

Chelmondiston Neighbourhood Development Plan**Submission Consultation Responses**

On the 23 January 2021, Chelmondiston Parish Council (the 'qualifying body') submitted their Neighbourhood Development Plan to Babergh District Council for formal consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

The consultation period ran from Monday 15 February until Friday 9 April 2021.

Eleven organisations / individuals submitted written representations. They are listed below, and copies of their representation are attached. Also included is late representation from St Andrew's Church Council.

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The following has also been accepted as a late representation

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(1) Cllr McLaren (Stour Ward)

From: Mary McLaren (Cllr) <Mary.McLaren@babergh.gov.uk>

Sent: 11 February 2021

To: BMSDC Community Planning <communityplanning@baberghmidsuffolk.gov.uk>

Subject: RE: CONSULTATION: Reg 16 Chelmondiston N'hood Plan (Babergh)

Dear Paul

I have no comments to make on this plan.

Kind Regards

Mary

Mary McLaren

Babergh Councillor for Stour Ward

(2) Suffolk County Council

Date: 09 March 2021
Enquiries to: Georgia Teague
Email: georgia.teague@suffolk.gov.uk



Babergh District Council
Endeavour House,
8 Russell Road,
Ipswich
IP1 2BX

Dear Mr Hobbs,

Submission Consultation version of the Chelmondiston Neighbourhood Plan

Thank you for consulting Suffolk County Council (SCC) on the Submission Consultation version of the Chelmondiston Neighbourhood Plan.

SCC welcome the changes made to the plan in response to comments made at the Reg. 14 pre-submission consultation stage.

As this is the submission draft of the Plan the County Council response will focus on matters related to the Basic Conditions the plan needs to meet to proceed to referendum. These are set out in paragraph 8(2) Schedule 4B to the Town and Country Planning Act. The basic conditions are:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
- b) the making of the neighbourhood plan contributes to the achievement of sustainable development.
- c) the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- d) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

Where amendments to the plan are suggested added text will be in *italics* and deleted text will be in ~~strikethrough~~.

Health and Wellbeing

The Chelmondiston and Pin Mill neighbourhood plan states in paragraph 3.14 that the 'average age of the population is slightly above the Suffolk average' (which is 50 years old from the 2011 census, compared to the Suffolk average of 42 years), and that 28% of the parish residents are aged 65 or above and makes up approximately half of the 32% lone person households (as stated in paragraph 3.15).

The plan acknowledges that there is an ageing population, and yet does not make any provisions to meet the needs of these residents.

During the Pre-Submission Consultation, SCC recommended that the neighbourhood plan should include in Policy 1 that there would be support for homes that are built to be adaptable and accessible, in order to meet the needs of an ageing population, without excluding the needs and desires of younger buyers and small families.

The neighbourhood plan acknowledges that there is a need for a 'sustainable mix of homes' and to tackle an aging population, however does not include policy in this plan that sets out housing mix. The Consultation Statement states that housing mix is 'dealt with by other development plan policy'. While SCC recognise it is not strictly necessary, we would recommend the plan supports the inclusion of homes built to the M4(2) standard, as this is not currently within an adopted development plan in Babergh.

Therefore, the following wording is recommended for either Policy CP1 New Housing Development within Settlement Boundaries, or Policy CP2 Design Principles:

“Support will be given for smaller 2 and 3 bedroomed homes that are adaptable (meaning built to optional M4(2) standards), in order to meet the needs of the aging population, without excluding the needs of the younger buyers and families.”

This would help the neighbourhood plan to meet their Objective 1, which states 'To help manage future housing growth and to meet local housing needs within the neighbourhood area' (underline added for emphasis).

This addition wording to policy would help the neighbourhood plan to meet Basic Condition a), as the NPPF (2019) states in footnote 46 "Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties". This addition will help the neighbourhood plan to meet the needs of a wider range of groups including older and vulnerable people, reflecting paragraph 61 of the NPPF.

Transport

Within the Consultation Statement, the neighbourhood planning group disagree with the County Council's suggestion that development should provide a level of on-street parking in Policy 2, stating: "This is a highway matter that can be dealt with as part of the development management process. No change."

SCC is requesting that on-street parking provisions ought to be included in new developments, as inconsiderate street parking from non-residents, or households with higher than the average number vehicles, can cause danger and obstructions to road users and pedestrians. Having well designed and integrated on-street parking can help to reduce inconsiderate parking, which can restrict access for emergency services and refuse collections, and parking on pavements that hinder pedestrian access and safety. While this does need to be addressed at the development management stage, this is most likely to be achieved with a robust policy.

In order to meet part a) of the Basic Conditions (to be in conformity with paragraph 91 of the NPPF, by creating healthy, inclusive and safe places for all), the Chelmondiston and Pin Mill Neighbourhood Plan should be amended to follow the direction regarding on-street parking as stated in the Suffolk Guidance for Parking 2019¹.

Therefore, it is recommended that part m of Policy CP2 Design Principles is amended as follows:

“(m) It has appropriate car parking in accordance with the County Council’s adopted standards and, where possible, this is sited so that it is unobtrusive and does not dominate the street scene the visual impact of car parking should be minimised; *with a proportion of well-designed on-street parking included in development designs.*”

General

Typo: Policy CP5 is referred to as “CNDP5” on p30 in paragraph 5.15

Page 35: Map 6 is labelled as ‘Location of Community Facilities (Policy CP6)’. However this map is linked with Policy CP8, not CP6.

There is inconsistency with supporting maps in the plan. Some of the maps are placed in the plan in close proximity to the policies of which they refer to (Map 6 which shows the location of community facilities is following Policy CP8, which sets out the protection and enhancement of community facilities), and some are located in the Appendices.

It is recommended to have Map 9 showing locations of Local Green Spaces following Policy 5 as part of the supporting text, and Map 10 located following Policy 6, and so on. Having this consistency with maps would make the neighbourhood plan easier to read and understand, as visual context is provided easily, without having to go looking for it

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

Yours sincerely,

Georgia Teague
Planning Officer
Growth, Highways, and Infrastructure

¹ <https://www.suffolk.gov.uk/assets/planning-waste-and-environment/planning-and-development-advice/Suffolk-Guidance-for-Parking-2019-Adopted-by-SCC.pdf>

(3) Natural England

Date: 22 February 2021
Our ref: 343376
Your ref: Chelmondiston Neighbourhood Plan

Paul Bryant
Neighbourhood Planning Officer
paul.bryant@babberghmidsuffolk.gov.uk

BY EMAIL ONLY



Hornbeam House
Crewe Business Park
Electra Way
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Cheshire
CW1 6GJ

T 0300 060 3900

Dear Mr Bryant

Chelmondiston Neighbourhood Plan Regulation 16

Thank you for your consultation on the above dated 11 February 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 does not have any specific comments on the Chelmondiston Neighbourhood Plan Regulation 16 neighbourhood plan.

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

Yours sincerely

Jacqui Salt
Consultations Team

(4) Historic England



Historic England

Mr Paul Bryant
Babergh & Mid Suffolk District Councils
Endeavor House
8 Russell Road
Ipswich
Suffolk
IP7 6SJ

Our ref: PL00365804

8 April 2021

Dear Mr Bryant

Ref: Chelmondiston Neighbourhood Plan Regulation 16 Consultation

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

We welcome the production of this neighbourhood plan, and are especially pleased to see that our advice at Regulation 14 stage has been taken into account regarding both policy wording and the inclusion of an appendix containing detail of non-designated heritage assets. Overall, we consider that this plan contains a positive strategy for the historic environment and meets the Basic Conditions in this regard.

We would refer you also to any comments made at Regulation 14 stage, as well for general advice to our detailed guidance on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>.

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 plan, 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





Consultation Response Form

Chelmondiston Neighbourhood Development Plan 2020 - 2036

The Neighbourhood Planning (General) Regulations 2012
Regulation 16 (as amended)

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 Limited
Address:	Thorpe Wood House, Thorpe Wood, Peterborough
Postcode:	PE3 6WT
Tel No:	
E-mail:	spatialplanning@anglianwater.co.uk

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.	Chelpin Plan Objectives	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:

Reference is made to the plan ensuring that appropriate levels of infrastructure including sewerage and sewage treatment which has been included in response to comments from the Environment Agency.

Anglian Water supports this objective as amended.

(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 Examiners Report)	X
The final 'making' (adoption) of the Chelpin Plan by Babergh District Council	X

Signed: Stewart Patience

Dated: 11th February 2021

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.	CP2
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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:

Reference is made to sustainable drainage systems (SuDS) to manage surface water run-off from new development proposals which has been included at the request of Suffolk County Council as Lead Local Flood Authority.

Anglian Water fully support the requirement for applicants to include the provision of Sustainable Drainage Systems (SuDS). The use of SuDS would help to reduce the risk of surface water and sewer flooding and which can have wider benefits e.g. water quality enhancement.

(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.

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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 ...

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 Examiners Report)	X
The final 'making' (adoption) of the Chelplin Plan by Babergh District Council	X

Signed: Stewart Patience

Dated: 11th February 2021

(6) Marine Management Organisation

E from: Lucinda Robinson
cc: SM-MMP-Consultations (MMO)
Rec'd: 7 April 2021
Subject: Reg 16 Chelmondiston N'hood Plan (Babergh) - Response
Attach: 210407_Chelmondiston_NP_LR

Dear Sir/Madam,

Many thanks for giving us the opportunity to respond to the Chelmondiston Neighbourhood Development Plan Chelpin Plan 2020-2036.

Please find attached our response letter. The first page contains general marine planning information and legal responsibilities. Pages two to four briefly details specific consideration for the Neighbourhood Plan.

In addition to this, if you would like further information on the South East Marine Plans, I would be happy to provide a meeting covering general information on marine planning, monitoring and implementation of the South east marine plans, tools for implementation and an update on the development of marine plans in England.

Please do not hesitate to get in touch if you have any questions.

Kind regards,

Lucinda

Lucinda Robinson, MSc | Marine Planner | Marine Management Organisation

📍 [Nobel House | 17 Smith Square | London | SW1P 3JR]

✉️ lucinda.robinson@marinemanagement.org.uk | ☎️ [02087200083] | [07464522334]

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7/04/21

Dear Sir/Madam,

MMO Marine Planning and Marine Licensing response to Chelmondiston Neighbourhood Development Plan Chelplin Plan 2020-2036

Thank you for giving us the opportunity to comment on the Neighbourhood Plan. The comments provided within this letter refer to the document entitled Chelmondiston Neighbourhood Development Plan Chelplin Plan 2020-2036.

As the marine planning authority for England, the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent the Marine Plan boundaries extend up to the level of the mean high water spring tides mark (which includes the tidal extent of any rivers), there will be an overlap with terrestrial plans which generally extend to the mean low water springs mark.

Marine plans will inform and guide decision makers on development in marine and coastal areas. Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure the necessary considerations are included. In the case of the document stated above, the [draft South East Marine Plan](#) is of relevance. The draft plan was published for public consultation on 14th January 2020, at which point it became material for consideration. The South East Marine Plans cover the area from Landguard Point in Felixstowe to Samphire Hoe near Dover, including the tidal extent of any rivers within this area.

All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act 2009 and any relevant adopted Marine Plan, in this case the [draft South East Marine Plan](#), or the [UK Marine Policy Statement](#) (MPS) unless relevant considerations indicate

otherwise. Local authorities may also wish to refer to our [online guidance](#), [Explore Marine Plans](#) and the [Planning Advisory Service soundness self-assessment checklist](#).

Marine Licensing

The Marine and Coastal Access Act 2009 states that a marine licence is required for certain activities carried out within the [UK marine area](#).

The MMO is responsible for [marine licensing](#) in English waters and for Northern Ireland offshore waters.

The marine licensing team are responsible for consenting and regulating any activity that occurs “below mean high water springs” level that would require a marine licence. These activities can range from mooring private jetties to nuclear power plants and offshore windfarms.

Summary notes

Please see below suggested policies from the Draft South East Inshore Marine Plans that we feel are most relevant to your neighbourhood plan.

These suggested policies have been identified based on the activities and content within the document entitled above. They are provided only as a recommendation and we would suggest your own interpretation of the South East Marine Plans is completed:

- **SE-INF-1:** Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported.
- **SE-INF-2:** (1) Proposals for alternative development at existing safeguarded landing facilities will not be supported.
(2) Proposals adjacent and opposite existing safeguarded landing facilities must demonstrate that they avoid significant adverse impacts on existing safeguarded landing facilities.
(3) Proposals for alternative development at existing landing facilities (excluding safeguarded sites) should not be supported unless that facility is no longer viable or capable of being made viable for waterborne transport.
(4) Proposals adjacent and opposite existing landing facilities (excluding safeguarded sites) should demonstrate that they will in order of preference:
 - a) avoid
 - b) minimise
 - c) mitigate significant adverse impacts on existing landing facilities
- **SE-HER-1:** Proposals that demonstrate they will conserve and enhance elements contributing to the significance of heritage assets will be supported. Proposals unable to conserve and enhance elements contributing to the significance of heritage assets will only be supported if they demonstrate that they will, in order of preference:
 - a) avoid
 - b) minimise
 - c) mitigate harm to those elements contributing to the significance of heritage

assets

d) if it is not possible to mitigate, then public benefits for proceeding with the proposal must outweigh the harm to the significance of heritage assets.

- **SE-SCP-1:** Proposals that may have a significant adverse impact upon the seascapes and landscapes of an area should only be supported if they demonstrate that they will, in order of preference:
 - a) avoid
 - b) minimise
 - c) mitigate
 - d) if it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh significant adverse impacts to the seascapes and landscapes of an area. Where possible, proposals should demonstrate that they have considered how highly the seascapes and landscapes of an area is valued, its quality, and the areas potential for change. In addition, the scale and design of the proposal should be compatible with its surroundings, and not have a significant adverse impact on the seascapes and landscapes of an area.
- **SE-EMP-1:** Proposals that result in a net increase to marine related employment will be supported, particularly where they meet one or more of the following:
 - i) create employment in areas identified as the most deprived, or
 - ii) support and are aligned with local skills strategies and the skills available in and adjacent to the south east inshore marine plan area, or
 - iii) create a diversity of opportunities, or
 - iv) implement new technologies.
- **SE-CC-1:** Proposals which enhance habitats that provide flood defence or carbon sequestration will be supported. Proposals that may have significant adverse impacts on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference:
 - a) avoid
 - b) minimise
 - c) mitigate significant adverse impacts, or, as a last resort,
 - d) compensate and deliver environmental net gains in line with and where required in current legislation.
- **SE-CC-2:** Proposals in the south east marine plan area should demonstrate for the lifetime of the project that they are resilient to the impacts of climate change and coastal change.
- **SE-CC-3:** Proposals in the south east marine plan area and adjacent marine plan areas that are likely to have significant adverse impacts on coastal change should not be supported. Proposals that may have significant adverse impacts on climate change adaptation measures outside of the proposed project area must demonstrate that they will, in order of preference:
 - a) avoid
 - b) minimise

c) mitigate the significant adverse impacts upon these climate change adaptation measures.

