

Babergh District Council

**Sproughton
Neighbourhood Plan
2018-2037**

Independent Examiner's Report

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24 July 2023

Contents

	Summary	3
1.0	Introduction	4
2.0	The role of the independent examiner	4
3.0	The examination process	6
4.0	Neighbourhood plan preparation	7
5.0	Compliance with matters other than the basic conditions	9
6.0	The basic conditions	10
	<i>National policy and advice</i>	10
	<i>Sustainable development</i>	11
	<i>The development plan</i>	12
	<i>Retained European Union (EU) obligations</i>	13
	<i>European Convention on Human Rights (ECHR)</i>	15
7.0	Detailed comments on the Plan and its policies	15
	1. Introduction	16
	2. Sproughton Past and Present	16
	3. Planning Policy Context	16
	4. Vision and Objectives	17
	5. Planning Strategy (Policy SPTN 1)	17
	6. Housing (Policies SPTN2 and SPTN 3)	20
	7. Business and Employment (Policies SPTN4 – SPTN6)	22
	8. Natural Environment (Policies SPTN7 – SPTN12)	25
	9. Historic Environment (Policies SPTN13 – SPTN15)	34
	10. Development Design (Policies SPTN16 and SPTN17)	38
	11. Infrastructure, Services and Facilities (Policies SPTN18 – SPTN20)	40
	12. Highways and Movement (Policy SPTN21)	42
	Policies Maps	42
	Appendices	43
	Glossary	43
8.0	Conclusions and recommendations	44
	Appendix 1 List of key documents	45
	Appendix 2 Questions of clarification from the examiner	47

Summary

I have been appointed as the independent examiner of the Sproughton Neighbourhood Development Plan.

The Parish of Sproughton lies some three miles west of Ipswich. It is in the somewhat unusual position of its area being regarded as part of Ipswich's urban area broadly to the east of the A14 which runs north south through the Parish. The remainder of the Parish falls within a rural area with the village of Sproughton.

The area has medieval origins associated with the crossing of the River Gipping. It has a rich and diverse natural and built landscape. With many facilities such as a primary school, community shop, tennis courts and bowls club, there is a population of some 1477 according to the Census 2021.

The Plan contains 21 policies covering a range of topics. A number of supporting documents including a Design Guidance and Codes document have been produced. The policies seek to add local detail to District level policies or address matters of importance to the local community.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to Babergh District Council that the Sproughton Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
24 July 2023



1.0 Introduction

This is the report of the independent examiner into the Sproughton Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by Babergh District Council (BDC) with the agreement of the Parish Council, to undertake this independent examination.

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and professional experience to carry out this independent examination.

2.0 The role of the independent examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²
- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended)

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case BDC. The plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

3.0 The examination process

I have set out my remit in the previous section. It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).⁶

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷ In addition, PPG is clear that neighbourhood plans are not obliged to include policies on all types of development.⁸ Often representations suggest amendments to policies or additional and new policies or put forward other alternatives. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

PPG⁹ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.¹⁰

I sought clarification on a number of matters from the Parish Council and BDC in writing on 19 March 2023. My list of questions is attached to this report as Appendix 2. I am grateful to both Councils who have provided me with comprehensive answers to my questions. These responses received (all publicly available) together with consideration of all the documentation and the representations made, have enabled me to examine the Plan without the need for a hearing.

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council made comments on the Regulation 16 stage representations and I have taken these into account.

I am very grateful to everyone for ensuring that the examination has run so smoothly and in particular Paul Bryant at BDC.

I made an unaccompanied site visit to familiarise myself with the Plan area on 17 April 2023.

⁶ PPG para 055 ref id 41-055-20180222

⁷ Ibid

⁸ Ibid para 040 ref id 41-040-20160211

⁹ Ibid para 056 ref id 41-056-20180222

¹⁰ Ibid

Where modifications are recommended they appear in **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics***.

As a result of some modifications consequential amendments may be required. These can include changing section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

In addition there is some natural updating to do, for instance to the diagram on page 7 of the Plan and checks to ensure that footnote links are current and working.

Furthermore, there are some references to emerging Joint Local Plan (JLP) policies. Given the likelihood these will change, it would be sensible to 'future proof' this as BDC suggests.

I regard these issues as primarily matters of final presentation and do not specifically refer to such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

4.0 Neighbourhood plan preparation

A Consultation Statement has been submitted.

