

Mid Suffolk District Council



Woolpit Neighbourhood Development Plan

Submission Consultation Responses

In October 2019, Woolpit Parish Council (the 'qualifying body') submitted their Neighbourhood Development Plan to Mid Suffolk District Council for formal consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The consultation period ran from Monday 16 December 2019 until Friday 7 February 2020.

In total, 14 organisations / individuals submitted representations. They are listed below and copies of their representations are attached.

Ref No.	Consultee
(1)	Suffolk County Council
(2)	Mid Suffolk District Council
(3)	Drinkstone Parish Council
(4)	Natural England
(5)	Historic England
(6)	Environment Agency
(7)	Anglian Water
(8)	Highways England
(9)	National Grid
(10)	West Suffolk Clinical Commissioning Group
(11)	Mr & Mrs Scott (Land Owners)
(12)	Evolution Town Planning Ltd (<i>obo Hopkins Homes</i>)
(13)	Turley (<i>obo Pigeon Investment Management et.al.</i>)
(14)	Clarke & Simpson (<i>obo Various Landowners</i>)

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(1) SUFFOLK COUNTY COUNCIL

Date: 07/02/2020
Enquiries to: Cameron Clow
Tel: 01473 260171
Email: cameron.clow@suffolk.gov.uk



Mid Suffolk District Council
Endeavour House,
8 Russel Road,
Ipswich
IP1 2BX

Dear Mr Hobbs,

Pre-Submission version of the Woolpit Neighbourhood Plan

Thank you for consulting Suffolk County Council (SCC) on the submission version of the Woolpit Neighbourhood Plan.

The county council welcome the changes made in response to comments from the regulation 14 consultation. This main purpose of this response is to provide an update to the education infrastructure issues raised in the county councils regulation 14 response.

Primary Education

In the pre-submission (regulation 14) response to the neighbourhood plan the county council highlighted that the plan presented a risk to the provision of school places, as at that time the site allocations would have caused the school to exceed its capacity but not provide enough developer contributions to enable its expansion. The full explanation in the regulation 14 response is included as an appendix to this response. Due to the level of growth being proposed in Woolpit and the nearby village Elmswell by unplanned development the county council adopted a flexible strategy, whereby if a site of 300 dwellings off Bury Road (DC/18/04247 and Joint Local Plan allocated site LA95) was permitted, then the county council would secure land from this development and education contributions from development would go towards building the new school. This is the current strategy in the draft Babergh and Mid Suffolk Joint Local Plan. If the 300 dwelling scheme were refused, but other development were to go forward, the strategy was to expand the existing Woolpit primary school, using developer contributions. Section 106 agreements were worded to ensure a flexible approach to education provision to meet the needs of unplanned growth.

Since the regulation 14 consultation the forecast pupil roles for the school have declined and there is expected to be available spaces to accommodate the growth in the neighbourhood plan. However, the county council still wishes to maintain a flexible approach to education going forward, particularly as the growth scenarios proposed in Woolpit differ between the draft Babergh Mid Suffolk Joint Local Plan in the neighbourhood plan, and that the education issues within require different strategies.

It is noted that policy WPT5 states that land should be retained to enable the expansion of the school to a 420 place school, which is very much supported. For clarity for developers and decision makers, the policy should state that at least 0.7ha of land is needed in order to expand the school to this size and remain within the recommended school size guidelines set out in Building Bulletin 103.

Transport

A number of policies make reference to the Suffolk Guidance for Parking. Reference to county council guidance is welcome, however policies should be updated to reflect that the guidance has been updated in 2019, as currently policy refers to the 2015 version. The 2019 version is the used by SCC highways in response to planning applications. Policies where this guidance is mentioned are WPT3, WPT4, WPT5 and WPT6.

I hope that these comments are helpful. SCC is always willing to discuss issues or queries you may have. .

If there is anything I have raised you would like to discuss, please use my contact information at the top of this letter.

Yours sincerely,

Cameron Clow
Senior Planning and Growth Officer
Growth, Highways, and Infrastructure

Appendix – Primary Education section from SCC Pre- Submission Response, 8th April 2019

The local primary school, Woolpit Primary Academy has a total capacity of 210 places, however for place planning purposes SCC uses the 95% capacity of the school as the threshold for collecting planning contributions; this capacity is 200 places. When taking into account permitted but not completed development it is currently expected that there will be a deficit of 13 places at the school 2022/2023. When the proposed allocations within the Neighbourhood Plan are included, this deficit increases to 22 primary school places in 2022/2023.

Due to the level of proposed development in Woolpit there are a number of scenarios that SCC, as the education authority, has been factoring in when responding to planning applications. This includes drafting flexibility when securing financial contributions so that they can be used towards either a new primary school serving the village, or towards expansion of the existing primary school.

There are currently two planning applications in Woolpit pending decision: Land off Bury Road, North of The Street and East of White Elm Road for 300 dwellings; and Land North of Old Stowmarket Road for 79 dwellings is awaiting an appeal decision. There is also the prospect that an appeal will be submitted for the 45 dwellings on the Land South of Rags Lane application which was refused in February 2019. SCC has sought financial contributions and land for a new primary school at Land off Bury Road as it is understood there is likely to be further phases of development on this site therefore the potential total cumulative growth in Woolpit could not be accommodated at the current primary school, even if it is expanded. However, should this site not be granted permission, SCC will need land to expand the existing primary school. SCC has produced a feasibility study which shows how the existing primary school could be expanded and has discussed with the developer of the site proposed to be allocated through policy WPT5, to secure additional land via a land option agreement to enable the expansion.

This leads to three possible scenarios for primary education in Woolpit.

- The 300 dwellings off Bury road are permitted and land becomes available for a primary school. SCC would deliver a second primary school in Woolpit through contributions from this and other development (including development already permitted).
- The 300 dwellings off Bury road are refused permission and the 79 dwellings Old Stowmarket Road are allowed at appeal: SCC would expand the existing primary school through contributions from this and other development.
- The Neighbourhood Plan growth comes forward, creating a deficit of 22 places. This is a challenging deficit to address through expansion of the school; it is too small a deficit to justify expanding the school, as the level of development would not fully fund the project and expanding the school to accommodate this number of pupils would not be cost effective. SCC would be relying reducing the proportion of children which come from outside of the primary school catchment.

While the Neighbourhood Plan growth alone would not enable the school to expand, due to the level of undecided development in Woolpit SCC will seek to keep the option to expand the school available. Housing allocation WPT5 would prevent the school from expanding as it would “landlock” the school with housing development. The school cannot be expanded on the current site and remain within recommended space standards (set out in Building Bulletin 103).

The plan needs to recognise the potential need for land to expand the school. Paragraph 94 of the NPPF states “It is important that a sufficient choice of school places is available to meet the needs of existing and new communities” and that Local authorities should “give great weight to the need to create, expand or alter schools throughout the preparation of plans and decisions on applications”.

As currently drafted the plan does not achieve this, as the proposed growth exceeds the school's capacity while also preventing its expansion in the future. For these reasons SCC considers that the plan does not meet the following Basic Conditions:

- a. having regard to national policies, and
- d. contributing to the achievement of sustainable development.

The school landlocking issue could be addressed by stating in policy WPT5 that 0.7ha of land adjacent to the primary school is retained for the potential expansion of the primary school.

(2) MID SUFFOLK DISTRICT COUNCIL

Our ref: Woolpit NP Reg 16 Consultation

Date: Thursday 6th February 2020

Dear Janet,

- 1. Consultation under Regulation 16 of the N'hood Planning (General) Regulations 2012 (as amended): The Woolpit Neighbourhood Development Plan 2016 - 2036**
- 2. Response from Mid Suffolk District Council**

Following formal submission of the Woolpit Neighbourhood Plan (the Woolpit NP) we have revisited our comments we made on the Regulation 14 document and have taken time to look at this latest draft Plan in detail. Many of suggestions put forward have been implemented but, regrettably, we find it necessary to place on record the following which focuses primarily on the matter of housing numbers. We also include links to quoted sources at the end of this letter.

Section 4 Housing Policies and Calculation of Housing Need (page 65)

In our Reg 14 response we advised that the housing numbers set out in our August 2017 Joint Local Plan were out of date and had been superseded by the introduction of a new standard methodology for calculating district-wide housing need following the revision to the National Planning Policy Framework in July 2018. Whilst not being able to give the Neighbourhood Planning Group certainty on the likely requirement for Woolpit at the time [April 2019] we did advise that a figure higher than that being provided in the Neighbourhood Plan could not be ruled out.

The preparation of the Joint Local Plan is based upon the identification of a spatial strategy, which considers consultation responses to the 2017 document, the availability and deliverability of sites, the preferred spatial distribution pattern, the sensitivities and constraints of the area, and the infrastructure capacity and opportunities, all of which is set out in paragraph 9.8 on page 38 of the Joint Local Plan Preferred Options document (July 2019).

In the submitted Consultation Statement, mention is made that the total housing requirement for the Woolpit NP has been amended from 252 dwellings to 255 dwellings as set out in the appendix on page 65 of the submitted Plan. However, this applies to an assumption that Core Villages meet 25% of the District housing requirement, with 20% distributed *pro-rata* among all the Core Villages, and the extra 5% *pro-rata* among only those Core Villages within 2-kilometres of an A-road. It continues to follow the out of date housing numbers of 2017, as noted above. The appendix also notes that a preferred spatial distribution policy had not been published, despite this being published the week in advance of the Mid Suffolk Council meeting that took place on 27th June 2019 and, subsequently, in the Joint Local Plan Preferred Options consultation document published on 22nd July 2019, i.e. before the Woolpit NP Consultation Statement was published.



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www.babergh.gov.uk www.midsuffolk.gov.uk

In early July 2019 there was therefore an opportunity for the Woolpit NP Group to revisit the housing requirement, to amend their draft plan accordingly, and to decide whether it would be appropriate or not for them to re-consult on their plan at the Regulation 14 stage.

The Preferred Options Joint Local Plan policy SP04 (page 39) identifies a spatial distribution, which is not focused towards the Ipswich Fringe as stated in the Woolpit NP appendices. This emerging policy clearly identifies a total of 43% of the total new homes planned for, being delivered in core villages in Mid Suffolk District, of which Woolpit is one. Therefore, when assessing the location of Woolpit in accordance with emerging Joint Local Plan as set in paragraph 9.8, a minimum requirement of 727 homes is identified as at 1st April 2018, and which also contained any outstanding planning permissions granted but not yet completed as at 1st April 2018.

The A14 corridor is part of the Strategic Road Network and therefore cannot be compared to other 'A' roads in Mid Suffolk. Furthermore, the A14 corridor runs in parallel with the Ipswich to Norwich and Ipswich to Cambridge railway line and is defined as a strategic transport corridor in the Preferred Options Joint Local Plan.

Therefore, the emerging Joint Local Plan proposes to allocate sites LA093 – Land East of Green Road (49 dwellings) and LA094 – Land South of Old Stowmarket Road (120 dwellings), [WPT4 and WPT3 in the Neighbourhood Plan], both of which have planning permission granted. In respect of site WPT4 / LA093, this is currently under construction. A reserved matters application is currently being considered for 115 dwellings on site WPT3 / LA094.

The Preferred Options Joint Local Plan also allocates sites LA095 – Land North East of The Street (500 dwellings), LA096 – Land North East of Heath Road (10 dwellings) and LA097 – Land West of Heath Road (30 dwellings). These sites are not allocated in the Woolpit NP although we acknowledge a site also on Land South of Old Stowmarket Road is allocated for 40 dwellings in the Neighbourhood Plan (reference WPT5), on which an outline planning application is currently being considered for 40 dwellings.

The difference between the housing requirement identified in the Joint Local Plan and that contained in the Neighbourhood Plan is effectively the quantum identified on site allocation LA095. Within this site allocation is land for a pre-school and primary school, which is required to support the plan-led growth identified in both Woolpit and Elmswell. As established in the Babergh & Mid Suffolk Infrastructure Delivery Plan (IDP) (July 2019) the new primary school is identified as a 210-place school initially and able to expand to 420 places. The site allocation LA095 also aims to deliver other key infrastructure required to enable the sustainable growth of the area, such as the new cycle/pedestrian link between Elmswell and Woolpit, as well as mitigation measures and developer contributions towards highways, public transport and health provision.

In considering the housing requirement identified in the Preferred Options Joint Local Plan and the sites identified for allocation, it is necessary to consider the evidence informing the local plan process. For this reason, there is concern in relation to the extent to which this Neighbourhood Plan meets the basic conditions in its current form. You will also be well aware that PPG is clear¹ that '*the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested*'. What is not clear is how this Neighbourhood Plan has taken into account the emerging local plan for the District and the identified requirements and spatial strategy set out therein.

¹ PPG on Neighbourhood Planning paragraph 009 Reference ID: 41-009-20190509.

We trust that our comments above are helpful in setting out this Council's latest position with regards to housing numbers and we would be happy to answer any further questions you may have.

Yours sincerely

Robert Hobbs
Corporate Manager – Strategic Planning
Babergh & Mid Suffolk District Councils – Working Together

Useful links:

1. Report to Mid Suffolk Council dated 27 June 2019 on emerging Joint Local Plan:

<https://baberghmidsuffolk.moderngov.co.uk/documents/s15293/MC197.pdf>

2. Babergh & Mid Suffolk Infrastructure Delivery Plan (IDP) (July 2019):

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/BMSDC-IDP-July-2019-.pdf>

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For Office use only:

Section One: Respondents Details**All respondents should complete Part A. If you are an Agent please complete Part's A & B**

Part A: Respondent	
Title / Name:	Hilary Workman
Job Title (if applicable):	Parish Clerk
Organisation / Company (if applicable):	Drinkstone Parish Council
Address:	123 York Road Bury St Edmunds Suffolk
Postcode:	IP33 3EG
Tel No:	07988 643772
E-mail:	drinkstoneclerk@gmail.com

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	
Address:	
Postcode:	
Tel No:	
E-mail:	

For Office use only:

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT9
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Please be as brief and concise as possible ..

Agree that it is important not to encroach on the gap between settlements in Woolpit Parish.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

This should also be extended to include the gap (an Area of Special Landscape Quality) between the existing business park and Drinkstone Mills. Measures to reduce existing light pollution from the business park should be addressed as a matter of priority, this affects Drinkstone residents too.

(Continue on separate sheet if necessary)

Paragraph No.		Policy No.	WPT12
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Please be as brief and concise as possible .

.Welcome designation of Rags Lane former allotment site as local green space.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?*Please be as brief and concise as possible ..**(Continue on separate sheet if necessary)***Paragraph No.****Policy No.**

WPT16

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)Support Support with modifications Oppose Have Comments **Please give details of your reasons for support / opposition, or make other comments here:***Please be as brief and concise as possible ..**(Continue on separate sheet if necessary)***What improvements or modifications would you suggest?***Please be as brief and concise as possible ..*

There is an opportunity to work together with Drinkstone Parish Council to create good footpath/cycle access from Drinkstone to Woolpit in a similar manner as proposed to Elmswell. This is more important now that Drinkstone no longer has any bus services. The nearest bus stop for access to Bury St Edmunds is in Woolpit and this is likely to increase "the park and ride impact" on parking and congestion in the historic centre of Woolpit.

*(Continue on separate sheet if necessary)***Paragraph No.****Policy No.**

WPT14

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)Support Support with modifications Oppose Have Comments **Please give details of your reasons for support / opposition, or make other comments here:***Please be as brief and concise as possible ..*

Fits in well with Drinkstone Neighbourhood Plan proposed designation of Areas of Local Landscape Sensitivity

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

Paragraph No.	3.2.2	Policy No.	SO1 & SO2
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have
Comments

Please give details of your reasons for support / opposition, or make other comments here:

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

More car parking provision will be needed

(Continue on separate sheet if necessary)

Paragraph No.		Policy No.	WPT 17
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have
Comments

Please give details of your reasons for support / opposition, or make other comments here:

Please be as brief and concise as possible ..

Agree with the provision of public electric charging points

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

Paragraph No.		Policy No.	WPT19
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have
Comments

Please give details of your reasons for support / opposition, or make other comments here:

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

Disappointed with the lack of a policy requiring new dwellings to have electric charging points, and no mention of reducing fossil fuels for heating new dwellings or of renewable installations in new dwellings (solar panels etc)

(Continue on separate sheet if necessary)

Paragraph No.	Para 2.2.1 & 2.5.1	Policy No.	
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have
Comments

Please give details of your reasons for support / opposition, or make other comments here:

Please be as brief and concise as possible ..

Surprised that addressing road noise from the A14 has not been raised as an issue. This is a concern that Drinkstone Parish Council voiced at the first consultation and asked to work with Woolpit PC and Highways England in addressing this.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

Paragraph No.	2.5.7	Policy No.	
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have
 Comments

Please give details of your reasons for support / opposition, or make other comments here:

Please be as brief and concise as possible ..

Disappointing that community actions to promote biodiversity, tree planting and other environmental actions are not included. Generally the Woolpit Neighbourhood Plan is weak on actions to improve the environment.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	<input checked="" type="checkbox"/>

Signed: Hilary Workman, Drinkstone Parish Clerk

Dated: 3rd Feb 2020

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(4) NATURAL ENGLAND

Date: 09 January 2020
Our ref: 303737
Your ref: Woolpit Neighbourhood Plan



Mr P Bryant
Babergh & Mid Suffolk District Councils
communityplanning@baberghmidsuffolk.gov.uk

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Mr Bryant

Regulation 16 for the Woolpit Neighbourhood Plan

Thank you for your consultation on the above dated 13 December 2019

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this Regulation 16 for the draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Joanne Widgery
Consultations Team

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](http://magic.defra.gov.uk/)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)⁵ website and also from the [LandIS website](http://www.landis.org.uk/)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

(5) HISTORIC ENGLAND



Historic England

Paul Bryant
Babergh and Mid Suffolk Councils
(By email)

Direct Dial: [REDACTED]

Our ref: PL00552812
3 February 2020

Dear Mr Bryant,

Ref: Woolpit Neighbourhood Plan Regulation 16 Consultation

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We welcome the production of this neighbourhood plan, but do not wish to provide detailed comments at this time. We would refer you to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into your neighbourhood plan, which can be found here:

<https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

I would be grateful if you would notify me if and when the Neighbourhood Plan is made by the district council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed NP, where we consider these would have an adverse effect on the historic environment.

Please do contact me, either via email or the number above, if you have any queries.

Yours sincerely,

Edward James
Historic Places Advisor, East of England
Edward.James@HistoricEngland.org.uk

cc:



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



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(6) ENVIRONMENT AGENCY



Paul Bryant
Babergh and Mid Suffolk Council
Endeavor House,
8 Russell Road,
Ipswich,
IP1 2BX

Our ref: AE/2020/124803/01-L01
Your ref: *
Date: 07 February 2020

Dear Mrs Fuller

WOOLPIT NEIGHBOURHOOD PLAN – REGULATION 16 WOOLPIT

Thank you for your letter relating to the Woolpit Neighbourhood Plan. We have assessed the draft Neighbourhood Plan as submitted and our letter contains our response and information in relation to environmental issues that should be considered during the development of the Neighbourhood Plan.

Our principal aims are to protect and improve the environment, and to promote sustainable development, we:

- Act to reduce climate change and its consequences
- Protect and improve water, land and air
- Work with people and communities to create better places
- Work with businesses and other organisations to use resources wisely

You may find the following two documents useful. They explain our role in the planning process in more detail and describe how we work with others; they provide:

- An overview of our role in development and when you should contact us.
- Initial advice on how to manage the environmental impact and opportunities of development.
- Signposting to further information which will help you with development.
- Links to the consents and permits you or developers may need from us.

Our role in development and how we can help:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/289894/LI_T_2745_c8ed3d.pdf

Flood Risk

Although part of the designated area is located within Flood Zones 2 and 3 on our Flood Map for Planning, all the existing development and proposed site allocations are located within Flood Zone 1.

Areas of Special Landscape Quality

We are pleased to note that the area of land adjacent to Black Bourn river, which lies within Flood Zones 2 and 3, has been designated as an Area of Special Landscape Quality. We consider that one of the objectives relating to Areas of Special Landscape Quality should be to maintain and enhance the existing floodplain. We also consider that policy WPT14 should state that development proposals will only be permitted where they will not result in any loss of floodplain, taking into account the effects of climate change.

Flood Risk Activity Permits

Please note that under the terms of the Environmental Permitting Regulations, a permit may be required from the Environment Agency for any proposed works or structures within the floodplain or in, under, over or within 8 metres from the top of the bank of the Black Bourn.

SuDS

Although the Lead Local Flood Authority should be consulted on surface water drainage issues, we wish to make the following advisory comments:

Paragraph 3.12 of the Mid Suffolk Core Strategy (2008) states that the use of sustainable urban drainage systems (SuDS) will be an important tool in minimising flood risk posed by surface water generation from new development. The draft Neighbourhood Plan does not include any reference to the need to use SuDS to ensure there is no increase in flood risk as a result of new development. We recommend that reference to the use of SuDS in the design of new development is included in policy WP18 or policy WP19. Reference could be made to Appendix F of the Mid Suffolk Strategic Flood Risk Assessment (SFRA), which includes guidance on appropriate SuDS techniques in different locations, including Woolpit. Table E in Appendix F of the SFRA indicates that infiltration and combined infiltration / attenuation systems would be the most appropriate SuDS techniques in Woolpit. The table suggests that as the area is situated over a major aquifer with high vulnerability, any Flood Risk Assessment (FRA) should carefully consider suitable SuDS techniques (i.e. to ensure there is no risk of pollution to the underlying aquifer).

Please note that the view expressed in this letter are a response to the proposed Neighbourhood Development Plan only and does not represent our final view in relation to any future planning or permit applications that may come forward. We reserve the right to change our position in relation to any such application.

Please contact me on the details below should you have any questions or would wish to contact any of our specialist advisors. Please continue to keep us advised on the progress of the plan.