- **SE-ACC-1:** Proposals demonstrating appropriate enhanced and inclusive public access to and within the marine area, and also demonstrate the future provision of services for tourism and recreation activities, will be supported. Where appropriate and inclusive enhanced public access cannot be provided, proposals should demonstrate that they will, in order of preference:
 - a) avoid
 - b) minimise
 - c) mitigate significant adverse impacts on public access.
- **SE-TR-1:** Proposals that promote or facilitate sustainable tourism and recreation activities, or that create appropriate opportunities to expand or diversify the current use of facilities, should be supported. Where proposals may have a significant adverse impact on tourism and recreation activities they must demonstrate that they will, in order of preference:
 - a) avoid
 - b) minimise
 - c) mitigate that impact.
- **SE-BIO-1:** Proposals that enhance the distribution of priority habitats and priority species will be supported. Proposals that may have significant adverse impacts on the distribution of priority habitats and priority species must demonstrate that they will, in order of preference:
 - a) avoid
 - b) minimise
 - c) mitigate
 - d) compensate for significant adverse impacts.
- **SE-BIO-2:** Proposals that enhance or facilitate native species or habitat adaptation or connectivity, or native species migration will be supported. Proposals that may cause significant adverse impacts on native species or habitat adaptation or connectivity, or native species migration must demonstrate that they will, in order of preference:
 - a) avoid
 - b) minimise
 - c) mitigate significant adverse impacts
 - d) compensate for significant adverse impacts.
- **SE-BIO-3:** Proposals that deliver environmental net gain for coastal habitats where important in their own right and/or for ecosystem functioning and provision of ecosystem services will be supported. Proposals must take account of the space required for coastal habitats where important in their own right and/or for ecosystem functioning and provision of ecosystem services, and demonstrate that they will in order of preference:
 - a) avoid
 - b) minimise

- c) mitigate
- d) compensate for net habitat loss and deliver environmental net gain.
- **SE-NG-1:** Proposals should deliver environmental net gain for marine or coastal natural capital assets and services. Proposals that may have significant adverse impacts on marine and coastal natural capital assets and services must demonstrate that they will, in order of preference:
 - a) avoid
 - b) minimise
 - c) mitigate
 - d) compensate for significant adverse impacts and deliver environmental net gain.

Further points to note

Page 17: You refer to the south east marine plans, We would also recommend you mention the SE marine plan is due to be adopted in 2021, so the plan will go from its current state of “material for consideration” to having the full weight of an adopted plan. Under the Marine and Coastal Access Act, any authorisation or enforcement decisions must be made in accordance with the marine plan. Any other decisions which may impact the marine area must have regard to the marine plan.

Please also find a link to the [draft South East Marine Plan](#) here.

The [East Inshore and East Offshore Marine Plans](#) were adopted in 2014, and the [South Inshore and Offshore Marine Plan](#) was adopted in 2018, which cover the adjacent areas. Please ensure correct reference to the South East, South, and East marine plan areas where included.

A South East Marine Plan Implementation Training session in March 2020. This provided an introduction to marine planning, and I would suggest re-visiting the material in our recorded [webinar](#) which supported the Consultation of the draft South East Marine Plan. Please let me know if you have any questions regarding implementation of the marine plan.

As previously stated, these are recommendations and we suggest that your own interpretation of the South East Marine Plan is completed. We would also recommend you consult the following references for further information:

[Draft South East Marine Plan](#) and [Explore Marine Plans](#).

Yours sincerely,

Lucinda Robinson

Marine Planning Officer (South East)

(7) Water Management Alliance

Sent: 26 February 2021

To: BMSDC Community Planning <communityplanning@baberghmidsuffolk.gov.uk>

Subject: RE: CONSULTATION: Reg 16 Chelmondiston N'hood Plan (Babergh) - Our Ref: 21_03928_P

Our Ref: 21_03928_P

Good Morning,

The parish of Chelmondiston is located outside the Internal Drainage District of East Suffolk IDB and therefore the Board has no comments to make.

Kind Regards,

Jess

Jessica Nobbs

Senior Sustainable Development Officer

e: planning@wlma.org.uk



Water Management Alliance

Kettlewell House, Austin Fields Industrial Estate, King's Lynn, Norfolk, PE30 1PH, UK

t: +44 (0)1553 819600 | f: +44 (0)1553 819639 | e: info@wlma.org.uk | www.wlma.org.uk

Membership: [Broads Drainage Board](#), [East Suffolk Drainage Board](#), [King's Lynn Drainage Board](#), [Norfolk Rivers Drainage Board](#), [South Holland Drainage Board](#) and [Waveney, Lower Yare and Lothingland IDB](#).

In association with [Pevensey and Cuckmere Water Level Management Board](#), [Upper Medway IDB](#) and [Lower Medway IDB](#).

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Consultation Response Form

Chelmondiston Neighbourhood Development Plan 2020 - 2036

The Neighbourhood Planning (General) Regulations 2012
Regulation 16 (as amended)

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 Jacob Devenney
Job Title (if applicable):	Planning and Biodiversity Adviser
Organisation / Company (if applicable):	Suffolk Wildlife Trust
Address:	Brooke House Ashbocking Ipswich
Postcode:	IP6 9JY
Tel No:	
E-mail:	jacob.devenney@suffolkwildlifetrust.org

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.	5.17	Policy No.	CP7
---------------	------	------------	-----

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:

We are pleased to see that the Chelmondiston Neighbourhood Plan recognises the importance of biodiversity and proposes measures to protect and enhance it. As stated within the National Planning Policy Framework (2019), development should seek to provide biodiversity net gain, so it is encouraging that this is recognised within the Parish. We are also pleased to see reference to the mitigation hierarchy, as well as protection of designated sites within the Policy CP7. However, we believe that the plan can be expanded to further safeguard species and habitats from fragmentation caused by development.

What improvements or modifications would you suggest?

We are pleased to see that reference has been made to the two County Wildlife Sites, Bylam Wood and Broomfield Covert, within paragraph number 5.17. County Wildlife Sites are non-statutory designation sites recognised within the National Planning Policy Framework as 'Locally Designated Sites'. Therefore, we believe that the County Wildlife Sites should be referenced within Policy CP7, to help ensure that the objectives of maximising the Parish's biodiversity are met.

Policy CP7 makes brief mention of restoring and repairing fragmented biodiversity networks. The policy should be expanded to encompass landscape scale ecological networks. We believe that the concept of an ecological network can include the areas of woodland that run along the shoreline of the Orwell estuary, as well as the area of woodland called 'Dawns Covert'. In accordance with the NPPF, ecological networks should be established to ensure that they are more resilient to current and future pressures. Therefore, protecting and enhancing these should be within this policy and ensure this ecological network is maintained. We would be happy to provide additional advice if required.

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 Examiners Report)	✓
The final 'making' (adoption) of the Chelpin Plan by Babergh District Council	✓

Signed: Jacob Devenney

Dated: 7th April 2021

(9) National Grid (via Avison Young)

**AVISON
YOUNG**

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Our Ref: MV/ 15B901605

07 April 2021



Babergh and Mid Suffolk District Council
communityplanning@baberghmidsuffolk.gov.uk
via email only

Dear Sir / Madam

**Chelmondiston Neighbourhood Plan Regulation 16 Consultation
February – April 2021
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:

Avison Young (UK) Limited registered in England and Wales number 6382509.
Registered office, 3 Brindleyplace, Birmingham B1 2JB. Regulated by RICS



- 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>

(10) Boyer Planning (obo Vistry Group)



Consultation Response Form

Chelmondiston Neighbourhood Development Plan 2020 - 2036

The Neighbourhood Planning (General) Regulations 2012 Regulation 16 (as amended)

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:	
Job Title (if applicable):	
Organisation / Company (if applicable):	Vistry Group
Address:	
Postcode:	
Tel No:	
E-mail:	

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	Libby Hindle, Boyer
Address:	15 De Grey Square, De Grey Road, Colchester
Postcode:	CO4 5YQ
Tel No:	
E-mail:	libbyhindle@boyerplanning.co.uk

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.	Please see separate statement.	Policy No.	Please see separate statement.
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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 see separate statement.

(Continue on separate sheet if necessary)

What improvements or modifications would you suggest?

Please see separate statement.

(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 ...

Chelmondiston provides a sustainable location for new development and is capable of accommodating appropriate level of growth, in order to provide for the identified housing need of the local community throughout the plan period. However, the proposed approach of the draft CNP fails to plan for sufficient new growth over the plan period to meet even the minimum housing requirement. For this reason, the draft CNP, as currently drafted, does not accord with provisions of the NPPF (2019) and would not contribute to the achievement of sustainable development, and does not meet Basic Conditions a) or d).

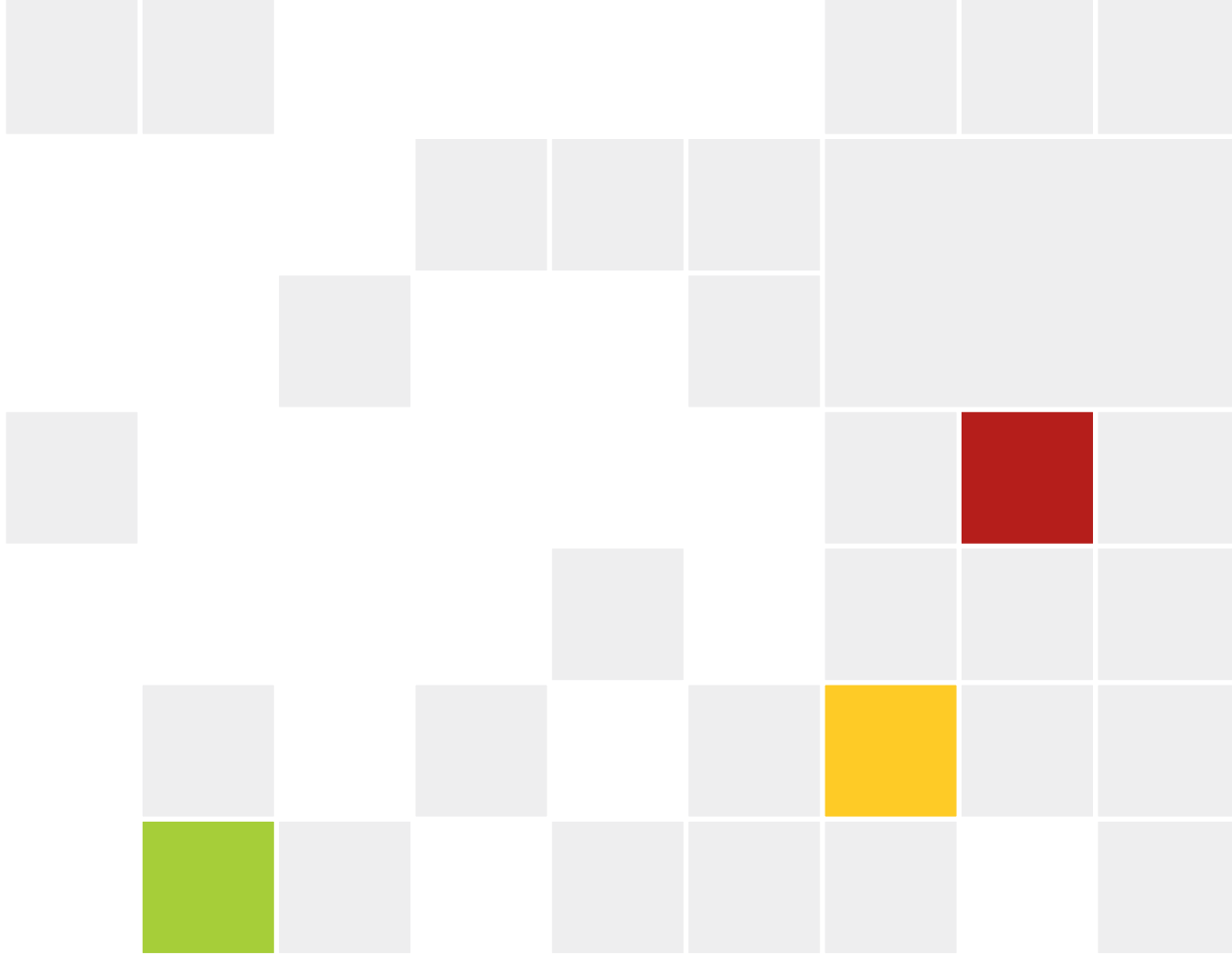
Please see separate statement for full representations.

(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 Examiners Report)	Y
The final 'making' (adoption) of the Chelpin Plan by Babergh District Council	Y

Signed: L Hindle	Dated: 09.04.2021
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Land at Hill Farm, Chelmondiston

Representations to Chelmondiston Neighbourhood Development Plan
Regulation 16 Consultation (February 2021)



Boyer

Report Control

Project:	Land at Hill Farm, Chelmondiston
Client:	Vistry Group
Reference:	18.6049
File Origin:	Document1
Primary Author	CP
Checked By:	

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
1	30.03.2021	DRAFT	LH
2	08.04.2021	DRAFT	LH
3	09.04.2021	FINAL	LH

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APPENDIX

Appendix One – Vision Document

Appendix Two – Proposed Concept Masterplan

1. EXECUTIVE SUMMARY

- 1.1 These representations are submitted by Boyer on behalf of Vistry Group in response to the publication of the Regulation 16 Submission Draft Chelmondiston Neighbourhood Development Plan 2020-2036 (hereon referred to as 'draft CNP').
- 1.2 These representations make specific reference to land at Hill Farm, Chelmondiston ("the Site") (see location plan provided within the Vision Document at Appendix One).
- 1.3 The Site has previously been promoted for future residential development through the 'Call for Sites' process and representations to the Babergh and Mid Suffolk Draft Joint Local Plan (hereafter referred to as 'the Draft JLP').
- 1.4 Contrary to the CNP Basic Conditions Statement, it is our view that the draft CNP does not contribute to the achievement of sustainable development and therefore fails to meet the Basic Conditions as required by Paragraph 8(1)(a)(2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011).
- 1.5 Chelmondiston could appropriately accommodate more growth from additional small and medium sites to meet the identified housing need, and it is proposed that land at Hill Farm, Chelmondiston presents an available, suitable and sustainable site that could sympathetically deliver around 60 homes, including affordable housing, within the mid to later years of the plan period.
- 1.6 The Draft BMSDC JLP directs a minimum of 52 homes to Chelmondiston NP Area over the Plan period, although this should not be seen as a ceiling to development within Chelmondiston.
- 1.7 It is our view that land at Hill Farm provides the most suitable and deliverable opportunity for achieving the additional improvements to services and infrastructure in the village that best serve the local and wider community through the plan period and beyond.
- 1.8 The scale of the proposed scheme means that it could provide a wealth of benefits to the local community, which other smaller scale developments would not be able to provide. It would therefore help to secure the investment and community infrastructure, as well as providing affordable homes locally, which will support the vitality of Chelmondiston and connected nearby rural settlements.

