

Glemsford Neighbourhood Plan 2023 - 2037

Independent Examination correspondence document

First published: 7 July 2025

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Introduction

This document provides a record of correspondence between the Examiner (Janet Cheesley), the Parish Council (the Qualifying Body or 'QB'), and Babergh District Council during the examination of the Glemsford Neighbourhood Plan.

As required, specific documents will also be published on our Glemsford NP webpage:

<https://www.babergh.gov.uk/w/glemsford-neighbourhood-plan>

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1. 4 July 2025: E from Examiner. Examination start and procedures

From: Janet Cheesley
Dated: 4 July 2025
Subject: Glemsford Neighbourhood Plan Examination
Attached: [NPIERS_Planning_Guidance_To_Service_Users_And_Examiners_Rics.pdf](#)

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

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

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

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

I confirm that I have received the documents from Babergh District Council, including the Regulation 16 representations. I understand that Paul has given the Parish Council the opportunity to comment on these representations. Please can Paul send me the Parish Council's comments.

I enclose the NPIERS Guidance to Service Users and Examiners, which may be of interest regarding the examination process.

Regards, Janet Cheesley

2. 24 July 2024: E to Examiner. SEA Timeline and Explanatory Note

The following information was sent by e-mail on 24 July to Janet Cheesley following a verbal request to set out a timeline of events relating to the housing site proposal on Land west of Duffs Hill being promoted by Bloor Homes via their agent, James Bailey Planning Ltd [See representation #10 in the Reg 16 reps document – [linked here](#)]

* * * *

Glemsford NP Allocation and EA Timeline query

This timeline relates specifically to the site known as **‘land west of Duffs Hill’**

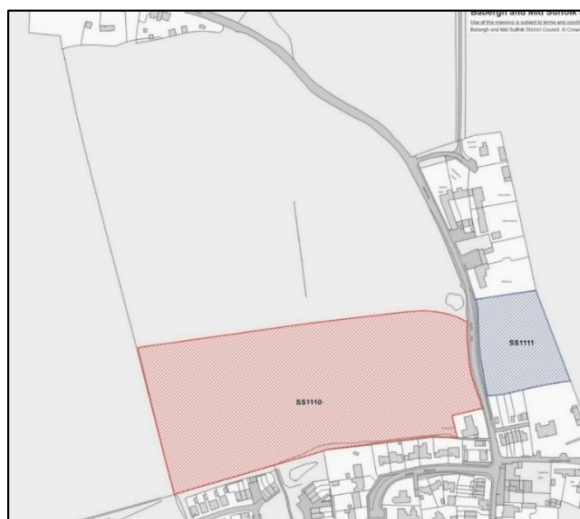
- At the Reg 14 stage ~ Bloor Homes were represented by Stantec
- At the Reg 16 stage ~ Bloor Homes were represented by James Bailey Planning Ltd (JBPL)
- The site in question previously identified by:
 - Babergh District Council as site ref’ no. SS1110
 - by AECOM (in Glemsford NP Site Options & Assessment, Oct 2020) as Site 8, *and*
 - by AECOM (in Strategic Environmental Assessment, Sept 2024) as Site 2.

The main objections from JBPL obo Bloor Homes are summarised in Section 5 of their R16 rep. Namely:

- the draft Glemsford NP fails to contribute to sustainable development
- SEA has failed to fully or properly considered all housing site options
- Land west of Duff Hill could have been considered as a reasonable alternative

JBPL have also suggested that, given the passing of time, there is now a disconnect between the number of new homes being planned for through the emerging Glemsford NP and the most recently issued ~ *i.e., 21 March 2025, but never made publicly available by Babergh & Mid Suffolk DC* ~ indicative housing requirement figures that had been sent to all town and parish councils across both districts. [Nb. JBPL are understood to have gained access to this via a now former BSMDC employee who has recently joined them]

The location of site SS1110, is shown shaded red on the map (right).



May 2020 - Glemsford Site Options & Assessment (SOA), AECOM Report

<https://www.babergh.gov.uk/documents/d/babergh/glemsford-np-site-options-assessment>

11 sites were assessed.

The site at Duffs Hill was that in the 2020 Babergh and Mid Suffolk SHELAA [as illustrated above].

