶ that great weight should be given to the assets' conservation when considering the impact of development on the significance of the asset.

In relation to non-designated heritage assets, the NPPF is clear that the effect of any development on its significance should be taken into account and that a balanced judgment will be needed having regard to the scale of any harm or loss and the significance of the heritage asset.⁸⁷

Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes which have heritage significance, but do not meet the criteria for designated heritage assets. PPG advises there are various ways that such assets can be identified including through neighbourhood planning.⁸⁸

However where assets are identified, PPG advises that it is important decisions to identify them are based on sound evidence.⁸⁹ There should be clear and up to date information accessible to the public which includes information on the criteria used to select assets and information about their location.⁹⁰

JLP Policy SP09 expects development to contribute to the conservation, enhancement and management of the natural and local environment including the historic environment and historic landscape. Non-strategic JLP Policy LP19 sets out detail relating to the historic environment.

Appendix D sets out details about each asset and assesses them against Historic England advice.

One, Rumbles Fish Bar, has attracted some doubt. Taking MSDC's stance on board and from my own observations at my site visit, I consider that, at the present time, the high bar of this designation has not been satisfactorily demonstrated.

Otherwise, I consider the assets have been appropriately designated. This includes Cornish Cottages as a rare example in this locality.

⁸⁴ NPPF para 107

⁸⁵ Ibid para 195

⁸⁶ Ibid para 205

⁸⁷ Ibid para 209

⁸⁸ PPG para 040 ref id 18a-040-20190723

⁸⁹ Ibid

⁹⁰ Ibid

With this modification, the policy will meet the basic conditions as it will have regard to national policy and guidance, is in general conformity with strategic policies and helps to achieve sustainable development.

- **Remove proposed non-designated heritage asset 1, Rumbles Fish Bar from Policy BALT20 [consequential amendments including to Figure 46 and Appendix D will be needed]**

13. Area specific policies

Badwell Green

This area specific set of two policies cover the same topics as two of the policies specific to Badwell Ash namely important views and non-designated heritage assets. I do not therefore repeat the policy background information contained in the last section.

Policy BALT21 Important views in Badwell Green identifies four views shown on Figure 42 on page 108 of the Plan. There are photographs and a brief description of each view in the Plan.

I have considered each of these views at my site visit. I consider all of the views have been appropriately identified given the topography, landscape and character of the Parish.

Turning now to the wording of the policy, I recommend a modification to the policy for the reasons given in my discussion of Policy BALT18.

With this modification, I consider the policy recognises the intrinsic character and beauty of the countryside and seeks to protect a strong sense of place in line with the NPPF and JLP Policy SP09. It will help to achieve sustainable development.

- **Amend the last paragraph of Policy BALT21 to read:**

“Development proposals within or which would affect an important public local view should not detract from, or have an adverse impact on, upon the landscape or character or any key features of these views.

Proposals for new buildings outside the Settlement Boundaries should be accompanied by a Landscape Visual Impact Assessment, or other appropriate and proportionate evidence, that demonstrates how the proposal can be accommodated in the countryside without having a significant detrimental impact, by reason of the buildings’ scale, materials and location, on the key features of the views. Any development which would have a significant adverse impact upon the landscape or character of the view concerned will not be supported.”

Policy BALT22 Non-designated Heritage Assets in Badwell Green identifies two non-designated heritage assets which are shown on Figure 43 on page 109 of the Plan. Further detail is given in Appendix D.

I consider they have been appropriately designated.

The policy meets the basic conditions as it has regard to national policy and guidance, is in general conformity with strategic policies and helps to achieve sustainable development.

14. Area specific policies

Long Thurlow

This part of the Plan has three policies specific to Long Thurlow which cover important views, LGSs and non-designated heritage assets. I rely on the background information in this report on section 12 of the Plan.

Policy BALT23 Important views in Long Thurlow identifies six views shown on Figure 44 on page 112 of the Plan. There are photographs and a brief description of each view in the Plan.

The supporting text at paragraph 14.2 on page 111 of the Plan refers to seven views. In the interests of accuracy, this paragraph should be updated.

I have considered each of these views at my site visit. I consider all of the views have been appropriately identified given the topography, landscape and character of the Parish.

Turning now to the wording of the policy, I recommend a modification to the policy for the reasons given in my discussion of Policy BALT18.