2. INTRODUCTION

- 2.1 These representations are submitted by Boyer on behalf of Vistry Group in response to the publication of the draft Chelmondiston Neighbourhood Plan (CNP) (Regulation 16) that was submitted to Babergh Mid Suffolk District Council (BMSDC) for consideration under Regulation 16 of The Neighbourhood Planning (General) Regulations 2012 (as amended).
- 2.2 In responding to the consultation, the representations make specific reference to land at Hill Farm, Chelmondiston ('the Site'), which is being promoted for residential development (see location plan provided within the Vision Document at Appendix One).
- 2.3 When considered against the necessary Basic Conditions as required by Paragraph 8(1)(a)(2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011), it is our view that, as currently drafted, the modified MNDP is not in conformity with National Planning Policy and would not contribute to the achievement of sustainable development, and a such would fail to meet the necessary Basic Conditions. The Basic Conditions relevant to the making of a neighbourhood plan are:
- Condition a: having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
 - Condition d: the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - Condition e: the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - Condition f: the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
 - Condition g: prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for neighbourhood plan.
- 2.4 The draft CNP document has been reviewed in its own context, but also in relation to the Site. Our comments, on behalf of Vistry Group, to relevant chapters of the draft CNP are set out in Sections 3, 4 and 5 below, and reflect the order and sequence of the consultation document.

Land at Hill Farm, Chelmondiston

- 2.5 Vistry Group have been actively promoting the Site for a number of years. Boyer submitted representations on behalf of Vistry to the Babergh Mid Suffolk District Council (BMSDC) Joint Local Plan (JLP) Pre-submission (Regulation 19) Consultation and on behalf of Linden Homes to the Regulation 18 'Preferred Options' Draft in September 2019. Prior to this Linden Homes also submitted representations to the 2017 Regulation 18 consultation. Representations were also submitted to the Regulation 14 Pre-Submission Draft CNP consultation in July 2020.

- 2.6 The Site extends to approximately 2.59ha and is a flat, agricultural field, well related to Chelmondiston (see location plan provided within the Vision Document at Appendix One). The Site is surrounded by built development to the north, west, south and to the east. It also adjoins the settlement boundary along the western and southern boundaries, and also partly along the eastern boundary.
- 2.7 There is an existing access to the Site from Hill Farm, via Hill Farm Lane and Hollow Lane. A Public Right of Way is located along the western and northern boundaries.
- 2.8 The site's position on the edge of Chelmondiston provides a very sustainable location for new development. There are strategic and local transport connections, plus easy access to nearby local services and facilities in the village. It is considered for these reasons Chelmondiston should be allocated additional growth, given its strategic location in the district.
- 2.9 The Site is located within the Suffolk Coasts and Heaths Area of Outstanding Natural beauty (AONB), and any development would clearly need to be considerate of the impact on the wider countryside and characteristics of this designated valued landscape.
- 2.10 As greenfield land in agricultural use, there are no known physical constraints to the development of the Site. As shown by the proposals set out within the Vision Document at Appendix One, the site is achievable, sustainable and deliverable.

Babergh and Mid Suffolk JLP Strategic Housing and Economic Land Availability Assessment (SHELAA)

- 2.11 The Site is included as part of the SHELAA 2019 (Ref SS1115), however it was discounted on the basis that "*large scale development is not suitable and is likely to have a detrimental impact on the AONB*". It therefore formed part of Appendix E discounted sites.
- 2.12 We do not agree with the reasons outlined in the SHELAA, and it is not clear why exactly the site was discounted as no detailed assessment of the site is provided. Whilst the site is located within the AONB, this also covers the vast majority of the village and therefore the proposed development of the site would form a sensitive extension of the village through mainly infill development as the site is surrounded on three sides by existing development, rather than 'new' development within the AONB.

Proposed Concept Masterplan

- 2.13 With appropriate masterplanning and design, the Site is capable of delivering a sensitively designed, but comprehensive and well-connected sustainable development that could contribute to the local development needs of Babergh District and Chelmondiston. A Proposed Concept Masterplan (Appendix Two) has been prepared for the Site to demonstrate this, showing indicatively how the site could be brought forward to deliver around 60 homes, including affordable housing, together with new public open space and facilities for the community.

- 2.14 Through the allocation of the site for development, there would be a number of positive benefits for the Parish, and it would ensure that the Parish have more influence and certainty over the delivery of new development and what it looks like.
- 2.15 The proposals would provide a range of housing types and sizes to reflect local need and provide greater choice for local residents. The proposals would comprise 35% Affordable Housing, which could include discounted housing for owner occupation, such as 'Starter Homes' or 'First Homes' for first time buyers, shared ownership or affordable housing for rent. It is noted that paragraph 3.15 of the draft CNP outlines that Chelmondiston has an older average age than the rest of Suffolk, and suitable dwelling types to meet the needs of older persons could be included within the proposals.
- 2.16 As illustrated on the Proposed Concept Masterplan, the proposals seek to provide ecological enhancements, new tree planting, new attenuation basin/SuDS, new public open space with areas for informal and formal recreation, and new pedestrian and cycle links.
- 2.17 Furthermore, through the delivery of a comprehensive development, achievable at land at Hill Farm Lane, significant contributions would be made to the Parish through obligations and the Community Infrastructure Levy (CIL) and the RAMS payment.

Land Ownership and Deliverability

- 2.18 The Site is wholly in Vistry Group's control. This significantly de-risks the deliverability of the site as there are no third parties involved in the site promotion and its delay to come forward as a future planning application. This should be given considerable weight when considering the development need and delivery through the plan period.

Highways and Access

- 2.19 The Proposed Concept Masterplan indicates access from the Main Road. Suitable accesses to the site, and any required highway improvements, would be agreed with officers from Suffolk County Council Highways.

Flooding and Drainage

- 2.20 The site lies within Flood Zone 1 and there is no surface water flooding onsite. The proposals would include a new attenuation basin/SuDS within the site. Drainage and points of discharge for surface water drainage would be agreed as part of the detailed design stage with the LLFA.

Landscape and AONB

- 2.21 As set out above, the Site's location within the AONB is recognised and is a principle consideration of the emerging proposals. The Proposed Concept Masterplan is sensitive to the relationship the development would have to the wider landscape and seeks to ensure that landscape features maintain the Site's visual containment. This enhancement of existing vegetation will also look to increase biodiversity.

2.22 An area of open space is proposed to the north of the site that would contribute to a sense of place, provides connections with the public footpath to the north of the Site along Hollow Lane, and protects the setting of the nearby Listed Buildings. This area of informal recreational open space would be bound to the south by hedgerow planting to reinstate a historic field boundary.

Heritage

2.23 There are three Grade II listed buildings located to the north of the site. As set out above, the Proposed Concept Masterplan seeks to minimise the harm to the significant of the Listed Buildings with an open space buffer to the north of the site to protect the setting.

Community Benefits

2.24 The proposed development has the potential to provide a range of benefits to the local community, including:

- 35% affordable housing = 21 affordable homes for rent or ownership;
- A mix of homes for purchase, from bungalows to four-bedroom homes, in a range of types and styles;
- All homes (including affordable housing) built to a very high quality, with high standards of energy efficiency, sympathetically designed in keeping with the local character, matching local styles and materials;
- New public open spaces and recreation facilities for the local community to enjoy, including:
 - an attractive walking route through the connected green spaces within the scheme;
 - a new green village space, including seating areas;
 - a central green area for new residents, integrated into the scheme and overlooked by housing;
 - a naturalistic children's play area;
 - potential opportunity for a community garden;
 - a tree-lined green street running through the development, connecting the two new green spaces, providing an attractive walking and cycling route;
- Habitat and wildlife corridors, tree and hedge planting, providing biodiversity enhancement opportunities;
- Financial contributions towards community infrastructure, which could include contributions to public transport improvements;
- A new access from the B1456, which would slow approaching traffic from the east and could incorporate further traffic calming measures if necessary.

Engagement

2.25 Vistry Group have sought to proactively engage with the Parish Council early in the promotion of the site and the evolution of development proposals. They are also keen to work cooperatively to inform the Parish Council of the emerging proposals.

- 2.26 Vistry Group are committed to continuing engagement with the Parish Council as well as Officers at Babergh District Council, and Suffolk County Council, as part of this Site's promotion, and any subsequent application.
- 2.27 As the proposals evolve further, engagement would also be had with key stakeholders, and the local community to obtain their feedback and inform the proposals for the site.

3. SECTION 2 – VISION AND OBJECTIVES

Key Issues

- 3.1 We disagree that Key Issue 1 (How much future development? What and where?) should restrict development to “infill sites or previously developed sites and otherwise on a small scale - single or small groups of houses that relate well to the neighbouring environment”. The draft CNP also states that there should be restricted development in the Area of Outstanding Natural Beauty (AONB), Sites of Special Scientific Interest, (SSSIs) and RAMSARs site (protected wetlands).
- 3.2 It is considered that the draft CNP should reference that new development could also come forward on sites within the settlement boundary and those which are well-related to the existing settlement. The settlement boundary should include additional sites, including land at Hill Farm, Chelmondiston, in order to give greater certainty to the local community, developers and the Local Planning Authority and ensure that a specific supply of identifiable sites can be delivered over the plan period.
- 3.3 Furthermore, the amount or type of development to be provided within the Parish is not addressed. The Neighbourhood Plan should seek to ensure that new development serves to meet local housing need and contribute to housing delivery both in the neighbourhood area and the wider district, which should be the intention of the current planning system. As discussed in more detail in section 5 of these representations, the draft JLP prescribes a minimum housing requirement figure for Neighbourhood Areas, in order to assist the formation and progression of emerging Neighbourhood Plans, and reference should be made to these.
- 3.4 It is acknowledged that great weight should be given to conserving and enhancing sites of landscape, cultural and ecological importance, and this is supported by Vistry Group. However, suggesting a blanket restriction of development in designated areas does not align with the provisions of national planning policy, which states (NPPF, paragraph 172) that “*The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*”
- 3.5 It is considered that the wording of Key Issue 1 (How much future development? What and where?) should be amended to better reflect the provisions of the NPPF. As currently worded the draft CNP conflicts with Basic Condition d) which relates to the achievement of sustainable development. It is our view that the draft CNP should be amended to ensure that

future development can be secured to provide a deliverable supply of homes in response to future need, thus identifying further sites such as Land at Hill Farm.

- 3.6 Moreover, the development of larger sites, such as Land at Hill Farm, would bring with it more meaningful developer contributions to improve the existing social and community infrastructure within Chelmondiston, which may not otherwise be delivered through the allocation of smaller sites or indeed through delivery of windfall developments. This would contribute to the achievement of sustainable development, particularly as the draft CNP also identifies the need for the enhancement of sports and recreational facilities at Key Issue 4.
- 3.7 It is acknowledged that great weight should be given to conserving and enhancing sites of landscape, cultural and ecological importance, and this is supported by Vistry Group. However, suggesting a blanket restriction of development in designated areas and restricting development in the AONB is not a requirement of the NPPF, which states at Paragraph 172 that *“The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of: a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy; b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.”* As currently written, the Plan is not in accordance with Basic Conditions a) and d), contrary to the CNP Basic Conditions Statement (p.6).
- 3.8 In addition, the BMSDC Draft JLP states at Paragraph 15.23 that *“all landscape whether designated or not, has its own character, sense of place and local values.”* Adopted Local Policy CS15 states that development must ensure adequate protection, enhancement, compensation and / or mitigation, as appropriate are given to distinctive local features which characterise the landscape and heritage assets of Babergh’s built and natural environment within designated sites covered by statutory legislation, such as AONBs, Conservation Areas, etc.
- 3.9 Draft JLP Policy LP20 ‘Area of Outstanding National Beauty’ states that Councils will support development in or near the AONB which, inter-alia, a) conserves and enhances the landscape and scenic beauty; b) integrates positively with the character of the area and reinforces local distinctiveness of the AONB; c) Are sensitive to their landscape and visual impacts (including on dark skies and tranquil areas); d) Supports the provision and maintenance of local services and facilities and assets (including affordable housing); e) Demonstrates special regard to proposals that enhance and protect landscape character and values and heritage assets in the AONB such as; locally characteristic landscape features, for example by use of materials which complement the local individual landscape character, archaeological and historic patterns of settlement and land use and designations. The Proposed Concept Masterplan (Appendix Two) is sensitive to the relationship the development would have to the wider landscape and seeks to ensure that landscape

features maintain the Site's visual containment. This enhancement of existing vegetation will also look to increase biodiversity.

- 3.10 Whilst not a strategic policy, the draft CNP conflicts with this and seeks to avoid development in the AONB, thus the draft CNP cannot be deemed positively prepared. The site at Hill Farm is located within the AONB and any development would clearly need to be considerate of the impact on the wider countryside and characteristics of this designated valued landscape.

Vision

- 3.11 As set out in our representations to Regulation 14 of the draft CNP we consider that, to accord with the NPPF (2019) it is suggested that the wording of the Vision should be amended as follows: *"To conserve and enhance the unique rural character of the Parish of Chelmondiston, its built and natural assets with particular reference to the historic environment of the Pin Mill Conservation Area, the landscape and scenic beauty of the Suffolk Coast and Heath Area of Outstanding Natural Beauty, and significance of other designated areas within the Parish, including SSSIs and RAMSAR sites. All new development to 2036 will be sustainable, supported by necessary infrastructure to contribute to a place that is thriving and enjoyable for residents, local businesses and visitors"*

Objectives

- 3.12 We agree with the identification of Objectives but consider that objective 1) *"To help manage future housing growth and to meet local housing needs within the neighbourhood area"* should be reworded to reflect Paragraph 59 of the NPPF to *"to help significantly boost the supply of homes and to meet local housing needs within the neighbourhood area"* in order to achieve Basic Condition a) and e).

