

Walsham le Willows Neighbourhood Plan 2023 - 2037

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

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Summary and Conclusion

1. The Walsham le Willows Neighbourhood Plan has a clear vision for the Parish, which underpins the 6 objectives and 15 policies.
2. The Plan does not allocate sites for residential development and does not set a minimum housing figure for the Parish. Existing completions exceed the 90 dwellings indicative housing figure requirement. The Plan does not allocate sites for new housing and indeed is not required to do so in order for the indicative minimum housing figure requirement to be met. Instead, it relies on the overall scale of new housing to be that reflected in the adopted settlement hierarchy for the District.
3. I have recommended modification to some of the policies in the Plan. In particular, I have recommended that the community facilities that are also identified as Local Green Spaces are deleted from the list of community facilities in Policy WLW4. This is because policies for managing development within a Local Green Space should be consistent with those for Green Belts. This is a higher level of restriction on development on these sites than that specified in Policy WLW4 for community facilities.
4. My reasons with regard to all the suggested modifications are set out in detail below. None of these significantly or substantially alters the intention or nature of the Plan.
5. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that, subject to my recommendations, the Plan meets the Basic Conditions. It is appropriate to make the Plan. Subject to my recommendations being accepted, I consider that the Walsham le Willows Neighbourhood Plan will provide a strong practical framework against which decisions on development can be made. I am pleased to recommend that the Walsham le Willows Neighbourhood Plan, as modified by my recommendations, should proceed to Referendum.**

Introduction

6. On 30 July 2018 Mid Suffolk District Council (MSDC) approved that the Walsham le Willows Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The Area covers the whole of the Parish of Walsham le Willows.
7. The qualifying body is Walsham le Willows Parish Council. The Plan has been prepared by a Neighbourhood Plan Steering Group on behalf of the Parish Council. The Plan covers the period 2023 to 2037.
8. I was appointed as an independent Examiner for the Walsham le Willows Neighbourhood Plan in July 2023. I confirm that I am independent from the Parish Council and MSDC. I have no interest in any of the land affected by

the Plan and I have appropriate experience to undertake this examination. As part of my examination, I have visited the Plan area.

Legislative Background

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

“Neighbourhood development plans

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

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

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

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

14. Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) (EA Regulations) set out various legal requirements and stages in the production of a Strategic Environmental Assessment (SEA).
15. The *Walsham le Willows Neighbourhood Plan SEA Screening Opinion* was prepared by Land Use Consultants in November 2022. It concludes that the Plan is *unlikely to have significant environmental effects and that full SEA is therefore not required*. Historic England and Natural England concurred with this opinion.
16. MSDC prepared a *Walsham le Willows Neighbourhood Plan 2023 – 2037 Strategic Environmental Assessment Screening Determination* in January 2023. It states: *In the light of the SEA Screening Report (Nov 2022) prepared by LUC and the responses from the two statutory bodies, it is determined that the Walsham le Willows Neighbourhood Plan does not require a Strategic Environmental Assessment in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004*.
17. Based on the screening determination and consultee responses, I consider that it was not necessary for the submission Plan to require a full SEA Assessment. The SEA screening accords with the provisions of the European Directive 2001/42/EC.
18. As regards Habitats Regulations Assessment (HRA), the *Walsham le Willows Neighbourhood Plan HRA Screening Report* was prepared by Land Use Consultants in November 2022. It concludes: *At the Screening stage of HRA, no likely significant effects are predicted on European sites as a result of the Walsham le Willows Neighbourhood Plan, either alone or in*

combination with other policies and proposals. Natural England concurred with this opinion.

19. MSDC prepared a *Walsham le Willows Neighbourhood Plan 2023-2037 Habitats Regulations Screening Determination* in January 2023. The determination concludes: *In light of the HRA Screening Report (November 2022) prepared by LUC, and the response to this from the statutory consultee, it is determined that the Walsham le Willows Neighbourhood Plan is ‘screened-out’ for further assessment under the Habitats Regulations 2017 and that an Appropriate Assessment is not required.*
20. Based on the screening determination and consultee response, I consider that the submission Plan did not require a full HRA under Articles 6 or 7 of the Habitats Directive. I am satisfied that the Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).
21. A Neighbourhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. I am satisfied that the Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

Policy Background

22. The *National Planning Policy Framework (NPPF)* (2021) sets out the Government’s planning policies for England and how these are expected to be applied. The *Planning Practice Guidance* (2014) (PPG) provides Government guidance on planning policy.
23. At the heart of the NPPF is the presumption in favour of sustainable development. Paragraph 8 sets out the three overarching objectives which are interdependent and need to be pursued in mutually supportive ways. The three overarching objectives are:
 - a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and*
 - c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of*

land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

24. Walsham le Willows Parish is within the local authority area of Mid Suffolk District Council (MSDC). The development plan for the Walsham le Willows Neighbourhood Plan Area comprises the saved policies in the Mid Suffolk Local Plan (1998); The Mid Suffolk Local Plan First Alteration: Affordable Housing (2006); The Mid Suffolk Core Strategy Development Plan Document (2008); and The Mid Suffolk Core Strategy Focused Review (2012).
25. The strategic policies in the development plan include policies regarding housing provision and the conservation and enhancement of the natural and historic environment.

MSDC with Babergh District Council published a Joint Local Plan Pre-Submission (JLP) (Regulation 19) Consultation Document for public consultation in November 2020. This covers the period to 2037. It was submitted for examination in March 2021. A Consolidated Modifications Document was published for consultation in March 2023. The Neighbourhood Plan was prepared alongside the emerging Joint Local Plan.