Work begun on the Plan in 2020 and of course the Covid 19 pandemic impacted on the work. A Neighbourhood Plan Sub-Committee [sic] consisting of Parish Councillors and local residents was formed.

A household survey questionnaire was distributed to all households in July 2020 and achieved a commendable 35% response rate. An exhibition was held in September 2020 to explain the process and feed back on the results of the questionnaire.

During the process, regular updates and information have been given to the local community via social media, leaflets at the village shop, the local magazine, flyers, notice board, the Parish Council's website and Parish Council meetings.

A number of background studies were produced.

Pre-submission (Regulation 14) consultation took place between 2 October – 15 November 2021. Leaflets publicising the consultation and a drop-in event on the 2 October were distributed to residents and businesses. A further four drop-in events were held during the consultation period. The draft Plan was available via the Parish Council website.

Specific consultations were held on the proposed Local Green Spaces and the Buildings of Local Significance to the owners and occupants.

I consider that the consultation and engagement is satisfactory.

Submission (Regulation 16) consultation was carried out between 12 December 2022 – 3 February 2023.

A total of 12 representations were received at Regulation 16 stage. Whilst I make reference to some responses and not others, I have considered all of the representations and taken them into account in preparing my report.

At this point I refer to a representation from Boyer Planning (on behalf of Taylor Wimpey UK Ltd). The representation discusses the need for a further Regulation 14 stage with specific reference to a site being identified in the Regulation 14 version of the Plan but not included in the submission version of the Plan.

I have checked the Regulation 14 version of the Plan and it identifies, in Table 1 and on Map 3, all the sites proposed for allocation in the emerging JLP. It does not in itself allocate those sites. After the Regulation 14 stage ended, the situation with the then emerging JLP changed and the site allocations were removed. There is clearly scope for changes to be made between the pre-submission and submission versions of the Plan as otherwise there would be little point in holding the two distinct consultation stages.

I consider that there was, and is, no need for another Regulation 14 stage to be held as the Regulation 15 version of the Plan was updated to simply reflect the latest emerging JLP position. Furthermore, the party has had the opportunity to make representations and has done so at both stages of consultation. With the passage of time, the site in question now has had outline permission granted subject to completion of a S106 agreement and the situation has further changed in relation to the emerging JLP as I explain later in this report.

I also note that a representation from the Defence Infrastructure Organisation explains that the creation of environments attractive to large and flocking bird species can pose a hazard to aviation safety in identified safeguarding zones. As a result the Ministry of Defence should be consulted on certain applications within the safeguarding zones. This is primarily a matter for development management at BDC level.

5.0 Compliance with matters other than the basic conditions

I now check the various matters set out in section 2.0 of this report.

Qualifying body

Sproughton Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

The Plan area is coterminous with the administrative boundary for the Parish. BDC approved the designation of the area on 16 April 2020. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 6 of the Plan.

Plan period

The Plan period is 2018 – 2037. This is clearly shown on the Plan's front cover and confirmed in the Basic Conditions Statement. This requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹¹

In this case, three community actions have been included throughout the Plan, but they are clearly distinguishable and their status is explained in the Plan.¹² I therefore consider this approach to be acceptable for this Plan.

¹¹ PPG para 004 ref id 41-004-20190509

¹² The Plan page 5

6.0 The basic conditions

Regard to national policy and advice

The Government revised the National Planning Policy Framework (NPPF) on 20 July 2021. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019.

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development outside of these strategic policies.¹³

Non-strategic policies are more detailed for specific areas, neighbourhoods or types of development.¹⁴ They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹⁵

The NPPF also makes it clear that neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁶

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁷

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.¹⁸

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly

¹³ NPPF para 13

¹⁴ Ibid para 28

¹⁵ Ibid

¹⁶ Ibid para 29

¹⁷ Ibid para 31

¹⁸ Ibid para 16

updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous¹⁹ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.²⁰

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.²¹ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²²

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the Plan's objectives and policies have responded to national policy and guidance.

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²³ This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²⁴ The three overarching objectives are:²⁵

- 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 well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

¹⁹ PPG para 041 ref id 41-041-20140306

²⁰ Ibid

²¹ Ibid para 040 ref id 41-040-20160211

²² Ibid para 040 ref id 41-040-20160211

²³ NPPF para 7

²⁴ Ibid para 8

²⁵ Ibid

- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁶

Whilst this has formed part of my own assessment, the Basic Conditions Statement explains how each Plan policy helps to achieve sustainable development as outlined in the NPPF.