Yours sincerely

Miss Natalie Kermath
Planning Advisor

Direct dial [REDACTED]

Direct e-mail [REDACTED]

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(7) ANGLIAN WATER

For Office use only:

Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	Stewart Patience
Job Title (if applicable):	Spatial Planning Manager
Organisation / Company (if applicable):	Anglian Water Services Ltd
Address:	Thorpe Wood House, Thorpe Wood, Peterborough, Cambridgeshire.
Postcode:	PE3 6WT
Tel No:	
E-mail:	

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	
Address:	
Postcode:	
Tel No:	
E-mail:	

Section Two: Your representation(s)

To which part of the document does your representation relate? *(You may wish to complete a separate form for each separate representation)*

Paragraph No.		Policy No.	WPT2
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Anglian Water is supportive of Policy WPT2 as it requires that residential development proposals demonstrate that infrastructure capacity is available or can be made available to serve the development.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	✓
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	✓

Signed: Stewart Patience

Dated: 4th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT9
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Anglian Water is supportive of Policy WPT9 as it requires that development proposals for business/industrial uses to demonstrate that capacity is available or can be made available to serve the development.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	✓
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	✓

Signed: Stewart Patience

Dated: 4th February 2020

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(8) HIGHWAYS ENGLAND



Our ref: woolpit Reg 16
Your ref:

Paul Bryant
Neighbourhood Planning Office
Babergh and Mid District Councils
Endeavour House,
8 Russell Road,
Ipswich
IP1 2BX

Via Email

Dear Sir,

Woolpit Regulation 16 consultation

Thank you for your consultation.

We welcome the fact that the promotion of sustainable development and transport is promoted in your plan despite the challenges thrown up by the rural nature of the area.

The focusing of development adjacent to the existing settlement is possibly the option which would have the least impact upon the SRN. The impact of these proposals should have been picked up in the evidence base for the West Suffolk Local plan.

We will be consulted on applications for the allocated sites in due course and would expect them to be supported by a transport Assessment and a travel plan.

Yours faithfully

Mark Norman
Assistant Asset Manager
Operations (East)
Email: mark.norman@highwaysengland.co.uk

Mark Norman
Operations - East
Woodlands
Manton Lane
Bedford MK41 7LW

Direct Line: [REDACTED]

5 February 2019

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Our Ref: MV/ 15B901605

T: +44 (0)191 261 2361
F: +44 (0)191 269 0076

16 January 2020

avisonyoung.co.uk

Via email only
Planning Policy
Mid Suffolk Council

Dear Sir / Madam

**Regulation 16 consultation on the Woolpit Neighbourhood Development Plan
Representations on behalf of National Grid**

National Grid has appointed Avison Young to review and respond to Neighbourhood Plan consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

About National Grid

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators across England, Wales and Scotland.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

Proposed development sites crossed or in close proximity to National Grid assets:

An assessment has been carried out with respect to National Grid's electricity and gas transmission assets which include high voltage electricity assets and high-pressure gas pipelines.

National Grid has identified that it has no record of such assets within the Neighbourhood Plan area.

National Grid provides information in relation to its assets at the website below.

- www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/

Please also see attached information outlining guidance on development close to National Grid infrastructure.

Distribution Networks

Information regarding the electricity distribution network is available at the website below:

www.energynetworks.org.uk

Information regarding the gas distribution network is available by contacting:

plantprotection@cadentgas.com

Further Advice

Please remember to consult National Grid on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

Matt Verlander, Director

nationalgrid.uk@avisonyoung.com

Avison Young
Central Square South
Orchard Street
Newcastle upon Tyne
NE1 3AZ

Spencer Jefferies, Town Planner

box.landandacquisitions@nationalgrid.com

National Grid
National Grid House
Warwick Technology Park
Gallows Hill
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

Yours faithfully,

Matt Verlander MRTPI

Director

0191 269 0094

matt.verlander@avisonyoung.com

For and on behalf of Avison Young

Guidance on development near National Grid assets

National Grid is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Electricity assets

Developers of sites crossed or in close proximity to National Grid assets should be aware that it is National Grid policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

National Grid's 'Guidelines for Development near pylons and high voltage overhead power lines' promote the successful development of sites crossed by existing overhead lines and the creation of well-designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here: <https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed. National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

National Grid's statutory safety clearances are detailed in their 'Guidelines when working near National Grid Electricity Transmission assets', which can be downloaded here: www.nationalgridet.com/network-and-assets/working-near-our-assets

Gas assets

High-Pressure Gas Pipelines form an essential part of the national gas transmission system and National Grid's approach is always to seek to leave their existing transmission pipelines in situ. Contact should be made with the Health and Safety Executive (HSE) in respect of sites affected by High-Pressure Gas Pipelines.

National Grid have land rights for each asset which prevents the erection of permanent/ temporary buildings, or structures, changes to existing ground levels, storage of materials etc. Additionally, written permission will be required before any works commence within the National Grid's 12.2m building proximity distance, and a deed of consent is required for any crossing of the easement.

National Grid's 'Guidelines when working near National Grid Gas assets' can be downloaded here: www.nationalgridgas.com/land-and-assets/working-near-our-assets

How to contact National Grid

If you require any further information in relation to the above and/or if you would like to check if National Grid's transmission networks may be affected by a proposed development, please contact:

- National Grid's Plant Protection team: plantprotection@nationalgrid.com

Cadent Plant Protection Team
Block 1
Brick Kiln Street
Hinckley
LE10 0NA
0800 688 588

or visit the website: <https://www.beforeyoudig.cadentgas.com/login.aspx>

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(10) WEST SUFFOLK CLINICAL COMMISSIONING GROUP

For Office use only:

Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	Mr Chris Crisell
Job Title (if applicable):	Estates Project Manager
Organisation / Company (if applicable):	West Suffolk Clinical Commissioning Group
Address:	Endeavour House 8 Russell Road Ipswich Suffolk
Postcode:	IP1 2BX
Tel No:	██████████
E-mail:	████████████████████

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	
Address:	
Postcode:	
Tel No:	
E-mail:	

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	
---------------	--	------------	--

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose **Have Comments**

Please give details of your reasons for support / opposition, or make other comments here:

Please be as brief and concise as possible ..

Please find below comments from West Suffolk CCG that relate to health care in the Neighbourhood Plan. As Woolpit is identified as a “core village” in the Joint Local Plan work has been underway for a significant amount of time looking at housing projections and possible patient increases. The comments below are primarily focused on primary care but the CCG is increasingly working more with acute, mental health and blue light trusts to provide a more comprehensive view of health in an individual area.

Paragraph 2.5.1

Mentions that the health centre is at capacity.

The CCG is aware of the capacity issues at the health centre and is currently working with Babergh and Mid Suffolk District Councils Infrastructure Team to create a robust strategy to mitigate the anticipated projected housing increase in and around Woolpit.

Paragraph 2.5.7 The Household Questionnaire

Support in the survey for a pedestrian crossing near the health centre.

Although this is a highways matter the CCG would be open to communication between us should they want to discuss creating better access to and from the health centre.

Paragraph 3.2.2 Social Objectives SO1

Lack of car parking in and around the health centre.

Communication is advancing regards to the proposed new car park near the health centre and we are very hopeful for a resolution very soon.

Paragraph 3.2.3 Business and Economic Objectives BO1

Maintain and encourage expansion of the health centre

As you will be aware work was recently carried out at the health centre to increase capacity but more work is planned going forward. As one of the major growth areas identified in the Babergh and Mid Suffolk District Councils Joint Local Plan work has already begun to look at providing health care in the area in and around Woolpit.

Paragraph 4.2.1 Location and Scale of New Housing

A request is made to make new housing within reasonable walking distance of local amenities.

The CCG is in support of housing being “within reasonable walking distance of amenities” as it will help to create a more healthy community that walks more and has less health issues.

Policies like this help with implementing part of NHS forward plan in helping prevent medical issues arising through healthy lifestyles.

Policy WPT3 New Homes at Land South of Old Stowmarket Road

- A main car park for Woolpit Health Centre
- Raised table pedestrian crossing on Heath Road

As mentioned earlier new parking is currently in discussions between various parties and the hope is a resolution will be forthcoming imminently.

The CCG would not object to aiding access to and from the health centre and would be willing to discuss with other parties in due course should it be pedestrian or cyclist access.

Paragraph 4.8.2 Age and Health

There is no provision for residential or nursing home care in Woolpit

As the population ages, residential and nursing home care becomes more and more of a priority for local communities. As part of a holistic approach to healthcare, the provision for residential or nursing homes will be assessed as part of a long term strategy.

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

N/A

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Please be as brief and concise as possible ..

N/A

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	

Signed: Chris Crisell

Dated: 04/02/2020

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For Office use only: 06 FEB 2021

PLANNING POLICY

Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	Les & Andrea Scott
Job Title (if applicable):	Land Owners
Organisation / Company (if applicable):	
Address:	
Postcode:	
Tel No:	
E-mail:	

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	
Address:	
Postcode:	
Tel No:	
E-mail:	

For Office use only: 03 FEB 2020

PLANNING POLICY

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	1.5.3	Policy No.	WPT12
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

DC/19/02688 - Land South of Rags Lane, Woolpit

We are writing to oppose the piece of land mentioned above, being included within the Woolpit Neighbourhood Plan, as Local Green Space.

The land has been privately owned for many years. We took ownership in 1997, and we know from the previous owners that it had not been allotments since at least the 1960's.

There is a current, small planning application in progress - DC/19/02688 - which is for 5 dwellings to be built on part of the land. We are also in discussions with the Woolpit Parish Council, looking at how to move forward with the outstanding piece of land in order to protect the village and its local residents.

We would like to continue to pursue this way forward, and therefore oppose the inclusion of the whole parcel of land, as Local Green Space within the WNP.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

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If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Please be as brief and concise as possible ..

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	<input checked="" type="checkbox"/>

Signed:	Dated: 3/2/2020
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(12) EVOLUTION TOWN PLANNING (obo Hopkins Homes)

For Office use only:

Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	David Barker
Job Title (if applicable):	Director
Organisation / Company (if applicable):	Evolution Town Planning
Address:	Opus House, Elm Farm Park, Thurston, Bury St Edmunds.
Postcode:	IP31 3SH
Tel No:	01359 233663
E-mail:	david@evolution-planning.co.uk

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	Jonathan Liberman, Hopkins Homes
Address:	Melton Park House, Melton, Woodbridge, Suffolk,
Postcode:	IP12 1TJ
Tel No:	
E-mail:	

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	1.5	Policy No.	
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

See accompanying representations.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

See accompanying representations.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

As set out in the representations on this issue, and in the other representations made on behalf of Hopkins Homes the Neighbourhood Plan does not meet the basic conditions. Hopkins Homes have taken legal advice on this issue from Richard Ground QC who is a planning barrister. The Woolpit Neighbourhood Plan does not have regard to national guidance nor does it contribute to the achievement of sustainable development. Both these issues are basic conditions for any Neighbourhood Plan. These fundamental issues must be addressed in a hearing.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	X
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	X

Signed:	Dated: 5.2.20
----------------	----------------------

Representations on the Woolpit Submission Neighbourhood Plan on Behalf of Hopkins Homes

January 2020



Opus House
Elm Farm Park
Thurston
Bury St Edmunds
Suffolk
IP31 3SH

T 01359 233663
E enquiries@evolution-planning.co.uk
W evolution-planning.co.uk

**Representations on the Woolpit Submission Neighbourhood Plan on Behalf of
Hopkins Homes**

1.0 Neighbourhood Plan Representations

Neighbourhood Plan Section 1.5 Planning Context

Introduction

- 1.1 These representations object to the Submission Neighbourhood Plan (NP) section 1.5. The reason for the objection is that the NP does not have sufficient regard to the emerging planning policy in Mid Suffolk District. The emerging planning policy was subject to its Preferred Options (Regulation 18) consultation from July to September 2019. The draft NP does not take account of the strategic policies, the housing requirement, or infrastructure requirement for the District or the housing requirement for Woolpit that is set out in the draft Local Plan. The draft Local Plan sets out a minimum housing requirement for the Woolpit NP area of a minimum of 727 homes. The draft NP proposes only around 250 homes in policy WPT1. The Mid Suffolk Infrastructure Delivery Plan sets out the need for a primary school and a pre-school on land to the north of Woolpit.
- 1.2 The draft Local Plan includes an allocation for 500 homes, a primary school and pre-school on land immediately north of Woolpit that would meet the housing requirement for the NP area. This is identified as site LA095 in the draft Local Plan. The draft NP does not show this allocation. The approach of the NP does not meet the requirements of the National Planning Policy Framework (The Framework) which requires that NP should support strategic policies in local plans. The National Planning Practice Guidance (NPPG) states that the local planning authority should work with a NP group to minimise any conflicts between policies in emerging local plans and NP's. The draft Woolpit NP does not support draft strategic Local Plan policies, nor does it support the Woolpit NP area housing or infrastructure requirement, or minimise conflicts between the two draft plans. To meet the basic conditions test the NP should meet the Districts housing requirement for the NP area and should allocate site LA095 for housing and a school. The draft Local Plan allocation is shown in Appendix 1 along with the policies for site allocations Woolpit.
- 1.3 The Framework in paragraph 13 states that *“neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies.”* The NPPG sets out guidance on neighbourhood planning. It states that: *“A neighbourhood plan should support the strategic development needs set out in the Local Plan and plan positively to support local development.”*

1.4 The Mid Suffolk Local plan is in preparation. A draft Local Plan was published for consultation in June 2019 and consulted on from July to September 2019. The NPPG states that a neighbourhood plan can come forward before an up-to-date Local Plan is in place. The neighbourhood plan must be in general conformity with the strategic policies of the Local Plan. A draft neighbourhood plan is not tested against an emerging Local Plan, however the NPPG states that the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. The NPPG provides the example of up to date housing needs evidence, as the type of evidence that would be relevant from the preparation of a Local Plan. In Mid Suffolk having regard for up to date housing needs is important because the development plan is old and housing numbers are contained in the Core Strategy 2008, and the Core Strategy Focussed Review 2012. These documents do not take account of up to date national policy on housing. This type of evidence should be considered in the preparation of the Woolpit Neighbourhood Plan. The NPPG states that:

“Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging neighbourhood plan*
- *the emerging Local Plan*
- *the adopted development plan*

with appropriate regard to national policy and guidance.”

1.5 The NPPG states that the local planning authority should work with a neighbourhood plan group to minimise any conflicts between policies in emerging local plans and neighbourhood plans. If there is a conflict between plans the Planning and Compulsory Purchase Act requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan.

1.6 The NPPG states that it is important that where a neighbourhood plan is attempting to identify and meet housing need then it should have relevant evidence from a local planning authority on housing need gathered for plan making. The latest housing evidence from the local

planning authority is that they have based their March 2019 five year housing supply requirement on a Local Housing Need requirement of 575 dwellings per annum. The 2019 draft Local Plan also sets out a minimum housing need for the Woolpit Neighbourhood Plan area of 727 homes. This is the most up to date position of the local planning authority.

- 1.7 The draft Mid Suffolk Local Plan sets out Minimum Housing Requirements for NP area. The minimum requirement for Woolpit is a minimum of 727 homes between 2018 and 2036 which is the same plan period as the Woolpit NP the figures are included in Appendix 2 (see Table 4 in Chapter 9). The draft Mid Suffolk Local Plan sets out a settlement hierarchy. Woolpit is included as a Core Village. This category was called a Key Service Centre in the Mid Suffolk Core Strategy and the definition is the same as a focus for development. See Appendix 3 for the Core Strategy and draft Local Plan settlement hierarchies. The adopted and emerging plans are consistent in stating that Key Service Centres and Core Villages are a focus for development.
- 1.8 The NP is required by the NPPG to use housing needs evidence where it is available and to minimize conflicts between the emerging plans. The draft NP does not mention the 2019 consultation or the housing figure in it that has been publicly available since June 2019.
- 1.9 The Councils IDP (Appendix 4) sets out that Woolpit needs a new primary school and on page 52 identified the land north of Woolpit as a local plan allocation that is needed to serve housing in Elmswell and Woolpit. Highways mitigation measures are set out in Table 17 on page 79 and paragraph 5.3.19. Table 32 on page 141 highlights open space deficiencies in Woolpit that could be mitigated by increasing the open space in Woolpit. Appendix A in the IDP shows that the new school and pre-school are essential infrastructure which is needed for the sustainability of the draft local plan.
- 1.10 As a result of these issues the NP does not meet the basic conditions required by national policy and guidance. The Plan does not deliver sustainable development nor meet the strategic objectives of the emerging Local Plan. The NPPG states that the Neighbourhood Plan should seek to align itself with the strategic policies in an emerging Local Plan. These were published in the Local Plan preferred options consultation. By using historic projections and an assessment based on a June 2017 consultation which pre dated current national planning policy on calculating housing need the Neighbourhood Plan will be out of step with Local Plan

strategic policies. These strategic policies are critical to the delivery of sufficient homes to ensure sustainable development. Sustainable development is the key criteria of national planning policy. The Neighbourhood Plan fails three of the basic conditions being:

- in general conformity with the strategic policies contained in the development plan for the area of the authority;
- achieving sustainable development; and
- having regard to national policies and advice contained in guidance issued by the Secretary of State.

1.11 By publishing a Neighbourhood Plan so close to the proposed consultation on the Local Plan the Neighbourhood Plan risks being quickly superseded by the Local Plan, a situation which would reduce the weight to be given to its policies.

1.12 To meet the basic conditions the NP should be amended to reflect the minimum housing requirement from the draft Local Plan of 727 homes in Woolpit between 2018 and 2036. The site identified in the draft Local Plan as LA095 Land north east of The Street Woolpit should be allocated for 500 homes. A policy for this site should be provided and this should reflect the draft policy in the Local Plan. The policies map should be amended to reflect the draft Local Plan allocation as shown in Appendix 1.

Conclusion

- 1.13 In conclusion the Neighbourhood Plan does not meet the basic conditions. The plan does not deliver the strategic requirements of the emerging Local Plan. The Local Plan is still in preparation however the NPPG states that the Neighbourhood Plan should have regard to the housing evidence that will support the preparation of the Local Plan. This evidence in the 2019 draft Local Plan is significantly different from the 2017 evidence referenced in the draft Neighbourhood Plan. The Neighbourhood Plan should deliver sustainable development and meet national planning policy. An important part of delivering sustainable development is delivering sufficient homes and facilities to meet local needs. The Neighbourhood Plan does not do this as it does not address local housing needs.
- 1.14 The Neighbourhood Plan can be amended to meet the basic tests by waiting to take account of the 2019 consultation on the Local Plan, and by allocating the site reference LA095, as shown in Appendix 1, to deliver additional homes and facilities, helping address local and district wide housing and education needs.

Appendix 1 - Woolpit 2019 Draft Mid Suffolk Local Plan Policies

Mid Suffolk District Council Place Maps

Woolpit (Core Village)

Woolpit located just to the south of the A14, is classified as a Core Village. Woolpit Green, Woolpit Heath and Borley Green are classified separately as Hamlets. The core of the settlement is formed of linear development set around a central triangular green and is heavily populated with listed buildings, including the Grade I listed Church of St Mary. The Conservation Area covers this historic core and includes the Lady's Well scheduled monument. To the south of the settlement there are several important groups of listed buildings. Drinkstone Mills is set on higher ground to the west of the settlement, which includes the Grade I listed Post Mill. To the south there are four farm complexes containing listed buildings set on higher ground. The landscape immediately surrounding Woolpit is classified as Rolling Valley Farmlands and Furze, with Ancient Rolling Farmlands being located further to the south.

A new primary school (including a 60-place pre-school) will be required in Woolpit to facilitate existing planning commitments and growth through the Joint Local Plan. Woolpit Health Centre requires an expansion to facilitate existing planning commitments and Joint Local Plan growth for the area.

Joint Local Plan Allocation

LA093 – Allocation: Land East of Green Road, Woolpit

Site Size - 2.3ha

Approximately 49 dwellings (with associated infrastructure)

Development for this site shall be expected to comply with the relevant Joint Local Plan policies and contributions to the satisfaction of the LPA towards the following:

- I. Open space provision;
- II. Education provision; and
- III. Highways improvements.

LA094 – Allocation: Land South of Old Stowmarket Road, Woolpit

Site Size - 6.52ha

Approximately 120 dwellings (with associated infrastructure)

Development for this site shall be expected to comply with the relevant Joint Local Plan policies and contributions to the satisfaction of the LPA towards the following:

- I. Open space provision;
- II. Highways improvements;
- III. Car park provision for Woolpit Health Centre; and
- IV. Education provision.

Mid Suffolk District Council Place Maps

LA095 – Allocation: Land north east of The Street, Woolpit

Site Size - 36.2ha

Approximately 500 dwellings (with associated infrastructure)

The development shall be expected to comply with the following:

- I. The relevant policies set out in the Joint Local Plan;
- II. Design, layout and landscaping is sympathetic to the close setting of the Conservation Area and heritage assets;
- III. An ecological survey, and any necessary mitigation measures are provided;
- IV. Surface water and fluvial flood risk identified on the site is mitigated;
- V. A free serviced site of 3ha should be reserved for a new pre-school and primary school plus proportionate contributions towards the build costs;
- VI. Contributions to the satisfaction of the LPA, towards secondary school provision;
- VII. Contributions to the satisfaction of the LPA, towards healthcare provision; and
- VIII. Contributions to the satisfaction of the LPA, towards mitigation measures for A14 junction 47.

LA096 – Allocation: Land north east of Heath Road, Woolpit

Site Size - 0.8ha

Approximately 10 dwellings (with associated infrastructure)

The development shall be expected to comply with the following:

- I. The relevant policies set out in the Joint Local Plan;
- II. Contributions to the satisfaction of the LPA, towards pre-school, primary school and secondary school provision;
- III. Contributions to the satisfaction of the LPA, towards healthcare provision; and
- IV. Provision of new footway links.