4. SECTION 4 – PLANNING POLICY CONTEXT

- 4.1 National policy and guidance requires that Neighbourhood Plans are in general conformity with the adopted Local Plan in their area. However, it is noted that the Babergh Local Plan is outdated and work on the emerging Babergh and Mid Suffolk Joint Local Plan is still taking place. The draft CNP will need to be flexible and robust to ensure that it can satisfy the Neighbourhood Planning regulations and basic conditions tests at the point of submission and examination.
- 4.2 Whilst we note that a draft Neighbourhood Plan 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 (National Planning Practice Guidance (NPPG) Paragraph: 009 Reference ID: 41-009-20190509).
- 4.3 As the draft JLP gains more weight as it progresses through to examination, it is considered appropriate that the preparation of the draft CNP should see to be in general conformity with the emerging JLP.
- 4.4 PPG also states in this Paragraph 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 (or spatial development strategy);
 - the adopted development plan;
 - with appropriate regard to national policy and guidance.
- 4.5 The draft CNP is proposing to use the settlement boundaries included within the emerging Local Plan, which, as yet has not been tested at examination stage. This does not provide the draft CNP with a robust policy background, supported by evidence. If the emerging Local Plan changes in the next iteration or during examination then that will result in changes being required to the draft CNP, or the Neighbourhood Plan would be based on incorrect documents.
- 4.6 Due to the advanced stage of the Draft JLP in the planning process, we consider that due weight should be given to emerging policies (the more advances its preparation, the greater weight they may be given), in accordance with Paragraph 48 a) of the NPPF. As currently written, the Plan is not in accordance with Basic Conditions a), d) and e).

5. SECTION 5 – NEIGHBOURHOOD PLAN POLICIES

Housing and Design

CP OBJECTIVE 1 - To help manage future housing growth and to meet local housing needs within the neighbourhood area.

- 5.1 Chelmondiston is identified as a Babergh Hinterland Village, and emerging JLP Policy SP03 sets out that development within Hinterland Villages will be permitted within settlement boundaries where it meets certain criteria.
- 5.2 Whilst it is recognised that larger settlements are the focus for development, it is considered that additional growth could be accommodated within Chelmondiston. The settlement is located in a very sustainable location and benefits from a number of key facilities and services, including the Primary School, convenience shops, takeaways, public houses, places of worship, and also public transport links. With this range of services and facilities available locally and its proximity to the A12/A14 and Ipswich, it is considered that the approach to growth applied for Chelmondiston should be similar to other areas in the district, where additional growth has been planned for, and it does not heavily rely on existing consents.
- 5.3 Within the settlement boundary for Chelmondiston, two new sites have been included:
 - Land east of Richardson Lane, Chelmondiston
SHELAA Ref. SS0872
Outline Planning Permission Ref.: DC/18/00236 - 24 dwellings (including 8 affordable dwellings). Granted July 2018
 - Land south of B1456, Chelmondiston
SHELAA Ref. SS0204
Estimated yield 15 dwellings
Estimated delivery 0-5 years
- 5.4 As the details above indicate, development of 24 dwellings has been approved for land east of Richardson Lane, and it is anticipated that this development will come forward in the immediate term.
- 5.5 Land south of B1456 does not benefit from planning permission at the current time. It is not clear why this site has been selected in the draft JLP. Whilst it is recognised that the site fronts the road and it is located outside the AONB, it is surrounded to the south and west by open countryside. It is considered there are sites, such as at the land at Hill Farm, which are better related to the settlement and existing built development. In particular the land at Hill Farm is surrounded by built development, and the existing settlement boundary on 3.5 sides. Given the current irrational settlement boundary, the site has the ability to be enclosed. This would help mitigate any potential impact on the landscape.

- 5.6 Based on the details available through the SHELAA (2020) and planning permission records, collectively the two sites have the potential to deliver 39 dwellings. When accounting to the minimum identified figure of 52 homes, this leaves a remaining minimum of 13 dwellings to come forward through windfall development in order to meet the expected minimum requirement for the Chelmondiston.
- 5.7 Other than the provision for windfall development, no alternative or contingency site is suggested by the draft CNP, should land south of B1456, in particular, fail to be delivered. This is a risky strategy to follow. Should this site fail to come forward or be delayed, it would prevent the delivery of 15 - 28 homes, which would leave the village open to speculative development.
- 5.8 Furthermore, windfall developments (assuming they are small scale infill developments) would not be able to provide for, or effectively contribute to, the infrastructure requirements of the Parish as outlined in the emerging Neighbourhood Plan. Nor would they deliver the varied mix of housing types or affordable housing provision required to provide fully for the needs of the community, or to provide choice for residents. This conflicts with Basic Condition d) as the allocations are based on existing commitments without planning for future growth.
- 5.9 Vistry Group are concerned that a high proportion of the planned development for Chelmondiston is heavily based on existing commitments and it does not plan sufficient new growth over the plan period. The two sites included within the revised settlement boundary are suggested to come forward in the early part of the plan period, and there is no further provision included for the mid or later years of the plan period, or beyond.
- 5.10 It has not been demonstrated that the minimum housing requirement for the Neighbourhood Plan Area can be met through the proposed revised settlement boundary alone. As such, the draft CPN cannot be considered to include sufficient provision to meet the housing need of the neighbourhood area or the wider district. On this basis the draft CNP would fail to accord with National Planning Policy and Basic Conditions a), d) and e).
- 5.11 In addition, without providing sufficient allocation of sites for new development, and given the undemonstrated deliverability of land south of B1456 and windfall development, the Parish would leave itself vulnerable to speculative development which is looking to provide for the local housing needs of the community.

Policy CP1 New Housing Development within Settlement Boundaries

- 5.12 At no point in Policy CP1 does the draft CPN refer to the minimum housing need for Chelmondiston which has been identified in the draft JLP as 52 homes (Table 4).
- 5.13 As stated in the emerging JLP, we consider that the housing numbers within the Draft JLP should be viewed as minimum figures. This is consistent with national policy and the Government's objective of significantly boosting the supply of homes (NPPF paragraph 59).

- 5.14 There is nothing to stop the draft NDP allocating further sites to ensure the continuous delivery and supply of homes, and we would encourage this. Contrary to the CNP Basic Conditions Statement, for this reason, we consider that this policy does not achieve Basic Condition a) and d).
- 5.15 To assist with delivery, additional smaller and medium scale sites should be allocated or included within the revised settlement boundary, to rectify any potential delivery issues, and guard against a shortfall in delivery and unmet need across the plan period. This approach is recognised by the NPPF (Paragraph 68) which states “*small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built out relatively quickly*”. It is considered that Chelmondiston could appropriately accommodate growth from additional small and medium sites, and that the proposals for land at Hill Farm, Chelmondiston would provide a suitable and deliverable site for inclusion.
- 5.16 It is our view that land at Hill Farm provides the most suitable and deliverable opportunity for achieving the delivery of additional homes across the Babergh district to meet the needs of future generations. The site abuts the settlement boundary on 3.5 edges and we consider that this should be extended to encompass the site.

Policy CP8 Protection and Enhancement of Community Facilities

- 5.17 We support the presumption in favour of the protection of existing facilities and that proposals which enhance the appearance, improve access and accessibility for all users to these facilities will be supported when they are in accordance with other policies. This also relates to CP Objective 7 - to ensure that the area has appropriate levels of infrastructure.
- 5.18 By relying on two already consented developments coming forward in the early part of the plan period, together with windfall developments, the approach of the draft CNP would not be able to provide for, or effectively contribute to, the infrastructure requirements of the Parish through the Plan Period, as outlined in the Plan.
- 5.19 The It is our view that land at Hill Farm provides the most suitable and deliverable opportunity for achieving the additional improvements to services and infrastructure in the village that best serve the local and wider community through the plan period and beyond. This is particularly important when considering that smaller infill development which may come forward will not deliver infrastructure of this scale, such as contributions for public transport, cycle routes and telecommunications. On this basis, it is considered that as currently written, the Plan is not in accordance with Basic Conditions a) and d).

6. CONCLUSIONS

- 6.1 As has been explained through these representations, having undertaken a detailed review of the consultation document, whilst Vistry Group are supportive of the Neighbourhood Plan, it is considered that the current draft CNP requires some amendments to ensure it is in conformity to national planning policy and guidance. As it is currently drafted it would fail to meet the necessary Basic Conditions of Paragraph 8(1)(a)(2) of Schedule 4B of the Town and Country Planning Act 1990 (inserted by the Localism Act 2011).
- 6.2 Chelmondiston provides a sustainable location for new development and is capable of accommodating appropriate level of growth through the delivery of small and medium size sites, in order to provide for the identified housing need of the local community throughout the plan period. However, the proposed approach of the draft CNP fails to plan for sufficient new growth over the plan period to meet even the minimum housing requirement. For this reason, the draft CNP, as currently drafted, does not accord with provisions of the NPPF (2019) and would not contribute to the achievement of sustainable development, and does not therefore meet Basic Conditions a) or d).
- 6.3 It is clear the draft CNP is relying on a site (south of B1456) which has not proven, nor successfully demonstrated, its deliverability. This is an unsound and inappropriate approach on which to base the Plan.
- 6.4 The draft CNP also seeks to apply a blanket restriction to development in the AONB, contrary to Paragraph 172 of the NPPF and therefore in conflict with Basic Condition a) and d).
- 6.5 At no point does the draft CNP refer to the **minimum** housing figure for Chelmondiston, identified by BMSDC in the JLP (Table 4). We consider that this figure of 52 dwellings should be viewed as is intended, as a **minimum**, and that the draft CNP should allocate further sites to ensure the consistent delivery of homes across the district.
- 6.6 Other than the provision for windfall development, no alternative or contingency site is suggested by the draft CNP, should land south of B1456, in particular, fail to be delivered. This is a risky strategy to follow. Should this site fail to come forward or be delayed, it would prevent the delivery of 15 - 28 homes, which would leave the village open to speculative development, and that is just using the **minimum** figure.
- 6.7 Chelmondiston could appropriately accommodate more growth from additional small and medium sites to meet the identified housing need, and it is proposed that land at Hill Farm, Chelmondiston presents an available, suitable and sustainable site that could sympathetically deliver around 60 homes, including affordable housing, within the mid to later years of the plan period.
- 6.8 It is our view that land at Hill Farm provides the most suitable and deliverable opportunity for achieving the additional improvements to services and infrastructure in the village that best serve the local and wider community through the plan period and beyond.

- 6.9 The scale of the proposed scheme means that it could provide a wealth of benefits to the local community, which other smaller scale developments would not be able to provide. It would therefore help to secure the investment and community infrastructure, as well as providing affordable homes locally, which will support the vitality of Chelmondiston and connected nearby rural settlements.
- 6.10 Amendments and further refinement, in line with the suggestions and recommendations provided through these and earlier representations, should be made in order to ensure that the draft CNP satisfactorily meets the required Basic Conditions.
- 6.11 Vistry Group remain keen to work cooperatively with the Parish Council and District Council in relation to the emerging proposals for Land at Hill Farm, Chelmondiston and are willing to provide further details to demonstrate the deliverability of the site.

APPENDIX ONE – VISION DOCUMENT

(provided as a separate document)

APPENDIX TWO – PROPOSED CONCEPT MASTERPLAN



Legend

- Site Boundary: **2.59ha**
- Vehicular and pedestrian access point
- Potential developable area: **1.64ha (approximately 60 - 65 dwellings @ 37 - 40 dph)**
- Public open space
- Land to remain undeveloped as informal recreational open space
- Potential location for children's play provision
- Potential location for sustainable drainage features (SuDS)
- Tree-lined spine street through the new development
- Secondary roads within the development
- Informal grassed path to connect with public footpath
- Pedestrian and cycle link
- Informal grassed circular path
- Pedestrian and cycle routes
- Existing bus routes and bus stops
- Public Bridleway
- Public Footpaths

Potential constraints

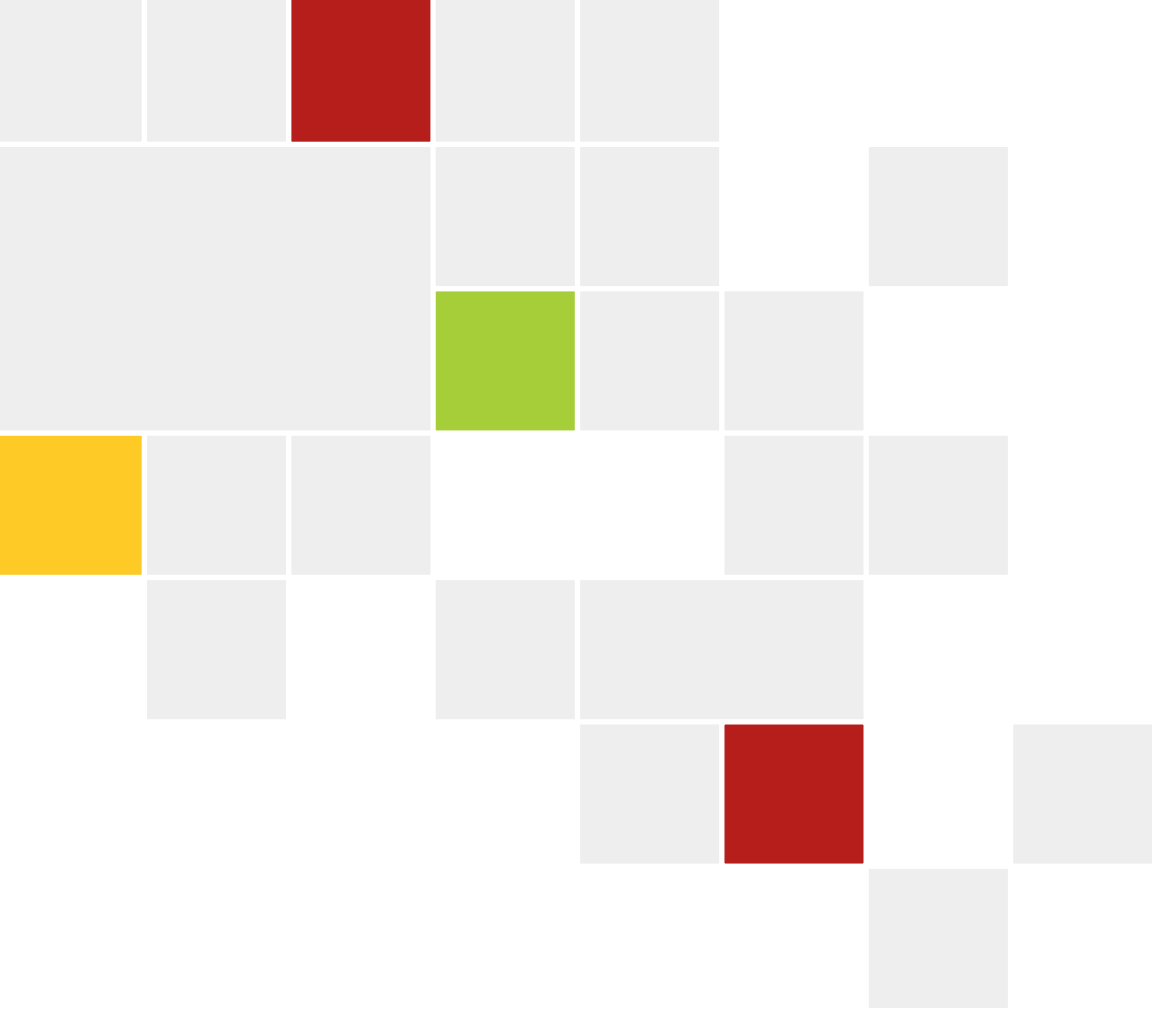
- Grade II Listed Buildings
- Pin Mill Conservation Area
- Existing vegetation

A	28.08.20	RC	Amended to reflect client's comments
Rev	Date	By	Description

CSA environmental

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Project	Hill Farm, Chelmondiston		
Title	Concept Masterplan		
Client	Vistry Group		
Scale	1:1250 @ A3	Drawn	RC
Date	August 2020	Checked	RR
Drawing No.	CSA/5181/100	Rev	A



Boyer

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VISION DOCUMENT

LAND AT HILL FARM
CHELMONDISTON
DECEMBER 2020

Prepared by:



Office Address:

CSA Environmental
Dixie's Barns, High Street, Ashwell, Hertfordshire, SG7 5NT

Office Telephone Number:

01462 743 647

On behalf of:

Vistry Group

Disclaimer

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Vision Statement





PREFACE

This Vision Document promotes the development of Land at Hill Farm, Chelmondiston (the Site). It demonstrates how the Site could be brought forward as a sensitively planned development to deliver a high quality, exciting and sustainable new neighbourhood for around 60 – 65 new homes, including new affordable housing.