General conformity with the strategic policies in the development plan

The development plan consists of the saved policies of the Babergh Local Plan Alteration No 2 (LP), adopted in June 2006, and the Babergh Core Strategy (CS) 2011 – 2031, adopted in February 2014. In addition the Minerals Core Strategy and the Waste Core Strategy produced by Suffolk County Council also form part of the development plan.

Whilst this has formed part of my own assessment, the Basic Conditions Statement contains an assessment of how each policy generally conforms to relevant LP and CS policies. It also includes an assessment against the emerging policies of the emerging Joint Local Plan. Where I have not specifically referred to a strategic policy, I have considered all strategic policies in my examination of the Plan.

Emerging Joint Local Plan

BDC and Mid Suffolk District Council are working together to deliver a new Joint Local Plan (JLP) which will cover the period up to 2037. Once adopted, it will replace all other policies across the two Districts. The JLP was formally submitted to the Secretary of State for Housing, Communities and Local Government on 31 March 2021.

Following an exploratory meeting with the inspectors on 16 December 2021, the two Councils agreed to progress this emerging JLP as a 'Part 1' local plan. This will be followed by the preparation and adoption of a 'Part 2' local plan, anticipated to be adopted in Winter 2025. A number of Supplementary Planning Documents will also be produced during this period.

During the course of this examination, on 16 March, the two Councils published the Modifications Schedule to the Joint Local Plan for consultation. The consultation period ended on 3 May 2023 and only applied to the proposed modifications to the JLP and not on those unchanged aspects.

²⁶ NPPF para 9

An Explanatory Note from the inspectors explains that the main modifications include – where relevant to this examination - the removal of all site allocations, changing settlement boundaries to reflect those on the extant Policies Maps (including those defined in made Neighbourhood Plans as of 15 December 2022, Policy SP05 (Employment Land) and the allocation CS Policy CS7, Babergh Ipswich Fringe has been saved.

I asked BDC and the Parish Council to indicate whether, in their view, any implications arise from this current consultation. Both bodies have responded in the negative. I agree with this position.

There is no legal requirement to examine the Plan against emerging policy. However, PPG²⁷ advises that the reasoning and evidence informing the local plan process may be relevant to the consideration of the basic conditions against which the Plan is tested. Furthermore Parish Councils and local planning authorities should aim to agree the relationship between policies in the emerging neighbourhood plan, the emerging local plan and the adopted development plan with appropriate regard to national policy and guidance.²⁸

It is clear from the Plan and the Basic Conditions Statement that the direction of the emerging JLP has been a consideration in the preparation of the Plan.

Retained European Union Obligations

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

With reference to Strategic Environmental Assessment (SEA) requirements, PPG²⁹ confirms that it is the responsibility of the local planning authority, in this case BDC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is BDC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

Strategic Environmental Assessment and Habitats Regulations Assessment

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the ‘SEA Regulations’) concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC (‘SEA Directive’), are to

²⁷ PPG para 009 ref id 41-009-20190509

²⁸ Ibid

²⁹ Ibid para 031 ref id 11-031-20150209

provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

A Screening Determination dated September 2022 has been prepared by BDC. This in turn refers to a SEA Screening Final Report prepared by Land Use Consultants which concluded that the Plan was unlikely to have significant environmental effects. Consultation with the statutory bodies was undertaken. Responses from Historic England and Natural England concurred; no response was received from the Environment Agency.

I have treated the Screening Opinion Report and the Screening Determination to be the statement of reasons that the PPG advises must be prepared and submitted with the neighbourhood plan proposal and made available to the independent examiner where it is determined that the plan is unlikely to have significant environmental effects.³⁰

Taking account of the characteristics of the Plan, the information put forward and the characteristics of the areas most likely to be affected, I consider that retained EU obligations in respect of SEA have been satisfied.

Turning now to HRA, a Habitats Regulations Screening Determination dated September 2022 has been prepared by BDC. This refers to a HRA Screening Report of June 2022 prepared by Land Use Consultants.

Eight habitats sites are identified within 20km of the Plan area, but none fall within the Plan area itself. The Plan area does lie within a 13km zone of influence of the Stour and Orwell Estuaries Special Protection Area (SPA) and Ramsar site.