The SOA (Table 5-1, pages 21-22) concluded that:

“The conclusions from the SHELAA are appropriate to carry forward into this assessment.

The road off which access would be provided is narrow and may not be able to support a significant amount of new vehicle movement arising from new development. Access should be discussed with Highways officers.

The site is compliant with Core Strategy Policy CS11 as it is adjacent to the built-up area. However, the site is not compliant with emerging Joint Local Plan Policy SP03 as it is outside the settlement boundary and the policy states that these boundaries demonstrate the extent of land which is required to meet the development needs of the Plan. While is not yet adopted it must be given material consideration. Therefore, under current policy the site is not suitable for allocation in the Neighbourhood Plan, however, should policy change or subject to consultation with BDC, the site is potentially suitable for a limited amount of development in line with Policy CS11 of the adopted Core Strategy or superseding policy, if access is confirmed as possible.”

November 2023 – Reg 14 Pre-submission Consultation on the Glemsford NP

Pre-submission consultation took place between 13 November 2023 and 5 January 2024.

Stantec submitted an online representation on behalf of Bloor Homes. The full representation is reproduced in the Consultation Statement. The same is attached to this note (Appendix 1).

Stantec stated that the site of 11.17ha could provide up to 100 dwellings. No plan was submitted to support the representation.

Given the outcome of the SHELAA and the SOA concerning access, it was difficult to understand how the highway network could support such a development from Duffs Hill as no substantive evidence to counter the SOA conclusion had been submitted.

November 2023 – SEA / HRA Screening Request

At the same time as pre-submission consultation commenced, the Parish Council requested a Screening Opinion of the Draft Plan by Babergh DC. The Screening concluded that a Strategic Environmental Assessment of the Plan was required. The Parish Council were made aware of

the conclusion in December 2023, albeit that the outcomes were yet to be subject to consultation with the three statutory bodies.

Link to published SEA / HRA Screening Opinion below:

<https://www.babergh.gov.uk/documents/d/babergh/glemsford-np-sea-hra-determination-feb24>

February 2024 - Request for Strategic Environmental Assessment

An application for the Locality SEA Technical Support programme was made in December 2023 and in February 2024 the Parish Council were notified that the application had been successful.

An online Inception Meeting was held on 27 February 2024.

March 2024 – Draft SEA Scoping Report received

May 2024 – Final SEA Scoping Report received

May 2024 – Initial Draft Environmental Report received

June 2024 – Request from AECOM concerning site capacities

The consultants asked what assumed capacities should be used for four “options” sites, namely:

- 1 – Land east of Duffs Hill
- 2 – Land west of Duffs Hill
- 3 – Land west of Park Lane
- 4 – Land south-east of Grange Lane

For ‘Land west of Duffs Hill’ the agreed number was 10 to reflect the outcome of the SOA and SHELAA.

For ‘Park Lane’ the agreed number was 100, reflecting the draft NP allocation. This also reflected the 2020 SHELAA which identified a capacity of 100 on the Park Lane site.

The consultants promised the draft report in “a couple of weeks”.

June 2024 – Request from James Bailey Associates (acting for Bloor Homes) for meeting

A letter was sent to the Parish Council enclosing a site concept plan (the same as attached to the Reg 16 comments) that illustrated how 80-100 dwellings could be developed on the site. Not considered appropriate given that the consultation period closed earlier in the year and would have to offer same opportunity to all other site promoters.

August 2024 – Request from P4P to AECOM for an update on the SEA

September 2024 – Final Draft SEA received

September 2024 – March 2025

The Parish Council went through a difficult period, which resulted in a delay in approving the submission of the draft Plan to Babergh District Council. The draft Plan and other documents were formally submitted on 11 March 2025.

[Ends]

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3. 4 August 2025: ‘Open Letter’ from Examiner to Glemsford PC

From: Janet Cheesley
To: Glemsford Parish Council
Dated: 4 August 2025
Subject: Glemsford Neighbourhood Plan

Letter to Glemsford Parish Council 4 August 2025

Paragraph 1.10.5. in Part 2 of the Neighbourhood Planning Independent Examiner Referral Service Guidance to service users and Examiners advises that: *the independent examiner will initially undertake a high-level assessment of the plan documents. If there is an obvious and potentially fatal flaw, the independent examiner will write to alert the local planning authority and qualifying body.*

I have undertaken an initial high-level assessment and unfortunately, I have identified a fatal flaw.