The Neighbourhood Plan Preparation

26. I am required under The Localism Act 2011 to check the consultation process that has led to the production of the plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.
27. The initial consultation process began with the formation of a Steering Group in 2018. Initial evidence gathering was undertaken in 2018 and 2019 with a community drop-in day in June 2018. Further development of the evidence base was undertaken in 2020 and 2021. This included a second community drop-in day and a household survey. The development of policy ideas was undertaken in the first half of 2022.
28. The Consultation period on the pre-submission draft of the Plan ran from 17 October to 2 December 2022. A drop in exhibition was held on 17 October at the Memorial Hall, where it was possible throughout the consultation period to read a copy of the Plan. The Plan was also available on the Parish Council's website. A letter was sent to the owners of the proposed Non-designated Heritage Assets and Local Green Spaces.
29. As part of consultation, news of the emerging Plan was publicised via the Parish Council website; posters displayed around the parish and flyers in various locations; articles in the Walsham Observer; Facebook and updates at Parish Council meetings.

30. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. The consultation and publicity went beyond the requirements and it is clear that the qualifying body went to considerable lengths to ensure that local residents were able to engage in the production of the Plan. I congratulate them on their efforts, particularly during the pandemic restrictions.
31. MSDC publicised the submission Plan for comment during the publicity period between 5 June and 21 July 2023 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of 10 responses were received. I am satisfied that all these responses can be assessed without the need for a public hearing.
32. Some responses suggest additions and amendments to policies. My remit is to determine whether the Plan meets the Basic Conditions. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration. I gave the Parish Council the opportunity to comment on the Regulation 16 representations. I have taken their comments into consideration. Their comments have been placed on the MSDC web site.

The Walsham le Willows Neighbourhood Plan

33. Background information is provided throughout the Plan. A clear vision for the Parish has been established and it underpins the 6 objectives and 15 policies.
34. Policies in a neighbourhood plan can only be for the development and use of land. Where there are community aspirations (identified as Community Projects in Section 12 in this Plan) these have to be clearly differentiated from policies for the development and use of land.
35. Paragraph 16 in the NPPF requires plans to be prepared positively, in a way that is aspirational but deliverable; and serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area. In addition, paragraph 16 in the NPPF requires plans to contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals.
36. PPG states: *A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood*

area for which it has been prepared. (Paragraph: 041 Reference ID: 41-041-20140306).

37. I do refer to clarity and precision with regard to some recommendations to modifications to the Plan. Where I do so, I have in mind the need for clear and unambiguous policies, thus ensuring that the Plan has regard to national policy in this respect.
38. It is not for me to re-write the Plan. Where I have found editing errors, I have identified them as minor editing matters and highlighted these as such. These have no bearing on whether the Plan meets the Basic Conditions.
39. MSDC has suggested revised wording for paragraphs 2.2, 2.8 and 3.18 with regard to the current position of the JLP. The Parish Council agreed with these suggestions in their response to the Regulation 16 representations. **I see this as a minor editing matter.**
40. Paragraph 5.9 refers to the definition of sustainable development. Whilst it is not necessary for the Plan to include such a definition, as this paragraph specifically refers to sustainable development as outlined in the NPPF, the definition should be that found in paragraph 8 in the NPPF. **I see this as a minor editing matter.**
41. For ease of reference, I have used the same policy titles as those in the Plan. I have briefly explained national policy and summarised main strategic policies where relevant to each neighbourhood plan policy. I have tried not to repeat myself. Where I have not specifically referred to other relevant strategic policy, I have considered all strategic policy in my examination of the Plan.

WLW1: High quality and sustainable design

42. Paragraph 126 in the NPPF states: *The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.*
43. Paragraph 127 in the NPPF states: *Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining*

how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers.

44. Paragraphs 128 and 129 in the NPPF explain that design guides and codes provide a local framework for creating beautiful and distinctive places and these can be prepared at neighbourhood level.
45. Core Strategy Policy CS5 seeks to ensure that all development maintains and enhances the environment and retains the local distinctiveness of the area. Core Strategy Focused Review Policy FC1.1 seeks to ensure that proposals for development conserve and enhance the local character of different parts of the district.
46. Policy WLW1 is a general design policy that seeks high quality and sustainable design. It is clear that the *Walsham le Willows Design Guidance and Codes (March 2023)* is a valuable document to help achieve well designed development. This document identifies Character Areas as part of a character appraisal. In the interest of precision, Policy WLW1 should refer to the full title of the Design Guidance and Codes, rather than the character appraisal. I have suggested revised wording.
47. The *Walsham le Willows Design Guidance and Codes (March 2023)* is not a policy document. Policy WLW1 rightly explains that detailed consideration should be given to this document. Nevertheless, it is not correct to state in the document on page 92 that developers should be expected to follow the guidelines. Therefore, in the interest of precision, page 92 of that document should refer to developers needing to have regard to the guidelines.
48. Consideration should be given to attaching The Design Guidance and Codes as an Appendix to the Plan. I have noticed that page 10 in that document refers to the 2019 NPPF, but it should refer to the 2021 NPPF. On page 11 it is not made clear that the JLP is an emerging document. **I see these as minor editing matters.**
49. PPG, (at Paragraph: 001 Reference ID: 56-001-20150327), makes it clear through a link to a Written Ministerial Statement of 25 March 2015 that it is not appropriate to refer to any additional local technical standards or requirements relating to the construction or performance of new dwellings in neighbourhood plans.
50. Policy WLW1 and the Design Guidance and Codes both refer to orientation to maximise solar gain and sustainable and environmental design features. Whilst such measures can be encouraged for new dwellings, they cannot be a requirement. I have suggested revised wording for Policy WLW1 and suggested modification to the Design Guidance and Codes in this respect. It is not for me to re write the Design Guidance and Codes. Where these issues are raised throughout the document, they should similarly refer to such measures being encouraged for new dwellings.