The Screening Report concludes that no likely significant effects are predicted, either alone or in combination with other plans and projects. However, the Screening Report made a recommendation to strengthen draft Policy SPTN 12 (Recreational disturbance Avoidance and Mitigation) and an addition to its supporting text. Natural England in

³⁰ PPG para 028 ref id 11-028-20150209

their consultation response concurred with the overall conclusion and welcomed the suggested amendments to draft Policy SPTN 12. Draft Policy SPTN 12 and its supporting text have been amended accordingly.

The Screening Determination concludes that Appropriate Assessment (AA) is not required.

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018 which provides that the making of the plan does not breach the requirements of Chapter 8 of Part 6 of the Habitats Regulations.

Given the distance from, the nature and characteristics of the European site and the nature and contents of the Plan, I agree with the conclusion of the Screening Determination and consider that the prescribed basic condition relating to the Conservation of Habitats and Species Regulations 2017 is complied with.

Conclusion on retained EU obligations

National guidance establishes that the ultimate responsibility for determining whether a plan meets EU obligations lies with the local planning authority.³¹ In undertaking work on SEA and HRA, BDC has considered the compatibility of the Plan in regard to retained EU obligations and does not raise any concerns in this regard.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a statement in relation to human rights and equalities.³² Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

7.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. As a reminder, where modifications are recommended they appear in **bold text** and where I suggest specific changes to the wording of the policies or new wording these appear in **bold italics**.

The Plan is presented to a very high standard with photographs of the local area that

³¹ PPG para 031 ref id 11-031-20150209

³² Basic Conditions Statement page 25 onwards

help to give a sense of the area. The Plan begins with a helpful contents page that lists the 21 policies in the Plan.

1. Introduction

This is a helpful introduction to the Plan that sets out the background and signposts documents produced as part of the work on the Plan.

2. Sproughton Past and Present

This section sets out the interesting history and context of the Parish and contains useful information to set the scene.

3. Planning Policy Context

This is a helpful section that sets out the planning policy context for the Parish.

However, there are two areas of the text that should be revised in the interests of accuracy; paragraph 3.2 to fully reflect the NPPF and paragraph 3.8 to fully reflect the current situation, as I understand it in relation to the emerging JLP.

This is that BDC has indicated that Part 1 document of the emerging JLP will contain the strategic policies (but exclude Policy SP04 – Housing Spatial Distribution) and all development management policies (less Policy LP30 – Designated Open Spaces). Current settlement boundaries and open space designations would be saved from existing adopted policy and carried forward into the Part 1 document.

The Part 2 document would contain Policy SP04 – Housing Spatial Distribution and Policy LP30 – Designated Open Spaces and would include residential site allocations, updated settlement boundaries, updated Gypsy and Traveller, and Travelling Showpeople policy and any necessary allocations and open space designations.

A Briefing Note from BDC to neighbourhood planning groups dated 16 December 2021 explained that the move to a Part 2 JLP means that the minimum housing requirement figures set out in the emerging JLP are now indicative and are likely to be updated as the Part 2 document is progressed.

- **Revise paragraph 3.2 on page 13 of the Plan to read:**

“Paragraph 11 of the NPPF states that ‘plans and decisions should apply a presumption in favour of sustainable development’ but that for decision-taking

this presumption does not hold if the adverse impacts *significantly and demonstrably outweigh* the benefits of any development *when assessed against the policies in the NPPF taken as a whole.*

- **Revise paragraph 3.8 on page 13 of the Plan to read:**

“The submitted Joint Local Plan set a minimum housing requirement for Sroughton Neighbourhood Plan of 1,514 new homes between 2018 and 2037, of which 84 had planning permission but had yet to be completed as at 1 April 2018. However, *given that the housing requirement figure resulted from site allocations and these are to be deferred to Part 2 of the Joint Local Plan, the housing requirement numbers are now indicative and will be updated as the Part 2 document is progressed.*”

4. Vision and Objectives

The vision for the area is:

“In 2037 Sroughton will be a thriving, safe parish that will have balanced the provision of housing growth with the need to maintain and enhance its special character, historic landscape and environment and ensuring that the needs of existing and future residents and businesses are respected.”

The vision is supported by 16 objectives covering housing, business and employment, natural environment, historic environment, design, infrastructure, services and facilities and highways and movement. All are articulated well, relate to the development and use of land and will help to deliver the vision.

