

Boxford Neighbourhood Development Plan 2021 - 2037

Independent Examination

First published: 16 May 2022

Last updated: 16 May 2022

Introduction

This document will provide a record of all 'general' correspondence between the Examiner (Janet Cheesley), the Parish Council (the Qualifying Body or 'QB'), and Babergh District Council during the examination of the Boxford Neighbourhood Plan. It will also act as a record of matters raised and responses to these.

As required, specific documents will continue to be published on the district councils Bentley NP webpage: www.babergh.gov.uk/BoxfordNP

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

- 1. E from Examiner dated 9 May 2022: Examination start, procedures**
- 2. E to Examiner from NP Steering Group dated 10 May 2022: Copy of SEA Scoping Report responses from Historic England and Natural England**

1. E from Examiner dated 9 May 2022: Examination start, procedures and initial questions

Dated: 9 May 2022
From: Janet Cheesley
To: Paul Bryant (BMSDC), Hugh Phillips & David Burden (Co-Chairs, NP Steering Group), Andrea Long (Boxford NP Consultant)
Subject: Boxford NP Examination
Attached: [npiers-planning-guidance-to-service-users-and-examiners-rics.pdf](#)

Dear ...

I am writing to set out how I intend to undertake the examination of the Boxford Neighbourhood Plan. My role is to determine whether the Plan meets the Basic Conditions and other legal requirements. I intend to ensure that the Parish Council feels part of the process. As such, I will copy the Parish Council into all correspondence, apart from contractual matters that are dealt with direct with the local planning authority. Likewise, please can you ensure that any correspondence from you is copied to the other party. This will ensure fairness and transparency throughout the process.

Paul will be my main point of contact. Once I have read all the papers, I may ask for any missing documents or seek clarification on some matters. It may be appropriate for me to seek clarification on matters from the Parish Council. I must emphasise very strongly that this does not mean that I will accept new evidence. In the interest of fairness to other parties, I cannot accept new evidence other than in exceptional circumstances. If the Parish Council is unsure as to whether information it is submitting may constitute new evidence, may I suggest that you send it to Paul in the first instance for an opinion.

It may be that there is very little correspondence from me during the examination. I will endeavour to keep you both up to date on the progress of the examination. The default is for an examination to be conducted without a hearing. If I feel one is necessary, I will inform you both as early as possible, but this is likely to be near the end of the examination process. If I do intend to hold a hearing, I will inform you of the procedure at that time.

I will issue a draft report for fact checking by both parties. I will ask you both to check my report for factual errors such as dates, sequence of events, names and so on that might need to be corrected. The report will be confidential and must not be presented to a public meeting. I must emphasise that this is not an opportunity to make comments on the report other than those that relate to factual errors. In particular, I will not be inviting, and will not accept, comment on any suggested modifications. The draft report will only be published as the final version if there are no factual errors found and if there is no other reason, such as a sudden change in national policy, that could be significant to my recommendations. I will endeavour to issue my final report shortly after the fact checking stage.

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

Cont./

I confirm that I have received the documents from Babergh District Council, including the Regulation 16 representations. I understand that Paul has given the Parish Council the opportunity to comment on these representations. I must emphasise that the Parish Council is not obliged to make comments and I am not inviting new evidence. I will take any comments into consideration when I receive them, which I understand will be by 20 May.

Please can I have a link to the Conservation Area Appraisal. **[MSDC note: See below]**

Please can I see any responses from statutory authorities to the SEA Scoping Report (October 2021). **[MSDC note: See next page]**

Please can this email be placed on the District Council's website. If there is future correspondence regarding matters of clarification, I will ask for those to be similarly made available.

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

Regards

Janet Cheesley

* * * * *

Dated: 9 May 2022
From: Paul Bryant (BMSDC),
To: Janet Cheesley
cc: *Hugh Phillips, David Burden, Andrea Long*

Dear Janet, (All)

Thank you for e-mail [above]. I will update our website when I return from leave next week.