LA097 – Allocation: Land west of Heath Road, Woolpit

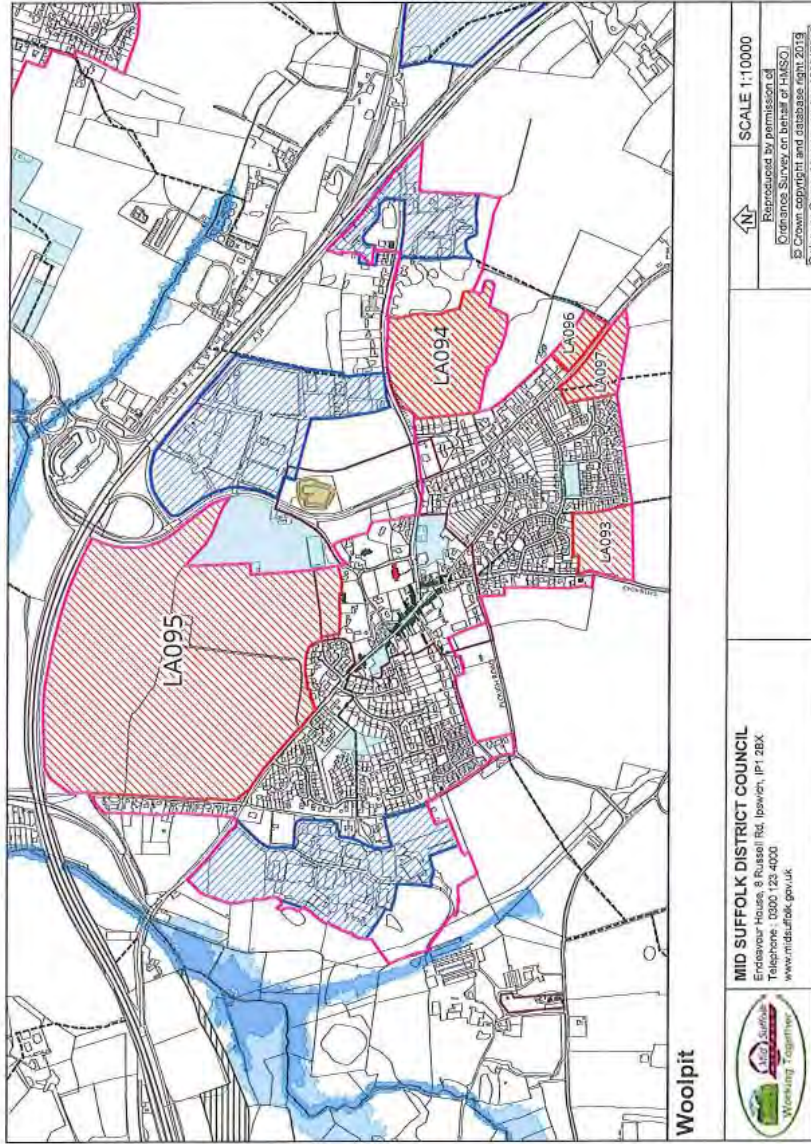
Site Size - 1.7ha

Approximately 30 dwellings (with associated infrastructure)

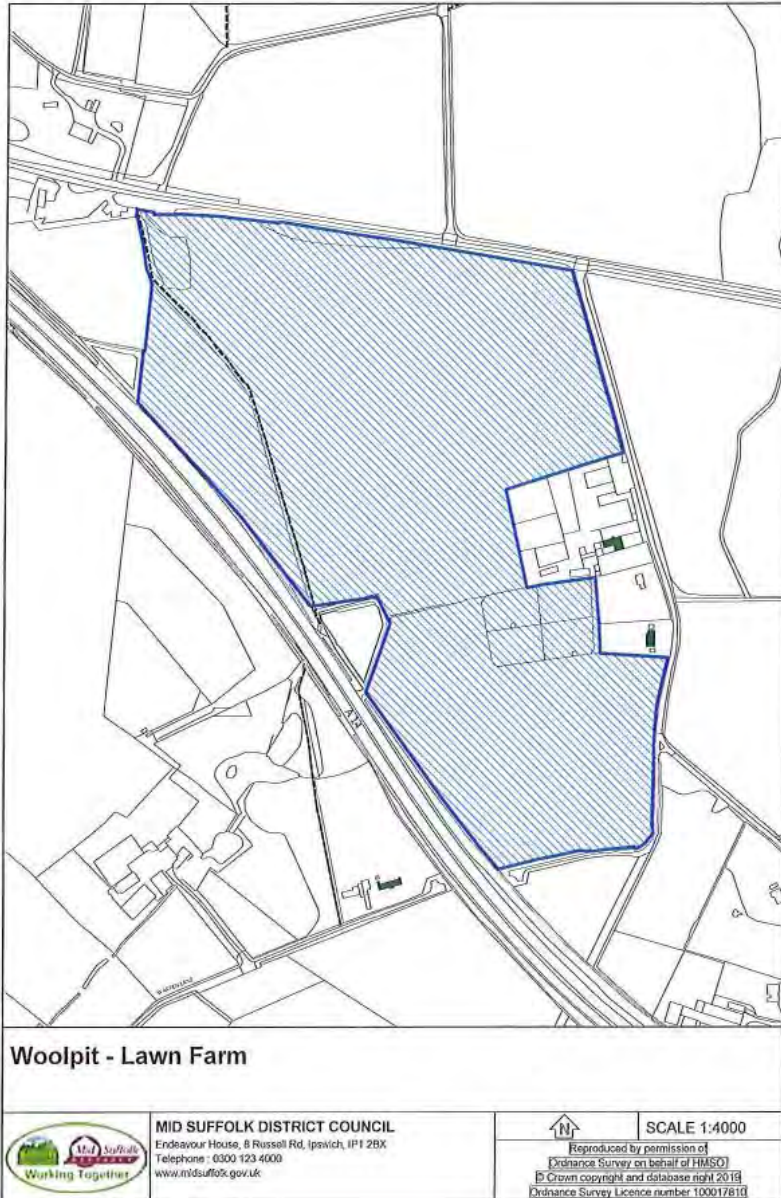
The development shall be expected to comply with the following:

- I. The relevant policies set out in the Joint Local Plan;
- II. An ecological survey, and any necessary mitigation measures are provided;
- III. Surface water flood risks are effectively mitigated;
- IV. Public rights of way passing through the site are retained and enhanced;
- V. Contributions to the satisfaction of the LPA, towards pre-school, primary school and secondary school provision;
- VI. Contributions to the satisfaction of the LPA, towards healthcare provision; and
- VII. Provision of new footway links.

Mid Suffolk District Council Place Maps



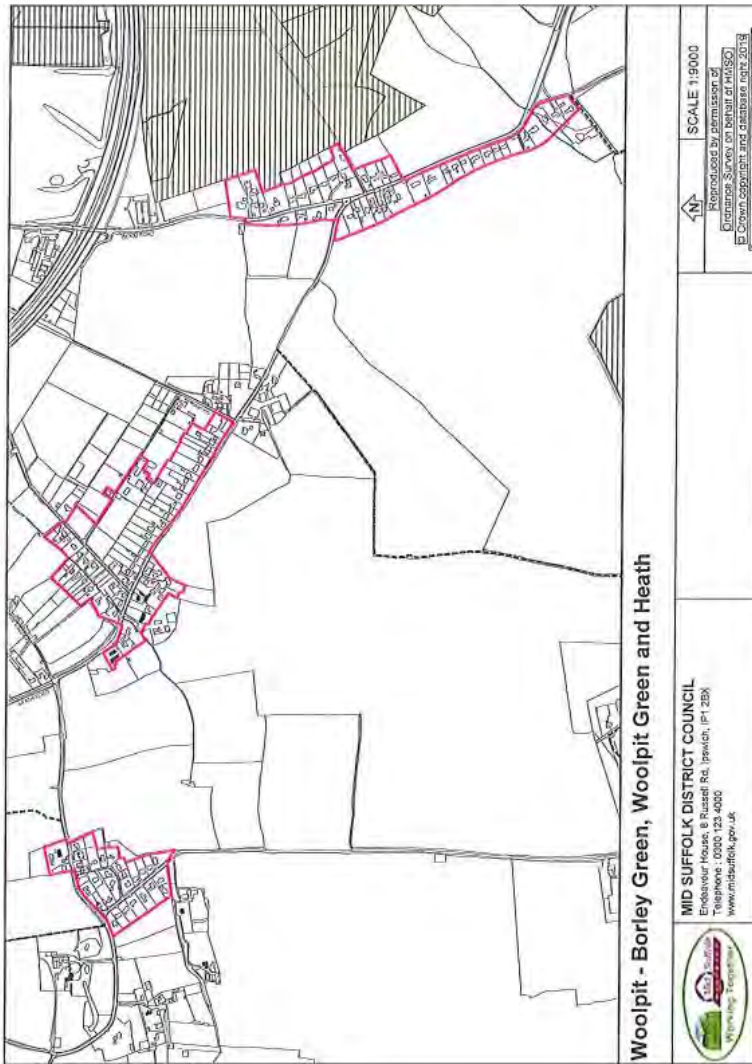
Mid Suffolk District Council Place Maps



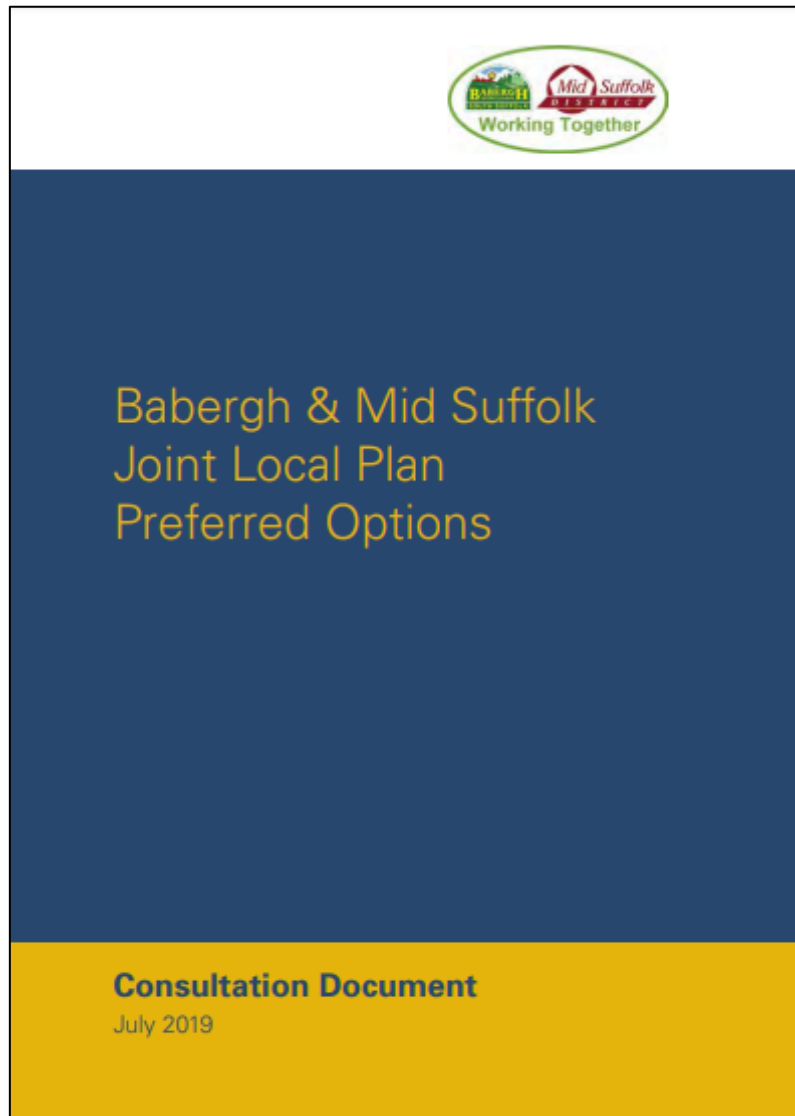
Mid Suffolk District Council Place Maps

Woolpit – Borley Green, Woolpit Green and Heath (Hamlet)

Located to the south of Woolpit - Borley Green, Woolpit Green and Woolpit Heath are classified as Hamlet Villages. Woolpit Heath and Woolpit Green contain listed buildings, with clusters of Grade II listed buildings located south of the junction with Heath Road and Warren Lane.



Appendix 2 - Babergh and Mid Suffolk Joint Local Plan Preferred Options Consultation Document July 2019



Specifically ...

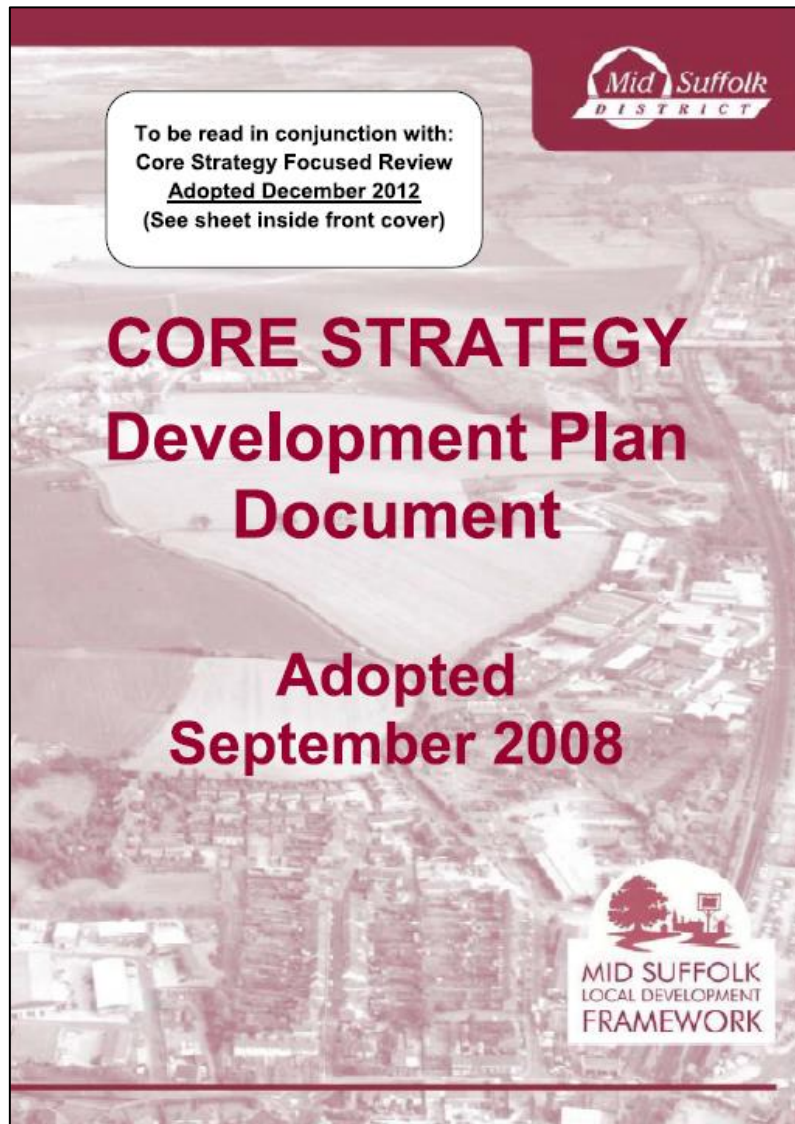
Part 1 – Objectives and Strategic Policies (Front Cover to page 56)

Which can be accessible online via:

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/JLP-Reg18-2019/BMSDC-JLP-2019-Part-1-Objectives-and-Strategic-Policies.pdf>

Appendix 3 – Mid Suffolk Core Strategy Development Plan Document

September 2008



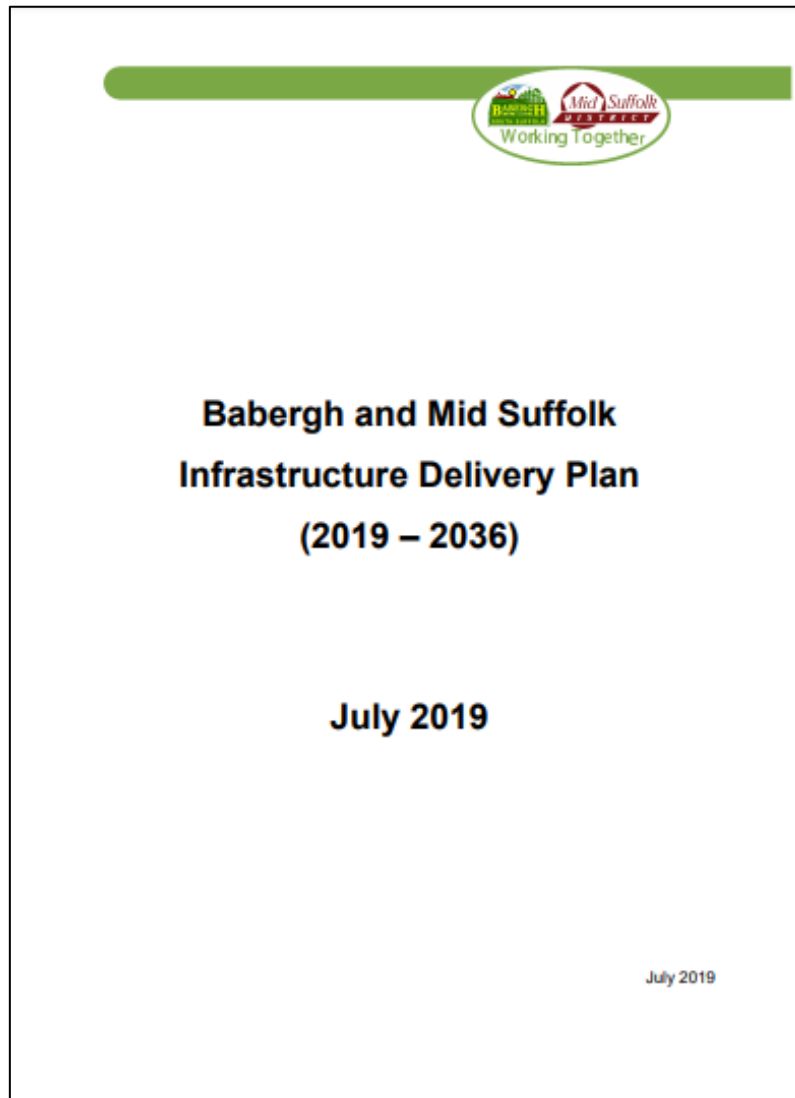
Specifically ...

Pages 15 – 26

Which can be accessible online via:

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Mid-Suffolk-Core-Strategy/Core-Strategy-with-CSFR-label-and-insert-sheet-07-01-13.pdf>

Appendix 4 – Babergh and Mid Suffolk Infrastructure Delivery Plan 2019 to 2036



Which can be accessible online via:

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/BMSDC-IDP-July-2019-.pdf>

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	4.1 and Calculation of Housing Need Appendix	Policy No.	
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

See accompanying representations.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

See accompanying representations.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

As set out in the representations on this issue, and in the other representations made on behalf of Hopkins Homes the Neighbourhood Plan does not meet the basic conditions. Hopkins Homes have taken legal advice on this issue from Richard Ground QC who is a planning barrister. The Woolpit Neighbourhood Plan does not have regard to national guidance nor does it contribute to the achievement of sustainable development. Both these issues are basic conditions for any Neighbourhood Plan. These fundamental issues must be addressed in a hearing.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	X
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	X

Signed:

Dated: 5.2.20

**Representations on the Woolpit
Submission Neighbourhood Plan
Paragraph 4.1 on Behalf of Hopkins
Homes**

January 2020



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**Representations on the Woolpit Submission Neighbourhood Plan
Paragraph 4.1 on Behalf of Hopkins Homes**

Reference: E295.C1.20.Rep05

1.0 Woolpit Neighbourhood Plan Housing Calculations

1.1 The Woolpit Neighbourhood Plan (NP) calculates the amount of housing to be delivered by the NP in two ways. In part 4.1 of the NP it assesses historic housing and growth rates for Woolpit. This assessment suggests that 248-315 new homes are required between 2011 and 2036. The second method of calculating housing in the NP is set out in the NP appendices under the heading '*Calculation of housing need in Woolpit for the period 2016-2036.*' This uses an assessment of the housing and distribution in the 2017 draft local plan, and the Mid Suffolk 'Housing Land Supply Position Statement 2018/2019.' The NP appendix states that Mid Suffolk has not published their preferred spatial distribution policy. The NP assessment makes assumptions on the amount of housing that will be distributed to Core Villages and increases that amount by 5% for Core Villages near A roads. The housing is then split on the basis of settlement size and provides a housing target of 255 homes. NP Policy WPT1 proposes that the NP provides around 250 homes between 2017 and 2036.

1.2 We object to both the methods of calculating the housing for the NP as neither meets the requirements of national planning policy and guidance. The Planning Practice Guidance (NPPG) states:

'While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no 'tick box' list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.'

A local planning authority should share relevant evidence, including that gathered to support its own plan-making, with a qualifying body. Further details are set out in guidance of the type of evidence useful in supporting a local plan.'

Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.

In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making. Paragraph: 040 Reference ID: 41-040-20160211'

The NPPG goes on to state that: Neighbourhood planning bodies are encouraged to plan to meet their housing requirement, and where possible to exceed it. Paragraph: 103 Reference ID: 41-103-20190509', and 'Housing requirement figures for neighbourhood plan areas are not binding as neighbourhood planning groups are not required to plan for housing. However, there is an expectation that housing requirement figures will be set in strategic policies, or an indicative figure provided on request. Where the figure is set in strategic policies, this figure will not need retesting at examination of the neighbourhood plan. Where it is set as an indicative figure, it will need to be tested at examination. Paragraph: 104 Reference ID: 41-104-20190509'

1.3 This makes it clear that robust evidence should be used to explain the choices taken. In particular where NP contain housing supply policies, they should take account of the latest and up-to-date evidence of housing need. The latest evidence of housing need is contained in the draft local plan published in July 2019. This sets out a housing figure for the Woolpit NP area of 727 homes see Appendix 1. The NP does not take account of the housing distribution policy in the draft local plan.

1.4 The NPPG states:

Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its local plan (or, where applicable, a spatial development strategy is being prepared by an elected Mayor or combined authority).

A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.

Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- The emerging neighbourhood plan*

- the emerging local plan (or spatial development strategy)*

- the adopted development plan*

with appropriate regard to national policy and guidance.

The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination.

The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict

must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.