5. Planning Strategy

Policy SPTN 1 - Spatial Strategy

The CS identifies the part of the Parish, separated from the village of Sroughton by the A14 and farmland, as forming part of the urban edge of Ipswich. As such this area is considered as part of the urban area of Ipswich and falls within the Ipswich Fringe. Some 350 dwellings in the Babergh Ipswich Fringe (to the west of the existing urban area in Sroughton Parish) are proposed.

The CS identifies the village of Sroughton as a ‘Hinterland Village’.

CS Policy CS2 explains that most new development will be directed sequentially to the towns and urban areas, to the core villages and the hinterland villages. It states “In all

cases the scale and location of development will depend upon the local housing need, the role of settlements as employment providers and retail/service centres, the capacity of existing physical and social infrastructure to meet forecast demands and the provision of new / enhanced infrastructure, as well as having regard to environmental constraints and the views of local communities as expressed in parish / community / neighbourhood plans.”

In Core and Hinterland Villages, the CS states that 1,050 dwellings should be planned for. CS Policy CS2, which defines 43 Hinterland Villages, explains that this means some development to meet the needs within the Hinterland Villages will be accommodated.

All proposals are assessed against CS Policy CS11 which indicates development in Hinterland Villages is acceptable where it can be demonstrated that proposals have a close functional relationship to the existing settlement as well as meeting a number of criteria set out in the policy. The cumulative impact of development should also be taken into account.

In the countryside outside the towns and urban areas, and Hinterland Villages, CS Policy CS2 states that development will only be permitted in exceptional circumstances subject to a proven justifiable need.

CS Policy CS3 promotes and supports proposals for employment use. It indicates that employment and housing growth will be accommodated in the Ipswich Fringe. It specifically refers to a site in the Parish. The site at the former sugar beet factory is allocated in CS Policy CS8 as a strategic employment site where employment related uses will be retained. This reflects LP Policy EM04 which also allocated this use for the retention of employment uses.

CS Policy CS7 is a strategic site allocation for approximately 26 hectares of land within Babergh’s Ipswich Fringe for mixed use development.

CS Policy CS15 sets out what the implementation of sustainable development means in Babergh District. This includes proposals respecting and making a positive contribution to local context and character, strengthening and diversifying the local economy, ensuring an appropriate level of facilities and services, addressing climate change, flood risk and water issues, biodiversity and so on.

Policy SPTN1 recognises that development commensurate with Sproughton’s position in the settlement hierarchy (a complex issue) can take place. I consider for the avoidance of any doubt, the policy should refer to the Parish explicitly given the different elements of urban area and Hinterland Village.

The policy then indicates that settlement boundaries have been defined. In principle, this is acceptable.

Four settlement boundaries have been identified. Whilst being similar but not the same, three take their lead from those defined in the LP 2006. The Modifications

Schedule to the Joint Local Plan Part 1 published for consultation on 16 March 2023 contains changes to settlement boundaries. The proposed settlement boundary for the village of Sproughton is not the same as that proposed in this Plan, but all three are reflective of the proposed settlement boundaries in the emerging JLP insofar as they reflect the existing built-up areas.

A fourth settlement boundary is drawn up for the Wolsey Grange area. This is new, but again reflects the existing built up areas.

All the settlement boundaries have been defined logically by reflecting the existing built up areas. Given the position with the emerging JLP, I consider this to be acceptable at this juncture.

The second paragraph of the policy indicates that the settlement boundaries identify the extent of land required to meet the needs of the Parish. This does not recognise the wider or strategic needs of the District in the CS or the direction of travel of the emerging JLP. The emerging JLP proposes the village of Sproughton as a Core Village and there are a number of proposed allocations which would affect the Parish and its position in the Ipswich Fringe. There is also little evidence to demonstrate what the needs of the Parish might be although a Housing Needs Assessment carried out by AECOM identified a need for 84 affordable homes. I therefore propose to delete this element, but retain the designation of the four settlement boundaries.

The final part of the policy refers to development outside the settlement boundary reflecting the stance of CS Policy CS2. This is acceptable, but the supporting text at paragraph 5.3 refers to exceptional circumstances which I do not consider has regard to national policy. A modification is therefore made to address this point.

The Plan does not seek to determine the overall amount of houses to be built over the Plan period or allocate any sites for housing. This is acceptable as neighbourhood plans do not have to address housing. The neighbourhood planning examination process does not require a rigorous examination of District level housing requirements; this will form part of the examination into the emerging JLP. It is not my role to determine whether the Plan would be inconsistent with the adopted version of the emerging JLP should it be revised to accommodate further growth.