51. Paragraph 131 in the NPPF makes it clear that it is the Government's intention that all new streets include trees unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate. Whilst this is encouraged in the Design Guidance and Codes, to have regard to national policy I recommend the inclusion of such a requirement in the landscape and trees section in Policy WLW1. I have suggested revised wording.
52. Policy WLW1 refers to gardens facing north generally needing to be longer than those facing south. This is a generalised statement, which does not provide clear criteria for assessing development proposals. Therefore, in the interest of precision, I recommend deletion of this part of Policy WLW1.
53. Subject to the above modifications, Policy WLW1 together with guidance and codes in the *Walsham le Willows Design Guidance and Codes (March 2023)*, have regard to national policy, contribute towards sustainable development, particularly the environmental objective, and are in general conformity with strategic policy. Modified Policy WLW1 meets the Basic Conditions.
54. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) modification to the second paragraph in Policy WLW1 to read as follows:**
- Proposals for all new development should respect the existing context of the proposed development and that of the relevant Character Area (as defined in the Character Appraisal within the Walsham le Willows Design Guidance and Codes (March 2023)), including the character of adjacent properties where this provides a positive contribution. Detailed consideration should also be given to the specific design guidance and codes for each character area contained in the Walsham le Willows Design Guidance and Codes (March 2023).**
- 2) modification to criterion c. in Policy WLW1 to read as follows:**
- c. Orientation: The layout of sites and individual buildings are encouraged to be designed to maximise solar gain, daylight and sun penetration while avoiding overheating. Passive solar design principles are encouraged to be incorporated from the start of the design process taking into account topography and surrounding existing buildings.**
- 3) modification to criterion i. in Policy WLW1 to read as follows:**
- i. Landscaping and trees: The provision of street trees and landscaping within the built environment is supported due to the interesting and varied streetscape it creates and the physical and mental health benefits derived. The provision of street trees within the built-up areas of the village creates variation and interest along the street, adds to the**

identity of a place and acts as a traffic calming measure. All new development should include tree-lined streets unless in specific cases there are clear justifiable and compelling reasons why this would be inappropriate.

4) modification to the sustainable and environmental design features section of Policy WLW1 to read as follows:

Sustainable and environmental design features

Proposals for all forms of development that incorporate measures that will help to offset or mitigate climate change whilst minimising visual impact will be encouraged. Such measures could include energy efficiency measures and water management features such as rainwater harvesting.

Energy efficient or eco design measures should be adapted to fit the character of the area and solutions used for traditional buildings may need to be different to those used in modern buildings. Traditional buildings are encouraged to use a 'whole building' approach to energy efficiency by finding balanced solutions that save energy, sustain heritage significance, and maintain a comfortable indoor environment. Techniques and materials that have been demonstrated to be appropriate for the building fabric will be supported. The appearance of buildings should not be compromised by the installation or incorporation of such features.

5) the deletion of criterion iii from the gardens and outdoor amenity space section of Policy WLW1.

6) modification to the Walsham le Willows Design Guidance and Codes as follows:

modification to BF9 on pages 54 and 55 and elsewhere in the document, including general guidelines on page 63, to make it clear that energy efficiency and low and zero carbon homes codes and guidance are not technical standards or requirements.

modification to page 92 regarding how developers will use the document to explain that they will be expected to have regard to the guidelines.

WLW2: Scale and location of new housing

55. Paragraph 78 in the NPPF states: *in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.* Paragraph 79 seeks to ensure that in order to promote sustainable development in rural areas, *housing should be located where it will enhance or maintain the vitality of rural communities.*

Paragraph 80 seeks to avoid the development of isolated homes in the countryside unless certain circumstances apply such as an essential need for a rural worker or the re-use of a redundant building.

56. Core Strategy Policy CS1 identifies Walsham le Willows as a primary village. Such villages are defined as being capable of limited growth where local need has been established. Development will be limited to sites within settlement boundaries or, by allocation in the Site Specific Allocation document, to sites adjacent to settlement boundaries. The remainder of the Parish is identified as being within the countryside and countryside villages and development is restricted to particular types of development to support the rural economy, meet affordable housing, community needs and provide renewable energy. Whilst Core Strategy Focused Review Policy FC 2 outlines the provision and distribution of housing in the District, this is not up to date.
57. In December 2021, Inspectors in the process of examining the JLP requested that the JLP be split into two parts with Part 2 requiring further assessment to address matters including housing numbers for Neighbourhood Plan Areas, the spatial distribution and settlement boundaries. In these circumstances, MSDC has decided that the minimum housing requirements for the neighbourhood plan areas, as set out in the emerging JLP (November 2020) should now be treated as indicative figures and that, for the time being, neighbourhood plan groups should continue to proceed on the basis of this indicative number.
58. Policy SP03 in the emerging JLP (November 2020) identified Walsham le Willows as a Core village. Such villages, alongside Market Towns and Urban areas, were to act as a focus for development. In the Consolidated Modifications Document (March 2023) Policy SP03 was significantly modified, particularly by the deletion of the settlement hierarchy and reverting to settlement boundaries in the adopted development plan. It states that these boundaries will be reviewed, and if necessary revised, as part of the preparation of the Part 2 Plan.
59. Policy SP04 in the emerging JLP (November 2020) provided a minimum housing requirement figure of 90 dwellings for the Parish. Policies LA091 and LA092 in the emerging JLP (November 2020) allocated a housing site for approximately 60 dwellings on land to the West of Wattisfield Road and a housing site for approximately 22 dwellings on land East of Wattisfield Road. These policies have subsequently been deleted in the Consolidated Modifications Document (March 2023).
60. I am required to test the indicative minimum housing requirement figure of 90 dwellings. There is no legal requirement to test the Neighbourhood Plan against emerging policy although PPG advises that the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. The qualifying body and the local planning authority should aim to

agree the relationship between policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted Development Plan, with appropriate regard to national policy and guidance.