With these modifications, I consider the policy recognises the intrinsic character and beauty of the countryside and seeks to protect a strong sense of place in line with the NPPF and JLP Policy SP09. It will help to achieve sustainable development.

- **Amend the last paragraph of Policy BALT23 to read:**

“Development proposals within or which would affect an important public local view should not detract from, or have an adverse impact on, upon the landscape or character or any key features of these views.

Proposals for new buildings outside the Settlement Boundaries should be accompanied by a Landscape Visual Impact Assessment, or other appropriate and proportionate evidence, that demonstrates how the proposal can be accommodated in the countryside without having a significant detrimental impact, by reason of the buildings’ scale, materials and location, on the key

features of the views. Any development which would have a significant adverse impact upon the landscape or character of the view concerned will not be supported.

- **Change the word “...seven...” in paragraph 14.2 on page 111 of the Plan to “...six...”**

Policy BALT24 Local Green Spaces in Long Thurlow seeks to designate one area of LGS. This is shown on Figure 45 on page 113 of the Plan.

I saw at my site visit this was an irregularly shaped piece of land seemingly uncared for, adjacent to a pumping station. Whilst I note that the supporting information indicates this is a convenient and popular location for advertising activities, this does not meet the high bar for LGS designation. In addition, the land is owned by Anglian Water that have objected on the basis that this is operational land used in connection with the pumping station. I therefore recommend deletion of this policy.

- **Delete Policy BALT24 [consequential amendments to the Plan and Appendix will be needed]**

Policy BALT25 Non-designated Heritage Assets in Long Thurlow identifies five non-designated heritage assets which are shown on Figure 46 on page 114 of the Plan. Further detail is given in Appendix D.

One, Thurlow House, has attracted opposition to the designation from the owner of the property. This in itself is not a reason to remove the property from the proposed designation list. At my site visit, I saw the property (from a public vantage point) and can appreciate how the property might be seen as contributing to the character of the village. However, given the somewhat contradictory nature of the information before me, I consider that, on balance, its inclusion at this time has not been sufficiently justified.

Otherwise, I consider they have been appropriately designated.

With this modification, the policy will meet the basic conditions as it will have regard to national policy and guidance, is in general conformity with strategic policies and helps to achieve sustainable development.

- **Remove proposed non-designated heritage asset 28, Thurlow House, from Policy BALT25 [consequential amendments including to Figure 46 and Appendix D will be needed]**

15. Implementation and monitoring

This is a useful section that sets out very well how the Plan will be implemented. I welcome the monitoring and review outlined even though, as the Plan acknowledges, this is not, as yet, mandatory for neighbourhood plans.

Appendices

There are five appendices. Appendix A contains information about the membership of the Steering Group. Appendix B is the Design Guidance and Codes document. Appendix C contains information about the LGSs. Appendix D contains information about the non-designated heritage assets. Appendix E contains a helpful glossary.

7.0 Conclusions and recommendations

I am satisfied that the Badwell Ash and Long Thurlow Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Mid Suffolk District Council that, subject to the modifications proposed in this report, the Badwell Ash and Long Thurlow Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Badwell Ash and Long Thurlow Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Badwell Ash and Long Thurlow Neighbourhood Development Plan should proceed to a referendum based on the Badwell Ash and Long Thurlow Neighbourhood Plan area as approved by Mid Suffolk District Council on 23 September 2022.

Ann Skippers MRTPI
Ann Skippers Planning
8 August 2025

Appendix 1 List of key documents specific to this examination

Badwell Ash and Long Thurlow Neighbourhood Plan 2024 – 2038 Submission draft
February 2025

Basic Conditions Statement January 2025

Consultation Statement January 2025

Strategic Environmental Assessment and Habitats Regulation Assessment Screening
Determination Notices December 2024 (MSDC)

Strategic Environmental Assessment Screening Opinion Final Report November 2024
(LUC)

Habitats Regulations Assessment Screening Report Final Report November 2024 (LUC)

Design Guidance and Codes Final Report Updated February 2025 (AECOM)

Housing Needs Assessment July 2024 (AECOM)

Data Profile December 2023

Landscape and Biodiversity Evaluation July 2024 (Wilder Ecology)

Regulation 15 Checklist (MSDC)

Babergh and Mid Suffolk Joint Local Plan Part 1 adopted 21 November 2023

List ends