AECOM prepared the *Strategic Environmental Assessment (SEA) for the Glemsford Neighbourhood Plan Environmental Report to accompany the submission version of the Neighbourhood Plan* in September 2024. Amongst other matters, this assessed the reasonable alternatives for housing development.

A village survey had identified most support for between 51-100 additional homes, whilst the majority of residents considered that small developments of less than 20 homes would be the favoured approach. To meet the range of 51-100 dwellings, two options were considered. Option A was a combination of the three smaller sites and Option B was the site at Land west of Park Lane. In Option A Land west of Duffs Hill was considered to be able to provide 10 dwellings. Highway constraints for this site had previously been identified in the 2020 Babergh and Mid Suffolk SHELAA. This site was identified as Site 2 in the SEA Environmental Report, and I will refer to the whole site as Site 2 from now on.

I sought clarification from Paul Bryant via a telephone call as to the timeline of events. He has compiled, alongside Ian Poole, a *Glemsford NP Allocation and EA Timeline query* note. [BSDC Note: see item 2 above].

Pre-submission consultation on the neighbourhood plan took place between 13 November 2023 and 5 January 2024. Representations promoting Site 2 stated:

Bloor Homes have an option on land west of Duffs Hill which extends to approximately 11.17 hectares and could provide up to 100 dwellings with community benefits, biodiversity net gain, landscaping and PROW enhancements. An area of this Site was assessed as part of the Neighbourhood Plan preparation however the wider site ownership could accommodate the required number of dwellings with appropriate mitigation from the landscape perspective. Further details are set out within a landscape opinion prepare by CSA Environmental which can be shared under separate cover.

It took from December 2023 to September 2024 for the SEA Environmental Report to be completed. During that time, in June 2024, consultants acting for Bloor Homes sent a letter to the Parish Council enclosing a site concept plan (the same as attached to their Regulation 16 comments) that illustrated how 80-100 dwellings could be developed on the site and requested a meeting. I note the Parish Council's reluctance to consider this site further outside the consultation period.

Planning Practice Guidance explains that a strategic environmental assessment needs to consider and compare the reasonable alternatives as the plan evolves, including the preferred approach. Reasonable alternatives are the different realistic options considered in developing the policies in the plan. They need to be sufficiently distinct to highlight the different environmental implications of each so that meaningful comparisons can be made. The development and appraisal of proposals in neighbourhood plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings.

(Extracts from Paragraph: 038 Reference ID: 11-038-20190722)

“Reasonable alternatives” do not include all possible alternatives: the use of the word “reasonable” clearly and necessarily imports an evaluative judgment as to which alternatives should be included. As a result of consultation on a draft neighbourhood plan, new information may be forthcoming that might transform an option that was previously judged as meeting the objectives into one that is judged not to do so, and vice versa.

In this particular instance, The Parish Council was informed that the wider area of Site 2 may be able to provide up to 100 dwellings during the Regulation 14 consultation and received a copy of a concept plan in June 2024. A smaller part of this site was already being considered as a reasonable alternative together with other smaller sites. I realise that there was some overlap between the SEA Environmental Report being produced and the receipt of information regarding the capacity of Site 2 and that the information was limited in detail. Nevertheless, in these circumstances, in my opinion, Site 2 should have been considered as a further

reasonable alternative as a possible site to provide up to 100 dwellings, even though I appreciate that limited information had been provided.

A SEA needs to legally comply with Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended). These set out various legal requirements and stages of the SEA. As explained above, I do consider that Site 2 should have been assessed as a reasonable alternative in the SEA Environmental Report.