61. The Neighbourhood Plan examination process does not require a rigorous examination of district wide housing land requirements. This is the role of the examination of the emerging JLP. I consider the approach to housing development in the Neighbourhood Plan, including both of the housing policies, which I comment on below and subject to any modifications I have recommended, contributes to the achievement of sustainable development. This is notwithstanding that the emerging JLP in the future might propose additional growth.
62. I note that existing completions exceed the 90 dwellings indicative housing figure requirement. Policy WLW2 does not allocate sites for new housing and indeed is not required to do so in order for the indicative minimum housing figure requirement to be met. Instead, it relies on the overall scale of new housing to be that reflected in the adopted settlement hierarchy for the District.
63. Policy WLW2 refers to the settlement boundaries in Figure 23. These settlement boundaries are those that were identified in the emerging JLP (November 2020) but subsequently have been removed. MSDC supports the use of these settlement boundaries in the neighbourhood plan. As these settlement boundaries are being defined in the neighbourhood plan and are not in any other adopted plan, it is not accurate to state that they are existing settlement boundaries in Policy WLW2. I have suggested revised wording.
64. Policy WLW2 states that new housing development will be within the settlement boundaries, but then contradicts this statement at the end of the policy where it refers to development outside these settlement boundaries. Whilst the focus of development within the settlement boundaries is good planning practice, the NPPF does allow for some development in the countryside in specific circumstances. Therefore, I have suggested revised wording to Policy WLW2 in this respect for the areas both within the settlement boundaries and the surrounding countryside.
65. Policy WLW2 requires a masterplan approach for proposal for developments of more than 5 dwellings, informed by public engagement and collaboration. Paragraph 40 in the NPPF encourages developers to engage with local communities prior to submitting planning applications. However, it does state that developers are not required to do so. In the interest of precision, I have suggested revised wording of this part of Policy WLW2 and supporting paragraphs 7.19 and 7.20 will need similar modification, to have regard to national policy.
66. Policy WLW2 refers to protecting undeveloped gaps between the settlement boundaries. Unfortunately, these gaps are not identified on the Policies Map. As such, this does not provide clear criteria for assessing development

proposals. Therefore, in the interest of precision, I recommend deletion of this restriction from Policy WLW2 and supporting paragraph 7.21 and I suggest that the policy is modified to state that the physical coalescence of these two areas will not be supported.

67. The settlement boundaries identified in Policy WLW2 allow for sustainable development within the Parish. Subject to the above modifications, Policy WLW2 has regard to national policy, contributes towards sustainable development, and is in general conformity with strategic policy. Modified Policy WLW2 meets the Basic Conditions.
68. MSDC has suggested revised wording for paragraph 7.6 to reflect the current status of the emerging JLP. The beginning of this paragraph to read: *The BMSJLP submitted for Examination in March 2021, made two specific housing allocations within the Neighbourhood Area. Whilst the allocations have now been removed from the BMSJLP, both sites have had the benefit of outline or full planning permissions. These are: ...* **I see this as a minor editing matter.**
69. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) modification to the first paragraph in Policy WLW2 to read as follows:**
- The overall scale of new housing within the Parish up to 2037 will reflect its position within the Adopted settlement hierarchy for the District. New housing development within the Parish over the plan period, will be focused within the defined settlement boundaries as shown on figure 23.**
- 2) modification to the fourth paragraph in Policy WLW2 to read as follows:**
- Where a development of more than 5 dwellings is proposed, developers are strongly encouraged to undertake a ‘Masterplan’ style approach, informed by public engagement and collaboration. Proposals should deliver a sustainable development within the built-up area, with a seamless relationship between the existing development and the new development, in terms of connections, layout, design, density, character and natural environment.**
- 3) deletion of the last two paragraphs in Policy WLW2 to be replaced with the following:**
- Outside the settlement boundaries, proposals for development will only be supported where they are in accordance with national and local policies. The physical coalescence of the settlements (the main part of the village and Four Ashes) will not be supported. .**
- 4) Modification to paragraphs 7.19 and 7.20 to explain that developers will be encouraged to engage with the local community.**

5) Modification to paragraph 7.21 to delete reference to gaps between the settlement boundaries and instead refer to preventing the physical coalescence of the two settlements.

WLW3: Housing size, type, and tenure

70. Paragraph 60 in the NPPF states that the needs of groups with specific housing requirements need to be addressed, to support the Government's objective of significantly boosting the supply of homes.
71. Core Strategy Policy CS9 seeks to ensure a mix of housing types, sizes and affordability to cater for different accommodation needs.
72. Policy WLW3 seeks housing size, type and tenure in line with the latest evidence of need. This policy is informed by the findings of the *Walsham le Willows Housing Needs Assessment (HNA) (March 2022)* prepared by AECOM.
73. My concern is that the percentages of different sizes of dwellings are required for each development, whatever the scale of the development. Clearly a development of one or two dwellings cannot provide 1, 2, 3 and 4 bedroom dwellings. Therefore, in the interest of precision, I have suggested revised wording. Whilst this revised wording omits percentages, footnote 17 does refer to the HNA and by omitting percentages this allows for changes in future housing need requirements.
74. As regards affordable housing, MSDC has raised concern that the proposed mix would not align with their strategic objectives as it would decrease the proportion of affordable rented properties. To ensure that the needs of groups with specific housing requirements are addressed both now and during the plan period, I suggest that the proportions of different types of affordable housing are deleted from Policy WLW3, leaving the provision of First Homes as a minimum of 25% of affordable dwellings in accordance with Government guidance.
75. As regards First Homes, Government guidance states that neighbourhood planning groups have the discretion to require a higher minimum discount of either 40% or 50% above the minimum discount of 30% against the market value if they can demonstrate a need for this. This is usually demonstrated via an HNA. Policy WLW3 requires a 40% affordability discount on First Homes. I am satisfied that this is justified by robust evidence in the HNA.
76. Subject to the above modifications, Policy WLW3 has regard to national policy, contributes towards sustainable development, and is in general conformity with strategic policy. Modified Policy WLW3 meets the Basic Conditions.
77. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy WLW3 to read as follows:**

WLW3: Housing Size, type and tenure

New housing should be provided in line with the latest evidence of need. Proposals should provide for and contribute to, housing that meets local needs (both now and in the future) and enables the continuation of the current broad mix of housing that enables a balanced community.

