

# **Sproughton Neighbourhood Plan 2018 - 2037**

## **Independent Examination correspondence document**

**First published: 21 February 2023**

**Last updated: 19 April 2023**

### **Introduction**

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

As required, specific documents will also continue to be published on our Sproughton NP webpage: [www.babergh.gov.uk/SproughtonNP](http://www.babergh.gov.uk/SproughtonNP)

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

- 1. E from Examiner dated 20 Feb 2023: Examination start and procedures.**
- 2. E to Examiner re start notice etc.**
- 3. E from Examiner dated 19 Mar 2023 and response dated 19 April 2023: Questions for clarification**

## 1. E from Examiner dated 20 Feb 2023: Examination start and procedures.

**From:** Ann Skippers  
**To:** Paul Bryant (BMSDC), Ian Poole (NP Consultant), Rhona Jermyn (Chair of Sproughton NP Group), Helen Davies (Chair of Sproughton PC & Vice Chair of NP Group), and Kirsty Webber (Parish Clerk)  
**Dated:** 20 February 2023  
**Subject:** Commencement of the Examination into the Sproughton NDP  
**Attach:** Examination Note [**BDC note: This is reproduced further below**]

Dear Paul, Ian, All,

I am writing to confirm to you and the Parish Council that the examination of the above NDP has now started.

I attach the usual examination note which sets out what I trust is useful general information about the procedures for examinations.

If you or the Parish Council have any queries please do not hesitate to get in touch.

I hope to be able to update you about progress very soon, but at the present time I hope to have any queries of clarification or the fact check report (if no queries arise) with you in early March at the latest.

Thank you for appointing me to undertake this one; I look forward to working on the Plan and visiting the area.

Kind regards  
Ann Skippers

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### **Sproughton Neighbourhood Plan Examination**

#### **Examination Information Note from the Independent Examiner to the LPA and Qualifying Body**

Further to my appointment to undertake the independent examination of the above Neighbourhood Plan, this note aims to set out how I intend to conduct the examination. My role is to determine whether the Plan meets the basic conditions and other legal requirements.

#### **1. Communication**

It is important that the examination process is open and transparent to all interested parties. I hope to ensure that the Parish Council feels part of the process. My main point of contact will be the designated local planning authority contact, Paul Bryant.

Any correspondence (other than that relating to contractual matters) should be published on the local planning authority's website and the Parish Council's website in a timely manner.

If anyone else who is not the designated point of contact gets in touch with me direct, for example a local resident or planning consultant, I will refer them to the local planning authority contact in the first instance for assistance.

## ***2. Examination documents***

I will access most documents electronically either from the local planning authority's website or on the Parish Council website or any dedicated Neighbourhood Plan website. If I have any trouble finding or accessing any documents, I will let you know so that these can be provided to me.

It would be also helpful, if not already done, if the local planning authority could confirm the adopted development plan and any saved policies. In addition if there are any emerging development plans, details of the stages reached and future programmes would be appreciated. In both cases, please direct me to relevant parts of your website or let me know how I can access the documents that you identify.

## ***3. Late representations***

As a general rule of thumb late or additional representations will not be accepted. The only time when I will consider accepting a representation submitted after the consultation period has ended is in those cases where there has been a material change in circumstances since the six week consultation period has ended. For example national planning policy changes or a judgement may be handed down from the Courts. In these circumstances anyone wishing to introduce new evidence should fully justify why and in the case of substantial documents, indicate which parts of the document are relevant and why.

However, if a meeting or hearing is held, there may be further opportunities for comments to be made at my request to assist me in ensuring adequate examination of an issue.

## ***4. Clarification procedures***

I may at any time during the examination seek written clarification of any matters that I consider necessary. This is quite common and should not be regarded as anything out of the ordinary. The usual time for response to any clarification queries is one to two weeks.

I must emphasise that this does not mean I will accept new evidence. In the interests of fairness to other parties, I cannot accept any 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 it is sent to the local planning authority contact in the first instance for their advice on this point.