With these modifications, the Plan's spatial strategy will meet the basic conditions by having regard to national policy, being in general conformity with the most up to date strategic policies in the CS and contribute to the achievement of sustainable development notwithstanding that additional growth may be promoted in a future iteration of the emerging JLP.

- **Change the first paragraph of the policy to read:**

“The Neighbourhood Plan area will accommodate development commensurate with Sproughton *Parish's* position in the district's settlement hierarchy.”

- **Change paragraph two of the policy to read:**

“Four Settlement Boundaries, as defined on the Policies Map, are designated. Within these Settlement Boundaries, new development will be supported in principle.”

- **Change the last sentence of paragraph 5.3 on page 16 of the Plan to read:**
“Outside the Settlement Boundaries, development will only be permitted where it accords with national, district and neighbourhood level policies.”

6. Housing

Policy SPTN 2 Housing Mix

The NPPF states that the needs of groups with specific housing requirements should be addressed to support the Government’s objective of significantly boosting housing supply.³³

CS Policy CS18 indicates that the mix, type and size of housing developments will be expected to reflect the needs of the District.

Policy SPTN 2 supports the provision of three bedroomed units reflecting a Housing Needs Assessment (HNA) carried out by AECOM as part of the work on the Plan. However, the policy is also, and rightly, flexible recognising that these needs may change over time or that site specific circumstances may indicate otherwise.

I consider this flexibility would allow for a precise type of home to be constructed based on the most up to date needs although the AECOM produced Design Guidance and Codes would need to be taken account of in relation to scale and form.

The policy also supports bungalows. The HNA recognises that the Census 2011 revealed a large percentage of people in Sproughton between the ages of 45-84, comprising around 53% of Sproughton’s population. Whilst this is similar to Babergh, this characteristic is more pronounced in Sproughton which has higher proportions of the population in all of the older age brackets than Babergh. Whilst I recognise that housing suitable for older people or for frail or mobility restricted occupants is not limited to bungalows, I saw at my site visit that there are bungalows in the village and they form an important element of the village’s character. In this case then, I consider this to be acceptable.

A representation suggests removing the word “small” from the policy in relation to the “small clusters of affordable housing. This may be open to interpretation and therefore

³³ NPPF para 60

the word is recommended for deletion.

With this modification, and one which corrects a production error as the policy has two criteria i) and ii), the policy will have regard to national policy, contribute to the achievement of sustainable development and is in general conformity with strategic policy, and is a local expression of, CS Policy CS18.

- **Delete the word “small” from the last criterion of the policy**
- **Amend the two criteria “i) and ii)” identifiers in the policy so that they are differentiated by changing the second set to “a” and “b”**

Policy SPTN 3 Affordable Housing on Rural Exception Sites

The NPPF supports the provision of rural exception sites to enable local needs to be provided for.³⁴ The HNA also supports the provision of affordable housing. This is also borne out by evidence collected for the emerging JLP. The HNA identified a need for 84 affordable homes.

This policy supports affordable housing schemes on rural exception sites with an emphasis on a proven local need and local connection criteria for the affordable housing. Some market housing can be included on such sites in line with the stance of national policy. It refers to entry-level homes and paragraph 72 of the NPPF.

The policy has regard to national policy in providing for housing for different groups and its support for rural exception sites. It will contribute towards the achievement of sustainable development, particularly the social objective. It will be in general conformity with the CS and especially CS Policies CS11 and CS20 which takes a flexible approach to the location of rural exception sites and allows proposals that are adjacent or well related to the settlement boundaries of Hinterland Villages. It will therefore meet the basic conditions.

The supporting text to the policy refers, at paragraph 6.18, to “allocated sites”. To avoid any misunderstandings, as this Plan does not allocate any sites, a modification is recommended.

- **Amend paragraph 6.18 on page 22 of the Plan to read:**

“The AECOM Assessment estimated that 84 affordable homes are required to meet the needs of local residents. The extant planning permissions are expected to deliver in excess of this requirement, but it is necessary to ensure that local residents are given a clear opportunity to obtain an affordable home that meets their needs within these developments.”