The proposals shown pay careful attention to the Site's context, particularly in relation to respecting the setting of the Listed Buildings to the north, and responding to the Site's location within the Suffolk Coasts and Heaths Area of Outstanding Natural beauty (AONB). Consequently, the northern part of the Site will remain as open space to provide an attractively landscaped buffer with the Listed Buildings and the countryside beyond.

01. INTRODUCTION

Formed in January 2020, Vistry Group is made up of Vistry Housebuilding – featuring the Bovis Homes and Linden Homes brands - and Vistry Partnerships, which is the partnerships and regeneration section of the business.

Vistry Group is one of the country's leading 5 star housebuilders, with well-known brands that have an established reputation for quality that runs through their homes' design, build, specification and customer service. The range of properties across the Linden and Bovis Homes brands is wide and flexible - with designs that can be adapted to the changing needs of the market, the customer and the environment in which we build.

Vistry wish to promote Land at Hill Farm, Chelmondiston for a small-scale residential development of around 60 – 65 new homes. The Site offers a good opportunity to ensure the delivery of a sensitively designed, sustainable residential development.

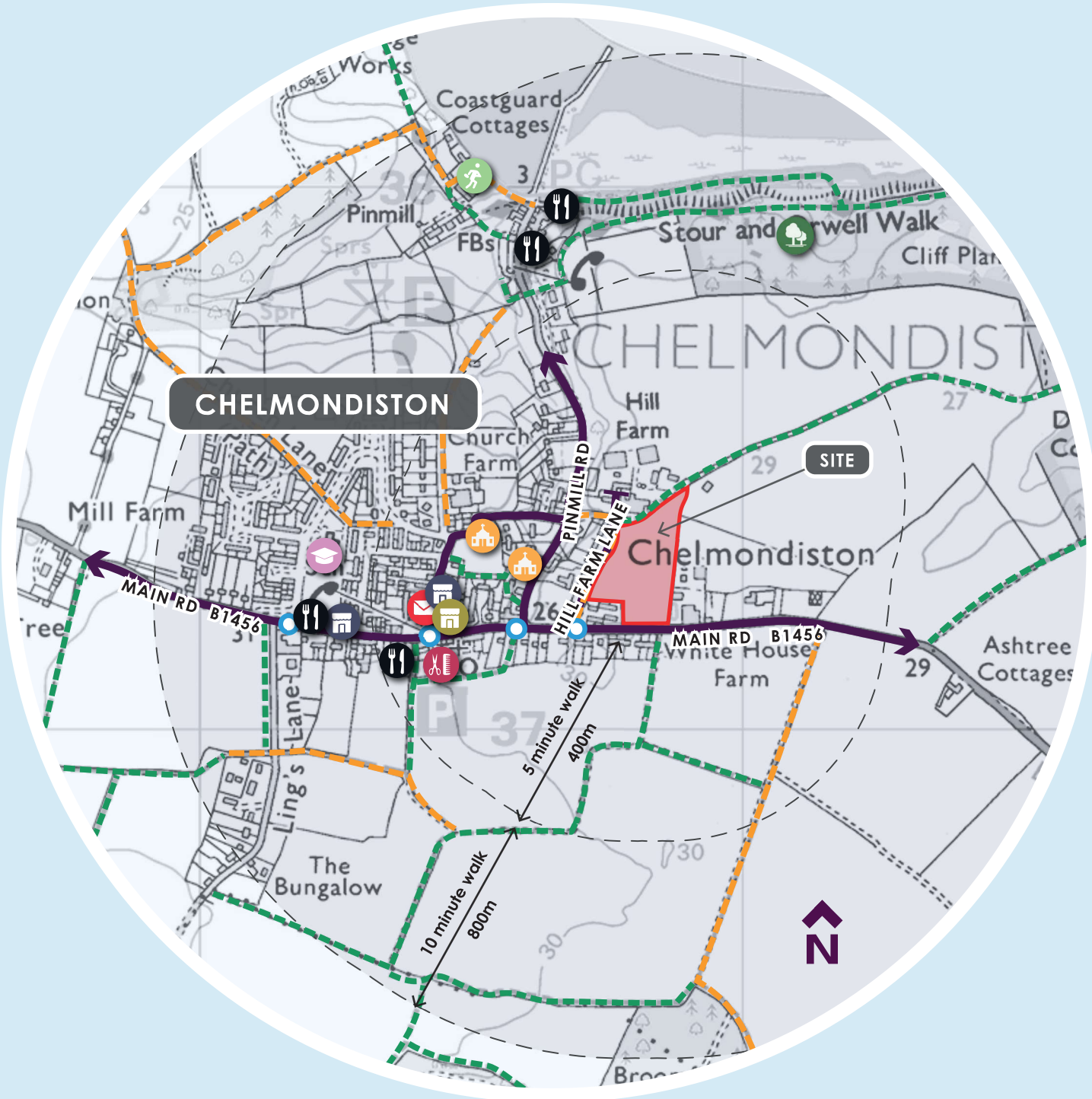
THE SITE

- Site size: 2.59 hectares
- Comprises a broadly flat, agricultural field
- Located on northern side of Main Road
- Well-related to existing village and a logical extension to the existing settlement – surrounded by built development to the north, west and south, and partly to the east











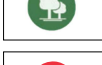


LAND OWNERSHIP & DELIVERY

- Landownership: The Site is wholly in Vistry Group's control.
- In Vistry Group, the Site has the benefit of a housebuilder with the necessary experience and expertise to successfully deliver a viable and sustainable development through to implementation.
- There are no technical impediments or environmental constraints that could not be addressed through a sensitive and successful design to deliver a high-quality proposal in this location.
- The Site is available, achievable and deliverable.





Facilities Plan

-  Site boundary
-  Existing roads and bus stops
-  Public Footpath
-  Bridleway
-  Chelmondiston Church of England Primary School
-  Grocery/Convenience Store
-  Religious facilities
-  Public house/Eatery/Takeaway
-  Hairdressers
-  Sports facilities
-  Public Open Space
-  Post Office
-  Butchers

02. SITE CONSIDERATIONS

HERITAGE

- Three grade II Listed Buildings lie to the north of the Site at Hill Farm. These are Hill Farm House and its associated cartlodge/granary and barn.
- To minimise harm on the Listed Buildings, a generous area of open space should be provided in the northern part of the Site.
- This will protect the setting of the Listed Buildings and allow for public views to be provided towards them.

ACCESS AND MOVEMENT

- Vehicular access is to be taken from Main Road.
- A bridleway (PROW 11) runs alongside the Site's western boundary, connecting to public footpath (PROW 10), which provides a direct connection to the countryside to the east and a number of further public rights of way beyond.
- New traffic-free linkages should be provided to the adjacent rights of way to maximise integration with the existing settlement and the countryside to the north east.
- Chelmondiston is served by the 97 and 98 bus services, which provide a regular service between Mondays and Fridays to a number destinations, including Ipswich town centre and railway station, Suffolk One (Sixth Form College in Ipswich) and Holbrook (with a bus stop serving Holbrook Academy). The journey time to Ipswich is approximately 30 minutes. The nearest bus stop is located just to the south west of the Site adjacent to the junction of Main Road and Hill Farm Lane.

FLOODING



- The site is in Flood Zone 1.
- The annual probability of flooding is less than 0.1% (1 in 1,000 year chance).
- A drainage basin can be located towards the north of the Site.

LANDSCAPE

- The Site is located within the Suffolk Coasts and Heaths Area of Outstanding Natural Beauty (AONB).
- The Site lies just outside the Built-up Area Boundary (Policy HS02/HS03 -Babergh Adopted Local Plan). Built development bounds the Site to the north, west, south and south east.
- From the wider landscape, the Site is visually enclosed by the existing settlement to the west, Hill Farm to the north, White House Farm to the east and residential properties along Main road to the south.
- Open space and new landscaping (including retention and strengthening of boundary vegetation) within the northern part of the Site will provide a buffer to the AONB and will protect and filter views from the north east within the AONB.



Site Considerations

-  Site Boundary: **2.59ha**
-  Built up area boundary
-  Views from AONB
-  Opportunity for open space and new landscaping in northern part of Site
-  Potential location for SuDS feature
-  Potential vehicular access point
-  Potential pedestrian linkages
-  Potential pedestrian/cycle linkages
-  Existing bridleway
-  Existing public footpath
-  Listed Buildings
-  Bus Stop

03. WHAT COULD THE DEVELOPMENT DELIVER?

BIODIVERSITY

- Biodiversity of the Site will be protected, diversified and improved through new habitats and wildlife corridors, hedgerow and tree planting and delivery of new garden spaces and formal and informal green spaces.
- Overall, the proposals can achieve a net gain in biodiversity.
- Reinstatement of former hedgerow.



COMMUNITY

- Appropriate contributions will be made to local services, including education and medical facilities, and with direct benefits to the Parish through the Community Infrastructure Levy (CIL), with potential to provide a community garden, if desired.
- Contributions could also be made to local clubs and groups, and local projects.



GREEN SPACES

- A generous area of open space is to be provided in the northern part of the Site to protect the setting of the adjacent Listed Buildings and provide a green buffer between built development and the wider landscape of the AONB.
- A former hedgerow will be reinstated within this part of the Site with the open space to the north, maintaining an informal character to create an appropriate relationship with the Listed Buildings and wider AONB. New tree and hedgerow planting to the south will help to screen and filter views of the new homes.
- A central area of open space containing a children's play area will provide a focal point for the new homes, and help to create a sense of community.



NEW HOMES

- 60 – 65 new homes comprising a range of tenure and dwelling types, from bungalows to family homes, and provision of accessible and adaptable dwellings.
- 35% affordable housing, which could include Starter Homes and discounted market sales housing, as well as affordable housing for rent.
- All homes built to high quality, with high standards of energy efficiency, sympathetically designed in keeping with the local vernacular.



ACCESS

- A new access from Main Road (B1456), would help to slow approaching traffic from the east and could incorporate further traffic calming measures if necessary.
- Additional pedestrian/cycle links onto Hill Farm Lane providing connection to the village and existing public rights of way.



Concept Masterplan

-  Site Boundary: **2.59ha**
-  Proposed housing - 60-65 dwellings/1.64ha
-  Public bridleway
-  Public footpaths
-  1 Vehicular access point
-  2 Pedestrian/cycle access points onto Hill Farm Lane
-  3 Pedestrian connection to Hollow Lane
-  4 Open space to provide buffer with Listed Buildings and wider AONB
-  5 Former hedgerow reinstated
-  6 New trees and hedgerow planting to screen and filter views of new homes
-  7 Attenuation basin
-  8 Central open space and children's play
-  9 New homes will front Hill Farm Lane and open space areas

VISION STATEMENT

Land at Hill Farm, Chelmondiston presents an exciting opportunity to create a sensitively designed, well-integrated and sustainable new neighbourhood for Chelmondiston. The Site is well-contained by existing built development and will include provision of a generous network of green spaces, recreation and play facilities for the existing and new communities to enjoy. This includes a large area of informal open space in the northern part of the Site to create a natural landscaped character to protect the setting of the adjacent Listed Buildings and provide a buffer with the wider AONB.

Our vision for the Site is to deliver the housing requirement to support the sustainable growth of Chelmondiston without negatively impacting on the surrounding character.

Over one third of the Site will remain as green space and will include a new children's play area, new tree and hedgerow planting, and ecological and biodiversity enhancements.

Vistry Group and the Site owner would now welcome further discussions with the Council's officers as we look to realise this exciting development opportunity, and deliver high quality and sustainable new homes for Chelmondiston.



Vistry Group

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(11) Savills (obo Mr & Mrs Baker)



Consultation Response Form

Chelmondiston Neighbourhood Development Plan 2020 - 2036

The Neighbourhood Planning (General) Regulations 2012
Regulation 16 (as amended)

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 Lydia Voyias
Job Title (if applicable):	
Organisation / Company (if applicable):	Savills (UK) Ltd
Address:	Unex House 132-134 Hills Road Cambridge
Postcode:	CB2 8PA
Tel No:	
E-mail:	Lvoyias@savills.com

Part B: Agents – Please complete details of the client / company you represent	
Client / Company Name:	Mr G. Barker and Ms E. Barker
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.		Policy No.	Section 4 Map 4 Policy CP1 Policy CP7
---------------	--	------------	--

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 see enclosed letter.

- Section 4 – Planning Policy Context – Have comments
- Map 4 – Proposed Neighbourhood Plan Policies Map - Oppose
- Policy CP1 New Housing Development within Settlement Boundaries – Oppose
- Policy CP7 and Appendix 4 – Conserving and Enhancing Valued Landscapes and Biodiversity - Oppose

What improvements or modifications would you suggest?

Please see enclosed letter.

(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 ...

If the Examiner feels it is necessary to expand on the points raised in the written submissions, we would welcome the opportunity to participate in a hearing either through additional written submissions or by participating in a formal hearing session.

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

The publication of the recommendations of the Examiner (the Examiners Report)	✓
The final 'making' (adoption) of the Chelpin Plan by Babergh District Council	✓

Signed: Lydia Voyias	Dated: 09/ 04/ 2021
--------------------------------	----------------------------

9 April 2021
452932/A3/LV



Chelplin NP Consultation
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Babergh & Mid Suffolk District Council
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Via email: communityplanning@baberghmidsuffolk.gov.uk

Dear Sir/ Madam,

Chelmondiston Neighbourhood Plan Consultation (Regulation 16)

Savills (UK) Ltd is instructed by Mr G. Barker and Ms E. Barker, landowners of Land north of Main Road, Chelmondiston to submit representations in response to the Chelmondiston Neighbourhood Plan (Chelplin) Regulation 16 Consultation, closing date 9th April 2021.