If I find that there are significant issues which may prevent the Plan meeting the basic conditions I will let you know during the course of the examination as soon as I can so that options on how best to proceed can be considered. Whilst this situation can usually be dealt with through an exchange of written correspondence, if it would be helpful to hold a meeting, I will suggest this and be in touch

to make suitable arrangements. Any such meeting will be held in public and at the present time, be held virtually.

Any request for clarification and any response should be published on the relevant Council websites.

### ***5. Visit to the Plan area***

I expect to be visiting the Plan area during the examination. Visits, where necessary, help me to understand the nature of the Plan and the representations. It will also help me decide if there are any issues to be clarified. I will not need to be accompanied on any visit. If however, I feel it is essential to gain access onto private land then I will be in touch to seek permission to do that and at that point an accompanied site visit may need to be arranged.

If I am 'spotted' during my visit, I would appreciate it if I am not approached, but allowed to continue the visit unheeded.

### ***6. Examination timetable***

The main determinants of how long the examination will take are firstly the number and complexity of the policies in the Neighbourhood Plan, the clarity of supporting documentation and evidence and the number and nature of any representations.

It may be there is very little correspondence from me during the examination. I will however endeavour to keep you updated on the progress of the examination. Please do not hesitate to contact me if you wish to know progress and have not heard from me.

### ***7. The need for a hearing***

At the present time, I do not envisage there will be a need for a hearing. However, at any time before final report is issued, I may decide to call a hearing if I consider this is necessary to ensure adequate examination of any issue or to allow a person a fair chance to put a case.

If a hearing is necessary, I will let you know as soon as I can and be in touch to discuss the procedure and to make suitable arrangements at that time.

The period of notice for hearings is not prescribed, but typically 21 days notice is given.

### ***8. The 'Fact Check' stage***

A confidential draft of my report will be sent to the Parish Council and local planning authority to allow both parties to check whether there are any factual errors such as dates, sequence of events, names and so on. This is not an opportunity for further representations to be made. A period of a week or so is usually set aside for this purpose.

I find it very helpful if the local planning authority collates its own comments with those of the Parish Council into a single response or both separate responses are sent to me at the same time.

I will endeavour to issue my final report shortly after the fact check stage.

## **9. Procedural questions**

I hope this information is helpful. If the Parish Council or local planning authority have any questions relating to the examination process at this stage, please do not hesitate to get in touch and I will do my best to answer any such queries.

Ann Skippers MRTPI  
Independent examiner  
20 February 2023

[Ends]

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## **2. E to Examiner re start notice etc.**

**Dated:** 21 February 2023  
**From:** Paul Bryant (BMSDC),  
**To:** Ann Skippers  
**cc:** Ian Poole, Rhona Jermyn, Helen Davies, NP Group), Kirsty Webber  
**Subject:** Commencement of the Examination into the Sroughton NDP

Dear Ann, (All)

Thank-you for confirming that this examination is now underway. I will update our Sroughton NP webpage to reflect this.

Responding to the information request in section 2 of your Examination Note ...

- The adopted development plan for Babergh comprises the saved policies of the [Babergh Local Plan Alteration No 2](#), adopted June 2006, and the [Babergh Core Strategy 2011 - 2031](#), adopted Feb 2014.
- The two Councils [Babergh and Mid Suffolk] are preparing a new Joint Local Plan (JLP) which will cover the plan period to 2037. Our [Joint Local Development Scheme 2022-2025 \(Oct 2022\)](#) provides, at Chapter 4, an update on the proposal to split the JLP into a Part 1 and Part 2 document and, at Chapter 9, the expected timetable for their delivery. The dates are indicative and the Councils are progressing towards the Main Modifications consultation for the Joint Local Plan Part 1.
- Please also note that the Minerals Core Strategy and the Waste Core Strategy produced by Suffolk County Council also form part of the development plan. [\[See here\]](#)

Kind regards,

Paul Bryant  
N'hood Planning Officer | BMSDC

[Ends]

**3. E from Examiner dated 19 Mar 2023 and response dated 19 April 2023:  
Questions for clarification**

**Dated:** 19 March 2023  
**From:** Ann Skippers  
**To:** Paul Bryant (BMSDC), Ian Poole  
**Subject:** Questions of clarification on the Sproughton NDP from the examiner  
**Attached:** Questions of clarification

Dear Paul and Ian,

I am making good progress with the above examination and have nearly completed my assessment.