Representations during the Regulation 16 consultation period were received from Ms Murphy regarding part of Site 12, identified in The Site Options and Assessment (May 2020) as land east of Brook Street and Chequers Lane. Whilst no highways report is provided, the representations identify access to this site via No. 28 Brook Street. An enclosed Illustrative Plan identifies a layout for 18 dwellings. I understand that the Parish Council was informed of this potential access provision via email in February 2024, outside the Regulation 14 consultation period. Clearly this site does not have the capacity to provide 100 dwellings and thus, on its own, is not a reasonable alternative. The Site Options and Assessment (May 2020) stated : *a smaller area could be suitable in principle to the north of Foundry Close (no further east than Foundry Close), but as there is no clear access point this appears to be currently unsuitable. If access could be achieved from Brook Street this could be a potential location for new development.*

As the SEA Environmental Report does include an option for development to be via a number of small sites and having received the access information in February 2024, and the positive comment in the Site Options and Assessment (May 2020), I do consider that this small area of Site 12 should have been part of a package of small sites considered as a reasonable alternative.

Given that the SEA Environmental Report does not comply with legal requirements, there are no modifications I can recommend remedying this circumstance. Unfortunately, this requires the SEA process to be revisited to meet these Regulation requirements.

I would like to give the Parish Council the opportunity to prepare a revised SEA Environmental Report including Site 2 as a reasonable alternative with a capacity of up to 100 dwellings and the small area of Site 12, as part of a package of small sites, as a reasonable alternative. This can be an addendum to the original report providing it complies with the Regulations, including scoping requirements.

Whatever the outcome of the findings of a revised SEA, the Basic Conditions Statement and Consultation Statement will need updating to refer to the revised SEA and the submission plan will at least have to be updated and policies possibly revised. This will require further consultation.

In the light of the above, I would like to give the Parish Council the opportunity to consider whether it wishes to withdraw the submission Plan from examination or whether I continue with the examination with the understanding that I will recommend the Plan does not proceed to referendum. I have yet to examine the Submission Plan in detail and there may be other

modifications required to meet the Basic Conditions. I am not seeking, and will not accept, any representations from other parties regarding this matter at this stage.

Once the necessary documents have been revised and relevant consultation has been undertaken, a further submission plan can be the subject of examination.

I realise that this is an important consideration for the local community. I would like to give the Parish Council 14 days from receipt of this letter to respond. If further time is required, for example to coincide with a Parish meeting, please let me know.

Please can this open letter be placed on the Babergh District Council's webpage for the Plan.

If the Parish Council agrees to the above, please can Ms Murphy and consultants acting on behalf of Bloor Homes be informed.

Kind regards
Janet Cheesley

[Ends]

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4.. 19 August 2025: Glemsford PC response to Open Letter. Plan withdrawn from examination

From: Ian Poole (obo Glemsford PC)
To: Janet Cheesley, Paul Bryant (Babergh District Council)
cc: Glemsford Parish Council
Dated: 19 August 2025
Subject: Glemsford Neighbourhood Plan

Dear Janet, Paul

Further to the Open Letter dated 4 August, I write on behalf of Glemsford Parish Council to advise that the content of the letter was considered at the Parish Council meeting on 12 August when it was resolved [to withdraw the plan for the moment]:

25/102 Neighbourhood Plan – update on the current status and next steps.

We have received a briefing note from Places4People which is on the PC's website.

The PC has been asked to revisit the areas for development to meet the 100 property requirement requested. In its current state the plan will need to be withdrawn until AECOM or an alternative company can assist in re-writing the environmental study part of this plan. It was suggested that as there is no further funding available for NHPs the PC should make an allowance of up to £6k for this work.

RESOLVED The PC agreed to withdraw the plan for the moment, all agreed by show of hands. Cllr Ansell abstained

We remain hopeful that the required work on the Environmental Assessment identified in the Open Letter can be completed by AECOM, through a third party, given that it would be an extension to their original assessment. Otherwise we will need to identify consultants that may take on the work at a reasonable cost as AECOM will not take on the work directly now that the grants no longer exist. I hope to know more early in September.

Kind regards,

Ian Poole

Places4People Planning Consultancy Ltd

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Responding by e-mail to the above, Janet Cheesley wrote:

“Thank you for confirming that the submission plan is withdrawn from examination”

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Babergh District Council will continue to work with Glemsford Parish Council as they decide what is the most appropriate course of action for the neighbourhood plan.

[Ends]