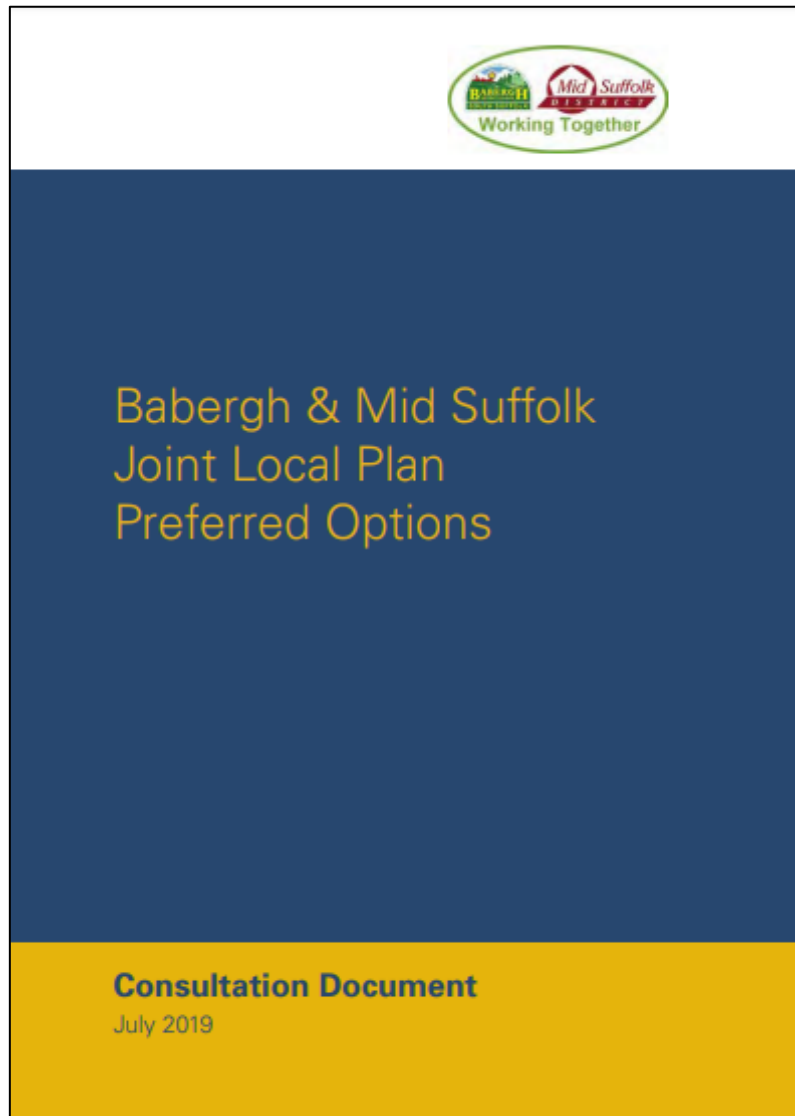
Paragraph: 009 Reference ID: 41-009-20190509

- 1.5 The evidence base in forming a draft local plan should be used to assess the housing need in a NP and the NPPG sets out that it is important to minimize conflicts between local plans and NP.
- 1.6 NDP relies on out of date data, in an attempt to calculate the village's housing need from 2016-2036. The 2019 version of the Joint Local Plan sets the minimum housing requirement for Woolpit at 727 homes, between 2016-2036. This figure captures all five site allocations proposed in the draft local plan, allocated to provide 709 dwellings in total:
- Land East of Green Road (49 dwellings, ref: 2112/16, appeal allowed);
 - Land South of Old Stowmarket Road (120 dwellings, ref: 1636/16. Granted);
 - Land North East of Street (500 dwellings, ref: DC/18/04247);
 - Land North East of Heath Road (10 dwellings, no applications); and
 - Land west of Heath Road (30 dwellings, no applications)
- 1.7 This, coupled with the 28 dwellings that have gained full planning permission on sites of less than 3 dwellings in Woolpit since 2016, as set out in the September 2019 5 Year Housing Land Supply Position Statement, and the pending Land South of Stowmarket Road application (40 dwellings), demonstrates that the

existing/emerging commitments/allocations in Woolpit outdates the NP's interpretation of housing need.

- 1.8 The Woolpit NP does not meet the basic conditions as it does consider the reasoning and evidence in the latest information published by the District Council in July 2019 which leads to a minimum housing requirement of 727 for Woolpit. There is no consideration of the reasoning or most up to date housing need evidence that the District Council has used. The NP does not meet the basic condition of having regard to national guidance. By not delivering the housing required by the draft local plan the NP does not meet the basic condition of delivering sustainable development. The NPPG states that NP are encouraged to meet their housing need in order to deliver sustainable development. These representations are supported by advice from a planning barrister who has advised Hopkins Homes as set out in Appendix 1.

Appendix 1 - Babergh and Mid Suffolk Joint Local Plan Preferred Options Consultation Document July 2019



Specifically ...

Part 1 – Objectives and Strategic Policies (Front Cover to page 56)

Which can be accessible online via:

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/JLP-Reg18-2019/BMSDC-JLP-2019-Part-1-Objectives-and-Strategic-Policies.pdf>

Appendix 2 – Legal Advice to Hopkins Homes

Woolpit Neighbourhood Plan and Land North East of The Street Woolpit

ADVICE

1 INTRODUCTION AND SUMMARY.

1.1 I am instructed to advise Hopkins Homes who have a planning application due to be considered on 29 January 2020 as to whether the Woolpit Neighbourhood Plan complies with the basic conditions.

1.2 The short answer is that the Neighbourhood Plan does not comply currently with the basic conditions and Woolpit Parish Council have not responded satisfactorily to the representations made on behalf of Hopkins Homes drawing this to their attention. On the basis of the current material it is unlikely that an examiner would be satisfied that the basic conditions are satisfied. Similarly, the council would not currently be able to decide that the basic conditions are satisfied.

2 ANALYSIS

2.1 The guidance in the PPG provides the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. The PPG advises as follows.

*Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan **the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood***

***plan is tested.**¹ For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.²*

2.2 In contrast to this part of the guidance the Submission Woolpit Neighbourhood Development Plan (“NP”) does not consider the reasoning and evidence of the emerging local plan. The emerging local plan which is the Babergh and Mid Suffolk Joint Local Plan Preferred Options of July 2019 has reasoning and evidence which leads to a minimum housing requirement of 727 in the plan period for Woolpit. In contrast the submission version of the Neighbourhood Plan provides for only around 250 houses in Woolpit over the plan period in WPT1. There is essentially no consideration of the reasoning or evidence of the emerging Local Plan or this part of the PPG in the NP or in the consultation statement.

2.3 Only a draft neighbourhood plan that meets each of the basic conditions can be put to a referendum and be made.³ This NP does not show that it meets the first basic condition because it has not had regard to this important part of national guidance. The first basic condition provides as follows.

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).

2.4 The consideration of the emerging plan is also relevant as the guidance says to showing the NP contributes to achievement of sustainable development. Accordingly, the NP which fails to consider the emerging Local Plan does not justify why providing for about a third of the housing in the emerging plan complies with the fourth basic condition which provides as follows.

¹ My emphasis

² PPG on Neighbourhood Planning paragraph 009

³ Ibid paragraph 065

the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development

- 2.5 Secondly the PPG emphasises that it is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan including housing supply policies. The PPG advises as follows.

The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.⁴

- 2.6 There has not been any substantive consideration of this Guidance in the NP, the basic conditions statement or the consultation statement. The Hopkins Homes consultation raising this point is copied into the Consultation statement⁵ but no response is given apart from that no change is proposed.
- 2.7 The Guidance does not say that an early review of the NP avoids considering these paragraphs properly and trying to minimise conflict.

⁴ Neighbourhood planning PPG paragraph 009

⁵ Page 190-1

2.8 For similar reasons to above the NP has not got evidence that it meets the first basic condition because it has not had regard to this guidance.

Richard Ground QC

17 January 2020

Cornerstone Barristers
2-3 Gray's Inn Square
London WC1R 5JH.

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WTP1 and Policies Map
---------------	--	------------	-----------------------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

See accompanying representations.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible ..

See accompanying representations.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

As set out in the representations on this issue, and in the other representations made on behalf of Hopkins Homes the Neighbourhood Plan does not meet the basic conditions. Hopkins Homes have taken legal advice on this issue from Richard Ground QC who is a planning barrister. The Woolpit Neighbourhood Plan does not have regard to national guidance nor does it contribute to the achievement of sustainable development. Both these issues are basic conditions for any Neighbourhood Plan. These fundamental issues must be addressed in a hearing.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	X
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	X

Signed:	Dated: 5.2.20
----------------	----------------------

**Representations on the Woolpit
Submission Neighbourhood Plan Policy
WPT1 Spatial Strategy and the Policies
Map on Behalf of Hopkins Homes**

January 2020



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**Representations on the Woolpit Submission Neighbourhood Plan
on Behalf of Hopkins Homes Policy WPT1 Spatial Strategy and
the Policies Map**

Reference: E295.C1.20.Rep02 B

1.0 Neighbourhood Plan Representations Policy WPT1 Spatial Strategy and the Policies Map

Introduction

- 1.1 These representations object to the Submission Neighbourhood Plan (NP) policy WPT1 Spatial Strategy and object to the Policies Map. The reason for the objection is that the NP does not meet the basic conditions required for a NP to be made. The NP does not have sufficient regard to the emerging planning policy in Mid Suffolk District. The emerging planning policy was subject to its Preferred Options (Regulation 18) consultation from July to September 2019 and this set out minimum housing targets for NP areas. The draft NP does not take account of the strategic policies, the infrastructure requirement for Woolpit and the surrounding area, the housing requirement for the District, or the housing requirement for Woolpit that is set out in the draft Local Plan. In particular the draft Local Plan sets out a minimum housing requirement for the Woolpit NP area of 727 homes. The draft NP proposes only around 250 homes in policy WPT1. The NP does not meet the basic conditions because it does not have regard to national policies and advice, it does not contribute to the achievement of sustainable development, and it is not in general conformity with strategic policies and evidence base in the emerging Development Plan. These representations are supported by advice from a planning barrister who has advised Hopkins Homes as set out in Appendix 1.
- 1.2 The draft Local Plan includes a site allocation identified as site LA095. The allocation is for 500 homes, a primary school and a pre-school, and is on land immediately north of Woolpit. The allocation would meet a significant amount of the housing requirement for the NP area. The school is required to be able to grow to 420 places and the pre-school to be 60 places. The school is required to serve existing and proposed development in Woolpit and nearby Elmswell. The District Councils 2019 Infrastructure Delivery Plan (IDP) sets out that the school is essential, see Appendix 5.
- 1.3 The draft NP does not allocate the site LA095. The approach taken by the NP does not meet the requirements of the National Planning Policy Framework (The Framework) which requires that the NP should support strategic policies in local plans and significantly boost the supply of housing. The National Planning Practice

Guidance (NPPG) states that the local planning authority should work with a neighbourhood plan group to minimise any conflicts between policies in emerging local plans and NP's, and that NP's should have regard to the most up to date housing figures. The draft Woolpit NP does not have regard to the draft strategic Local Plan policies, nor does it support the Woolpit NP area housing requirement, or minimise conflicts between the two draft plans. To meet the basic conditions test the NP should meet the Districts housing requirement for the NP area and should allocate site LA095 for housing.

- 1.4 These representations set out the details of allocation LA095, and the details of the NP. Planning policy and guidance is then assessed. Then the housing need, the focus for development and infrastructure deficiencies with the NP are assessed.

Background to Site LA095

- 1.5 These representations are made on behalf of Hopkins Homes. Hopkins Homes have an option agreement over the land identified in the draft Local Plan which has the reference LA095. This land is shown on the plan edged red in Appendix 2. Hopkins Homes have submitted a planning application (planning application ref: DC/18/04247) for the construction of up to 300 residential dwellings (including 60 affordable homes), garages, parking, vehicular access with Bury Road ('the Street') and the A14 (Junction 47) via a new spine road, estate roads, public open space, play areas, landscaping and amenity greenspace with sustainable drainage systems and associated community infrastructure including land for a new primary school playing fields, sports pitches, burial ground extension, and village car park on Land off Bury Road, Woolpit. Full details are submitted for the vehicular access with the remainder of the proposal in outline. The Indicative Masterplan is included in Appendix 3. The draft Local Plan allocation is shown in Appendix 4 along with the policies for all the site allocations in Woolpit.
- 1.6 In the preparation of the planning application Hopkins Homes consulted with local village organisations and local people to ensure that the planning application responded to local circumstances. Consultation was also carried out with the planning and education authority well in advance of the submission of the planning application. This informed the scale of development and the need for a new primary school was made clear at an early stage by the education authority. The aim with the

planning application has been to take a long term view of the needs of the village in consultation with local people and local organisations. This consultation led directly to the incorporation into the proposals of a new burial ground, and a new village car park. The location of open space in the application which can allow extensions to the existing sports pitches next to the application site came from suggestions from the consultation with the Parish Council and the Playing Field Trustees. Discussions with the local people and the highways and education authorities led to the proposal for a new spine road to relieve traffic from the historic village centre, and the proposal to provide land for a new primary school. The existing village primary school is nearing capacity and is on a constrained site. A new primary school will be provided to serve Woolpit and housing growth in Elmswell as set out in the Councils Infrastructure Delivery Plan (IDP) which is included in Appendix 5. Suffolk County Council education authority support a new primary school and a pre-school on the site, and their advice on the need for the new school, and that the existing primary school cannot be expanded is included in Appendix 6. The location of a new primary and pre-school school on site LA095 is the best location to serve pupils from new developments in both Woolpit and Elmswell. Allocation LA095 is well placed to assist in providing a pedestrian and cycle link between Woolpit and Elmswell. This is required by the Councils IDP, and is important to link services in the two villages, such as the train station in Elmswell and health centre in Woolpit.

- 1.7 The extension to the existing playing fields is proposed because of the success of the existing cricket club and tennis club and the need for new facilities for these clubs and other sports groups in the village. The new burial ground is proposed because the existing church cemetery is nearing capacity and in planning for the long term a new site will need to be identified that is accessible from the church.

Woolpit Neighbourhood Plan

- 1.8 The NP allocates housing sites but these sites only provide around a third of the homes necessary to meet the housing needs set out in the 2019 draft Local Plan, and do not deliver the necessary infrastructure. The NP does not allocate the site with the reference LA095, which is the land controlled by Hopkins Homes. We object to the NP on the basis that it does not meet the basic conditions that a NP should

meet. The plan does not have regard to national policies and advice contained in guidance issued by the Secretary of State, it does not contribute to the achievement of sustainable development, and the making of the NP is not in general conformity with the strategic policies contained in development plans including the emerging Local Plan.

- 1.9 The NP recognises the need for the infrastructure that is proposed to come forward as part of the development of site LA095 and the planning application on this site can deliver the infrastructure in the most appropriate manner. By including site LA095 in the NP the plan would better meet the basic condition of delivering sustainable development. For example, the SWOT Analysis in paragraph 2.5.1 of the NP identifies a number of weaknesses in the village that would be addressed by the planning application and the allocation of the Hopkins Homes site. The village weaknesses include narrow lanes which are unsuitable for heavy traffic and a lack of cycle paths. The highways capacity, road safety, and parking are identified as a concern of people in the historic village centre (see NP paragraph 2.5.2). The new spine road proposed in the planning application will take traffic from the village centre. The planning application will contribute to a cycle path leading to the nearest railway station in Elmswell that links directly to Ipswich, Stowmarket, Bury St Edmunds and Cambridge. This is an important piece of infrastructure for Woolpit that will help existing residents and all the village allocations be more sustainable, and which will ensure that the new primary school can serve both villages. The planning application proposes a new car park in The Street that will help to serve the village centre. There are several homes in the village centre without their own parking and a further car park some 250 metres from the centre would provide a safe alternative for these homes and for people visiting the centre.
- 1.10 The weaknesses identified in the NP also include that the village lacks smaller homes and flats, and has a low turnover of housing (see NP paragraph 2.5.1). These issues will be addressed by new housebuilding. The lack of a pre-school and a primary school that is nearing capacity along with a lack of amenities for children and teenagers are identified as further weaknesses which will be rectified by the new primary and pre-school. The increase in open space in the planning application will provide more opportunities for children and teenagers and for specialist areas to be

provided for them. The open space has been laid out so that the existing cricket club and tennis courts could be expanded. Both are thriving village facilities. The network of open space in the planning application will create new areas for biodiversity and for walking. There is a lack of opportunities for short circular walks near to the village which could be addressed on the site.

- 1.11 We object to the NP because it does not allocate the LA095 site which has been proven through the current planning application to be suitable, available, and deliverable for development. By not allocating this land the NP is not delivering sustainable development. The Framework paragraph 8, states that the social objective of providing a sufficient number of homes to meet the needs of present and future generations is part of delivering sustainable development. The 2019 draft Local Plan sets out the need for housing in Woolpit and the NP does not set out to meet that need. Meeting this social objective also includes delivering accessible services, such as schools and open spaces that reflect current and future needs and support the community's health, social and cultural wellbeing. The plan must meet the strategic objectives of the Local Plan and minimise conflict between emerging plans. The NP currently does not do this.

National Policy and Guidance

- 1.12 The NPPF in paragraph 13 states that *"neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies."* The NPPG sets out guidance on neighbourhood planning. It states that: *"A neighbourhood plan should support the strategic development needs set out in the Local Plan and plan positively to support local development."*
- 1.13 The Mid Suffolk Local Plan is in preparation. A draft Local Plan was published for consultation in June 2019 and consulted on from July to September 2019. The NPPG states that a NP can come forward before an up-to-date Local Plan is in place. The NP must be in general conformity with the strategic policies of the Local Plan. A draft NP is not tested against an emerging Local Plan, however the NPPG states that the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a NP is tested. The NPPG

provides the example of up to date housing needs evidence, as the type of evidence that would be relevant from the preparation of a Local Plan. The NPPG states: *‘In particular, where a qualifying body is attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making. Paragraph: 040 Reference ID: 41-040-20160211.’* In Mid Suffolk having regard to up to date housing needs is important because the development plan is old and housing numbers are contained in the Core Strategy 2008, and the Core Strategy Focussed Review 2012. These documents do not take account of up to date national policy on housing. The NPPG states that:

“Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- *the emerging neighbourhood plan*
 - *the emerging Local Plan*
 - *the adopted development plan*
- with appropriate regard to national policy and guidance.”*

1.14 The NPPG states that the local planning authority should work with a NP group to minimise any conflicts between policies in emerging local plans and the NP. If there is a conflict between plans the Planning and Compulsory Purchase Act requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the development plan.

Housing Need

1.15 The NPPG states that it is important that where a NP is attempting to identify and meet housing need then it should have relevant evidence from a local planning authority on housing need gathered for plan making. The latest housing evidence from the local planning authority is that they have based their March 2019 five year housing supply requirement on a Local Housing Need requirement of 575 dwellings per annum. The 2019 draft Local Plan has a housing requirement of 556 homes per year in Mid Suffolk for the plan period of 2018-2036. The 2019 draft Local Plan also

sets out a minimum housing need for the Woolpit NP area of 727 homes. This is the most up to date position of the local planning authority. The NP does not seek to address the conflict with the 2019 draft Local Plan as it is required to do by the NPPG. The 2019 draft Local Plan is not mentioned in the NP, nor is its housing figure for Woolpit of 727 homes. The NP 'Methodology' section in 1.4 of the NP states that the NP was ready for pre-submission consultation in March 2019 however the pre-submission consultation started in December 2019 giving time for the conflict with the draft 2019 Local Plan to be addressed.

- 1.16 The Woolpit NP uses two methods to calculate the housing needs in Woolpit for the NP period to 2036. Policy WPT1 Spatial Strategy states that *'around 250 dwellings will be built.'* The first method used to calculate housing need is a projection of the growth rates in Woolpit for housing and population since 1961. This gives a housing need of 206-265 homes. The second method is the assessment of the 2017 Local Plan consultation. This consultation was based on an Objectively Assessed Housing Need of 452 homes per annum in the District a figure much lower than the latest Local Housing Need assessment.
- 1.17 The draft Mid Suffolk Local Plan sets out minimum housing requirements for NP areas. The 2019 draft Local Plan requirement for Woolpit is a minimum of 727 homes between 2018 and 2036 which is the same plan period as the Woolpit NP. The figures are included in Appendix 7 (see Table 4 in Chapter 9). The draft Mid Suffolk Local Plan also sets out a settlement hierarchy. Woolpit is included as a Core Village. This category was called a Key Service Centre in the Mid Suffolk Core Strategy and the definition is the same as a focus for development. See Appendix 8 for the Core Strategy settlement hierarchy. The adopted and emerging plans are consistent in stating that Key Service Centres and Core Villages are a focus for development.
- 1.18 The NP does not meet the basic conditions required by national policy and guidance. The NPPG states that the NP should seek to align itself with the strategic policies and housing projections in an emerging Local Plan. These were published in the Local Plan preferred options consultation. By using historic projections and an assessment based on a June 2017 consultation which pre dated current national planning policy

on calculating housing need the NP will be out of step with Local Plan strategic policies. These strategic policies are critical to the delivery of sufficient homes and infrastructure to ensure sustainable development. Delivering sustainable development is the key criteria of national planning policy and is a basic condition which a NP must meet by delivering sufficient housing.

Focus for Development

- 1.19 NP policy WPT1 states that the focus of development will be within the Settlement Boundary as defined on the Policies Map. Outside the Settlement boundary proposals are only to be allowed where it can be satisfactorily demonstrated that there is *'an identified local need.'* It is unclear what meeting this local need means and it is not defined in the glossary to the NP. The housing need in an area is guided by national planning policy and guidance which sets out a method of calculating housing need for planning authorities. Planning authorities have to provide a housing need figure for NP areas and Mid Suffolk have done that. To ensure that the NP basic condition requiring sustainable development is met the final sentence of policy WPT1 should be amended as follows (new words underlined):

Proposals for development located outside the Settlement Boundary will only be permitted where:

- *it can be satisfactorily demonstrated that there is an identified local need for the proposal;*
- *the development is required to meet the District's housing requirement; and*
- *the proposal cannot be satisfactorily located within ~~the~~ the settlement boundary.*

Delivery of Facilities

- 1.20 A key objective of sustainable development as set out in the NPPF is the social objective of delivering *'accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being'*. The

delivery of the proposed development contained within the current planning application on site reference LA095 would deliver sports, highway, pedestrian, cycle, burial and education facilities. The need for education facilities is highlighted by the response from the Education Authority set out in Appendix 6. The Councils IDP (Appendix 5) sets out that Woolpit needs a new school and on page 52 identifies the land north of Woolpit subject to planning application DC/18/04247 as a Local Plan allocation that is needed to provide the school. Highways mitigation measures are set out in Table 17 on page 79 and paragraph 5.3.19. Table 32 on page 141 highlights open space deficiencies in Woolpit that could be mitigated by increasing the open space in Woolpit. Appendix A of the IDP shows that the new school and pre-school are essential infrastructure which is needed for the sustainability of the draft Local Plan. The size of the proposed sports pitches next to a new school offers the opportunity to create a hub of sports facilities for the village with dual use of those facilities. Being well located near to the centre of the village, site LA095 offers a good opportunity to deliver facilities necessary in Woolpit to meet the basic condition for sustainable development.

Conclusion

- 1.21 In conclusion the NP does not meet the basic conditions. The plan does not deliver the strategic requirements of the emerging Local Plan. The Local Plan is still in preparation however the NPPG states that the NP should have regard to the housing evidence that will support the preparation of the Local Plan. This evidence in the 2019 draft Local Plan is significantly different from the 2017 Local Plan evidence referenced in the draft NP. The NP should deliver sustainable development and meet national planning policy. An important part of delivering sustainable development is delivering sufficient homes and facilities such as schools to meet local needs. The NP does not do this as it does not address local housing needs.
- 1.22 The Neighbourhood Plan fails three of the basic conditions by not:
- being in general conformity with the strategic policies contained in the Development Plan for the area of the authority and the emerging Local Plan and up to date housing figures;

- achieving sustainable development; and
- having regard to national policies and advice contained in guidance issued by the Secretary of State.