Some matters have arisen on which I would be grateful for your kind assistance. Subject to the satisfactory resolution of these issues, I do not consider at this stage that a hearing will be needed, but this will depend on the information provided. It is not unusual at all for me to have a few queries or to ask for some further information (as you very well know) so I'd like to reassure the Parish Council that this is quite 'normal' for me.

I would be most grateful if both Councils as appropriate would respond to these queries which are detailed in the attachment. I have sent you this in word format so that some of the answers may be easily added in to it if you so wish.

I would usually suggest a week or so to come back to me with the responses to maintain momentum with the examination. However, with circumstances as they are, and given the nature of the queries, if more time is needed please let me know and of course if things come back to me sooner, I may be able to progress things a little quicker at this end.

It would be very helpful to me if all the answers could be collated together and that just one bundle of responses is sent to me by Paul at BDC please.

This email, the attachment with the questions (and the responses to them) will be a matter of public record and should be placed on the appropriate websites.

With many thanks in anticipation of your kind assistance, and of course please do not hesitate to contact me if anything is not clear or if any queries arise.

Kind regards Ann

Ann Skippers  
Ann Skippers Planning  
Chartered Town Planners

Continued overleaf

**Dated:** 19 April 2023  
**From:** Paul Bryant (BMSDC),  
**To:** Ann Skippers  
**cc:** Rhona Jermyn, Helen Davies, Ian Poole  
**Subject:** Questions of clarification on the Sproughton NDP from the examiner  
**Attached:** Response to Questions of clarification; Sproughton NP NdHA Appraisal Sept 22;  
Sproughton NP Special Character Area Appraisal

Dear Ann

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

The responses to questions 4 and 5 mention the amended NdHA Appraisal and Special Character Area Appraisal respectively. Copies of these are also attached and as indicated, these will also be published on our website. Updating that and the Examination Correspondence document will be my next task.

Kind regards

Paul Bryant  
N'hood Planning Officer | BMSDC

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### **Sproughton Neighbourhood Plan Examination**

#### **Response to questions of clarification from Examiner to Parish Council and BDC (19 April 2023)**

Having completed my initial review of the Neighbourhood Plan (the Plan), I would be grateful if both Councils (as appropriate) could kindly assist me as appropriate in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information. Please do not send or direct me to evidence that is not already publicly available.

- 1. Policy SPTN 7 (Area of Local Landscape Sensitivity)** identifies an area as proposed Valued Landscape and this is shown on Map 5 of the Plan. What evidence is presented to support this designation and the extent of the identified area? Has the resolution to grant planning permission subject to legal agreement for planning application DC/21/02671/OUT affected this part of the draft policy? If so, in what way?

#### **Response from SPC**

There are a number of background documents dating from 2015 to 2021, and commissioned either by the Parish or District Council, that identify the value of this landscape. We list these in the table below. The first was written by Babergh District Council and we hope that this would be regarded as a credible source. The other documents have been written by established experts in their field. All consistently identify the landscape as valued and worthy of protection.

#### **Joint Babergh & Mid Suffolk District Council Landscape Guidance (Aug 2015)**

- **Author:** BMSDC
- <https://www.babergh.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/Joint-Landscape-Guidance-Aug-2015.pdf>
- **Note:** One of the earliest references to this area having a valued landscape.