Background

As you will be aware we have engaged in the earlier rounds of neighbourhood plan consultation to promote Land north of Main Road, Chelmondiston for residential allocation. We note from the response contained within the supporting 'Consultation Statement' that it is not the intention of the Chelplin Plan to allocate any sites for residential development. As such the following comments relate purely to the proposed policy wording of the proposed Neighbourhood Plan.

As previously stated broad support is given to Chelmondiston Parish Council for the preparation of a draft Neighbourhood Plan. As you will be aware it is necessary for Neighbourhood Plans to meet the basic conditions which include the requirements to seek to contribute to achieving sustainable development and to have regard to national policies and guidance.

National Planning Policy Context

The National Planning Policy Framework 2019 (NPPF) establishes that the purpose of the planning system is to contribute to the achievement of sustainable development. The three objectives of sustainable development, as set out in the NPPF, require the planning system to perform an economic, social and environmental role. Paragraph 8 of the NPPF explains:

- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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For plan making, Paragraph 11 of the NPPF, requires that Local Planning Authorities positively seek opportunities to meet the development needs of their area.

Chelmondiston Neighbourhood Plan Regulation 16 Consultation Document

The focus of the comments made on behalf of our client relate to the following policies:

- Section 4 – Planning Policy Context - Comment
- Map 4 – Proposed Neighbourhood Plan Policies Map and Policy CP1 New Housing Development within Settlement Boundaries – Objection
- Policy CNDP7 and Appendix 4 – Conserving and Enhancing Valued Landscapes and Biodiversity – Objection

Section 4 - Planning Policy Context - Comment

For a Neighbourhood Plan to proceed to a referendum, the Localism Act requires the appointed Examiner to consider whether it meets the ‘basic conditions’ set out at Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and summarised in Paragraph ID41-065-20140306 of the national Planning Practice Guidance (PPG). One of the ‘Basic Conditions’ a Neighbourhood Plan has to comply with is to be “*in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*”

Support is given to the Regulation 16 Neighbourhood Plan as the document itself clarifies at paragraph 4.5 the documents that comprise the Development Plan.

Map 4 - Proposed Neighbourhood Plan Policies Map and Policy CP1 New Housing Development within Settlement Boundaries – Object

It is noted that the Neighbourhood Plan document also makes reference to the emerging Babergh and Mid Suffolk Joint Local Plan at paragraphs 4.8 to 4.10 and indeed **Map 3a and Map 3b** are extracts from the emerging policies map.

The Babergh and Mid Suffolk Joint Local Plan was submitted for Examination on 31st March 2021. The National Planning Policy Framework advises at paragraph 48 the weight to be given to relevant policies within emerging plans varies according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Whilst it is noted that the emerging Local Plan has reached submission the Examination has yet to start and there are a number of representations which have been submitted that object to the proposed Local Plan.

For clarity, it should be noted that the proposed Neighbourhood Plan **Policies Map 4** (page 22), proposes to amend the settlement boundary for Chelmondiston when compared to adopted Policies Map. In effect, by proposing to amend the settlement boundary for Chelmondiston, the Neighbourhood Plan is making an allowance for additional residential development to come forward, particularly at proposed allocation site LS01 ‘Land South Of Main Road, Chelmondiston’ as identified at **Map 3a**. These proposed changes to the settlement boundary have yet to be subject to the scrutiny of Examination as part of the emerging Local Plan. In addition, this inclusion of an emerging allocation within the Neighbourhood Plan is at odds with the statement within the supporting Consultation Statement (page 89) “...It is not a requirement for NDPs to allocate sites. Chelmin does not do this.”

It therefore appears that the Neighbourhood Plan itself has not gone through the appropriate steps to identify possible sites for allocation, assess those sites, and then make a decision about which sites to allocate. Strong objection is made on this basis, particularly in the light of our previous submissions which promoted Land north of Main Road, Chelmondiston for residential allocation.

In respect of the Neighbourhood Plan itself, it is not clear from the Neighbourhood Plan 'Supporting Documents List' what evidence the Neighbourhood Plan is reliant upon to justify these changes, presumably that proposed by Babergh as part of the emerging Local Plan, but reference has simply made to the entire planning policy section of the Babergh website. Within the supporting 'Chelmondiston Neighbourhood Plan - Planning Policy Background and Evidence Base Review 2020' document reference is made to the relevant extracts within the emerging Local Plan document at pages 52 to 55.

As previously highlighted within our Regulation 14 representations new development can create a number of benefits. Small to medium sized development it can provide a mix housing types and sizes, including affordable housing responding to local needs. A further direct benefit is the receipt of additional CIL funding which can be used to support local infrastructure schemes. We respectfully request that due consideration is given to the potential for Land north of Main Road, Chelmondiston for residential allocation.

Remedy:

- **Either a revision is to be made to Map 4 to accurately reflect the existing settlement boundaries for Chelmondiston therefore removing any allocations from the Neighbourhood Plan, Or**
- **Appropriate additional evidence is provided to justify the proposed allocation of sites identified at Map 3a as 'LS01' – in particular 'Land South Of Main Road, Chelmondiston'. In addition Policy CP1 should include appropriate policy wording to refer to these allocations.**
- **If the Neighbourhood Plan does indeed wish to allocate sites, it is requested that Land north of Main Road, Chelmondiston should be assessed and identified for residential allocation.**

Suggested policy wording:

"Land north of Main Road, Chelmondiston is allocated for residential development:

- a) The development of the site will accommodate approximately up to 40 dwellings (subject to discussion).***
- b) Access to the site can be taken from Main Road.***
- c) The development layout will be designed in order to respect the living conditions and amenity of the residents to the east and west of the site.***
- d) Incorporate appropriate landscape mitigation measures".***

Policy CP7 – Conserving and Enhancing Valued Landscapes and Biodiversity – Objection

It is noted that the National Planning Policy Framework affords great weight to conserving and enhancing landscape designated within Areas of Outstanding Natural Beauty (para 172). However consideration needs to be balanced against the need to fulfil economic and social objectives of sustainable development (as provided at page 1 of this response). It is possible for provision to be made for carefully planned development within the AONB where it is justified.

In recent years, planning permission has been granted for residential development within the AONB at Land west of Woodlands, Chelmondiston as a result of a speculative planning application which was granted planning permission by Babergh District Council when the Council could not demonstrate a five year housing land supply (LPA Refs: DC/18/00236 and DC/19/01634). The proposed Policies Map (Map 4) proposes to amend the settlement boundary to take account of this commitment.

It is recommended that the Neighbourhood Plan makes an allocation for residential development to ensure that the identified housing needs are met in a planned approach. Through the allocation process it will be necessary

to consider the landscape impacts of development so that judgements can be made about where new homes should be directed. As part of this process consideration can also be given to the opportunity the site would have to incorporate appropriate landscaping as mitigation. For the reasons stated above the Neighbourhood Plan has itself not completed any site assessment work and has therefore not adequately considered the potential for Land north of Main Road, Chelmondiston. Whilst it is acknowledged that the site is located within the AONB, there are existing hedgerows and trees to the south and west of the site. As part of comprehensively planned development, potentially concentrated at the northern part of the site, there is the opportunity for enhanced landscaping, particularly at the western edge of Chelmondiston.

It is noted that Policy CP7 proposes a number of specific policy criteria. Para 5.17 states “...Policy CP7 has been developed by using a wide variety of evidence sources, including work carried out for the VDF. This included the significant views, previously identified in the VDF. The justification for the significant views is provided in Appendix 4. ...”

Whilst Appendix 4 of the Neighbourhood Plan states it ‘Includes Extracts from Village Design Statement’ it is not specific as to which parts are in fact extracts. Looking at the supporting Village Design Framework (VDF), which was prepared in 2016 by the Parish Council. Map 2 of the VDF (page 12) identifies a number of ‘views considered of significant value’ namely:

- Pin Mill viewed from the River Orwell
- The Butt and Oyster from the riverside looking East
- Pin Mill viewed from above – Church Path
- Open fields looking South towards Harkstead Church
- Open fields looking South East towards Rence Park.
- Corsican pine plantation beside Page’s Common.

When the VDF ‘significant views’ are compared to the ‘significant views’ identified at Appendix 4 of the Neighbourhood Plan, it is clear that the view points vary and additional view points have been added, particularly view points numbered 7,8, and 9 which appear to respond to sites which have been promoted for residential development. It is questioned whether this approach fulfils the requirement for Neighbourhood Plans to be positively prepared.

Specific objection is raised to the proposed suggested view point 8. The photograph contained at Appendix 4 of the Neighbourhood Plan does not include the boundary hedgerow along Main Road as such it is questioned if the photography has been taken from a publically accessible point and/ or whether the view point is accurately plotted on Map 12. As such it is considered there is insufficient evidence to warrant this being identified as a ‘significant view’.

It is acknowledged that there are some gaps in the hedgerow along Main Road but these are likely to be perceived as glimpsed views, rather than open views towards the north that the image portrays. It is therefore considered that view point 8 does not actually represent a significant view, rather it is an attempt to further restrict development in the future.

Remedy:

- **Policy CP7 should be amended to remove reference to ‘CP7/8 Open fields looking north towards Richardsons Lane’ due to the lack of accurate supporting evidence.**

Yours sincerely,



Lydia Voyias MRTPI
Associate Director

27 August 2020



Chelmondiston Neighbourhood Plan Steering Group
C/O John Deacon
1 Anchor Mill Cottage
Main Road
Chelmondiston
IP9 1DP

Via email: johndeacon1@outlook.com

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Unex House
132-134 Hills Road
Cambridge CB2 8PA
T: +44 (0) 1223 347 000
F: +44 (0) 1223 347 111
savills.com

Dear Sir/ Madam,

Chelmondiston Neighbourhood Plan Pre-Submission Consultation (Regulation 14), July – Sep 2020 Consultation

Savills (UK) Ltd is instructed by the Landowners of Land north of Main Road, Chelmondiston to submit representations in response to the Chelmondiston Neighbourhood Plan (Chelpin) Regulation 14 Consultation, closing date 1st September 2020.

Broad support is given to Chelmondiston Parish Council for the preparation of a draft Neighbourhood Plan however we have set out below a number of comments for consideration as the Neighbourhood Plan progresses to the next stage of consultation and then Examination. As you will be aware it is necessary for Neighbourhood Plans to meet the basic conditions which include the requirements to seek to contribute to achieving sustainable development and to have regard to national policies and guidance.

National Planning Policy Context

The National Planning Policy Framework 2019 (NPPF) establishes that the purpose of the planning system is to contribute to the achievement of sustainable development. The three objectives of sustainable development, as set out in the NPPF, require the planning system to perform an economic, social and environmental role. Paragraph 8 of the NPPF explains:

- a) ***an economic objective*** – *to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) ***a social objective*** – *to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) ***an environmental objective*** – *to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

For plan making, Paragraph 11 of the NPPF, requires that Local Planning Authorities positively seek opportunities to meet the development needs of their area.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS.

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Paragraph 78 of the NPPF outlines to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. It notes that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby. Residential development in such settlements can make a significant contribution to the maintenance and continuing provision of local services and facilities for community use, as supported by paragraph 83 of the NPPF in relation to Supporting a Prosperous Rural Economy.

In respect of housing delivery, the NPPF recognises that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, as they are often built-out relatively quickly (paragraph 68).

It is therefore important that the emerging Neighbourhood Plan pursues a development strategy which allows for the growth of Chelmondiston as a means of ensuring its long term sustainability. An approach to growth which allows for development at an appropriate scale, triggering the provision of affordable housing, is vital.

Chelmondiston Neighbourhood Plan Regulation 14 Consultation Document, July 2020

The focus of the comments made on behalf of our client relate to the following policies:

- Policy CNDP1 – New Housing Development within Settlement Boundaries
- Map 4 – Policies Map
- Policy CNDP2 Design Principles
- Policy CNDP7 – Conserving and Enhancing Valued Landscapes and Biodiversity

Planning Policy Context

For a Neighbourhood Plan to proceed to a referendum, the Localism Act requires the appointed Examiner to consider whether it meets the ‘basic conditions’ set out at Paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and summarised in Paragraph ID41-065-20140306 of the national Planning Practice Guidance (PPG). One of the ‘Basic Conditions’ a Neighbourhood Plan has to comply with is to be “*in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).*”

Section 4 of the Draft Neighbourhood Plan explains the relevant planning making reference to the adopted Core Strategy and emerging Babergh and Mid Suffolk Local Plan. It is unclear from the available documentation whether Chelmondiston Parish Council intends to process the Neighbourhood Plan in advance of the emerging Draft Local Plan, or following the adoption of the emerging Local Plan. This is necessary so that the Parish Council can take relevant steps to meet the relevant ‘basic conditions’. Given the inclusion of the emerging Draft Local Plan Policy Map extracts, it would suggest that the Neighbourhood Plan intends to follow the adoption of the Draft Local Plan.

It is recommended that the Neighbourhood Plan follows the adoption of the emerging Babergh and Mid Suffolk Joint Local Plan to be able to rely upon the District Council’s evidence base and to seek to avoid the situation where the Neighbourhood Plan could quickly be afforded reduced weight in decisions about planning applications if there is conflict with the overarching Joint Local Plan.

Remedy: It is recommended that the Parish Council confirms the emerging Neighbourhood Plan is intended to be made following the adoption of the emerging Babergh and Mid Suffolk Joint Local Plan. This approach will provide longevity to the Neighbourhood Plan.

Policy CNDP1 - New Housing Development within Settlement Boundaries

Objection – Draft Policy CNDP 1 does not propose to allocate any sites for residential development.

Part of the Vision for Chelmondiston states:

“...By 2036 any development will have been sustainable, with the necessary infrastructure resulting in a place that is thriving and enjoyable for residents, local businesses and visitors” (page 10).

Relevant objectives of the Neighbourhood Plan are:

1. *To help manage future housing growth and to meet local housing needs within the neighbourhood area.*
5. *To protect and enhance community and recreation facilities.*
7. *To ensure that the area has appropriate levels of infrastructure.*

It is clear that Chelmondiston benefits from a number of existing services and facilities which can support additional residential development. Babergh Council's Settlement Hierarchy Assessment 2019 identifies the following available facilities:

- Convenience store
- Post Office
- Food and drink outlet
- Other retail
- Pre-School
- Primary School
- Village Hall
- Places of Worship
- Bus service operating at peak times
- Recreation ground
- Super-fast broadband

It is particularly important that Chelmondiston is not be viewed in isolation, but as part of a wider network of settlements in this part of Suffolk all of which work together to provide a critical mass to support local services. It is important to recognise the opportunity new homes provide to help sustain existing services and facilities.

The Adopted Development Plan comprises of the Babergh Core Strategy & Policies DPD (2014) and relates to the plan period 2011 to 2031. It is noted that the front cover of the Draft Neighbourhood Plan identifies that the plan period is intended to be 2020 to 2036, extending the current Development Plan by 5 years.