³⁴ NPPF para 78

7. Business and Employment

The Parish makes an important contribution to the economy locally and strategically. There are a number of employment areas within the Parish; Sproughton Enterprise Park occupies the former sugar beet factory site; Farthing Road industrial estate and three sites within the Wolsey Grange Masterplan Area, including the home of Thompson and Morgan.

Many more people commute into the area for work than live and work in the Plan area. Nevertheless there is a range of smaller businesses including home-based businesses, across the Plan area.

The NPPF places significant weight on the need to support economic growth and productivity.³⁵ In rural areas, the NPPF enables the sustainable growth and expansion of all types of businesses.³⁶

CS Policy CS3 promotes and supports proposals for employment use that contribute to the local economy and increase the sustainability of Hinterland Villages if appropriate in scale, character and nature to their locality. CS Policy CS17 supports and promotes rural businesses.

The emerging JLP identifies Sproughton Enterprise Park and the Farthing Road estate as strategic employment locations. The Plan references emerging JLP Policy SP05 which both protects and supports in principle expansion of these sites. The emerging policy also supports economic led regeneration at the former sugar beet factory site subject to sensitivity on landscape, biodiversity and heritage assets.

Policy SPTN 4 – Employment Sites

In line with the NPPF, this policy supports the retention and development of employment and business uses, including those identified on the Policies Map.

The policy supports employment uses subject to acceptable impacts on landscape character, residential amenity, traffic generation, heritage, important views and important gaps. All are appropriate considerations, but I consider the policy should be worded positively rather than negatively because of the inclusion of the important views and important gaps criteria which are subject to other policies in the Plan.

Non-employment uses expected to have an adverse impact on employment generation will only be supported by the policy if certain criteria are met. These include appropriate marketing of the premises, whether any environmental benefits would be gained, community benefits, whether it would be for a related use or if other

³⁵ NPPF para 81

³⁶ Ibid para 84

sustainability benefits would outweigh the loss. Reading the policy as a whole, the criteria are appropriate.

With this modification, the policy will meet the basic conditions in that it will have regard to national policy, be in general conformity with CS Policies CS3, CS15 and CS17 and will help to achieve sustainable development.

The supporting text refers to the Masterplans. It indicates that it is expected redevelopments do not exceed the height of the preceding building which I have assumed to be the development it would replace. This seems without foundation and potentially limits the ability of redevelopment sites to achieve sustainable development. For this reason, deletion of this text is recommended.

- **Change the words “...do not have a detrimental impact on...” in the first sentence of the policy to “...have an acceptable impact in relation to ...”**
- **Delete the words “...and redevelopments do not exceed the height of the preceding building.” from paragraph 7.6 on page 28 of the Plan**

Policy SPTN 5 – New Businesses and Employment Development

This policy supports new businesses within the settlement boundaries. Outside the settlement boundaries, support is given for those sites designated for such uses or where it relates to small-scale leisure and tourism uses or other uses appropriate in scale to a countryside location and there is a need for such uses to be located outside the settlement boundaries.

It continues that where possible, development should utilise existing buildings, be on previously developed land and be of an appropriate size and scale.

The issue with this policy is that it does not fully recognise that part of the Parish falls within the Ipswich Fringe area. This is reinforced by CS Policy CS3 which promotes and supports proposals for employment use, indicating that employment growth will be accommodated in the Ipswich Fringe.

This is a complex matter; the Ipswich Fringe is not geographically depicted on any map and the CS itself recognises that accommodating growth in the Ipswich Fringe is difficult not least because the geography does not fit well within administrative boundaries.³⁷

The CS is clear that the area known as the Ipswich Fringe [only] contains the Parish of Sproughton where part of the Parish forms part of the urban edge of Ipswich.³⁸ This land is separated from the village of Sproughton and the A14.³⁹ The village itself is

³⁷ CS para 2.8.3.2 on page 44

³⁸ Ibid para 2.1.2.3 on page 17

³⁹ Ibid

identified as a Hinterland Village and it is only the land that is approximately east of the A14 that is generally considered to fall within the Ipswich Fringe.

I recommend a modification to the policy to include reference to the Ipswich Fringe to ensure that the policy is in general conformity with the CS. I do however understand that the emerging JLP made reference to an Ipswich Fringe Area and that the recent proposed modifications remove all such references. For the purposes of this examination, I have therefore made it clear that it is only in relation to the CS context that this modification is recommended.

With this modification, the policy will meet the basic conditions in that it will have regard to national policy, be in general conformity with CS Policies CS3, CS15 and CS17 and will help to achieve sustainable development.

