

Lavenham Neighbourhood Plan 2 (2023 – 2037)

Independent Examination Correspondence Document

First published: 24 November 2023

Last updated: 6 December 2023

Introduction

This document will provide a written record of all relevant correspondence between the Examiner (Janet Cheesley), Lavenham Parish Council (the Qualifying Body or 'QB'), and Babergh District Council during examination of Lavenham Neighbourhood Plan 2 (LNP2).

As required, specific documents will continue to be published on our LNP2 webpage:

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

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

1. **E from Examiner dated 23 Nov 2023: Examination start, procedures, need for focused consultation on identified matters, and questions for clarification.**
2. **E to Examiner dated 6 Dec 2023: Response to questions for clarification**
3. X

1. E from Examiner dated 23 Nov 2023: Examination start, procedures, need for focused consultation on identified matters, and questions for clarification.

Dated: 23 November 2023
From: Janet Cheesley
To: Paul Bryant (BMSDC), Andrew Smith (Clerk to Lavenham PC), Rachel Hogger (Modicum Planning)
Fwd to: *Irene Mitchell (Chair - Lavenham PC), Roy Mawford (Chair - LNP2 Revision Group)*
Subject: Lavenham Neighbourhood Plan 2 Examination
Attached: [Npiers Planning Guidance To Service Users And Examiners Rics.pdf](#)

Dear

I am writing to set out how I intend to undertake the examination of the Lavenham Neighbourhood Plan 2. 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 his opinion.

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

I will be visiting the Parish during the examination. I will not need to be accompanied during my visit. If I am 'spotted', I would appreciate it if I were not approached.

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

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

I confirm that I have received the documents from Babergh District Council, including the Regulation 16 representations and the Parish Council's response to those representations.

As the Joint Local Plan has been formally adopted since the submission of the neighbourhood plan for examination, I will examine the neighbourhood plan against policies in the adopted Joint Local Plan. Therefore, it is necessary to arrange for a focused consultation period inviting representations on how the neighbourhood plan meets the Basic Conditions with regard to general conformity with the strategic policies in this adopted Joint Local Plan. Please can Paul arrange for a consultation period of at least two weeks. The Parish Council is not required to alter the Basic Conditions Statement, but is invited to comment during the consultation period if it wishes.

Policies LAV 5 and LAV 13 in the neighbourhood plan make reference to the location of standalone renewable energy infrastructure. The neighbourhood plan was prepared under the 2021 National Planning Policy Framework (NPPF). I will examine the neighbourhood plan against policies in the recently revised September 2023 NPPF. Paragraph 158 and related footnote 54 in the 2023 NPPF have been revised from that in the 2021 NPPF, with regard to consideration of planning applications for renewable and low carbon development. The revisions relate to Policies LAV 5 and LAV 13 with regard to renewable energy infrastructure. Therefore, it is necessary for there to be a focussed consultation period inviting comments on the effect of the revised 2023 NPPF on how the neighbourhood plan meets the Basic Conditions. Please can Paul arrange for a consultation period of at least two weeks, to run at the same time as the consultation period regarding the Joint Local Plan.

Reference is made in the neighbourhood plan to the Suffolk Design Streets Guide. Please can I have a link to this document.

Paragraph 7.13.3 in the neighbourhood plan refers to The Halt. Please can I have details of the location of The Halt. A roughly drawn map will suffice.

Paragraph 4.19 in the Plan refers to Lavenham as a Core Village. I am seeking clarification from Paul as to whether the settlement hierarchy remains following the adoption of the Joint Local Plan.

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

Please can it be mentioned on the District Council's web site that I have started the examination.

At the end of the examination, I would welcome feedback as to whether the way the examination has been conducted has enabled the Parish Council to feel included in the process.

Regards

Janet Cheesley

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2. E to Examiner dated 6 Dec 2023: Response to examination questions

Dated: 6 Dec 2023
From: Paul Bryant (BMSDC),
To: Janet Cheesley
Cc: Andrew Smith, Roy Mawford, Irene Mitchell, Rachel Hogger
Subject: Response to examination questions

Dear Janet

Your examination start e-mail dated 23 Nov refers.

With apologies for the delay, please find attached our collective response to your three questions.

* * * *

Q1 Reference is made in the neighbourhood plan to the Suffolk Design Streets Guide. Please can I have a link to this document.

A The Streets Guide can be accessed via the Suffolk County Council website:

<https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/suffolk-design-guide-for-residential-areas>

Q2 Paragraph 7.13.3 in the neighbourhood plan refers to The Halt. Please can I have details of the location of The Halt. A roughly drawn map will suffice.

A The Halt is the local description for the Old Station Close development. In the submission draft Plan, it is also referred to in para' 4.25 (iv) and you will have seen the photographs on pages 49 and 93. The Halt is also referred to in para' 2.1.4 of the LNP2 Design Guide 2023¹, and is shown as Site 14 on the 'Post war development plan' map on page 13.

The Play Equipment Area referred to in 7.13.3(k) is separately identified as Local Green Space no. 17. 'The Preston Road play space' in Policy LAV19. Its location is shown in Map 8 (page 59) and there is a photograph on page 26 of the Local Green Space Assessment²

The photograph and an extract from Map 8 are reproduced below for convenience.



¹ <https://prod-babergh.baberghmidsuffolk.dp.placecube.com/documents/d/babergh/lavenham-np2-design-guide>

² <https://prod-babergh.baberghmidsuffolk.dp.placecube.com/documents/d/babergh/lavenham-np2-lgs-os-assessment>

Q3 Paragraph 4.19 in the Plan refers to Lavenham as a Core Village. I am seeking clarification from Paul as to whether the settlement hierarchy remains following the adoption of the Joint Local Plan.

A The settlement hierarchy set out in Babergh Local Plan Policy CS2 (Feb. 2014) no longer forms part of the development plan following the adoption of Joint Local Plan Part 1. Joint Local Plan Part 2 is now being developed and will consider a new settlement hierarchy, as well as other matters set out in the adopted Local Development Scheme (Nov 2023).

In paragraph 4.19, we suggest that the reference to ‘a Core Village with the Babergh area’ could be removed from the penultimate sentence, and that this and the last sentence be combined as follows:

“It also has business units, a primary school and pre-school, a dental practice, doctors’ surgery, playing fields, a tennis court, and several children’s play areas.”

In paragraph 7.13.2, we simply suggest deleting the following text:

“which is why it is designated a Core Village under the Local Plan”

[Ends]

.....

3. X

Dated:

From:

To:

Subject:

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