The following housing mix should be provided:

Size

- **1 and 2-bedroom starter homes suitable for those seeking their first home**
- **3-bedroom family homes.**
- **4+ bedroom family homes.**

Type

Support will be given for smaller 2 and 3 bedroomed detached and semi-detached homes that are adaptable, in order to meet the needs of the aging population, without excluding the needs of the younger buyers and families.

Tenure

Where affordable housing is proposed, a minimum of 25 percent must be First Homes, with a 40 per cent affordability discount. Affordable housing provision should include social and affordable rented accommodation and affordable routes to home ownership.

WLW4: Community Facilities

78. Paragraph 93 in the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should, amongst other matters, plan positively for the provision of community facilities and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs.
79. Core Strategy Policy CS6 seeks to ensure that new development provides or supports the delivery of appropriate and accessible infrastructure to meet the justified needs of new development. Whilst not a policy specifically supporting the retention of existing facilities, the supporting text does refer to seeking to ensure the protection of existing facilities and services.

80. Policy WLW4 lists existing community facilities and seeks to prevent the loss of these facilities. In addition, this policy supports the provision of new or enhanced facilities.
81. The list of community facilities includes sites that are also designated in part or as a whole as Local Green Spaces (LGS) in Policy WLW11. Policies for managing development within a Local Green Space should be consistent with those for Green Belts. This is a higher level of restriction on development on these sites than that specified in Policy WLW4. In the interest of precision and to ensure that there is no internal conflict in the Plan, it is necessary to delete these sites from the list in Policy WLW4 and paragraph 8.2. St. Mary's Church is identified as a community facility and its churchyard is identified as a LGS. In the interest of precision, I recommend that the list in Policy WLW4 specifies the exclusion of the churchyard, whilst still recognising the church as a community facility. Similarly, the Sports Club, including pitches, is identified as a community facility. For the same reasons, this should exclude those pitches identified as Local Green Spaces.
82. Some of the sites I have recommended for deletion are sport and recreation sites. Therefore, it is necessary to modify the section regarding enhancing such existing provision. I have suggested revised wording.
83. Subject to the above modifications, Policy WLW4 has regard to national policy, contributes towards sustainable development, particularly the social objective and is in general conformity with strategic policy. Modified Policy WLW4 meets the Basic Conditions.
84. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) modification to Policy WLW4 to read as follows:**
- WLW4: Community facilities**
- Existing facilities**
- The Parish has the following community facilities (shown in figure 24):**
- a. Little Willows Pre-School**
 - b. Walsham le Willows C of E VC Primary School**
 - c. Memorial Hall**
 - d. Priory Room**
 - e. St. Mary's Church (excluding churchyard identified as a Local Green Space in Policy WLW11))**
 - f. Congregational Church**

g. Sports Club pavilion and 50-space car park (excluding football pitches, cricket pitch, tennis court and artificial football pitch identified as a Local Green Space in Policy WLW11)

h. Public Houses (Six Bells Inn and The Blue Boar)

Proposals including changes of use that would involve the potential loss of an existing community facility will not be supported except where an improved or equivalent facility can be located elsewhere in the Parish in an equally convenient, safe, and accessible location or where there is no reasonable prospect of continued viable use where this can be sufficiently demonstrated.

New or enhanced facilities

Proposals that would provide for new, expanded or improved community facilities including provision of new sports and recreation facilities which would extend the range of facilities available will be supported.

Particular support will be given to proposals that would allow for the wider community use of existing facilities, the provision of multi-use and shared spaces, including ‘chatty benches’, ‘pop-up shops, markets, and community cafés.

2) modification to paragraph 8.2 to accord with Policy WLW4. This can explain that some facilities are not included because they are designated as LGS.

3) modification to Figures 20 and 24 to accord with modified Policy WLW4.

WLW5: Drainage and flood risk

85. Paragraphs 159 - 169 in the NPPF explain national policy with regard to flood risk. Inappropriate development in areas at risk of flooding should be avoided by directing development away from high risk areas. Where development is necessary in these areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
86. Where flood risk is a consideration, PPG explains the need for a sequential test and, if needed, an exception test to ensure that flood risk is minimised and appropriately addressed in decision making. (Paragraph: 004 Reference ID: 7-004-20220825). PPG goes on to provide links to the applications of these tests.
87. Core Strategy Policy CS4 seeks to ensure that new development contributes to the delivery of sustainable development and reflects the need to plan for

climate change. It supports development proposals that avoid areas of flood risk and seeks sustainable drainage systems where technically feasible.

88. Policy WLW5 seeks to minimise flood risk and supports the use of Sustainable Drainage Systems.
89. Policy WLW5 does not support any development in the areas of low to high or medium flood risk. My concern is that whilst inappropriate development in these areas should be discouraged, the definition of development in planning policy encompasses a wide range, including change of use and there may be many instances where small scale development and change of use has no impact on flooding.
90. Policy WLW5 does not have regard to national policy and guidance with regard to the sequential and exception tests where flood risk is a consideration. It is not necessary to repeat the requirement for these tests in Policy WLW5, but in the interest of precision, I have suggested the deletion of reference to development not being supported in the areas of low to high or medium flood risk. Any development proposals in these areas will remain subject to the need to meet national sequential and exception tests where appropriate.
91. Subject to the above modification, Policy WLW5 has regard to national policy, contributes towards sustainable development, particularly the environmental objective, and is in general conformity with strategic policy. Modified Policy WLW5 meets the Basic Conditions.
92. **Recommendation: to meet the Basic Conditions, I recommend the deletion of the last sentence in the second paragraph in Policy WLW5.**