In the meantime, here with a link to the Boxford Conservation Area Appraisal:
<https://www.babergh.gov.uk/assets/Conservation-Area-Appraisals/Boxford2011CAA.pdf>

I will ask Andrea et.al to respond to your question about the SEA Scoping Report.

Kind regards

Paul Bryant
N'hood Planning Officer | BMSDC

2. E to Examiner from NP Steering Group dated 10 May 2022: Copy of SEA Scoping Report responses from Historic England and Natural England

Dated: 10 May 2022
From: Andrea Long
To: Janet Cheesley, Paul Bryant (BMSDC),
cc: *Boxford PC Clerk and Boxford NPSG Members*

Please find attached the responses from Historic England and Natural England to the SEA Scoping report produced by AECOM in October 2021. A response was never received from the Environment Agency.

Best Wishes
Andrea

Copy of Historic England response to SEA Scoping Report:



Cheryl Beattie
Principal Environmental Planner
Aecom

Our ref: PL00753147

By Email

29 November 2021

Dear Cheryl,

Ref: Boxford Scoping Report

Thank you for your email requesting a scoping opinion for the Boxford Neighbourhood Plan SEA.

We would refer you to the advice in Historic England Advice Note 8: Sustainability Appraisal and Strategic Environmental Assessment, which we are pleased to note is included as a reference in the scoping report. This advice sets out the historic environment factors which need to be considered during the Strategic Environmental Assessment or Sustainability Appraisal process, and our recommendations for information you should include.

We would also refer you to Historic England Advice Note 3: Site Allocations and Local Plans. This advice note sets out what we consider to be a robust process for assessing the potential impact of site allocations on any relevant heritage assets. In particular we would highlight the Site Selection Methodology set out on Page 5. This is similar to the methodology used to assess potential impacts on the setting of heritage assets (Good Practice Advice 3) but is focused specifically on the site allocation process and is therefore a more appropriate methodology to employ in this context.

We would expect a proportionate assessment based on this methodology to be undertaken by appropriately qualified heritage professionals for any site allocation where there was a potential impact, either positive or negative, on a heritage asset, and the SEA consequently to advise on how any harm should be minimised or mitigated. Advice Note 3 can be found here: <https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>

Having reviewed the information in this scoping report and the SEA framework of objectives and supporting questions, we consider that the evidence base is comprehensive, incorporating reference to the conservation area appraisal for Boxford as well as up to date Suffolk HER data for the study area.

Historic England strongly advises that the conservation and archaeological staff of the relevant local planning authorities are closely involved throughout the preparation of the plan and its assessment. They are best placed to advise on; local historic environment issues and priorities, including access to data held in the Historic Environment Record (HER), which should be consulted as part of the SEA process. In addition, they will be able to advise how any site allocation, policy or proposal can be tailored to minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

To avoid any doubt, this does not reflect our obligation to provide further advice on later stages of the SEA process and, potentially, object to specific proposals which may subsequently arise (either as a result of this consultation or in later versions of the plan/guidance) where we consider that, despite the SEA, these would have an adverse effect upon the environment.

Yours sincerely,

Kind regards,

Edward James
Historic Places Adviser - East of England



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU
Telephone 01223 582749
HistoricEngland.org.uk



Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation. ¶

Date: 29 November 2021
Our ref: 372785
Your ref: Boxford Neighbourhood Plan

Cheryl Beattie
AECOM



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

T 0300 060 3900

Dear Cheryl Beattie

Boxford Neighbourhood Plan SEA Scoping Report consultation

Thank you for your consultation on the above dated 25 October 2021

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 has no specific comments to make on this neighbourhood plan SEA scoping.

However, we refer you to the advice in 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

Jacqui Salt
Consultations Team

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

Natural environment information sources

The [Magic](#)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](#)⁵ website and also from the [LandIS website](#)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.

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.

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).

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/habsan_dspeciesimportance.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/>

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

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

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

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/>