#### **Settlement Sensitivity Assessment Volume 1: Landscape Fringes of Ipswich (Jul 2018)**

- **Author:** Alison Farmer Associates in association with Lucy Batchelor-Wylam & Countryside
- <https://www.babergh.gov.uk/assets/Strategic-Planning/Current-Evidence-Base/Settlement-Sensitivity-Assessment-July2018.pdf>
- **Note:** Commissioned by Suffolk Coastal DC, Ipswich BC, and Babergh & Mid-Suffolk DC

### Sproughton NP Landscape Appraisal Final Report (Feb 2021)

- **Author:** Alison Farmer Associates
- <https://www.babergh.gov.uk/assets/Neighbourhood-Planning/Sproughton-NP-Landscape-Appraisal-Feb21.pdf>
- **Note:** Commissioned by Sproughton PC to provide evidence to support their NP. Submitted with our NP to Babergh DC

### Landscape Response to application by Taylor Wimpey DC/21/02671 (July 2021)

- **Author:** Lucy Batchelor-Wylam (Chartered Landscape Architect)
- **File saved as:** <https://www.babergh.gov.uk/assets/Neighbourhood-Planning/Sproughton-NP-LBW-July21.pdf>
- **Note:** Commissioned by Sproughton PC to support their objection to [DC/21/02671](#)

### Amended dg401 rev 8 parameter plan land use

- **Author:** Boyer Planning for Taylor Wimpey
- **File saved as:** <https://www.babergh.gov.uk/assets/Neighbourhood-Planning/Sproughton-NP-DC2102671-Amended-DG401-Rev8-Parameter-Plan.pdf> [See also screen-shot below]
- **Note:** Commissioned by Taylor Wimpey as part of their outline application DC/21/02671. The white area surrounding Red House Farm identifies the covenanted area preventing any development.



### Land at Red House, Chantry Vale, Sproughton, Landscape Appraisal, Sept '19, AFA

- **Author:** Alison Farmer Associates
- <https://www.babergh.gov.uk/assets/Neighbourhood-Planning/Sproughton-NP-RedHouse-Landscape-Appraisal-Sep19.pdf>
- **Note:** Written for the owners of Red House Farm to support their objection to [DC/21/02671](#). Submitted with our NP to Babergh DC. The Appraisal was written by the same consultant that prepared the Landscape Appraisal and therefore provides a level of consistency in approach to landscape quality.

The extent of the area identified as 'Valued Landscape' is the immediate surrounds of Red House Farm which are covered by covenants that restrict development (see Amended dg401 rev 8 parameter plan land use referred to above submitted to Babergh DC by Taylor Wimpey in support of their planning application ref DC/21/02671) so will remain 'green' and undeveloped.



The Sproughton NP Landscape Appraisal prepared by Alison Farmer Associates (Feb 2021) identified the area referencing an earlier document they had prepared and also referred to above 'Land at Red House, Chantry Vale, Sproughton, Landscape Appraisal, Sept '19, AFA' which was submitted to Babergh District Council in support of the owner's response to proposals put forward by Taylor Wimpey in relation to land surrounding Red House, and the allocation of this land for housing in the Babergh and Mid Suffolk Joint Local Plan – Preferred Options Consultation (July 2019). Paragraph 8.10 (page 33) of the submission Neighbourhood Plan includes a hyperlink to that document.

Paragraph 4.20 of the Red House Appraisal states "The existing character and sensitivity assessment for this area indicate that this landscape is likely to have a weight of evidence that supports its recognition as a valued landscape." – see 'Landscape Value' para 4.20. As per the above table Alison Farmer has produced numerous documents for BDC on the Suffolk landscape.

At this stage Babergh District Council Planning Committee has resolved to grant planning consent subject to the prior agreement of a Section 106 Planning Obligation within six months of the Committee's resolution. Subject to Neighbourhood Plan being successful at referendum, the full applications after that referendum will be assessed under the Neighbourhood Plan and it's locally based policies for design and landscape impact.

- 2. Policy SPTN 8 (Settlement Gaps)** identifies a number of settlement gaps shown on Map 6. What evidence is presented to support the identification of the gaps?

**Response from SPC:**

Section 4.7 of the Sproughton NP Landscape Appraisal (referred to above and [linked here](#)) addresses Important Gaps.