WLW6: Pedestrian and cycle connectivity

93. The NPPF, at paragraph 92, seeks to achieve healthy inclusive and safe places. Section 9 of the NPPF promotes sustainable transport with an emphasis on firstly giving priority to pedestrian and cycle movements and secondly encouraging public transport use. It recognises that patterns of movement, streets and other considerations are integral to the design of schemes and contribute towards making high quality places.
94. Core Strategy Policy CS6, amongst other matters, states: *The Council will help reduce the need to travel, reduce journey distances and make it safer and easier for people to access jobs, shopping, leisure facilities and services by public transport, walking and cycling.*
95. The above policies are relevant to both Policies WLW6 and WLW7.
96. Policy WLW6 seeks to make the Parish safer and more accessible. It identifies the need for new pedestrian and cycle provision at Summer Road; a crossing between the sports club and sports pitches; and a safe pedestrian

route at Palmer Street. From my site visit, I can understand the need for such provision. The subheading of this last section of Policy WLW6 does not encompass all these schemes and thus the subheading should be deleted. **I see this as a minor editing matter.**

97. MSDC has suggested additional wording to the supporting text to explain: *the need at Summer Road - along with the need for a safe pedestrian route on Palmer Street - is also captured within, and supported by, the Mid Suffolk District Council Local Cycling and Walking Infrastructure Plan, which identified these two schemes through a public consultation around active travel infrastructure.* In addition, in response to the Regulation 16 representations, the Parish Council has suggested that the need at Summer Road is defined as *from the Northern parish boundary to the six Bells Crossroad.* Should the Parish Council wish to include these additions to paragraph 9.8, this has no bearings on whether the Plan meets the Basic Conditions. **I see this as a minor editing matter.**
98. Policy WLW6 has regard to national policy, contributes towards sustainable development, particularly the social objective and is in general conformity with strategic policy. Policy WLW6 meets the Basic Conditions.

WLW7: Public rights of way

99. Policy WLW7 seeks to protect and enhance existing public rights of way. This has regard to national policy where it seeks to promote sustainable transport. In addition, Policy WLW7 contributes towards sustainable development, particularly the social objective and is in general conformity with strategic policy. Policy WLW7 meets the Basic Conditions.

WLW8: Area of local landscape sensitivity

100. Paragraph 174 in the NPPF requires the planning system to contribute to and enhance the natural and local environment, including protecting and enhancing valued landscapes.
101. Core Strategy Policy CS5 seeks to protect and conserve landscape quality, taking into account the natural environment and the historic dimension of the landscape as a whole.
102. The above policies are relevant to both Policies WLW8 and WLW9.
103. Policy WLW8 seeks to protect an area identified as an Area of Local Landscape Sensitivity (ALLS). Saved Policy CL2 in the Mid Suffolk Local Plan (1998) identifies this area as a Special Landscape Area. The emerging JLP does not propose such a designation. At my visit to the Parish, the local importance of the landscape in the designated area was evident. I am

satisfied that the definition of this area as an Area of Local Landscape Sensitivity is justified.

104. Policy WLW8 cross refers to the ALLS identified on the map on Figure 28. That map identifies the ALLS as extending beyond the Parish boundary. In the interest of precision, Figure 28 should be modified to exclude the ALLS beyond the Parish boundary, as a policy requirement in a neighbourhood plan cannot be imposed on a neighbouring parish.
105. Subject to the above modification to Figure 28, Policy WLW8 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Subject to the above modification to Figure 28, Policy WLW8 meets the Basic Conditions.
106. **Recommendation: to meet the Basic Conditions I recommend the deletion of the ALLS on Figure 28 that lies beyond the Parish boundary.**

WLW9: Important views

107. Policy WLW9 identifies 22 Important Public Local Views. The justification for these views is explained in supporting text and accompanying photographs. From what I have seen, I acknowledge their importance to the local community. The identification of these views does not preclude development within the views, but such development should not have an unacceptable adverse impact on the landscape or character of the view concerned.
108. Policy WLW9 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Policy WLW9 meets the Basic Conditions.

WLW10: Dark skies

109. Paragraph 185 in the NPPF seeks to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
110. Core Strategy Policy CS4 seeks to protect people and the environment from unsafe or unhealthy pollutants, including light pollution.
111. Policy WLW10 seeks the preservation of Dark Skies. Some outdoor lighting schemes, especially in domestic gardens, do not require planning permission. Therefore, in the interest of precision, I recommend reference to 'where planning permission is required' in the second paragraph of Policy WLW10 and the deletion of the last sentence in that paragraph.

112. Subject to the above modifications, Policy WLW10 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified Policy WLW10 meets the Basic Conditions.

113. **Recommendation: to meet the Basic Conditions I recommend modification to the second paragraph in Policy WLW10 to read as follows:**

Where planning permission is required, all outdoor lighting schemes (including street-lighting), should be designed so that they minimise their overall impact on the environment, including through making use of energy efficient technologies and using technologies that minimise adverse impacts on wildlife.

WLW11: Local green spaces

114. The NPPF in paragraphs 101 - 103 states: *the designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.*

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

a) in reasonably close proximity to the community it serves;

b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

c) local in character and is not an extensive tract of land.

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

115. I have visited the Parish and seen the proposed Local Green Spaces (LGS). I have no evidence to suggest that these proposed LGS are not capable of enduring beyond the end of the plan period. I am satisfied that all the proposed LGS meet the criteria for designation.

116. My comments on each of the proposed LGS sites are set out below.

117. *a. St. Mary's churchyard.* This churchyard is in reasonable proximity to the local community. It is demonstrably special to the local community

especially for its historical significance and tranquillity. It is local in character and is not an extensive tract of land.