Paragraph 33 of the NPPF reiterates that *“Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary”* (emphasis added). The Babergh Core Strategy was adopted some 6 years ago. In accordance with requirements the Council has taken the decision to prepare a new Local Plan jointly with Mid Suffolk.

In respect of the housing requirement for emerging Neighbourhood Plans, in instances where strategic policies for housing are out of date, as is the case for Chelmondiston, paragraph 66 of the NPPF states *“Where it is not possible to provide a requirement figure for a neighbourhood area the local planning authority should provide an indicative figure, if requested to do so by the neighbourhood planning body. This figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.”*

The Regulation 18 Draft Joint Local Plan was the subject of consultation in July and September 2019. At that time, Babergh Council suggested for the period to 2036 Chelmondiston Neighbourhood Plan should be planning for a minimum of 52 new homes (Table 4), draft Policy SP04 specifically states:

“In order to assist with delivery of the overall district housing need requirements, designated Neighbourhood Plan areas will be expected to plan to deliver the minimum housing requirements set out in Table 4 between 2018 and 2036”.

Despite this clear direction, the draft Neighbourhood Plan does not propose to make any allocations. As a consequence there is concern that the overall spatial strategy for Babergh will be compromised.

It is noted in recent years that Babergh Council has not been able to demonstrate a five year housing land supply which resulted in a number of speculative applications for residential development, including sites at Chelmondiston (Land west of Woodlands, Chelmondiston LPA Refs: DC/18/00236 and DC/19/01634). The identification of an appropriate site for allocation within the emerging Neighbourhood Plan can help to prevent speculative applications and would take a positive, planned approach to development.

Within the National Planning Policy Framework, paragraph 14 provides an additional level of protection to neighbourhood plan areas where the District Council has a shortfall in housing land supply. It states:

- 14. In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:*
- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*
 - b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*
 - c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and*
 - d) the local planning authority's housing delivery was at least 45% of that required over the previous three years.*

As there are no allocations contained within the draft Neighbourhood Plan, Chelmondiston would not be able to benefit from the above additional level of protection. Furthermore, a recent legal judgement has confirmed that it is not sufficient to simply rely on the identification of committed development (i.e. sites already benefitting from planning permission) within Neighbourhood Plans. As such it is necessary to identify new sites for residential allocation to benefit from this additional level of protection.

New development can create a number of benefits. Small to medium sized development it can provide a mix housing types and sizes, including affordable housing responding to local needs. A further direct benefit is the receipt of additional CIL funding which can be used to support local infrastructure schemes. It is acknowledged that once the Neighbourhood Plan is made, "...the Parish Council will receive an increase in the Community Infrastructure Levy payable to the parish at 25% instead of 15%". However, as the Neighbourhood Plan does not propose to identify any allocations, there will be very limited opportunity for additional CIL income to be forthcoming. Furthermore it is noted that objective 5 of the Draft Neighbourhood Plan is "To protect and enhance community and recreation facilities". It is therefore questioned how the plan seeks to meet this objective to not only protect but to enhance recreation facilities without relevant funding.

Remedy:

- **A revision to Draft Policy CNDP 1 is required to plan for additional housing at Chelmondiston to respond to the 52 dwelling requirement identified in the emerging Joint Babergh Mid Suffolk Local Plan.**
- **Development of this scale will deliver associated affordable housing in accordance with District policy requirements.**
- **In addition, this increased population will also support the retention of existing facilities at the settlement.**

Land north of Main Road, Chelmondiston should be identified for residential allocation. Suggested policy wording:

"Land north of Main Road, Chelmondiston is allocated for residential development:

- a) The development of the site will accommodate approximately up to 40 dwellings (subject to discussion).*
- b) Access to the site can be taken from Main Road.*
- c) The development layout will be designed in order to respect the living conditions and amenity of the residents to the east and west of the site.*
- d) Incorporate appropriate landscape mitigation measures".*

We would welcome the opportunity to explore the options, including the scale of development, with the Neighbourhood Plan Steering Group.

Map 4 – Policies Map

It is noted that the draft Policies Map for the Neighbourhood Plan proposes to replicate the settlement boundaries as proposed within the emerging Babergh and Mid Suffolk Local Plan.

For the reasons stated above, it is recommended that the Neighbourhood Plan amends the extent of the settlement boundary so that Land north of Main Road, Chelmondiston is located within the settlement boundary.

Policy CNDP2 - Design Principles

Support is given to Draft Policy CNDP2 as it is clear that design has an important role to play in the delivery of new development at Chelmondiston which responds positively to the character of the settlement.

The draft Neighbourhood Plan has aspirations for good design, where appropriate the use of traditional materials and energy efficient homes.

Policy CNDP7 – Conserving and Enhancing Valued Landscapes and Biodiversity

It is noted that the National Planning Policy Framework affords great weight to conserving and enhancing landscape designated within Areas of Outstanding Natural Beauty (para 172). However consideration needs to be balanced against the need to fulfil economic and social objectives (as provided at page 1 of this response).

Draft Babergh and Mid Suffolk Local Plan Policy LP19 – ‘Area of Outstanding Natural Beauty’ states:

- “1. The Councils will support development in or near the AONBs that:*
- a. Gives great weight to conserving and enhancing the landscape and scenic beauty;*
 - b. Does not adversely affect the character, quality views and distinctiveness of the AONB or threaten public enjoyment of these areas; and*
 - c. Supports the wider environmental, social and economic objectives as set out in the AONB Management Plan.”*

As such, the overarching policy context enables for the provision of carefully planned development within the AONB where it is justified. It is recommended that the Neighbourhood Plan makes an allocation for residential development to ensure that the identified housing needs are met in a planned approach, as discussed in detail above. Through the allocation process it will be necessary to consider the landscape impacts of development so that judgements can be made about where new homes should be directed. As part of this process consideration can also be given to the opportunity the site would have to incorporate appropriate landscaping.

It is noted that draft Policy CNDP7 proposes a number of specific policy criteria. Para 5.14 states “...Policy CNDP7 has been developed by using a wide variety of evidence sources, including work carried out for the VDF...” It is requested that relevant evidence for the Draft Neighbourhood Plan should be made available and it should robustly justify the proposed policy criteria. It is requested that this is made available for consideration as part of the next round of consultation (Regulation 16).

As stated above, Land north of Main Road, Chelmondiston is promoted for residential allocation. It is acknowledged that this site is located within the AONB. This site is also located immediately to the west of Land west of Woodlands, Chelmondiston which was recently the subject of a speculative planning application which was granted planning permission by Babergh District Council (LPA Refs: DC/18/00236 and DC/19/01634).

It is requested that consideration is given to the Land north of Main Road, Chelmondiston as an edge of settlement location for new housing at Chelmondiston. There are existing hedgerows and trees to the south and west of the site. As part of comprehensively planned development, potentially concentrated at the northern

part of the site, there is the opportunity for enhanced landscaping, particularly at the western edge of Chelmondiston.

Conclusion

It is important that the Neighbourhood Plan is considered within the context of national policy which continues to focus on the importance of growth and housing in rural areas. The inclusion of a sufficient amount of housing growth is vital to the long term sustainability of this rural community. Development is essential to secure the future of services and facilities in the local area, which are key to the long term sustainability of rural communities.

We trust the above comments clearly set out our client's position at this stage. We would welcome the opportunity to explore the options with the Neighbourhood Plan Steering Group. Please do not hesitate to make contact should you wish to discuss these matters further in advance of the Plan progressing to the next stage of consultation.

Yours faithfully,

A solid black rectangular box used to redact the signature of the sender.

Lydia Voyias MRTPI
Associate

Site Location Plan



(12) St Andrew's Church Chelmondiston Parochial Church Council

E from: St Andrew's Church Chelmondiston Parochial Church Council
Rec'd: 12 April 2021
Subject: Consultation under Reg 16 - Draft Chelmondiston NP 2020 - 2036 [BIRKETTS-LEGAL.FID1563860]
Attach: CNDP Response / Suffolk CC Letter re Churchyard 5.7.2017 / PCC Footpath FP31 Definitive Map / 1977-07-22 Trust Deed, DBF to PCC, Former School Site
[MSDC Note: These attachments follow the e-mail below]

Dear Sir/Madam

I am writing in my capacity as a member of the St Andrew's Church Chelmondiston Parochial Church Council, with the authority of that committee, and the incumbent, Revd Canon Liesbeth Oosterhof, who is the Rector of the Shoreline Benefice, which includes St Andrews as one of the churches and parishes which form the Benefice.

We wish to make the following submissions into the Draft Neighbourhood plan, including 2 errors in relation to St Andrew's which we seek to have corrected. These points were previously made in an Notice of Objections and Corrections submitted on 6 August 2020, but which were overlooked in the draft plan as published. I attach a further copy of that Notice of Objections titled CNDP response.

I refer to page 45 of the draft plan under reference CP5/6 with regards to "the St Andrew's Church Yard".

1. It states: "*It is an important community asset as it is an open, non-denominational burial ground...*". (my emphasis). This is factually incorrect. It is a Church of England/Anglican burial ground. Elsewhere in the village is a burial ground for the Baptists. Constitutionally, anyone who lives in the village or is a member of the parish can be buried in the churchyard, regardless of their faith or denomination, but this does not make the churchyard itself non-denominational. Please can this be corrected as a point of accuracy.
2. It is stated "*the site is crossed by footpaths linking into FP4 through a couple of gates, which are frequently used by walkers*". This is legally incorrect. There is no public right of way through the churchyard and there are no footpaths which cross the church yard. This has been confirmed by Suffolk County Council by letter of 5 July 2017 (copy attached) at the time when Revd Oosterhof lodged the necessary declaration pursuant to s31(6) Highways Act 1980. The next date for a declaration for St Andrew's Churchyard is on or before 12 June 2037 – which falls outside the period covered by this Neighbourhood Plan. I also enclose an extract from the Definitive Map showing FP31 passing to the south of the Churchyard, but with no footpaths crossing the churchyard. Please can the draft plan be amended to remove the sentence "*the site is crossed by footpaths linking into FP4 through a couple of gates, which are frequently used by walkers.*"
3. Inclusion of the Old School Site within the Local Green space designation. This is described as "*close to the church entrance there is an open grassy space roughly 40 metres x 20 metres which is used from time to time for fetes*" and is a reference to the Old School Site. By way of historic background
 - a. Chelmondiston CEP School was founded in 1857 with the rector and churchwardens as Trustees.
 - b. In 1944 the old school and part of the church was destroyed by a German doodlebug which landed on the site.
 - c. In 1949 the then rector and wardens retired as Trustees and were replaced by the Diocesan Board of Finance (DBF).
 - d. In 1970 the school transferred to its new site at Woodlands.

- e. At some stage thereafter the school buildings were demolished.
- f. In 1977 the site was sold by the DBF to the PCC, but as the PCC cannot hold property independently, the DBF thereafter held the land under a deed of trust, as custodian trustee. I attach a copy of the Deed of Trust from 1977. Other historic documents are also available if requested to confirm the details provided here.

4. What the above means is that the PCC, as trustees of the land, cannot, without being in breach of trust, agree to a designation which might impact on their ability at some date in the future to seek to utilise the site to raise income for the PCC (amongst other things to mow the grass and cut the hedges so as to maintain the balance of the green space site (being the churchyard surrounding the church itself)), as well as wider aspects of the church's ministry. We therefore seek that the Green Space Designation does not cover the Old School Site itself and that the sentence "*close to the church entrance there is an open grassy space roughly 40 metres x 20 metres which is used from time to time for fetes*" is deleted from the Plan when finalised.

To assist, we would suggest that this entry on page 45 for CP5/6 reads: "*It is an important community asset being a Church of England Burial Site. An area roughly 20 metres x 60 metres at the east end of the graveyard is generally kept unmown as a site for wildflowers. The rest of the site comprises mown grass between headstones and some trees, mostly yews.*" The various maps included in the final plan would need to be amended to remove the Old School Site from that classification. The map at page 4 in the Trust Deed confirms the extent of the Old School Site.

Yours faithfully

Oliver Gravell

Attachments follow ...

Attachment: CNDP Response

Chelmondiston Neighbourhood Development Plan Response

Name: Revd Canon Liesbeth Oosterhof
Organisation: St Andrew's PCC
Address: C/o The Rectory, Rectory Field, Chelmondiston, IP91HY
Email: l.oosterhof@btinternet.com
Tel. No.: 01473 781902

Page number: 31 and 45/46 (Table A1- Local Green Space Analysis)
Policy Number: CNDP5

Object & Making a Comment:

* St Andrew's Churchyard is not a non-denominational burial ground, but a Church of England Churchyard. Anyone living in the village, as well as anyone who passes away in the village has the right to be buried in the churchyard. Anyone else wishing to be buried in the churchyard is required to apply for permission in writing from the PCC. Whilst our decisions have to be as consistent as possible, each request has to be taken on their own merit.

* St Andrew's Churchyard is not crossed by any designated footpaths. Individuals are allowed access by the PCC, but the declaration that 'No Ways have been dedicated over the land and there is no intention to do so in the future' has been renewed with Suffolk County Council in 2017 and comes up for renewal in 2037.

* The area described as "...an open grassy space roughly 40 metres x 20 Meters which is used from time to time for fetes" is not part of the (consecrated) churchyard. The land is owned by the church and is referred to as "The Old School Site". It is land on which the old school stood before it was destroyed by a doodlebug in 1944. Whilst the PCC does not have any particular plans for the site, we object to designating it as Local Green Space which would tie our hands for any possible future use. ✓ I consent to my details being shared with Babergh District Council so that it can contact me for its consultation under Regulation 16

Your Ref:
Our Ref: 325/SD9407/ACR
Date: 5 July 2017
Enquiries to: Andrew Rogers
Tel: 01473 264729
Email: andrew.rogers@suffolk.gov.uk



Mr J W Edwards
Saltings
Orwell Rise
Chelmondiston
IPSWICH
IP9 1LJ

Dear Mr Edwards

S31(6) HIGHWAYS ACT 1980 - DEPOSIT OF DECLARATION

CHELMONDISTON CHURCH AND CHURCHYARD

I am now pleased to advise you that the declaration lodged by Reverend Canon Oosterhof in respect of the above land, meets with the requirements of the Highways Act 1980 and is deemed effective from 13 June 2017 the date of receipt by this authority.