1.23 To meet the basic conditions the NP should be amended to reflect the minimum housing requirement from the draft Local Plan of 727 homes in Woolpit between 2018 and 2036, and the need to deliver infrastructure such as the new school and pedestrian and cycle links to Elmswell. The site identified in the draft Local Plan as LA095 Land north east of The Street Woolpit should be allocated for 500 homes and a primary and pre-school. A policy for this site should be provided and this should reflect the draft policy in the Local Plan. The policies map should be amended to reflect the draft Local Plan allocation for LA095 as shown in Appendix 4. Policy WPT1 should be amended as set out above.

Appendix 1 - Legal Advice

Woolpit Neighbourhood Plan and Land North East of The Street Woolpit

ADVICE

1 INTRODUCTION AND SUMMARY.

- 1.1 I am instructed to advise Hopkins Homes who have a planning application due to be considered on 29 January 2020 as to whether the Woolpit Neighbourhood Plan complies with the basic conditions.
- 1.2 The short answer is that the Neighbourhood Plan does not comply currently with the basic conditions and Woolpit Parish Council have not responded satisfactorily to the representations made on behalf of Hopkins Homes drawing this to their attention. On the basis of the current material it is unlikely that an examiner would be satisfied that the basic conditions are satisfied. Similarly, the council would not currently be able to decide that the basic conditions are satisfied.

2 ANALYSIS

- 2.1 The guidance in the PPG provides the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. The PPG advises as follows.

*Although a draft neighbourhood plan or Order is not tested against the policies in an emerging local plan **the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood***

***plan is tested.**¹ For example, up-to-date housing need evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development.²*

2.2 In contrast to this part of the guidance the Submission Woolpit Neighbourhood Development Plan (“NP”) does not consider the reasoning and evidence of the emerging local plan. The emerging local plan which is the Babergh and Mid Suffolk Joint Local Plan Preferred Options of July 2019 has reasoning and evidence which leads to a minimum housing requirement of 727 in the plan period for Woolpit. In contrast the submission version of the Neighbourhood Plan provides for only around 250 houses in Woolpit over the plan period in WPT1. There is essentially no consideration of the reasoning or evidence of the emerging Local Plan or this part of the PPG in the NP or in the consultation statement.

2.3 Only a draft neighbourhood plan that meets each of the basic conditions can be put to a referendum and be made.³ This NP does not show that it meets the first basic condition because it has not had regard to this important part of national guidance. The first basic condition provides as follows.

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).

2.4 The consideration of the emerging plan is also relevant as the guidance says to showing the NP contributes to achievement of sustainable development. Accordingly, the NP which fails to consider the emerging Local Plan does not justify why providing for about a third of the housing in the emerging plan complies with the fourth basic condition which provides as follows.

¹ My emphasis

² PPG on Neighbourhood Planning paragraph 009

³ Ibid paragraph 065

the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development

- 2.5 Secondly the PPG emphasises that it is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan including housing supply policies. The PPG advises as follows.

The local planning authority should work with the qualifying body so that complementary neighbourhood and local plan policies are produced. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging local plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan.

Strategic policies should set out a housing requirement figure for designated neighbourhood areas from their overall housing requirement (paragraph 65 of the revised National Planning Policy Framework). Where this is not possible the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body, which will need to be tested at the neighbourhood plan examination. Neighbourhood plans should consider providing indicative delivery timetables, and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new local plan.⁴

- 2.6 There has not been any substantive consideration of this Guidance in the NP, the basic conditions statement or the consultation statement. The Hopkins Homes consultation raising this point is copied into the Consultation statement⁵ but no response is given apart from that no change is proposed.
- 2.7 The Guidance does not say that an early review of the NP avoids considering these paragraphs properly and trying to minimise conflict.

⁴ Neighbourhood planning PPG paragraph 009

⁵ Page 190-1

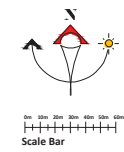
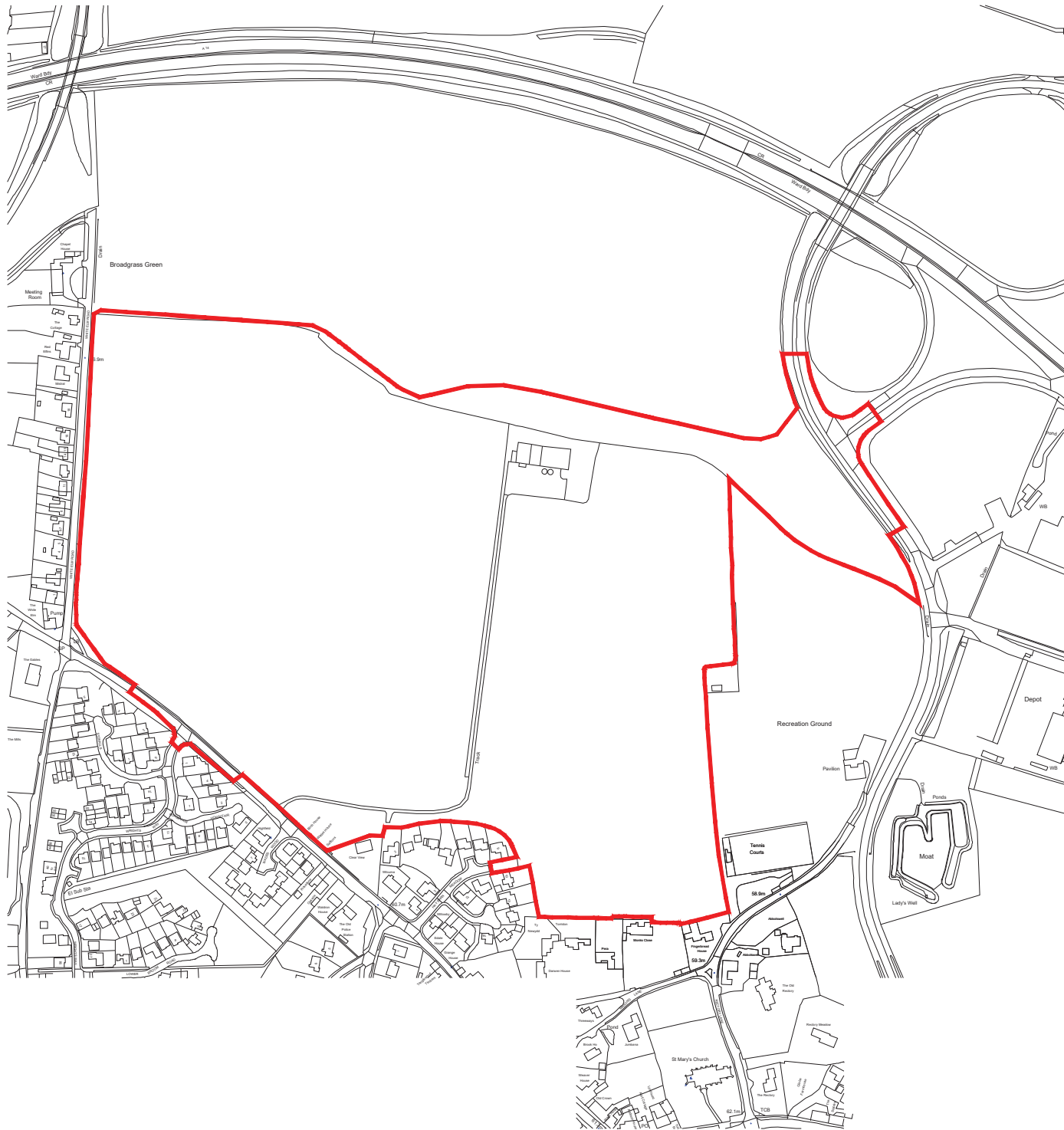
2.8 For similar reasons to above the NP has not got evidence that it meets the first basic condition because it has not had regard to this guidance.

Richard Ground QC

17 January 2020

Cornerstone Barristers
2-3 Gray's Inn Square
London WC1R 5JH.

Appendix 2 - Location Plan Site LA095



Notes:
 Do not scale from this drawing to ascertain dimensions.
 Copyright for all designs and drawings shall remain with Hopkins Homes in accordance with the Copyright Act.

Rev.	Date	Details

PLANNING

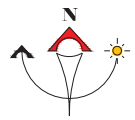
Project: Land off Bury Road, Woolpit, Suffolk	Project No: 001	Rev:
Drawing: Location Plan	Scale: 1:2500 @ A2	North:
Plot Numbers:	Drawn By:	Date: 11th July 2016
	Checked By:	Date:

HOPKINS HOMES
 MELTON PARK HOUSE,
 MELTON, WOODBRIDGE,
 SUFFOLK IP12 1TJ
 TEL: 01394 446800, FAX: 01394 389605.

Appendix 3 – Illustrative Master Plan Site LA095



Notes:
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0m 10m 20m 30m 40m 50m 60m
Scale Bar

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Plot	Details

PLANNING

Project: Land off Bury Road, Woolpit, Suffolk	Project No: WD04 Drawing No: 002
Drawing: Master Plan	Scale: 1:1000@ A0 Year:
Plot Numbers: 	Drawn By: Date
	Checked By: Date



Appendix 4 – Woolpit 2019 Draft Mid Suffolk Local Plan Policies

Mid Suffolk District Council Place Maps

Woolpit (Core Village)

Woolpit located just to the south of the A14, is classified as a Core Village. Woolpit Green, Woolpit Heath and Borley Green are classified separately as Hamlets. The core of the settlement is formed of linear development set around a central triangular green and is heavily populated with listed buildings, including the Grade I listed Church of St Mary. The Conservation Area covers this historic core and includes the Lady's Well scheduled monument. To the south of the settlement there are several important groups of listed buildings. Drinkstone Mills is set on higher ground to the west of the settlement, which includes the Grade I listed Post Mill. To the south there are four farm complexes containing listed buildings set on higher ground. The landscape immediately surrounding Woolpit is classified as Rolling Valley Farmlands and Furze, with Ancient Rolling Farmlands being located further to the south.

A new primary school (including a 60-place pre-school) will be required in Woolpit to facilitate existing planning commitments and growth through the Joint Local Plan. Woolpit Health Centre requires an expansion to facilitate existing planning commitments and Joint Local Plan growth for the area.

Joint Local Plan Allocation

LA093 – Allocation: Land East of Green Road, Woolpit

Site Size - 2.3ha

Approximately 49 dwellings (with associated infrastructure)

Development for this site shall be expected to comply with the relevant Joint Local Plan policies and contributions to the satisfaction of the LPA towards the following:

- I. Open space provision;
- II. Education provision; and
- III. Highways improvements.

LA094 – Allocation: Land South of Old Stowmarket Road, Woolpit

Site Size - 6.52ha

Approximately 120 dwellings (with associated infrastructure)

Development for this site shall be expected to comply with the relevant Joint Local Plan policies and contributions to the satisfaction of the LPA towards the following:

- I. Open space provision;
- II. Highways improvements;
- III. Car park provision for Woolpit Health Centre; and
- IV. Education provision.

Mid Suffolk District Council Place Maps

LA095 – Allocation: Land north east of The Street, Woolpit

Site Size - 36.2ha

Approximately 500 dwellings (with associated infrastructure)

The development shall be expected to comply with the following;

- I. The relevant policies set out in the Joint Local Plan;
- II. Design, layout and landscaping is sympathetic to the close setting of the Conservation Area and heritage assets;
- III. An ecological survey, and any necessary mitigation measures are provided;
- IV. Surface water and fluvial flood risk identified on the site is mitigated;
- V. A free serviced site of 3ha should be reserved for a new pre-school and primary school plus proportionate contributions towards the build costs;
- VI. Contributions to the satisfaction of the LPA, towards secondary school provision;
- VII. Contributions to the satisfaction of the LPA, towards healthcare provision; and
- VIII. Contributions to the satisfaction of the LPA, towards mitigation measures for A14 junction 47.

LA096 – Allocation: Land north east of Heath Road, Woolpit

Site Size - 0.8ha

Approximately 10 dwellings (with associated infrastructure)

The development shall be expected to comply with the following:

- I. The relevant policies set out in the Joint Local Plan;
- II. Contributions to the satisfaction of the LPA, towards pre-school, primary school and secondary school provision;
- III. Contributions to the satisfaction of the LPA, towards healthcare provision; and
- IV. Provision of new footway links.

LA097 – Allocation: Land west of Heath Road, Woolpit

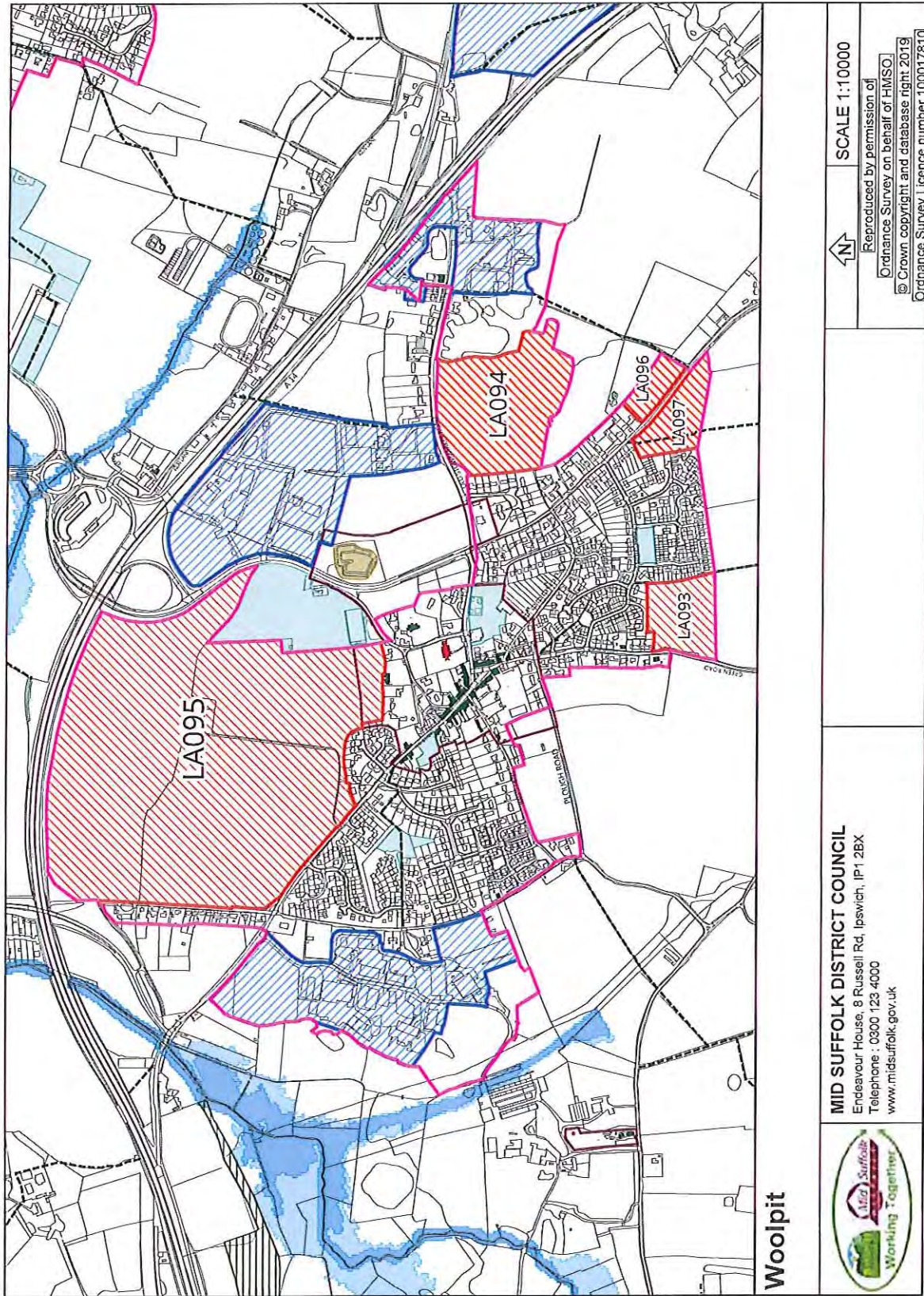
Site Size - 1.7ha

Approximately 30 dwellings (with associated infrastructure)

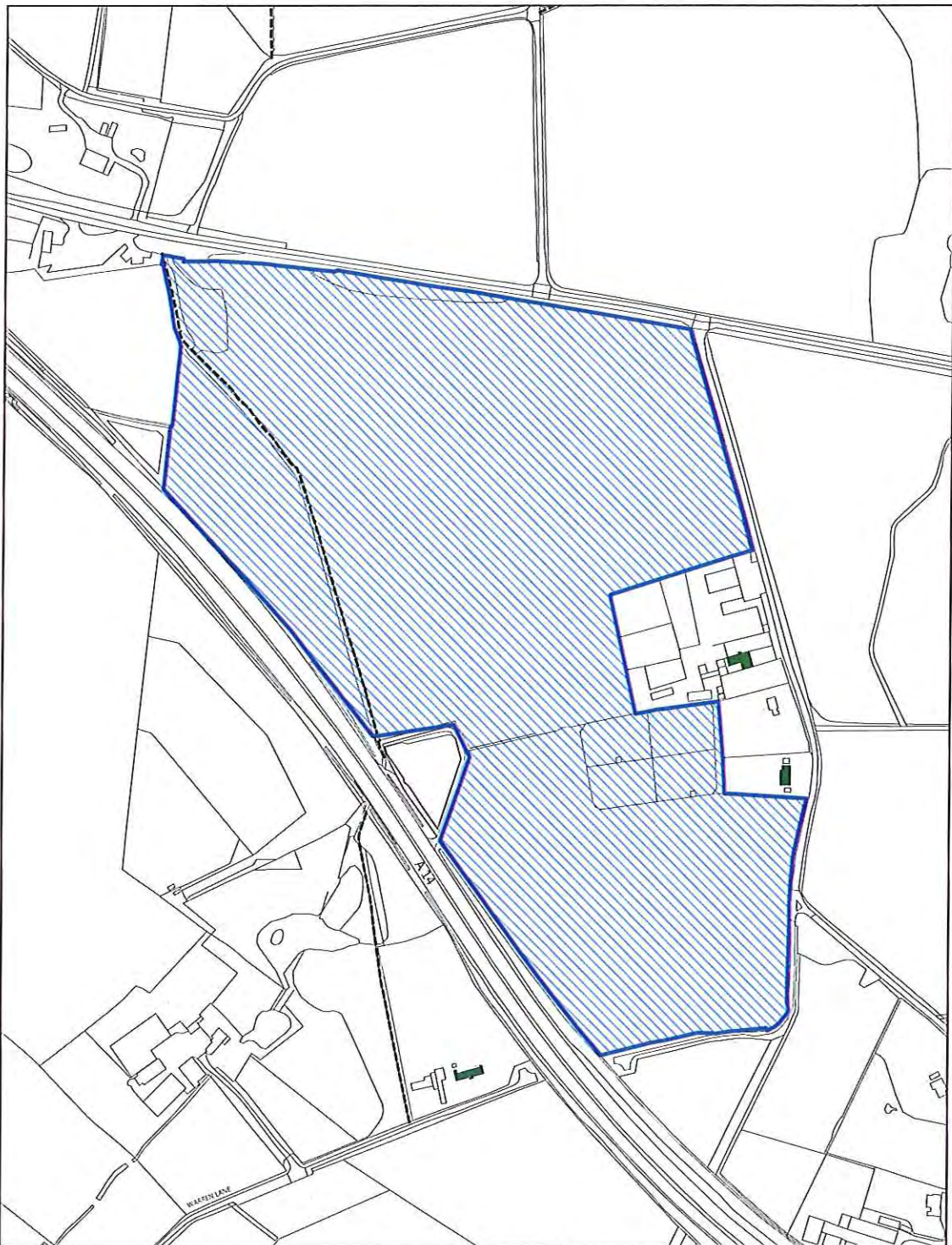
The development shall be expected to comply with the following:

- I. The relevant policies set out in the Joint Local Plan;
- II. An ecological survey, and any necessary mitigation measures are provided;
- III. Surface water flood risks are effectively mitigated;
- IV. Public rights of way passing through the site are retained and enhanced;
- V. Contributions to the satisfaction of the LPA, towards pre-school, primary school and secondary school provision;
- VI. Contributions to the satisfaction of the LPA, towards healthcare provision; and
- VII. Provision of new footway links.