- 3. Policy SPTN 9 (Important Views)** identifies a number of views. The Plan (page 37) refers to a separate appraisal of views. Please could a copy of this be forwarded to me? If this is not available publicly, please confirm what evidence has been relied on to identify all of the views. Given the resolution to grant planning permission for DC/21/02671, are any updates or changes to this policy needed? If so, please specify what those changes should be.

### Response from SPC

- a) Section 4.7 of the Sproughton NP Landscape Appraisal (referred to above and [linked here](#)) addresses Important Views. We note that there is an error in Policy SPTN 9 in that it refers to Map 5 and this should in fact be Map 7.
- b) Re DC/21/02671, we do not feel it is necessary to change the policy. Given the that the planning application is in outline, any future development coming forward should, subject to the timing of the making of the Neighbourhood Plan, have regard to the rolling nature of the Gipping Valley, views & gaps in accordance with the policies of the NP. The Grade II listed Red House sits at the bottom of this area and its setting within the surrounding valued landscape should be noted and is therefore recognised in the NP.

4. **Policy SPTN 14 (Buildings of Local Significance).** This policy is supported by the Appraisal of Non-Designated Heritage Assets. This document seems to cover some additional properties not included in the Policy. Is this correct and intentional? Secondly, are Nos 1, 3 and 5 Lower Street identified in the Appraisal? Thirdly, in relation to Lower Chantry Cottages, only No 1 is identified in the policy; is this intentional (given the importance of the pair is referred to)?

### Response from SPC

- a) Apologies but the Parish Council submitted an earlier version of the document which was amended following Regulation 14 consultation. An amended version is attached to this response.

**BDC Note:** We have added a copy of this document to our Sproughton NP webpage under the Reg 17 Independent Examination sub-heading. A link is provided below:

<https://www.midsuffolk.gov.uk/assets/Neighbourhood-Planning/Sproughton-NP-NdHA-Appraisal-Sept22.pdf>

- b) Re Nos 1, 3 and 5 Lower Street, these are referred to in the Appraisal.
- c) Re Lower Chantry Cottages – the owner of No 2 did not consent to being included.

5. **Policy SPTN 15 (Sproughton Special Character Area).** The Plan (page 47) refers to a separate appraisal. Please could a copy of this be forwarded to me?

### Response from SPC

Document attached to this response.

**BDC Note:** We have added this document to our Sproughton NP webpage under the Reg 17 Examination sub-heading. A link is provided below:

<https://www.midsuffolk.gov.uk/assets/Neighbourhood-Planning/Sproughton-NP-Special-Character-Area-Appraisal.pdf>

6. **Paragraph 8.15** refers to a Green Infrastructure Framework 2012 and the Haven Gateway Green Infrastructure Strategy 2015. Please could the status and relevance of these documents be confirmed; is Map 8 up to date and appropriate to include in the Plan?

### Response from SPC

These documents are included in the Evidence Base for the emerging Joint Local Plan. It is therefore assumed that they remain relevant and relied upon in the preparation of planning policies.

### Response from BDC

As noted above, both documents still form part of the evidence base for the emerging JLP. Both are also mentioned in what is intended to become new paragraph 15.15 of JLP Part 1 [see page 123 of the [Consolidated Track Change version](#) which, at the time of writing (Apr 2023), has been published alongside the other JLP Modifications Consultation documents].

The specific projects illustrated on Map 8, which are part of series of opportunities in the Ipswich Fringe, are discussed on pages 34-35 (see IF1, IF2, & IF11) and in the fifth bullet on page 36 of the 2012 Green Infrastructure Framework document. A link to this document is already provided at the end of NP paragraph 8.15

The 2015 Haven Gateway Green Infrastructure Strategy can be found at:

<https://www.babergh.gov.uk/assets/Strategic-Planning/JLPExamination/CoreDocLibrary/E-EvidenceBase/EnvandHeritage-EE/EE04-IPA-Green-Infrastructure-Report-Final-Published-2015.pdf>

Specific references to Sproughton appear as follows:

- Page 6, paragraph xiv. (repeated in para 8.8 on document page 51) and see also Table 4, page 33 (PDF page 42): as part of a reference to the provision of strategic cycle route along the River Gipping
- Row 5 in Table 1, page 15 (PDF page 24): a reference to Hazel Wood

While there have been no published updates on these individual projects, new paragraph 15.18 of JLP Part 1 explains that: *“The Council’s [Babergh and Mid Suffolk] are also working on an emerging Green Infrastructure Strategy to support the Councils’ adopted Biodiversity Action Plan.”* It also goes on to say that: *“Furthermore, a Biodiversity Supplementary Planning Document will be produced.”*

7. On the **Wolsey Grange Inset Map**, what does the brown coloured land/area signify? It doesn’t seem to be on the key? If this [is] to show consented sites for housing, is this necessary? Are any other updates needed?

#### Response from SPC

The shaded area signifies housing and commercial areas for Wolsey Grange Phase 1 with planning consent and under construction.

8. Was **land north of the A1071** allocated in any previous versions of the neighbourhood plan?

#### Response from SPC

This land was not allocated in the pre-submission draft Neighbourhood Plan given that the status of the allocation in the emerging Joint Local Plan had not been confirmed and that the Local Plan examination was ongoing.

9. **Given that a consultation has recently started on the Proposed Modifications to the Babergh and Mid Suffolk Joint Local Plan, I would be grateful if BDC in particular could indicate whether any implications arise for the examination of the Sproughton Neighbourhood Plan.**

#### Response from SPC

From a Parish Council point of view and having regard to the need for the Neighbourhood Plan to be in conformity with the strategic policies of the adopted Local Plan, we do not see any significant impact on the preparation of the Neighbourhood Plan. The Proposed Modifications still have to complete the consultation stage and there might be further hearing sessions required by the Planning Inspectors to consider matters relating to objections to the Proposed Modifications. The Inspectors would then need to publish their report and the District Council make the required amendments to the Joint Local Plan before it is adopted. The Parish Council considers that the Neighbourhood Plan should be subject to a Referendum prior to the Proposed Part 1 Joint Local Plan being adopted.

#### Response from BDC

It is our view that there are no specific implications arising for the Sproughton Neighbourhood Plan (SNP) following our publication for consultation of the JLP Part 1 modifications document.

Some minor modifications to the SNP might now be appropriate given that the very specific references to November 2020 JLP policy numbers will become redundant. See:

- SNP para 6.14 mentions JLP policy LP06 - Mix & Type of composition. This policy, which included a specific reference to the percentage of dwellings required to meet M4(2) accessibility standards is being deleted. What was policy LP07 becomes the new LP06 , is titled Supported and Special Needs Housing and, while it too refers to supporting the delivery of this type of housing, it simply states that it should *“meet, as a minimum, the requirements for accessible and adaptable dwellings under Part M4(2) of Building Regulations (or any relevant regulation that supersedes and replaces).”*
- SNP para 6.15 refers to JLP Policy LP26. The policy requirements are broadly the same but the policy number is changing to LP24.
- SNP para 6.16 refers to JLP Policy LP06 seeking the delivery of 35% affordable housing on appropriate sites. In JLP Part 1, the 35% reference now only appears in Policy SP02 - Affordable Housing.
- SNP para 8.22 refers to JLP Policy LP18 - Biodiversity & Geodiversity: The policy requirements are broadly the same but the policy number is changing to LP16.
- SNP para 11.13 refers to JLP Policy LP27 - Energy Sources, Storage and Distribution. The policy number is changing to LP25.

It may be the case that on receipt of your anticipated assistance on these matters that I may need to ask for further clarification or that further queries will occur as the examination progresses. These queries are raised without prejudice to the outcome of the examination. Where I have invited changes to be suggested, this is entirely without prejudice to my consideration of the issue.

Please note that this list of clarification questions is a public document and that your answers will also be in the public domain. Both my questions and your responses should be placed on the Councils' websites as appropriate.

With many thanks,

Ann Skippers MRTPI  
Independent Examiner  
19 March 2022

**Ends**