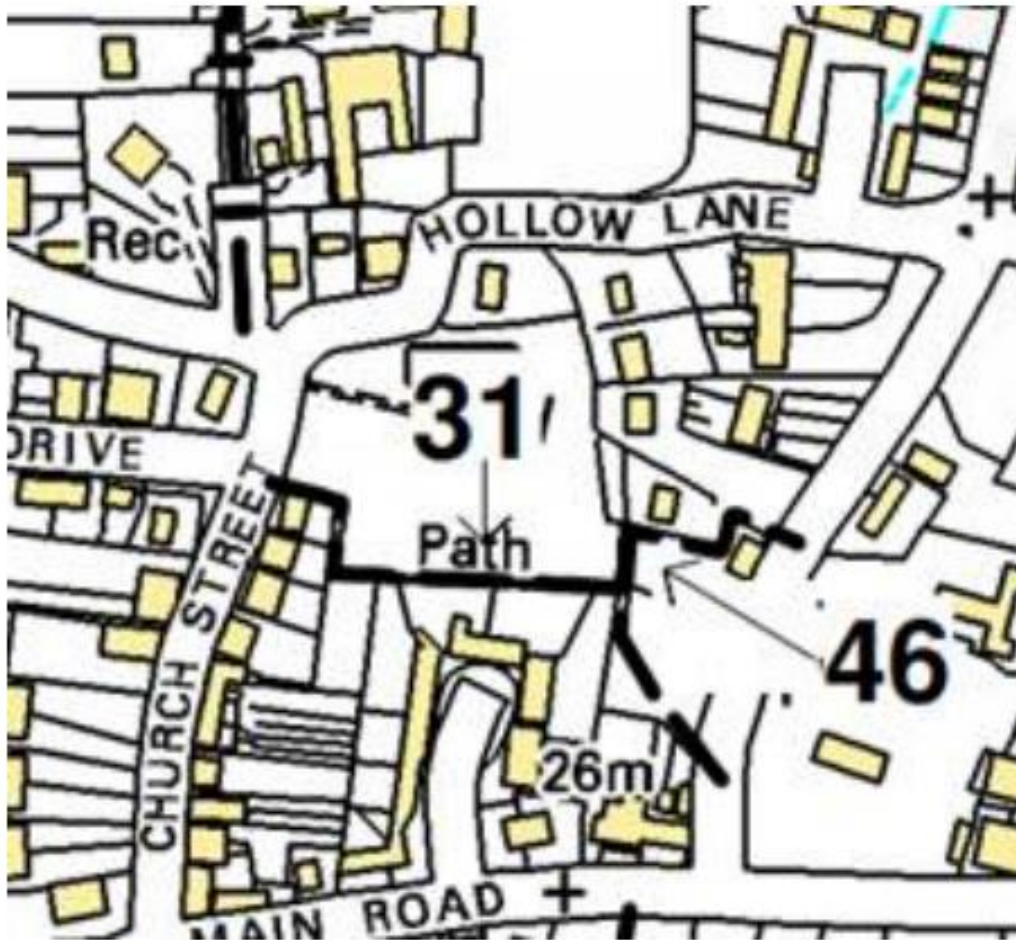
The register of statements and declarations maintained by Suffolk County Council can be viewed at

<http://www.suffolkpublicrightsofway.org.uk/registers/statement-and-declaration/statement-and-declaration-register/> The statutory notice, deposit and plan will be uploaded and available at the above link on or before the date of the notice. I have enclosed a copy of the notice for your information. The Notice plan is from the statement made in 2007 which you are renewing.

I also enclose a receipted invoice for £200:00 this being our fee for the deposited declaration and plan.

In order to keep the deposit continuous and thereby effective, it is the responsibility of the landowner to renew this by means of a further declaration before the end of each twenty-year period. This confirms and reconfirms the deposit. Therefore, the next declaration for this property should be sent to this department before **12 June 2037**, to comply with the above. We would recommend that you check the process for renewing statements and declarations prior to the renewal date, in case there has been a change in legislation in the interim.

Attachment: PCC Footpath FP31 Definitive Map



1421

Dated 22nd July 1977

The St. Edmundsbury and Ipswich
Diocesan Board of Finance

to

The Parochial Church Council
of Chelmondiston

TRUST DEED

Relating to:- The former school site
at Church Street,
Chelmondiston,
Suffolk

Messrs. Birketts
Ipswich

Bested 1/10/77

INLAND REVENUE
PRODUCED
27 JUL 1977
FINANCE ACT 1931
H



THIS DEED is made the *twenty-second* day of *July* One

thousand nine hundred and seventy seven BETWEEN the
SAINT. EDMUNDSBURY AND IPSWICH DIOCESAN BOARD OF FINANCE

a trust corporation incorporated under the Companies Acts and having its Registered Office at Diocesan House Ipswich in the County of Suffolk (hereinafter called "the Board") of the one part and the PAROCHIAL CHURCH COUNCIL of the Parish of Chelmondiston in the County of Suffolk and Diocese of Saint. Edmundsbury and Ipswich (hereinafter called "the Council") of the other part

WHEREAS by two Deeds dated respectively the Sixth day of March One thousand eight hundred and forty and the Twenty ninth day of June One thousand eight hundred and fifty seven more particularly referred to in the Third Schedule hereto the land and premises described in the First Schedule hereto were granted and conveyed unto and to the use of the Rector and Churchwarden for the said Parish of Chelmondiston and their successors upon charitable trusts for educational purposes as therein more particularly mentioned

AND WHEREAS the said property is no longer required for the purposes of the last recited deed.

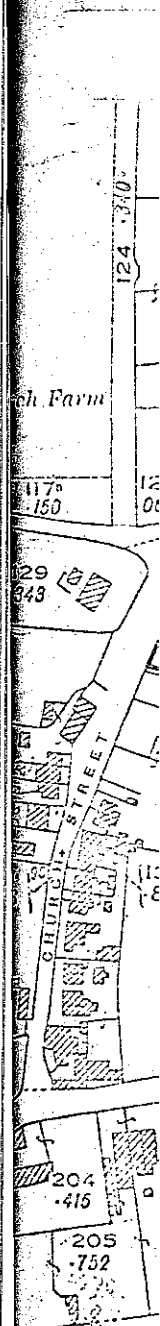
AND WHEREAS by a Scheme (hereinafter called "the Scheme") framed by the Minister of Education under the Endowed Schools Acts 1869 to 1874 as applied by an Order of the Minister dated the Thirtieth day of September One thousand nine hundred and forty eight made under Section 86 (1) of the Education Act 1944 as

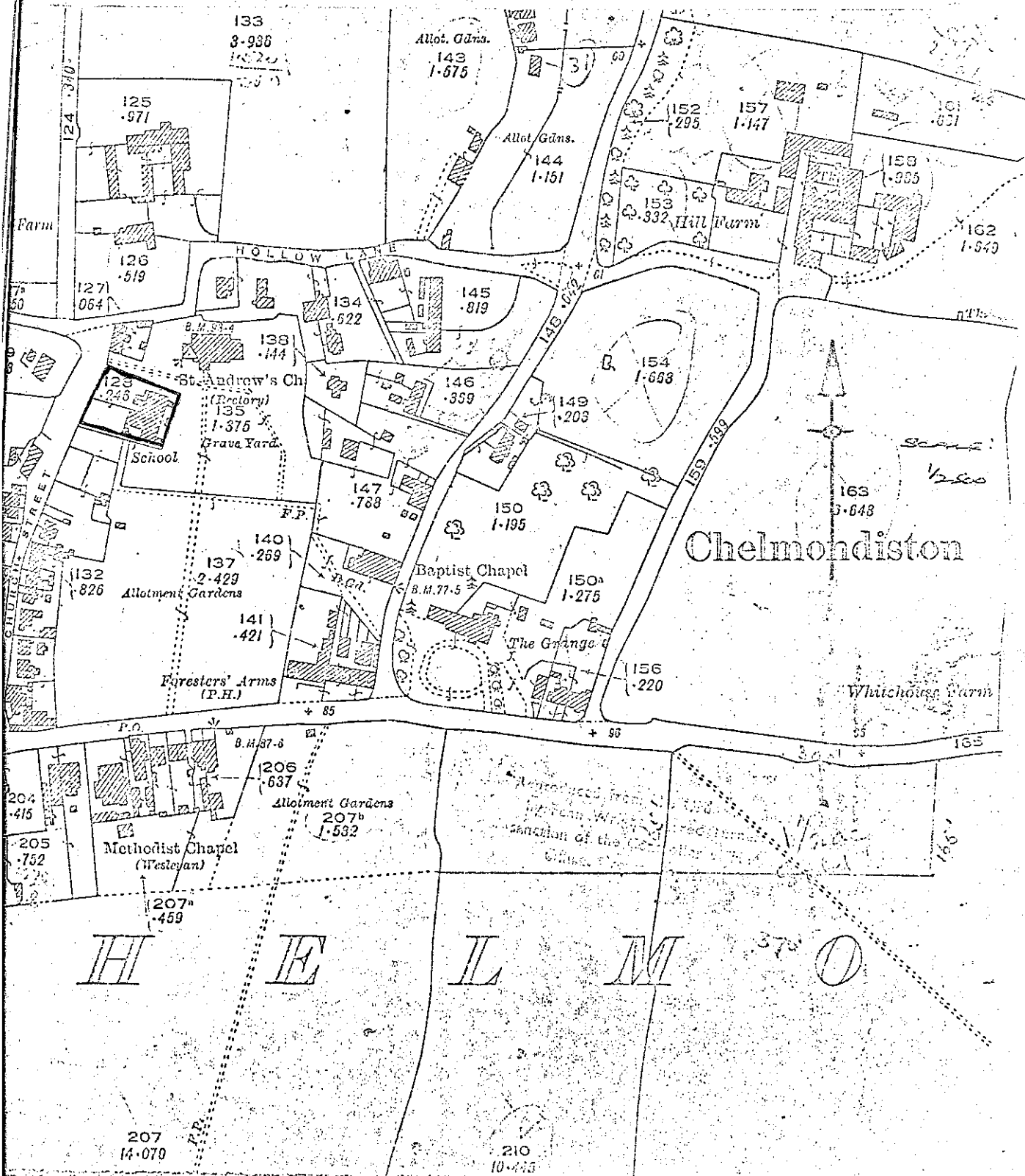
amended by the Education Act 1946 and confirmed by His Majesty in Council on the Twenty eighth day of January One thousand nine hundred and forty nine every Act of Parliament Letters Patent Statute Deed Instrument or Trust affecting the said property were thereby repealed and the provisions of the Scheme were substituted therefor and it was provided that the said property should thereby vest in the Board ~~of~~ Trustee and the Board was thereby authorised to sell the said property subject to the approval of the purchase price by the Minister of Education and apply the proceeds of sale as in the Scheme mentioned

AND WHEREAS the Board is the Diocesan Authority for the said Diocese for the purposes of the Parochial Church Councils (Powers) Measure 1956 (hereinafter called "the said Measure")

AND WHEREAS pursuant to the power conferred by the Scheme the Board has agreed to sell the said property to the Council for the sum of Two hundred and ninety one pounds and five pence and as such Diocesan Authority as aforesaid has consented to the acquisition of the said Property by the Council and it has been agreed that the said property shall be vested in the Board on behalf of the Council in accordance with the requirements of Section 5 of the said Measure upon the terms hereinafter contained

AND WHEREAS by a letter dated the Sixth day of August One thousand nine hundred and seventy five the Secretary of State for Education and Science approved the sale





Chelmondiston

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A. ...

NOW THIS DEED WITNESSETH as follows:-

1. In pursuance of the said agreement and in consideration of the sum of Two hundred and ninety one pounds and five pence paid to the Board by the Council (the receipt of which sum the Board hereby acknowledges) the Board as Trustee in exercise of the power conferred by the Scheme and every other enabling power HEREBY DECLARES that it holds the property described in the First Schedule hereto in fee simple freed and absolutely discharged from the trusts of the Scheme and every other trust power or provision previously affecting the said property in trust for the Council for such ecclesiastical and other purposes (being charitable) as are referred to in Section 5 of the said Measure and any amending or extending legislation relating thereto affecting the said Parish or any part thereof

2. IT IS AGREED by and between the Board and the Council as follows:-

(a) The said property has been acquired and will be used by the Council for the purposes hereinbefore mentioned

(b) In case of an authorised sale lease letting or other transaction the net monies (both capital and income) arising therefrom may be used for the purposes hereinbefore mentioned

(c) The Council will keep the Board or other the Trustee for the time being of this deed indemnified in respect of the matters referred to in the Second Schedule hereto and from all costs proceedings claims and demands for or in respect of the same

3. THE COUNCIL COVENANTS with the Board that nothing shall be done or permitted upon the said property which may be or become a nuisance or annoyance to the Minister conducting or the congregation attending divine service in the Parish Church of Chelmondiston or the churchyard surrounding it

4. THE BOARD acknowledges the right of the Council to production and delivery of copies of the deeds and documents specified in the Third Schedule hereto

5. IT IS HEREBY CERTIFIED that the transaction hereby effected does not form part of a larger transaction or series of transactions in respect of which the amount or value or the aggregate amount or value of the consideration exceeds Fifteen thousand pounds

IN WITNESS whereof the Board has caused its Common Seal to be hereunto affixed and the Chairman and two other Members present at a meeting of the Council at which the execution hereof was authorised have hereunto set their respective hands and seals the day and year first above written

THE FIRST SCHEDULE above referred to
ALL THAT piece or parcel of land situate in the Parish of Chelmondiston in the County of Suffolk having a frontage towards the West to Church Street there to the extent of Eighty eight feet or thereabouts with a depth therefrom on the North side of One hundred and fourteen feet or thereabouts and on the South Side of One hundred and twenty four feet or thereabouts as the same comprises the site of the former Church of England school premises and comprises the enclosure numbered

128 on the Ordnance Survey Map for the said Parish
all which said land is for the purpose of identification
only shown edged red on the plan attached hereto

THE SECOND SCHEDULE above referred to

1. All matters of liability to which the said property is now or hereafter may be subject or which are now or hereafter incident to the property
2. All rates taxes assessments insurance premiums and other outgoings of whatever nature which may from time to time be payable in respect of the said property
3. All costs and expenses incurred by the Board in relation to the acquisition of the property on behalf of the Council or in acting as Trustee thereof
4. All costs proceedings claims and demands in respect of any of the matters in this Schedule mentioned

THE THIRD SCHEDULE above referred to

22nd February 1840 Statutory Declaration by Robert
Pratt

6th March 1840 Conveyance

1. The Ven. Henry Denny Berners
2. The Rev. Henry Clissold and Philip Bacon Mason

28th June 1857 Conveyance

1. John Berners
2. Rector and Churchwarden of The Parish of Chelmondiston.

THE COMMON SEAL of the SACRISTY)

EDMUNDSBURY AND IPSWICH)

DIOCESAN BOARD OF FINANCE)

was hereunto affixed in the)

presence of)



Members of Executive Committee

Secretary

SIGNED SEALED AND DELIVERED)

by R. D. NEWTON)

being the Chairman presiding)

and J. M. B. EDGELL)

and D. HARRISON)

being two other Members)

present at a meeting of the)

Parochial Church Council of)

the Parish of Chelmondiston)

held on the 27th day of MAY)

1977 at CHELMONDISTON)

when the execution hereof was)

authorised in the presence of:-