Mid Suffolk District Council Place Maps



Mid Suffolk District Council Place Maps



Woolpit - Lawn Farm



MID SUFFOLK DISTRICT COUNCIL
Endeavour House, 8 Russel Rd, Ipswich, IP1 2BX
Telephone : 0300 123 4000
www.midsuffolk.gov.uk



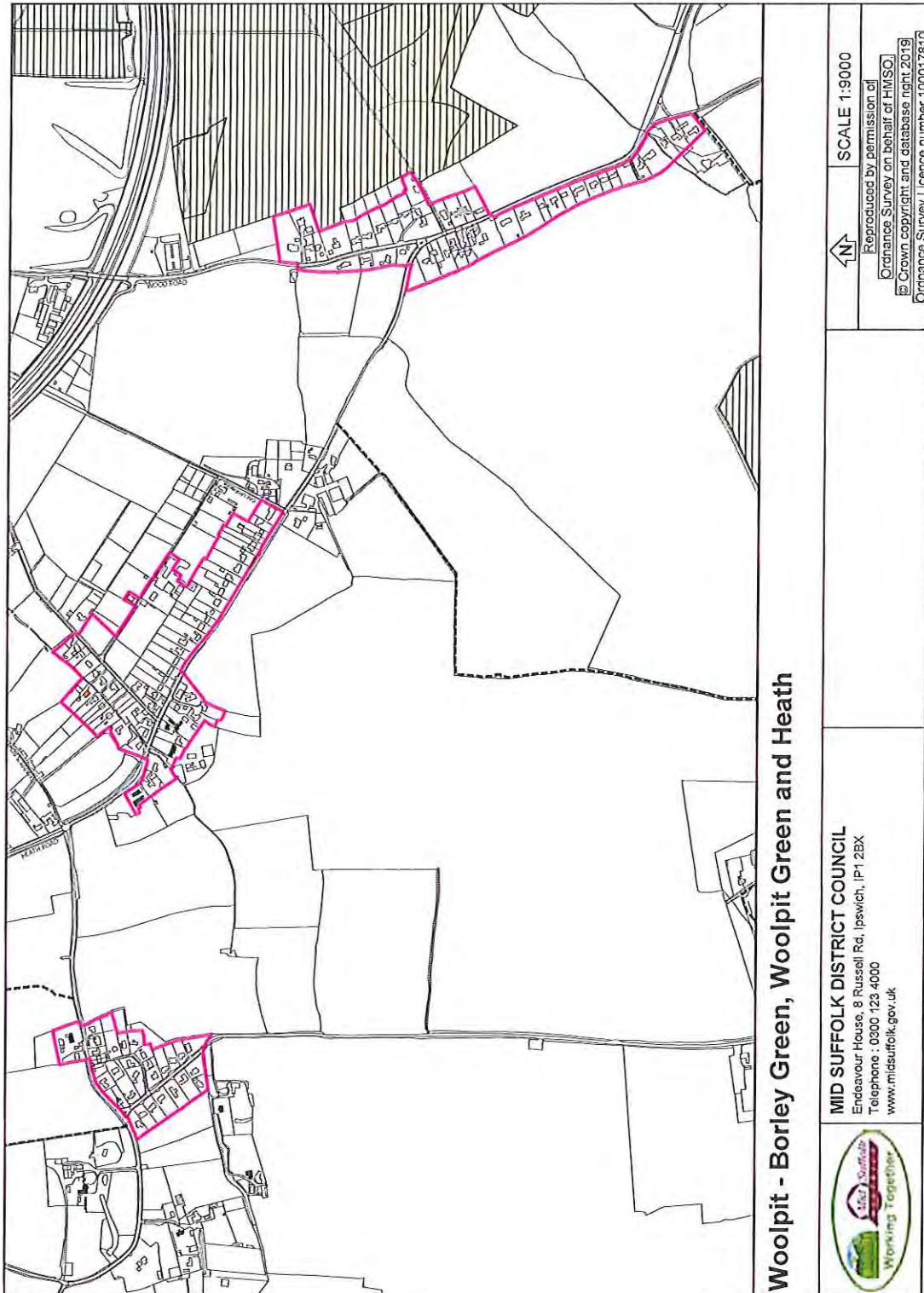
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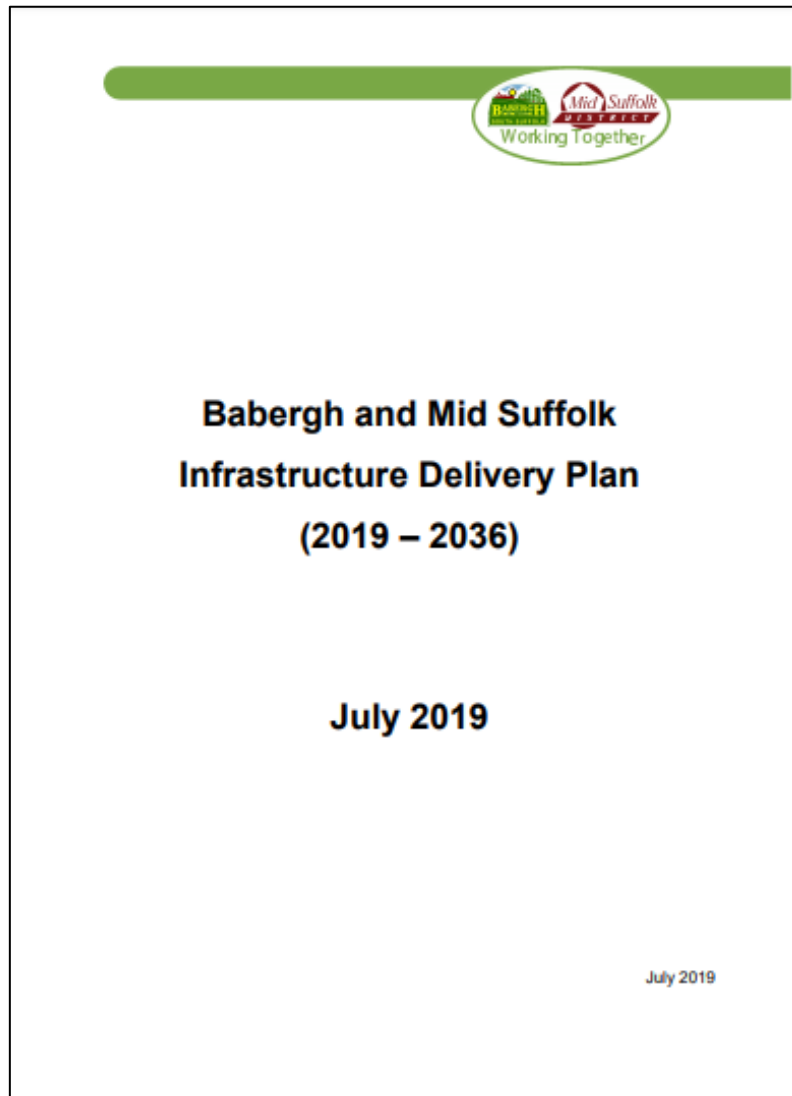
Mid Suffolk District Council Place Maps

Woolpit – Borley Green, Woolpit Green and Heath (Hamlet)

Located to the south of Woolpit - Borley Green, Woolpit Green and Woolpit Heath are classified as Hamlet Villages. Woolpit Heath and Woolpit Green contain listed buildings, with clusters of Grade II listed buildings located south of the junction with Heath Road and Warren Lane.



Appendix 5 – Babergh and Mid Suffolk Infrastructure Delivery Plan 2019 to 2036



Which can be accessible online via:

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/BMSDC-IDP-July-2019-.pdf>

Appendix 6 – Suffolk County Council letter dated 21st October 2019

Your ref: 18/04247/OUT
Our ref: 00041035
Date: 21 October 2019
Enquiries to: Peter Freer
Tel: 01473 264801
Email: peter.freer@suffolk.gov.uk

By e-mail only:

planningyellow@baberghmidsuffolk.gov.uk

FAO Bradly Heffer –
Principal Planning Officer

Dear Bradly,

Re: Woolpit, Land off Bury Road - Outline Planning Application (Access to be considered) Erection of up to 300 dwellings, construction of a new spine road, land for a new primary school, burial ground extension, village car park and associated infrastructure.

I refer to the following application for planning permission in Mid Suffolk. As my previous response was over six months old please treat this letter as an updated response.

Proposed number of dwellings from development:	Affordable units	Open market units	Total
	60	240	300

To aid simplicity, as Mid Suffolk's CIL covers libraries, waste and secondary school infrastructure, these have been removed from this letter but the County Council would make a future bid for CIL funding of **£64,800** towards libraries provision, **£33,000** to waste provision, **£1,091,424** to secondary provision, and **£227,380** to sixth form provision.

I set out below Suffolk County Council's views, which provides our infrastructure requirements for primary and early years associated with this proposal Council.

1. Education. Paragraph 94 of the NPPF states: 'It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.'

Furthermore, the NPPF at paragraph 104 states: 'Planning policies should:

- a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities;'

The local catchment schools are Woolpit Primary Academy and Thurston Community College.

School level	Minimum pupil yield:	Required:	Developer Contribution mechanism:
Primary school age range, 5-11:	69	25 ¹	S106
Secondary school age range, 11-16:	48	48	CIL
Secondary school age range, 16+:	10	10	CIL

Primary School

In line with the Department for Education's recent guidance; [Securing developer contributions for education](#), the County Council is seeking a range of options to mitigating the growth in the vicinity by ensuring there are enough primary places available. There are a range of options in ensuring sustainable primary provision in Woolpit by:

- a) Expanding the existing school;
- b) Retaining the current primary school, as well as delivering a second (new) primary school in Woolpit.

This letter sets a flexible approach to ensuring there will be early years and primary places available in line with local and national planning policy including regulation 122 of the CIL regs.

Two major residential applications secured planning permission in 2018 in the catchment – 2112/16 (land on East Side of Green Road) and 1636/16 (Land south of Old Stowmarket Road). Two applications were refused planning

¹ Credit applied as explained on page 3.

permission – 17/02767 (Land South of Rags Lane) and 4489/16 (Land North of Old Stowmarket Road).

SCC forecasts show that there will not be enough surplus places available at the catchment primary school to accommodate all of the pupils anticipated to arise should the undetermined applications be approved and built out. How the forecasted 50 surplus pupil places are distributed between the two applications is for the District to determine but a suggested approach based on the percentage of pupils arising is recommended as follows:

The two undetermined applications in Woolpit including this application (18/04247) along with 19/02656. They total 340 dwellings collectively which give rise to 78 primary pupils in total. This scheme generates 69 pupils which equates to 88% of the total pupils arising. Therefore 88% of the 69 pupils arising from this scheme accounts for 44 of the 50 surplus places available. This crediting of surplus pupil places is only applicable when dealing with S106 contributions.

In addition the emerging Local Plan proposes a further 200 houses as a latter phase to this development as well as another 50 dwellings on two different sites in the village. Children arising from additional growth in Elmswell are also unlikely to be able to find places at Elmswell Primary School.

A feasibility study previously confirmed that Woolpit Primary Academy cannot be expanded within its current site. A second feasibility study has confirmed how the school could expand if additional land was secured outside of the school's site. An expansion project will be significantly more expensive compared to local and national benchmark expansion costs and there will also need to be further assessment on the highway impacts if the school was to expand and foul and surface water connections. Therefore at this point in time it has not been confirmed that the school will be able to expand.

Due to the level of development proposed in Woolpit and Elmswell it is unlikely that the existing Woolpit Primary Academy could provide enough places even when taking into account the expansion of Elmswell Primary School. Therefore the education strategy is to secure a land option for a new primary school, as well as securing a land option for the existing primary school. This accords with recent the DfE guidance, which states at paragraph 17; "...we recommend that you identify a preferred and 'contingency' school expansion project in a planning obligation, as long as both would comply with the Section 106 tests. This will help you *respond to changing circumstances and new information, such as detailed feasibility work leading you to abandon a preferred expansion project*".

Proportionate land and build costs towards a new school will be secured by section 106 contributions.

The recent DfE guidance advises in paragraph 15 that costs of mainstream school places be based on “national average costs published annually in the DfE school place scorecards”, to differentiate between the average per pupil cost of a new school, permanent expansion or temporary expansion, and that this average should be adjusted using BCIS location factors². The most recent scorecard is 2018 and the national average new build cost per pupil for primary schools is £19,611. The most recent (March 2019) BCIS location factor for the East of England, which includes Suffolk, is 100. When applied to the national new build cost (£19,611 x 1.00) produces a total of £19,611 per pupil for new build primary schools.

A proportionate developer contribution, based on the primary age pupils requiring funding from the proposed development is calculated as follows:

- 2.2 ha of land
- £19,611 per pupil place
- From 300 dwellings based on the mix and surplus places it is calculated that 25 primary age pupils will arise;
- Therefore 25 pupils x £19,611 per place = **£490,275 (2019/20 costs)**

Assuming the cost of the site for the new primary school, based on a maximum cost of £100,000 per acre (£247,100 per hectare), is £543,620 for a 2.2 hectare site and equates to £1,294 per pupil place. For the proposed development, this equates to a proportionate land contribution of 25 places x £1,294 per place = £32,350.

*Total primary school s106 contribution - £490,275 + £32,350 = **£522,625***

*£522,625 / 300 Dwellings = **£1,742 per dwelling***

2. Pre-school provision. SCC has a statutory duty to secure a ‘sufficiency of provision’ and our role is to facilitate the provision of places to meet statutory eligibility requirements. Education for early years should be considered as part of addressing the requirements of the NPPF Section 8: ‘Promoting healthy and safe communities’. It is the responsibility of SCC to ensure that there is sufficient local provision under the Childcare Act 2006. The Childcare Act in Section 7 sets out a duty to secure free early years provision and all children in England receive 15 free hours free childcare. Through the Childcare Act 2016, from September 2017 families of 3 and 4 year olds may now be able to claim up to 30 hours a week of free childcare. This new challenge has increased the assumptions on the overall need for full-time equivalent (FTE) places.

The number of 2 – 4 years olds children is 0.15 / dwelling. This figure then needs

² [DfE Securing developer contributions for education](#)

further consideration for the different age breakdowns to take into account the number of two year olds eligible for 15 hours of free early years provision, the three and four year olds securing 15 hours (universal entitlement), and the number of three and four year olds securing the additional 15 hours (extended entitlement). The DfE has identified that 51% of three and four years olds in Suffolk are eligible for 30 hours of funded childcare from September 2017. The number of places required can then be calculated as 0.09 / dwelling.

The recently published guidance from the Department for Education on Delivering schools to support housing growth states in paragraph 16: “Developer contributions for early years provision will usually be used to fund places at existing or new school sites, incorporated within primary or all-through schools. Therefore, we recommend that the per pupil cost of early years provision is assumed to be the same as for a primary school”. Therefore the cost of £19,611 per place will be used in calculations.

The most practical approach is to establish a new early education setting on the site of the new primary school which is likely to be a 90 place setting.

The Mid Suffolk District Council CIL position Statement states that new early education settings are not identified for funding through CIL so this would be secured through a s106 contribution.

	Minimum number of places arising:	Places required:	Proportionate cost per place £:
Pre-School age range, 2-4:	27	27	19,611

Total s106 early years contribution:

£529,497

3. **Legal costs.** SCC will require an undertaking for the reimbursement of its own legal costs, whether or not the matter proceeds to completion.
4. **Monitoring fee.** The new CIL Regs allow for the charging of monitoring fees. In this respect the county council charges £500 for each trigger point in a planning obligation. The monitoring charge will be payable on commencement of the development.
5. **Time Limits.** The above information is time-limited for 6 months only from the date of this letter.

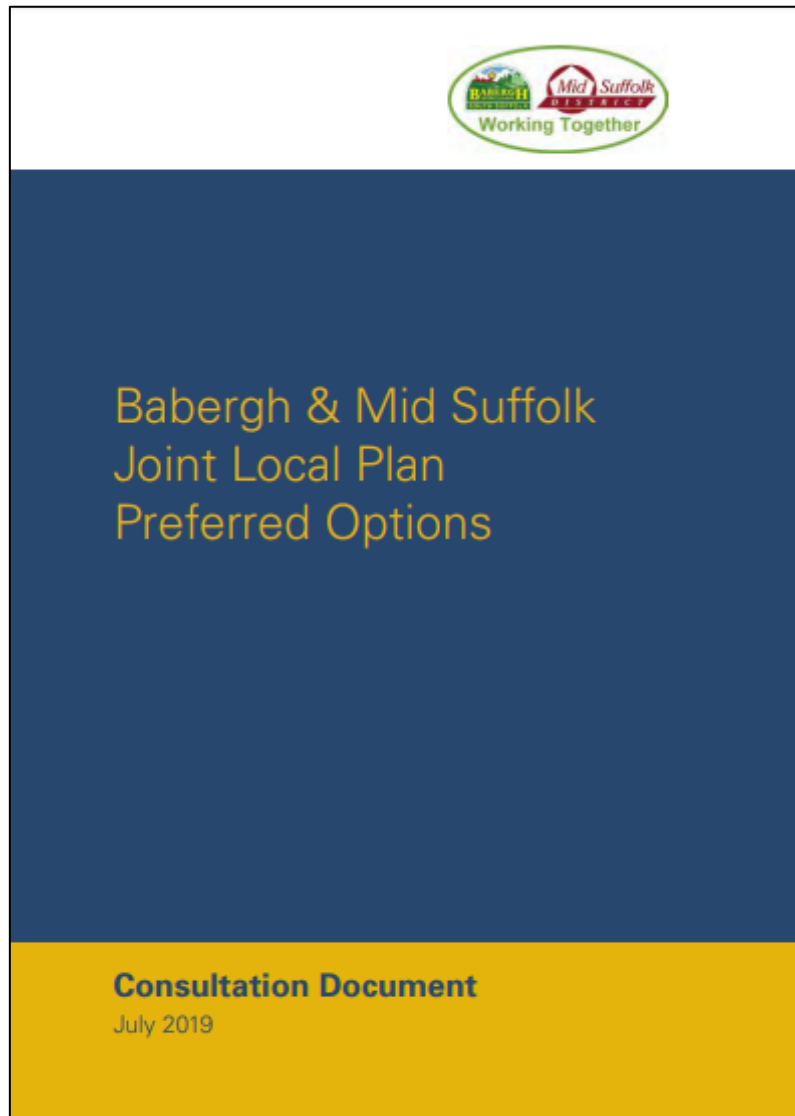
Yours sincerely,

Peter Freer MSc MRTPI
Senior Planning and Infrastructure Officer

Planning Section, Strategic Development, Resource Management Directorate

cc Joanne Fellowes - SCC
Sam Harvey – SCC
Chairman – Woolpit Parish Council
Cllr Jane Storey - SCC

Appendix 7 - Babergh and Mid Suffolk Joint Local Plan Preferred Options Consultation Document July 2019



Specifically ...

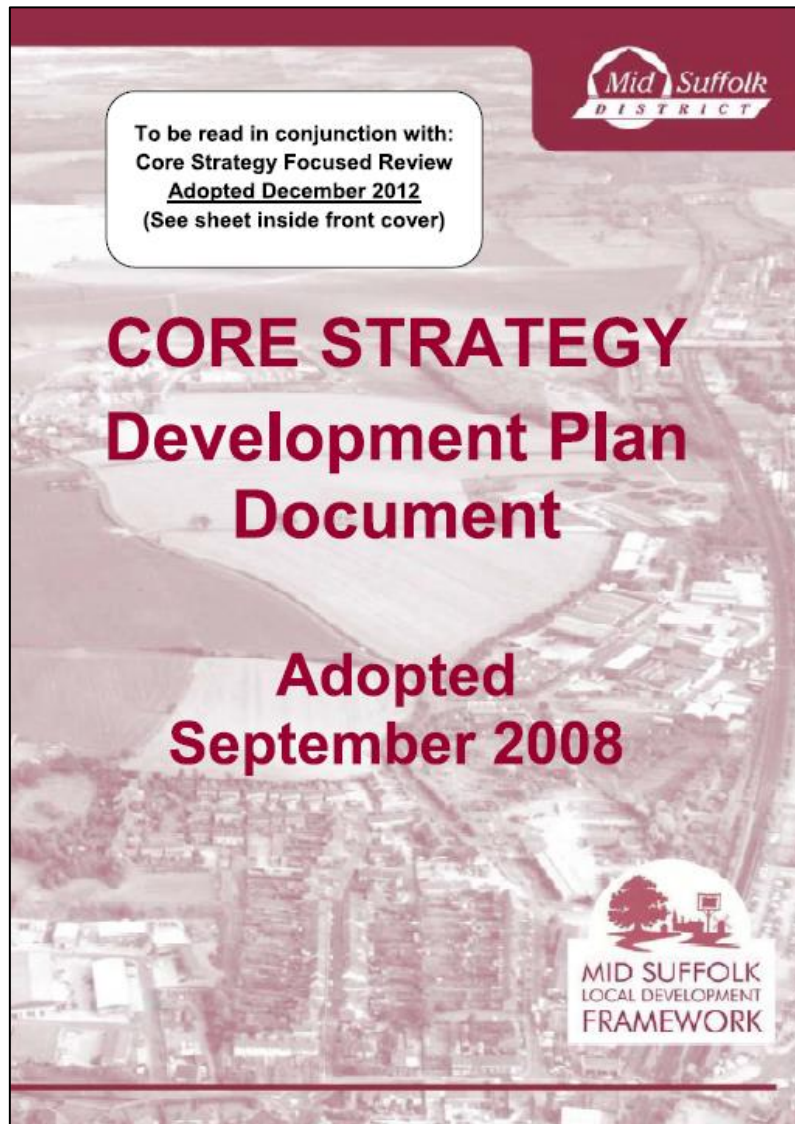
Part 1 – Objectives and Strategic Policies (Front Cover to page 56)

Which can be accessible online via:

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/JLP-Reg18-2019/BMSDC-JLP-2019-Part-1-Objectives-and-Strategic-Policies.pdf>

Appendix 8 – Mid Suffolk Core Strategy Development Plan Document

September 2008



Specifically ...

Pages 15 – 26

Which can be accessible online via:

<https://www.midsuffolk.gov.uk/assets/Strategic-Planning/Mid-Suffolk-Core-Strategy/Core-Strategy-with-CSFR-label-and-insert-sheet-07-01-13.pdf>

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WTP12, Policies Map and Village Centre Inset Map
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The Policy WPT12 Local Green Space identifies area to be protected from development. The Policies Map and Village Inset Map shows an area north of Masons Lane (with the reference 13) that is within the village conservation area. This area is farmland, and has long been in arable production and it is unclear why it has been included as Local Green Space.

The Planning Practice Guidance (NPPG) states:

'While there are prescribed documents that must be submitted with a neighbourhood plan or Order there is no 'tick box' list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.'

The NP evidence to support the identification of the site north of Masons Lane as Local Green Space is not clear, nor does it support the identification of the land as Green Space, and so the site should not be identified as such, as it does not meet the basic condition of conforming with national policy and advice issued by the Secretary of State.

Indeed, the Parish Council's own evidence base (Local Green Space Appraisal) concludes that the site (referred to in the Neighbourhood Plan (NP) as 'Land within the Conservation Area North of Monks Close') does not qualify for Local Green Space designation. As such, the site should not be identified as it does not meet the basic condition of conforming with national policy and advice issued by the Secretary of State.

The Land within the Conservation Area North of Monks Close is part of a site on which Hopkins Homes have submitted a planning application (planning application ref: DC/18/04247) for the construction of up to 300 residential dwellings (including 60 affordable homes), garages, parking, vehicular access with Bury Road ('the Street') and the A14 (Junction 47) via a new spine road, estate roads, public open space, play areas, landscaping and amenity greenspace with sustainable drainage systems and associated community infrastructure including land for a new primary school playing fields, sports pitches, burial ground extension, and village car park on Land off Bury Road, Woolpit. The Land within the Conservation Area North of Monks Close is proposed to be a burial ground in the planning application. The burial ground was proposed because it was suggested in pre-application consultation with Parish Council representatives that the land should be reserved for a burial ground. This was done because the church yard is nearing capacity for burials, and the Land within the Conservation Area North of Monks Close is the closest area of land that is near to the church and that could extend the burial ground.

A burial ground would need some development and so the NP should be amended for legal and policy as well as practical reasons.