118. *b. (i) Wild Wood and (ii) Jubilee Wood.* This area is in reasonable proximity to the local community. It is demonstrably special to the local community especially for its informal recreation provision and biodiversity. It is local in character and is not an extensive tract of land.
119. *c. Two recreational areas at Walsham le Willows Sports Club.* These recreation areas are in reasonable proximity to the local community. They are demonstrably special to the local community especially for their recreation provision. They are local in character and do not comprise an extensive tract of land.
120. *d. Allotments off Wattisfield Road.* These allotments are in reasonable proximity to the local community. They are demonstrably special to the local community especially for their informal recreation provision. They are local in character and do not comprise an extensive tract of land.
121. *e. Wild area adjacent Walsham le Willows Primary School.* This small area is in reasonable proximity to the local community. It is demonstrably special to the local community especially for its informal recreation provision and biodiversity. It is local in character and is not an extensive tract of land.
122. *f. Green area on Grove Park in front of the bungalows.* This small area of grass and mature trees is in reasonable proximity to the local community. It is demonstrably special to the local community especially for its undeveloped nature within the residential development and its informal recreation provision. It is local in character and is not an extensive tract of land.
123. *g. Green area in front of properties on Town House Road.* This small area of grass is in reasonable proximity to the local community. It is demonstrably special to the local community especially for its undeveloped nature within the residential development and its informal recreation provision. It is local in character and is not an extensive tract of land.
124. *h. Green area at the end of Mill Close (Wattisfield Road.).* This small area of grass is in reasonable proximity to the local community. It is demonstrably special to the local community especially for its undeveloped nature within the residential development. It is local in character and is not an extensive tract of land.
125. *i. Green area in front of Staple Close.* This small area of grass is in reasonable proximity to the local community. It is demonstrably special to the local community especially for its undeveloped nature within the centre of residential development and its informal recreation provision. It is local in character and is not an extensive tract of land.
126. *j. Play area at Town House Road.* This is a recreation ground that includes children's play equipment. It is in reasonable proximity to the local

community. It is demonstrably special to the local community especially for its recreation provision. It is local in character and is not an extensive tract of land.

127. *k. Cemetery at Ixworth Road.* This cemetery is in reasonable proximity to the local community. It is demonstrably special to the local community especially for its tranquillity. It is local in character and is not an extensive tract of land.
128. *l. Bowls green and green area surrounding the Memorial Village Hall.* This bowls green, being central to the village, is in reasonable proximity to the local community. It is demonstrably special to the local community especially for its recreation provision. It is local in character and is not an extensive tract of land.
129. *m. Play area and green space at Elm Drive.* The play area includes children's play equipment. This together with the small adjacent open space are in reasonable proximity to the local community. They are demonstrably special to the local community especially for their informal recreation provision. They are local in character and do not comprise an extensive tract of land.
130. Policy WLW11 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Policy WLW11 meets the Basic Conditions.

WLW12: Protecting and enhancing biodiversity

131. The NPPF, in Paragraph 174, requires the planning system to contribute to and enhance the natural and local environment. This includes protecting and enhancing valued landscapes and minimising impacts on biodiversity and providing net gains in biodiversity.
132. Core Strategy Policy CS5 seeks to protect, manage and enhance local biodiversity.
133. Policy WLW12 seeks to protect and enhance biodiversity and recognises the need for mitigation where losses or damage are unavoidable.
134. The Environment Act 2021 makes provision for achieving a minimum 10% biodiversity net gain to be a condition of receiving planning permission. Various parts of this Act, including this biodiversity net gain requirement, are yet to come into force.
135. Policy WLW12 refers to a net gain in biodiversity. To ensure that regard is had to national policy, particularly to the Environment Act, I have suggested revised wording to explain that the extent of net gain should be in accordance with national policy.

136. Subject to the above modification, Policy WLW12 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified Policy WLW12 meets the Basic Conditions.

137. **Recommendation: to meet the Basic Conditions I recommend modification to the second paragraph in Policy WLW12 to read as follows:**

Net gain and benefits to wildlife

Otherwise acceptable development proposals will be supported where they provide a measurable increase of net gain in biodiversity through for example:

a. The creation of new, restoration and enhancement of existing natural habitats

b. The planting of additional trees and hedgerows (reflecting the character of the areas traditional hedgerows),

c. the restoration and reparation of fragmented ecological networks, for example, the river.

The extent of any net gain in biodiversity should be in accordance with national policy.

WLW13: Renewable Energy

138. Paragraph 152 in the NPPF states: *the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.*

139. Core Strategy Policy CS3 seeks to reduce contributions to climate change. It promotes and encourages the appropriate development of stand alone Renewable Energy schemes.

140. Policy WLW13 supports renewable, decentralised and community energy generating proposals, subject to a list of criteria.

141. With regard to large scale ground-mounted solar photovoltaic farms, PPG advises that consideration should be given to a number of factors these include: *encouraging the effective use of land by focussing large scale solar farms on previously developed and non agricultural land, provided that it is not of high environmental value; and where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown*

to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays. (Extract part of Paragraph: 013 Reference ID: 5-013-20150327).

142. Paragraph 2,17 in the *Walsham le Willows Neighbourhood Plan SEA Screening Opinion* states that the Parish *comprises mainly Grade 3 agricultural land; however, it is not known if any or all of this is Grade 3a (classed as best and most versatile agricultural land) or the lower quality Grade 3b.* Criterion a. in Policy WLW13 only supports renewable energy proposals if they are located outside the best and most versatile agricultural land (Grade 1,2 or 3a). In these circumstances, and having taken into consideration guidance in PPG, I suggest modification to criterion a. to reflect PPG guidance. I have suggested revised wording.
143. Criteria b. and c.in Policy WLW13 refer to biodiversity. Whilst it is not usually necessary to cross refer to other policies in the Plan, as Policy WLW12 is so detailed regarding biodiversity, in the interest of precision, I suggest that criteria b. and c. are amalgamated and there is cross reference to Policy WLW12. I have suggested revised wording.
144. Subject to the above modifications, Policy WLW13 has regard to national policy, contributes towards sustainable development, particularly the environmental objective and is in general conformity with strategic policy. Modified Policy WLW13 meets the Basic Conditions.
145. **Recommendation: to meet the Basic Conditions I recommend:**
- 1) the deletion of criterion a. and the insertion of a new paragraph at the end of Policy WLW13 to read as follows:**
- Development proposals for renewable, decentralised and community generating proposals on previously developed land will be prioritised, where appropriate, to minimise the loss of the best and most versatile agricultural land. Where such development needs to take place on greenfield land, avoidance of the best and most versatile agricultural land will be preferred.**
- 2) the deletion of criteria b. and c. in Policy WLW13 to be replaced with a new criterion b. that reads as follows:**
- Will not have an adverse impact upon biodiversity interests including habitats, species and natural features and where it will contribute to a measurable net gain in biodiversity, in accordance with Policy WLW12.**