The NP refers to the site which is numbered 13 on the Village Centre Inset Map as Land North of Monks Close. This should be north of Masons Lane.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

The Policies Map and Village Inset Map should be amended to remove the area of Local Green Space within the Conservation Area north of Masons Lane.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

As set out in the representations on this issue, and in the other representations made on behalf of Hopkins Homes the Neighbourhood Plan does not meet the basic conditions. Hopkins Homes have taken legal advice on this issue from Richard Ground QC who is a planning barrister. The Woolpit Neighbourhood Plan does not have regard to national guidance nor does it contribute to the achievement of sustainable development. Both these issues are basic conditions for any Neighbourhood Plan. These fundamental issues must be addressed in a hearing.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	X
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	X

Signed:	Dated: 5.2.20
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Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WTP15 and Policies Map
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

See accompanying representations.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please be as brief and concise as possible .

See accompanying representations.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

As set out in the representations on this issue, and in the other representations made on behalf of Hopkins Homes the Neighbourhood Plan does not meet the basic conditions. Hopkins Homes have taken legal advice on this issue from Richard Ground QC who is a planning barrister. The Woolpit Neighbourhood Plan does not have regard to national guidance nor does it contribute to the achievement of sustainable development. Both these issues are basic conditions for any Neighbourhood Plan. These fundamental issues must be addressed in a hearing.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	X
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	X

Signed:	Dated: 5.2.20
----------------	----------------------

Representations on the Woolpit Submission Neighbourhood Plan on Behalf of Hopkins Homes

January 2020



Opus House
Elm Farm Park
Thurston
Bury St Edmunds
Suffolk
IP31 3SH

T 01359 233663
E enquiries@evolution-planning.co.uk
W evolution-planning.co.uk

**Representations on the Woolpit Submission Neighbourhood Plan on
Behalf of Hopkins Homes**

Reference: E295.C1.19.Rep04

1.0 Neighbourhood Plan Representations

- 1.1 The Neighbourhood Plan (NP) contains a policy WPT15 and a Policies Map which identifies land allocations and areas to be protected from development. The policies map identifies two key views across land to the north of Woolpit and south of the A14. The views are identified as B and G. This land is currently part of the 2019 draft local plan allocation LA095 and is subject to a planning application (planning application ref: DC/18/04247) for the construction of up to 300 residential dwellings (including 60 affordable homes), garages, parking, vehicular access with Bury Road ('the Street') and the A14 (Junction 47) via a new spine road, estate roads, public open space, play areas, landscaping and amenity greenspace with sustainable drainage systems and associated community infrastructure including land for a new primary school playing fields, sports pitches, burial ground extension, and village car park on Land off Bury Road, Woolpit. Full details are submitted for the vehicular access with the remainder of the proposal in outline.
- 1.2 In response to the planning application Place Services were consulted by Mid Suffolk District Council and commented on landscape issues. Their consultation response is included in Appendix 1. The planning application was informed by a Landscape and Visual Appraisal. Place Services concluded that the planning application responds to the Landscape Appraisal commissioned to support the NP. Place Services concluded that there was no objection to the planning application on the grounds of landscape impact. They state: *"The Landscape Strategy Plan within the LVIA identifies how a development proposal can be designed sensitively and should be applied to any future masterplan development."*
- 1.3 A response to the AECOM site assessment report prepared for the NP has been provided by Bidwells who submitted the planning application reference DC/18/04247. This is included as Appendix 2.
- 1.4 The site specific issues raised about site LA095 in the NP are not supported by the evidence. By not allocating the site for housing and facilities the NP does not meet the basic condition of meeting national planning policy and guidance and delivering sustainable development.

Appendix 1 – Place Services Consultation Response on Landscape Impact

Place Services
Essex County Council
County Hall, Chelmsford
Essex, CM1 1QH
T: 0333 013 6840
www.placeservices.co.uk
@PlaceServices



Planning Services
Mid Suffolk District Council
Endeavour House
8 Russell Road
Ipswich
IP1 2BX

18/10/2018

For the attention of: Bradly Heffer

Ref: DC/18/04247; Land off Bury Lane, The Street, Woolpit IP30 9SA

Thank you for consulting us on the Outline Planning Application (Access to be considered) for the erection of up to 300 dwellings, construction of a new spine road, land for a new primary school, burial ground extension, village car park and associated infrastructure.

This letter sets out our consultation response on the landscape impact of the planning application and how the proposal relates and responds to the landscape setting and context of the site.

Likely impact on the surrounding landscape

According to the Mid Suffolk Core Strategy Development Plan (2008) Woolpit is defined as a 'key Service Centre', which means it has the 'potential to accommodate development which is sympathetic to local character and of an appropriate scale and nature in relation to local housing and employment needs.' The Suffolk Landscape Character Assessment defines the site and the surrounding area as part of the Rolling Valley Farmlands and Furze landscape character type (LCT). Some of the key characteristics of this LCT include fragmentary broadleaved woodland cover, with multi-species hedgerows including oak, ash, field maple and hawthorn and open views in the transition between the valley and plateau landscapes. As a primary village within this landscape character area, it would be expected that the any emerging development should preserve or enhance these landscape characteristics. The current proposal has provided sufficient evidence that this can be achieved through retention of existing features, vistas to the wider landscape and the formation of formal and informal public open space (POS).

The Woolpit Neighbourhood Plan Landscape Appraisal (Final Draft March 2018), commissioned by the Woolpit Neighbourhood Plan Group identifies the site as falling within the 'Broadgrass Green' character area. Characteristics of this area include; medium scale fields, mixed hedgerows, elevated views from upper slopes and views to church landmarks. It also states the proximity to the A14 to the north, although rarely visible, it can cause noise intrusion. The appraisal also identified that that the application site 'could accommodate some residential development', although, development will have the 'potential to alter the settlement form and character, undermining the rural setting to the church and alter perceptions of arrival. Nevertheless, the southwestern part of this site has some capacity for new housing development which is closely associated with the existing urban edge.' Therefore it is recognised that the site has the potential to accommodate residential development that is sensitively designed and reflects Woolpit's rural village character. The proposed development has been designed with this statement in mind, with formal open space located on the eastern boundary, views to the church retained and the current gateway character as you enter the village from the North being unaffected.

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Review on the submitted information

Relevant to this landscape review, the submitted application includes an illustrative masterplan, Design and Access Statement (DAS) and Landscape and Visual Impact Assessment (LVIA).

The illustrative masterplan, although indicative, has taken on board the comments made in the Woolpit Neighbourhood Plan Landscape Appraisal and has positioned the majority of the residential development within the south western parcel of land, which means views of the church can be retained and there is clear separation between the residential parcels and the A14. As part of the proposal there is large areas of public open space (POS) and retention of existing landscape features that will contribute to enhancing the landscape character.

The LVIA accurately presents the likely effects of the proposed development on the landscape. After a site visit and desktop assessment it was clear that although 'views are critical in defining and reinforcing sense of place and local distinctiveness' the site is generally visually contained by the surrounding hedgerows, trees and topography of the landscape and therefore the proposed development will not have a detrimental impact on landscape character and visual amenity, nor the gateway character as you approach the village from the A14 to the north. The Landscape Strategy Plan within the LVIA identifies how a development proposal can be designed sensitively and should be applied to any future masterplan development.

The DAS highlights the opportunities and constraints of the site and how these have been applied to the design principles for both the built and natural environment. Although prescriptive, we would expect the principles to be applied to any future reserved matters application.

If minded for approval I recommend that the following design aspects are considered:

- Large areas of POS are being utilised as attenuation basins. We would recommend that on-street sustainable urban drainage systems (SuDs) such as swales, rain gardens and drainage channels are explored to reduce the amount of POS expended by water attenuation.
- If attenuation areas are retained, we would recommend that they remain open and are designed to allow them to be used for recreational activities during dry periods.
- Existing hedgerows should be enhanced through addition infill shrub and tree planting, specifically on the northern and eastern boundaries.
- The Street frontage hedgerow is likely to be removed by the need for the new highway access and visibility splays. Ensure that this is replaced by a new native species hedge and trees to ensure that the road-scape retains a semi-enclosed appearance over-time.
- Residential gardens should be designed to be a usable space. We advise that terraced properties have a minimum garden size of 50sqm, with larger dwellings exceeding this recommendation. Similarly, any apartments should have access to private amenity space, whether this is in the form of courtyards or balconies.
- Proposed street trees should be within the public realm to ensure they are managed and maintained sufficiently. Appropriate tree pit details and anchor systems should be used to aid establishment and growth.

In the event that approval of this outline application is forthcoming then the following reserved matters conditions should be considered:

- Development of a detailed masterplan including open space/green infrastructure plans.
- We would expect to see a detailed landscape strategy that demonstrates how the proposal links with the surrounding residential areas, green infrastructure and movement network, in order to create an appropriate public realm and provide suitable levels of amenity space. Suitable content includes:

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- Boundary treatments (inc. sections)
 - Hard landscaping strategy
 - Planting strategy (Trees, Shrubs and Plants)
 - Integrated SuDS strategy within the landscape proposals
 - Play strategy
- Phasing and delivery of landscape infrastructure and advance planting.

If you have any queries regarding the matters raised above, please let me know.

Kind regards,

Ryan Mills LMLI BSc (Hons) MSc
Landscape Consultant
Telephone: 03330320591
Email: ryan.mills@essex.gov.uk

Place Services provide landscape advice on behalf of Babergh and Mid Suffolk District Councils Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

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**Appendix 2 – Bidwells Comment on AECOM Woolpit Neighbourhood
Plan Site Assessment (November 2018)**

Subject: Land Off Bury Road, Woolpit
Date: 15/01/2020



**Land off Bury Road, Woolpit
Comment on AECOM Woolpit Neighbourhood Plan Site Assessment (November 2018)**

- 1.1 Woolpit Parish Council commissioned AECOM to prepare an independent Site Assessment to aid the site selection process as part of their Neighbourhood Plan process.
- 1.2 The Site Assessment reviewed all 12 sites promoted through the emerging Joint Local Plan and 10 'areas of search' in Woolpit to determine their suitability and availability for allocation in the emerging Neighbourhood Plan. From this Assessment, 8 sites were considered unsuitable for development due to various site-specific constraints, typically relating to highways constraints, coalescence issues and impact upon Woolpit's historic core.
- 1.3 Sites SS0093 and SS0547 have received planning permission and therefore are considered suitable for residential development. As the sites already have planning permission, AECOM note that they do not need to be allocated to count towards the housing requirement for Woolpit.
- 1.4 AECOM's report contends that 6 sites could be considered suitable for allocation but have minor constraints (amber category). Of the six Sites assessed as being within the amber category, AECOM contend that five (SS0070, SS0458, SS0673, SS0783 and SS0958) have the greatest potential to be moved to the green category. Site SS0670, known as Land Off Bury Road, also included within the amber category, though its potential to be moved to the green category is considered limited due to the following key constraints:
 - Landscape Impact;
 - Traffic Impact;
- 1.5 During the course of the determination of the planning application for Land Off Bury Road, Woolpit (planning application ref: DC/18/04247), matters relating to highways and landscape concerning the site have been considered in detail by statutory consultees.

Landscape Impact
- 1.6 Place Services provided a consultation response to the planning application in October 2018. Their response notes that the proposed development will preserve and enhance the landscape characteristics of the Rolling Valley Farmland and Furze landscape character type through the retention of vistas to the wider landscape, through the enhancement of existing landscape features (i.e. boundary hedging) and the formation of formal and informal public open space.
- 1.7 Place Services note that the illustrative masterplan accompanying the planning application has incorporated the comments made in the Woolpit Neighbourhood Plan Landscape Appraisal, prepared by Alison Farmer Associates (March 2018), by concentrating the majority of the residential development within the south-western parcel of land, by retaining clear views of the church and through the provision of generous public open space.

- 1.8 It is important to note that site SS0670, as assessed by AECOM, is not an accurate depiction of the site area considered as part of the planning application for the site. The red line boundary of the site was reduced following a detailed process of consultation with the local community.
- 1.9 Place Services concluded that the proposed development will not have a detrimental impact on landscape character and visual amenity. Further to this, the Committee Report, to support the officer recommendation of approval of application DC/18/04247, recognises that the approach to landscaping adopted within the application is acceptable.

Traffic Impact

- 1.10 Suffolk County Council Highways Authority provided a consultation response to the planning application in October 2018, following a review of the Transport Assessment prepared by Integrated Transport Planning (ITP), submitted with the application.
- 1.11 SCC Highways concluded that the access strategy for the site was acceptable, and the estimated total additional vehicle trips in the AM peak hour generated by the proposed development (299 vehicles, average 5 vehicles every minute) would not have a severe impact on the surrounding road and junction network. The proposals were therefore deemed acceptable in highways terms and in accordance with the Paragraph 109 of the National Planning Policy Framework.
- 1.12 Highways England also provided a consultation response to the planning application in October 2018. Highways England concluded that the proposed works at Junction 47 of the A14, to facilitate the spine road through the proposed development and access to the A14, will operate satisfactorily both for the proposed development and the Strategic Road Network.
- 1.13 SCC Highways provided an updated consultation response to the planning application in October 2019. The response maintains the development would not have a severe impact on the surrounding road and junction network, so the proposals remain acceptable in highways terms.

Summary

- 1.14 From this, it is apparent that the site-specific constraints raised in AECOM's Site Assessment concerning Land Off Bury Road have been addressed through the process of preparing and consulting on the current planning application for the site.
- 1.15 In addition, positive consultation responses have been received from Historic England and Mid-Suffolk Council's Heritage Team concerning the design of the illustrative masterplan and its relationship to Woolpit Conservation Area and the setting of the church. Similarly, positive statutory consultation responses have been received concerning disciplines such as ecology, archaeology, environmental health and arboriculture. Suffolk County Council's Strategic Development team are also supportive of the application, recognising the significant social benefits the proposed development will provide through the delivery of a new primary school and public open space. Final matters concerning the drainage strategy for the site are being determined at present.

- 1.16 Land Off Bury Road should therefore be considered as a 'green' settlement as part of AECOM's Site Assessment, and this revised rating should be reflected in the final draft of the Neighbourhood Plan.

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WTP18 Design
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The Policy WPT18 Design has two areas that do not comply with the basic conditions required of Neighbourhood Plans.

The policy requires that new homes meet the Nationally Described Space Standard. The National Planning Policy Framework states in paragraph 127, footnote 26 that: *'policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.'*

The Planning Practice Guidance (NPPG) states:

'Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan or the proposals in an Order.'

The need for the space standard in Woolpit has not been clearly justified, and so this part of the policy does not meet the basic condition of compliance with national policy and advice because it has not been justified

Policy WTP18 states: *'The location and design of developments should be such as to achieve no harm to historic buildings, the Conservation Area or their setting.'*

This does not comply with the basic conditions for Neighbourhood Plans as it does not reflect national policy and advice. The National Planning Policy Framework does not prevent development that could harm historic assets. It is accepted that in some cases this will be allowed where there is a clear and convincing justification that the harm provides wider benefits. This sentence is significantly stricter than

national policy, and so does not comply with national policy and so should be removed from the policy.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

The reference to Space Standards, being the heading and sentence below the heading, should be removed from Policy WPT18.

The third bullet point under the heading Location should be removed from Policy WPT18.

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

As set out in the representations on this issue, and in the other representations made on behalf of Hopkins Homes the Neighbourhood Plan does not meet the basic conditions. Hopkins Homes have taken legal advice on this issue from Richard Ground QC who is a planning barrister. The Woolpit Neighbourhood Plan does not have regard to national guidance nor does it contribute to the achievement of sustainable development. Both these issues are basic conditions for any Neighbourhood Plan. These fundamental issues must be addressed in a hearing.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	X
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	X

Signed:	Dated: 5.2.20
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Representations to Regulation 16 Consultation
of the Woolpit Neighbourhood Plan

**For Pigeon Investment Management on behalf
of Pigeon Capital Management 2 Ltd (Pigeon)
and the landowners of WPT3 (Land South of
Old Stowmarket Road) and WPT5 (Land North
of Woolpit Primary School)**

February 2020

Introduction

This Statement has been prepared for Pigeon Investment Management on behalf of Pigeon Capital Management 2 Ltd (Pigeon) and the landowners of WPT3 (Land South of Old Stowmarket Road) and WPT5 (Land North of Woolpit Primary School) in response to the current Regulation 16 Consultation in relation to the Woolpit Neighbourhood Plan.

The Landowners have previously submitted representations in response to the Regulation 14 Plan Consultation in April 2019.

The Landowners continue to support the preparation of the Woolpit Neighbourhood Plan, but continue to advocate a number of changes to ensure that the Plan can meet the basic conditions as set out in paragraph 8(2) of the Schedule 4B of the Town and County Planning Act 1990. In summary, to satisfy these basic conditions and put the Plan to a referendum, the Woolpit Neighbourhood Plan must:

- have regard to national policies and advice.
- have special regard to the desirability of preserving any listed building or its setting
- have special regard to the desirability of preserving or enhancing the character or appearance of any conservation area.

The Woolpit Neighbourhood Plan must also ensure that:

- the neighbourhood plan contributes to the achievement of sustainable development.
- the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area.
- the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- prescribed conditions are met and prescribed matters have been complied with.

The respondents have requested the right to be heard before the Examiner at the Neighbourhood Plan Examination if such a hearing is required.

Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	Ms Sophie Pain
Job Title (if applicable):	Associate Director
Organisation / Company (if applicable):	Turley
Address:	8 Quy Court Colliers Lane Stow cum Quy Cambridge
Postcode:	CB25 9AU
Tel No:	01223 810990
E-mail:	Sophie.pain@turley.co.uk

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	Pigeon Investment Management on behalf of Pigeon Capital Management 2 Ltd (Pigeon) and the landowners of WPT3 (Land South of Old Stowmarket Road) and WPT5 (Land North of Woolpit Primary School).
Address:	C/O Agent
Postcode:	
Tel No:	
E-mail:	

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	3.1 & 3.2	Policy No.	
---------------	-----------	------------	--

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners support the Vision and Objectives of the Plan which are on the whole considered to form a logical and reasonable response to the issues identified within the evidence base.

What improvements or modifications would you suggest?

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT1
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon strongly support Policy WPT1 and the identification of Sites WPT3 and WPT5 to meet the future housing needs for the village. It allocates a quantum of development to these two sites which have either been granted planning permission, or are well advanced in the determination process. Both sites have been through public consultation with the Parish Council, local residents and a number of other stakeholders. Furthermore, through the emerging Joint Local Plan, WPT1 has been identified as a draft housing allocation for delivery of up to 120 homes and new Health Centre car park. As such, this demonstrates that the two Plans are in alignment in this respect.

What improvements or modifications would you suggest?

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT2
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon support the principle of Policy WPT2 and would offer a minor amendment to the wording of the policy. This will ensure that the policy is in line with the requirements set out in the Planning Practice Guidance, which state that '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.'

What improvements or modifications would you suggest?

To make the policy clear and unambiguous, the first sentence should be amended as such:

'Residential development proposals, including those site allocations as identified on the Policies Map, will be supported subject to conforming with Policy WPT1...'

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
--	-------------------------------------

The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√
--	---

Signed: 	Dated: 7 th February 2020
--	---

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT3
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon strongly support the inclusion of this site within the Neighbourhood Plan as a housing allocation site. Pigeon secured outline planning permission for up to 120 new homes and new Health Centre car park on the site in 2018. A Reserved Matters application was submitted by David Wilson Homes at the end of 2019 for the appearance, layout, scale and landscaping of the site. Importantly, the details submitted as part of the Reserved Matters Application include an access to the land to the south allocated under Policy WPT5 and controlled by Pigeon. The progress on this site demonstrates that it is deliverable and achievable within the Neighbourhood Plan period. Furthermore, through the emerging Joint Local Plan, WPT1 has been identified as a draft housing allocation in the emerging Babergh Mid Suffolk Joint Local Plan for delivery of up to 120 homes and new Health Centre car park. As such, this demonstrates that the two Plans are in alignment in this respect.

What improvements or modifications would you suggest?

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
--	-------------------------------------

The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√
--	---

Signed: 	Dated: 7 th February 2020
--	---

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT4
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The site has received planning permission, so the landowners support its allocation in the Neighbourhood Plan.

What improvements or modifications would you suggest?

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT5
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon strongly support the inclusion of this site within the draft Neighbourhood Plan as a housing allocation site. An outline planning application has been submitted to Mid Suffolk District Council for up to 40 homes and land for the extension of Woolpit Primary School. The application is supported by plans and technical documents demonstrating that this number of new homes can be accommodated and delivered on the site while achieving a high-quality scheme which complies with all other relevant policies in the adopted Development Plan and the NPPF. Access to the site will be provided through the permitted scheme allocated under Policy WPT3 and agreements are in place between the landowners and developers to facilitate this.

This application is under determination at present and follows extensive discussions with the Parish Council, Mid Suffolk District Council and Suffolk County Council regarding the development. Statutory consultation comments received to date have supported the principle of development for this site. Significant public consultation has also been undertaken with the Parish Council and local residents through a series of consultation events and meetings which have shown there to be local support for the proposals.

The progress on this site demonstrates that it is deliverable and achievable within the Neighbourhood Plan period.

What improvements or modifications would you suggest?

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

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Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed: 	Dated: 7 th February 2020
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Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT6
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon support this policy, which is informed by robust evidence. Both site allocations WPT3 and WPT5 have the ability to accommodate the three types of housing that are listed in the policy as well as delivering a high proportion of 2 and 3 bed homes.

What improvements or modifications would you suggest?

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.
(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT7
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon agree with the approach outlined in relation to affordable housing on rural exception sites as set out in the Policy.

What improvements or modifications would you suggest?

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...


Oral submissions need to be made to support the suggested amendments to specific policies.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT8
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The evidence to support the Neighbourhood Plan has identified an ageing population in Woolpit. By providing appropriate housing for them, it may enable larger family homes to be released onto the market. As such, the policy is supported.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT11
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon agree with the policy and support the objective of supporting the vitality and viability of services and facilities within the village which are essential to maintaining the community identity and sustainability of the village.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	6.1	Policy No.	
---------------	-----	------------	--

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon support the overall objectives and approach of Chapter 6 in seeking to protect and enhance the environment within the Parish and ensure that any development is brought forward in a sensitive manner.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	<input checked="" type="checkbox"/>

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT12
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon agree with and support the draft Policy and its objective of safeguarding Local Green Space in accordance with paragraph 100 of the NPPF.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	<input checked="" type="checkbox"/>

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT13
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon support this policy because sports and recreational areas make a vital contribution to the health and well-being of the community. Woolpit Primary School playing field is identified in this policy as such an area. The proposed scheme for WPT3 provides additional land for the expansion of the Primary School and allows them to re-plan the layout of their site to meet the criteria of policy WPT13 and paragraph 97 of the NPPF.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	<input checked="" type="checkbox"/>

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT14
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Given the evidence undertaken to support this draft policy, the principle to direct development away from these sensitive areas is logical and in accordance with Section 15 of the NPPF. Pigeon therefore agree with this policy.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

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Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT16
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The connection of footpaths and cycleways is an important means of accessing the wider countryside and this draft policy supports the sustainability objectives set out within the Neighbourhood Plan. WPT3 and WPT 5 would comply with the requirements of this policy.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	<input checked="" type="checkbox"/>

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT17
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

This policy recognises the need for new development to make provision for electric vehicles. As such, Pigeon support this policy.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

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The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	<input checked="" type="checkbox"/>

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	7.1	Policy No.	
---------------	-----	------------	--

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon generally support the objectives set out in Chapter 7 subject to specific comments on Policy WPT18 as set out below.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	<input checked="" type="checkbox"/>

Signed: 

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT18
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Chapter 12 of the Framework (2019) is clear 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'*.