WLW14: Non-designated heritage assets

146. Paragraph 203 in the NPPF explains: *the effect of an application on the significance of a non-designated heritage asset should be taken into account*

in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

147. PPG states: *There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and conservation area appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence.*
148. *Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets. (Extract part of Paragraph: 040 Reference ID: 18a-040-20190723 dated 23 July 2019).*
149. Core Strategy Policy CS5 refers to the need for all development to maintain and enhance the historic environment.
150. Policy WLW14 identifies 31 buildings and structures as non-designated heritage assets. Supporting evidence for the identification of these buildings and structures is found in the *Walsham le Willows Neighbourhood Plan Non-Designated Heritage Assets Supporting Assessments (April 2023)*. In addition, criteria for their selection are summarised in Appendix C to the Plan. The criteria in Appendix C are based on Historic England's Local Heritage Listing criteria, but slightly modified to relate to the Parish. It is clear that these buildings and structures are worthy of identification as non-designated heritage assets.
151. MSDC has suggested that Appendix C includes photographs and descriptions of each identified non designated heritage asset. The descriptions can already be found in the *Walsham le Willows Neighbourhood Plan Non-Designated Heritage Assets Supporting Assessments (April 2023)*. I can see the benefit of amalgamating that document and Appendix C, together with photographs. I note that the Parish Council supports this suggestion. **I see this as a minor editing matter.**
152. I note objection to Cranmer Cottages being included in the list of Non-designated Heritage Asset. I understand that the building was poorly constructed, and a substantial list of repairs is being undertaken, including ongoing damp issues. This building, which I note was traditional farmers cottages, is unusual in the Parish, being encased predominately in flint. It is clear that this building is worthy of identification as a non-designated heritage asset. Being identified as a non-designated Heritage Asset will not change existing permitted development rights.

153. Policy WLW14 has regard to national policy, contributes towards sustainable development, and is in general conformity with strategic policy. Policy WLW14 meets the Basic Conditions.
154. Paragraph 10.41 refers to West Suffolk. This should read Mid Suffolk. **I see this as a minor editing matter.**

WLW15: New and existing businesses

155. The NPPF supports a prosperous rural economy. Paragraph 84 states:
Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
 - b) the development and diversification of agricultural and other land-based rural businesses;*
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
 - d) 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.*
156. Core Strategy Policy CS2 restricts development in the countryside and countryside villages to defined categories. These include new-build employment generating proposals where there is a strategic, environmental or operational justification.
157. Core Strategy Focused Review Policy FC 3 directs the majority of new employment to the towns and Key Service Centres. It supports economic development proposals in rural areas that cannot be more sustainably located closer to existing settlements and where the proposal is restricted in size, scale and type appropriate to a rural setting.
158. Policy WLW15 supports the expansion of existing businesses and the provision of new small scale businesses in suitable locations. In addition, it accepts the loss of existing unviable businesses or where they generate significant environmental problems. Services and facilities that would add value to homeworking are supported.
159. Policy WLW15 has regard to national policy, contributes towards sustainable development, particularly the economic objective, and is in general conformity with strategic policy. Policy WLW15 meets the Basic Conditions.

Referendum and the Walsham le Willows Neighbourhood Plan Area

160. I am required to make one of the following recommendations:
- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
 - the Plan as modified by my recommendations should proceed to Referendum; or
 - the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.
161. **I am pleased to recommend that the Walsham le Willows Neighbourhood Plan as modified by my recommendations should proceed to Referendum.**
162. I am required to consider whether or not the Referendum Area should extend beyond the Walsham le Willows Neighbourhood Plan Area. I see no reason to alter or extend the Neighbourhood Plan Area for the purpose of holding a referendum.

Minor Modifications

163. The Plan is a well-written document, which is easy to read. Where I have found errors, I have identified them above. It is not for me to re-write the Plan. If other minor amendments are required as a result of my proposed modifications, I see these as minor editing matters which can be dealt with as minor modifications to the Plan. In particular, the letter from the Steering Group and Introduction will need updating.

Janet Cheesley

Date 18 August 2023

Appendix 1 Background Documents

The background documents include:

The National Planning Policy Framework (NPPF) (2021)
The Planning and Compulsory Purchase Act 2004
The Localism Act (2011)
The Neighbourhood Planning (General) Regulations (2012)
The Neighbourhood Planning (General) (Amendment) Regulations (2015)
The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2016)
The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations (2017)
The Neighbourhood Planning Act (2017)
The Planning Practice Guidance (2014)
The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018
The Saved Policies in the Mid Suffolk Local Plan (1998)
The Mid Suffolk Local Plan First Alteration: Affordable Housing (2006)
The Mid Suffolk Core Strategy Development Plan Document (2008)
The Mid Suffolk Core Strategy Focused Review (2012)
Babergh & Mid Suffolk Joint Local Plan Pre-Submission (Regulation 19) Document (November 2020)
Babergh and Mid Suffolk District Council Consolidated Modifications Draft Joint Local Plan (March 2023)
Regulation 16 Representations
All Supporting Documentation submitted with the Plan
Examination Correspondence (On the Mid Suffolk District Council's web site)