Pigeon generally support this policy but note that where a site already benefits from outline planning permission, the reserved matters application should not be subject to the three documents outlined under 'Green Space and Landscaping.' This is because through the granting of planning permission, matters relating to ecology, management of the open spaces/woodland and visual impact have been considered and deemed to be in accordance with the adopted Development Plan.

Clearly, where a Reserved Matters application relates to landscaping matters, a landscaping strategy will be submitted to the Local Planning Authority with the application in accordance with their validation list at the time of making the application.

What improvements or modifications would you suggest?

The requirement for all applications to provide a landscape strategy containing a biodiversity assessment, visualisations of proposed landscaping a management of open space and woodland areas would not be proportionate to every application.

In this respect, in order to ensure that the policy requires information to support an application which is proportionate to the size and context of a scheme, policy WPT18 should be amended as follows:

"Green Space and Landscaping

All developments including the site allocations in this Plan should follow the best practice guidance set out in ~~much following~~ the Management and Development Guidelines in the Landscape Appraisal (reproduced in Appendix). ~~For the site allocations in this Plan, and for other large proposals (10 or more houses), a landscape strategy shall be submitted, including:~~

- ~~• a biodiversity assessment;~~
- ~~• an appraisal of both near and distant views of the proposed development from principal public vantage points, showing existing landscaping and that proposed to be established after 10 years;~~
- ~~• details of how areas to be retained as open space and/or woodland will be managed in the future.~~

If you are including additional pages these should be clearly labelled and referenced.

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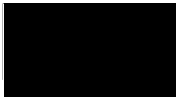
I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:



Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT19
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Pigeon agree with the policy and support the objective of preserving and enhancing the unique character of Woolpit through a high quality built environment, which recognises the rich context of the village.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed: 

Dated: 7th February 2020

(14) CLARKE & SIMPSON (*obo Various Landowners*)

Introduction

This Statement has been prepared on behalf of Clarke & Simpson and the Landowners of Land South of Old Stowmarket Road, Woolpit (SHELAA Ref: SS1156) in response to the current Regulation 16 Consultation in relation to the Woolpit Neighbourhood Plan.

The Landowners have previously submitted representations in response to the Regulation 14 Plan Consultation in April 2019.

The Landowners continue to support the preparation of the Woolpit Neighbourhood Plan, but continue to advocate a number of changes to ensure that the Plan can meet the basic conditions as set out in paragraph 8(2) of the Schedule 4B of the Town and County Planning Act 1990. In summary, to satisfy these basic conditions and put the Plan to a referendum, the Woolpit Neighbourhood Plan must:

- have regard to national policies and advice.
- have special regard to the desirability of preserving any listed building or its setting
- have special regard to the desirability of preserving or enhancing the character or appearance of any conservation area.

The Woolpit Neighbourhood Plan must also ensure that:

- the neighbourhood plan contributes to the achievement of sustainable development.
- the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area.
- the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.
- prescribed conditions are met and prescribed matters have been complied with.

The Landowners have requested the right to be heard before the Examiner at the Neighbourhood Plan Examination if such a hearing is required.

Section One: Respondents Details

All respondents should complete Part A. If you are an Agent please complete Part's A & B

Part A: Respondent	
Title / Name:	Eleanor Havers
Job Title (if applicable):	
Organisation / Company (if applicable):	Clarke & Simpson
Address:	Well Close Square Framlingham Suffolk
Postcode:	IP13 9DU
Tel No:	
E-mail:	

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	On behalf of various landowners
Address:	C/O Respondent
Postcode:	
Tel No:	
E-mail:	

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	3.1 & 3.2	Policy No.	
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners generally agree with and support the Vision and Objectives of the Plan which are on the whole considered to form a logical and reasonable response to the issues identified within the evidence base.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT1
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Woolpit clearly represents a pro-active community by accepting that it needs some sustainable growth to maintain its objective of being a modern village with a traditional feel where people want to live and work. This approach and the objective behind the policy is therefore supported.

However, it is considered that the policy needs to incorporate more flexibility to enable the Neighbourhood Plan to fully meet its own housing requirement as a minimum and effectively respond to any further needs arising from the emerging Local Plan.

At present, Policy WPT1 of the Neighbourhood Plan does not identify sufficient specific housing sites to fully meet the required level of housing need identified of 250-dwellings by 2036. The Policy as currently worded relies on windfall development to meet the shortfall but does not provide clear evidence of historic delivery to support this approach and does not allow for any other contingency in the event that any of the housing allocations do not deliver the quantum of new homes required or if circumstances change. This would leave the village vulnerable to future speculative unplanned development.

Whilst Policy WPT2 provides a mechanism for other housing proposals to be brought forward to meet identified needs where they meet certain criteria the two policies need to compliment one another and provide sufficient flexibility to ensure that the housing requirement of the Neighbourhood Plan can be met as a minimum.

What improvements or modifications would you suggest?

Firstly, the first sentence of the Policy should be re-worded to refer to the Plan providing for a minimum of 250 dwellings to be developed in Woolpit to ensure it is compliant with the NPPF.

The penultimate should also be amended to refer to a minimum of 40 dwellings being delivered through windfall development and sites which comply with Policy WPT 2 (subject to the amendments proposed).

Finally, text should be added to the end of the final paragraph to make reference to proposals complying with the requirements of Policy WPT2 (subject to the proposed amendments).

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT2
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Notwithstanding the landowners' comments in respect of Policy WPT1, this policy is generally supported in principle subject to some modifications to ensure it is more effective and consistent with Policy WPT15 and the underlying evidence base.

The Planning Practice Guidance sets out that '*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.*'

With respect to the second bullet point of the Policy, which refers to '*Not eliminating or encroaching on the settlement gaps...*' it is considered that the wording is too restrictive and is not consistent with policy WPT15 or with national planning policy in the NPPF, which is to not protect the countryside for its own sake. There is a material difference between encroaching and eliminating a settlement gap. The language is also more onerous than used in policy WPT15 which refers to '*maintaining physical and visual separation of settlements*'.

In any event, the highly restrictive approach set out is inconsistent with the evidence base for the Neighbourhood Plan. Section 6 of the Landscape Appraisal by Alison Farmer sets out that eleven peripheral areas were assessed for their ability to accommodate development. For land adjacent to the Brickfields Business Park, this is Area 9. It is within the settlement gap between Woolpit and Woolpit Heath. According to the Landscape Appraisal, this area can accommodate a mixture of commercial/employment and residential development with a strong landscape structure that relates to the edge of Woolpit.

The settlement gap between Woolpit and Woolpit Heath is extensive and the Landscape Appraisal considers that there is scope for a proportionate amount of new development to be accommodated on the eastern edge of the village, whilst maintaining a significant gap between the two settlements. Development in this area would mean less impact on Areas of Special Landscape Quality than other possible sites such as SS0673 and SS783.

Consequently, more flexibility in the policy should be provided in order to allow for development proposed in less sensitive gaps where a significant gap would be maintained between settlements where this would meet identified housing needs. Minor encroachment into gaps in less sensitive areas such as the proposed development on the eastern fringe of Woolpit could be accommodated in line with the Landscape Assessment recommendations (subject to our proposed amendments to WPT1). As such, the wording of the policy should be amended to reflect this.

What improvements or modifications would you suggest?

In order to ensure that the policy and Neighbourhood Plan as a whole is more effective in enabling new housing developments to meet local housing needs and is in accordance with the basic conditions the wording of the second bullet point of policy WPT2 should be amended as follows:

“~~Not eliminating or encroaching on~~ Maintaining suitable the gaps between the main village of Woolpit and one or more of the outlying settlements which maintains their distinctive identity and is consistent with the recommendations of the Landscape Appraisal.”

This will ensure that the Policy is consistent with Policy WPT15, the Landscape Appraisal and the NPPF and the PPG.

If you are including additional pages these should be clearly labelled and referenced.

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Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT3
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The site has received planning permission, so the landowners fully support its allocation in the Neighbourhood Plan.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT4
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The site has received planning permission, so the landowners support its allocation in the Neighbourhood Plan.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT5
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners support the allocation of this site in the draft Neighbourhood Plan, particularly as it will help to deliver the expansion to the Primary School which will ensure that there is infrastructure in place to support housing growth to meet local needs in line with the draft Neighbourhood Plan objectives.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT6
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners generally agree with the Policy and its approach in seeking to encourage the provision of a diverse mix of housing with a specific focus on 2 and 3 bedroom homes. It is considered that this approach is supported by the evidence in terms of housing needs.

However, it is suggested that the Policy should also give specific support to self-build/custom build development along with other forms of specialist housing within this policy too, either individually or as part of larger schemes provided they are well related to the existing settlement pattern. In particular, the emerging Joint Local Plan is looking to support self-build / custom build housing on larger development sites as part of the housing mix.

With regard to the general requirements of the policy these housing types could be accommodated on the eastern side of Woolpit to complement the existing allocations.

What improvements or modifications would you suggest?

The landowners suggest that the policy is modified to include an additional sentence supporting self-build/custom build development proposals where they are well related to the existing pattern of development and encouraging the inclusion of self-build plots as part of larger developments which include 10 or more homes or are on sites of 0.5 hectares or more in size.

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:	Dated: 7th February 2020
----------------	--

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT7
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners agree with the approach outlined in relation to affordable housing on rural exception sites as set out in the Policy.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT8
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The evidence to support the Neighbourhood Plan has identified an ageing population in Woolpit. By providing appropriate new housing for this sector, it may enable larger family homes to be released earlier onto the market. As such, the wording of this policy is supported.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

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Please indicate (tick) whether you wish to be notified of:

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The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT9
---------------	--	------------	------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners support and welcome the general emphasis of the policy in supporting new business development. However, it is considered that a number of modifications are required to the policy to ensure it is more effective and meets the basic conditions.

Paragraph 80 of the NPPF sets out that '*planning policies should help create conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*'. It is considered that as drafted, the Neighbourhood Plan does not fully achieve this or fulfil its own objectives in this regard and therefore does not meet the basic conditions.

As currently drafted, Policy WPT9 only makes provision for the redevelopment of brownfield sites for business/industrial use and the construction or redevelopment of existing employment sites. Whilst this is supported, it is considered that the policy should also explicitly extend this support to the expansion of existing employment sites subject to compliance with the policy criteria to pro-actively support economic growth in this area and address the barriers to business growth identified in paragraph 2.5.5.

Paragraph 5.1.1 sets out a number of important statements including the fact that '*a core goal of the plan is to both support and grow the existing thriving businesses, while also attracting new businesses at a sustainable rate*'. Furthermore, '*in order to mitigate the ageing population of Woolpit, it is important to bring in new businesses and commensurate employment opportunities as well as supporting the existing ones*'. These goals and objectives are in line with the NPPF, particularly paragraph 80 and are therefore supported.

Furthermore, the Babergh Mid Suffolk Joint Local Plan Preferred Options Consultation (September 2019) identified Woolpit as one of eight strategic employment areas in the District. The expansion of the business parks around Woolpit, including Brickfields is specifically supported under draft Policy SP05 of the emerging Local Plan. Woolpit fulfils an important role as an employment and local service centre for a considerably larger area, including the outlying hamlets of Woolpit Green, Woolpit Heath and Borley Green.

The expansion of the existing Brickfields Business Park off Old Stowmarket Road would be a highly suitable location for further employment development that would support objectives BO2 and BO3 of the Neighbourhood Plan and otherwise comply with the criteria set out in the policy.

Furthermore, whilst the landowners are generally supportive of the policy criteria set out, it is considered that the wording of the second bullet point, which refers to '*Not eliminating or encroaching on the settlement gaps...*' is considered to be too restrictive and is not consistent with Policy WPT15 or with national planning policy in the NPPF, which is to not protect the countryside for its own sake. There is a material difference between encroaching and eliminating a settlement gap. The language is also more onerous than used in Policy WPT15 which refers to '*maintaining physical and visual separation of settlements*'.

In any event, the highly restrictive approach set out in the policy is inconsistent with the evidence base for the Neighbourhood Plan. Section 6 of the Landscape Appraisal by Alison Farmer sets out that eleven peripheral areas were assessed for their ability to accommodate development. For land adjacent to the Brickfields Business Park, this is Area 9. It is within the settlement gap between Woolpit and Woolpit Heath. According to the Landscape Appraisal, this area can accommodate a mixture of commercial/employment and residential development with a strong landscape structure that relates to the edge of Woolpit.

The settlement gap between Woolpit and Woolpit Heath is extensive and the Landscape Appraisal considers that there is scope for a proportionate amount of new development to be accommodated on the eastern edge of the village, whilst maintaining a significant gap between the two settlements. Development in this area would mean less impact on Areas of Special Landscape Quality than other possible sites such as SS0673 and SS783.

Consequently, more flexibility in the policy should be provided in order to allow for the proportionate expansion of existing business parks where a significantly gap would be maintained between settlements. Minor encroachment into gaps in less sensitive areas adjoining existing business parks such Brickfields Business Park could be accommodated in line with the Landscape Assessment recommendations. As such, the wording of the policy should be amended to reflect this.

Finally, at the end of the draft policy, it refers to other proposals for new business/employment development where it will only be supported where there is a demonstrable need. This requirement is not consistent with Section 6 of the NPPF which is concerned with economic growth.

What improvements or modifications would you suggest?

Therefore, in order to secure employment opportunities for existing and new businesses, the policy should also be amended to support for the expansion of existing business parks subject to compliance with the criteria.

In this respect, in order to ensure that the policy is more effective in supporting appropriate business development in accordance with objectives BO2 and BO3 the wording of the second bullet point of policy WPT9 should be amended as follows:

~~“Not eliminating or encroaching on~~ Maintaining suitable the gaps between the main village of Woolpit and one or more of the outlying settlements which maintains their distinctive identity and is consistent with the recommendations of the Landscape Appraisal.”

Finally, the reference at the end of the draft policy to other proposals for new business/employment development only being supported where there is a demonstrable need should be removed from the Policy.

These modifications will ensure that the Policy is consistent with objectives BO2 and BO3, the emerging Local Plan and the NPPF and the PPG.

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT10
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Whilst the landowners do not object to the policy and support the underlying principle that business parks should be developed in accordance with a clear vision and management plan it is suggested that the title of the policy should be re-worded to more clearly relate to and express the substance of the policy. Moreover, it is important that any requirements in terms of community benefits sought from such developments are fully compliance with the tests in the CIL Regulations and paragraph 56 of the NPPF. In this regard, it is questionable whether a number of those requirements referred to under paragraph 5.2.3 are CIL compliant. It is considered that some of these may need to be deleted and additional text added to refer to these being subject to compliance with the CIL Regulations.

What improvements or modifications would you suggest?

To make the Policy clearer, the title of the Policy should be changed to more closely reflect the substance and objectives of the Policy. In addition, additional text should be added to refer to any community benefits being sought being subject to compliance with the CIL Regulations and paragraph 56 of the NPPF.

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	<input checked="" type="checkbox"/>
--	-------------------------------------

The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√
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Signed:	Dated: 7th February 2020
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Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT11
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners agree with the policy and support its intentions in supporting the vitality and viability of services and facilities within the village.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

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Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	6.1	Policy No.	
---------------	-----	------------	--

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

Notwithstanding our comments on Policy WPT15, the landowners otherwise agree with the overall objectives and approach of the chapter in seeking to protect and enhance the environment within the Parish and ensure that any development is brought forward in a sensitive manner.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT12
---------------	--	------------	-------

Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners agree with the draft Policy and its objective of safeguarding Local Green Space in accordance with paragraph 100 of the NPPF.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

Oral submissions need to be made to support the suggested amendments to specific policies.

Please indicate (tick) whether you wish to be notified of:

The publication of the recommendations of the Examiner	√
The final 'making' (adoption) of the Woolpit NDP by Mid Suffolk District Council	√

Signed:

Dated: 7th February 2020

Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT13
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners agree with the objectives of the draft policy and consider that it provides an appropriate balance in seeking to protect existing playing fields whilst incorporating appropriate criteria under which development could be supported where either they are no longer required or alternative replacement facilities of a higher standard can be provided.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT14
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners support this policy. Given the evidence undertaken to support this draft policy, the principle to direct development away from these sensitive areas is logical and in accordance with Section 15 of the NPPF.

What improvements or modifications would you suggest?

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Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT15
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners are supportive of the policy in principle and its objective of maintaining and protecting Settlement Gaps and Key Views. However, it is considered that the detailed wording and requirements of the policy are onerous in a number of respects and that modifications are required to ensure compliance with the basic conditions.

The policy comprises two parts: those areas identified on the policies map as a key view and those included within a settlement gap. The policy has been worded so that in order to preserve key views and the distinctive identities of the settlements, there should be no encroachment into the settlement gaps unless specific criteria are met.

The landowners are concerned that the wording of this policy sets a higher policy threshold for settlement gaps, which are locally identified designations, than it does for Policy WPT14, which concerns Areas of Special Landscape Character, and which have been informed by national guidance. This approach is disproportionate and inconsistent with the Planning Policy Guidance which sets out that policies contained within Neighbourhood Plans '*should be concise, precise and supported by appropriate evidence*'.

It is also unclear how the key views were designated. According to the Key View's Survey Analysis, residents were shown 12 key views and asked to prioritise them on the basis of which they considered necessary to be protected from future development. 73 people responded to the survey of a population of 1,995 (2011 Census). That is a response rate of only 3.7%. Furthermore, none of the 12 views were discounted, even those scoring below a mean score of 3. Given the timing of the key views survey, the Landscape Appraisal by Alison Farmer does not refer to these.

Reviewing Section 6 of the Landscape Appraisal by Alison Farmer, it sets out that eleven peripheral areas were assessed for their ability to accommodate development. For land adjacent to the Brickfields Business Park, this is Area 9. It is within the settlement gap between Woolpit and Woolpit Heath. According to the Landscape Appraisal, this area can accommodate a mixture of commercial/employment and residential development with a strong landscape structure that relates to the edge of Woolpit.

The settlement gap between Woolpit and Woolpit Heath is extensive and the Landscape Appraisal considers that there is scope for a proportionate amount of new development to be accommodated on the eastern edge of the village, whilst maintaining a significant gap between the two settlements. Development in this area would mean less impact on Areas of Special Landscape Quality than other possible sites such as SS0673 and SS783.

The Settlement Gap boundary is also drawn too tightly to Woolpit to allow any form of development within Area 9 despite the findings of the Landscape Appraisal and conversely should be drawn more tightly around Woolpit Heath since a significant gap is shown between the defined north western extent of the settlement and the south eastern extent of the area defined as forming the settlement gap.

As written, the draft wording of the policy is ambiguous and would be difficult to apply consistently and with confidence by the decision maker. Nonetheless, it could potentially be interpreted in a manner which is more restrictive towards development than development within Areas of Special Landscape Quality which would not be proportionate in reflecting the comparatively lesser significance of this designation.

What improvements or modifications would you suggest?

Changes to the wording of the Policy and the extent of the Settlement Gaps shown on the Policies Maps should therefore be made in order to ensure that they are less restrictive towards proportionate development on the edge of the settlement where appropriate physical and visual separation is maintained.

If you are including additional pages these should be clearly labelled and referenced.

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Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT16
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The connection of footpaths and cycleways is an important means of accessing the wider countryside and this draft policy supports the sustainability objectives set out within the Neighbourhood Plan.

The proposed scheme put forward with these comments as shown on the attached plan has the ability to extend the existing Public Right of Way network on the eastern side of Woolpit and improve access into the wider countryside in accordance with the Policy.

What improvements or modifications would you suggest?

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Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.	7.1	Policy No.	
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners generally support the objectives set out in Chapter 7 subject to specific comments on Policies WPT18 and 19 as set out below.

What improvements or modifications would you suggest?

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Section Two: Your representation(s)

To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)

Paragraph No.		Policy No.	WPT18
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners generally agree with and support the Policy and the general intention to ensure new development is well-designed and contributes positively to Woolpit and its character. This is supported by Chapter 12 of the NPPF which is clear 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.

However, the landowners would question whether a number of the specific requirements of the policy are strictly necessary given that the requirements of this draft policy are contained in best practice design guidance. Furthermore, the requirement for site allocations to provide a landscape strategy containing a biodiversity assessment, visualisations of proposed landscaping and management of open space and woodland areas is a validation requirement for planning applications of this size by the Local Planning Authority.

What improvements or modifications would you suggest?

The requirement for site allocations to provide a landscape strategy containing a biodiversity assessment, visualisations of proposed landscaping a management of open space and woodland areas is a validation requirement for planning applications of this size by the Local Planning Authority.

In this respect, in order to ensure that the policy does not duplicate validation requirements of the Local Planning Authority and that supporting documentation is proportionate to the size and context of a scheme, policy WPT18 should be amended as follows:

“Green Space and Landscaping

All developments including the site allocations in this Plan should follow the best practice guidance set out in much following the Management and Development Guidelines in the Landscape Appraisal (reproduced in Appendix). For the site allocations in this Plan, and for other large proposals (10 or more houses), a landscape strategy shall be submitted, including:

- ~~a biodiversity assessment;~~
- ~~an appraisal of both near and distant views of the proposed development from principal public vantage points, showing existing landscaping and that proposed to be established after 10 years;~~
- ~~details of how areas to be retained as open space and/or woodland will be managed in the future.~~

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Section Two: Your representation(s)

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Paragraph No.		Policy No.	WPT19
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Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)

Support Support with modifications Oppose Have Comments

Please give details of your reasons for support / opposition, or make other comments here:

The landowners are supportive of the policy and the objective in ensuring that new developments are well-designed and respect the local character of Woolpit. This approach fully accords with the Chapter 12 of the NPPF and the growing importance being placed by the Government on new development being well-designed.

The draft policy, is therefore consistent with local and national planning policy on this matter.

What improvements or modifications would you suggest?

If you are including additional pages these should be clearly labelled and referenced.

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