- **Add at the end of criteria a) in the policy “*or is an appropriate use for the site if located within the Ipswich Fringe area as referred to in the Core Strategy adopted in 2014*”**

Policy SPTN 6 – Farm Diversification and Equestrian Uses

The first part of Policy SPTN 6 supports employment uses in redundant rural buildings subject to satisfactory impacts.

The second part of the policy supports equestrian uses where there is an acceptable impact, including on light pollution.

As part of its drive to build a strong, competitive economy, the NPPF supports the sustainable growth and expansion of all types of business in rural areas through conversions of existing buildings and well-designed new ones and the development and diversification of agricultural and other land-based rural businesses.⁴⁰

Furthermore, in rural areas, the NPPF is clear that sites may need to be found adjacent to or beyond existing settlements whilst remaining sensitive to its surroundings.⁴¹

The Design Guidance and Codes document also supports the conversion of existing buildings, particularly where they make a significant contribution to the wider townscape and character of the area.

The policy meets the basic conditions by having regard to national policy, being in general conformity with the CS and helping to achieve sustainable development.

⁴⁰ NPPF para 84

⁴¹ Ibid para 85

8. Natural Environment

As part of the work on the Plan, a Landscape Appraisal has been carried out independently by Alison Farmer Associates. This is a detailed analysis of the character of the Plan area and is the supporting document for the policies in this section.

Amongst other things, the Plan, at paragraph 8.9, refers to four landscape corridors. A representation considers that Map 3 on page 32 of the Plan is misleading; I disagree. It is taken from the Landscape Appraisal which identifies and discusses the four landscape corridors.

The NPPF⁴² is clear that planning policies should contribute to and enhance the natural and local environment including through the protection and enhancement of valued landscapes, sites of biodiversity value and soils, recognising the intrinsic character and beauty of the countryside and minimising impacts on biodiversity and providing net gains.

CS Policy CS15 seeks to ensure that proposals for development ensure adequate protection, enhancement, compensation and/or mitigation, as appropriate are given to distinctive local features which characterise the landscape of Babergh's natural environment within both designated and non-designated areas.

Policy SPTN 7 – Area of Local Landscape Sensitivity

The Plan explains that part of the Parish lies within the Gipping Valley Special Landscape Area (SLA), a designation originally identified in the 1980s and rolled forward ever since. However, it is a designation which is not currently proposed to be taken forward in the emerging JLP.

The Landscape Appraisal has identified two areas of distinctive character; one that covers the historic built up centre of Sproughton village and another that includes Rivers Farm and Sproughton House (formerly The Rookery).

This policy proposes to designate the second area as an Area of Local Landscape Sensitivity. This is shown on Map 5 on page 34 of the Plan although the supporting text refers to Map 3. The other area is addressed in Policy SPTN 15.

I saw at my visit that this area is distinguishable from surrounding land and the remainder of the Parish and I consider that the area has been appropriately designated and justified in the supporting document.

⁴² NPPF para 174

The policy also seeks to designate an area as Valued Landscape. The area is shown on Map 5 on page 34 of the Plan. The justification for this area which forms part of Area 4 in the Landscape Appraisal largely relies on a document entitled Land at Red House, Chantry Vale, Landscape Appraisal produced by Alison Farmer Associates in 2019, but the area has been consistently discussed in other documents too. This area also formed part of the SLA.

My understanding of the concept of “valued landscape” is that it was introduced in an earlier version of the NPPF, but is without definition in any Government policy or guidance although various case law assists us with the concept. The current version of the NPPF is clear that planning policies and decisions should contribute to and enhance the natural and local environment by, amongst other things, protecting and enhancing valued landscapes.⁴³

I saw at my site visit that the area around Red House is, to my mind, distinguishable from surrounding land. The document referred to above indicates that the area is likely to have a weight of evidence that supports its recognition as a valued landscape⁴⁴ and concludes that Chantry Vale is likely to constitute a valued landscape.⁴⁵ Its author is a highly regarded landscape professional.

However, this document was produced for a different purpose, arguably acceptable as there is little point in reinventing the wheel, but appears not to have been reviewed to check its relevance now and the area is not defined spatially in that document.

I accept there are other documents which discuss the qualities of the area, but I am in some difficulty as to the sufficiency of the evidence to support this area being identified on a map as a valued landscape in this particular Plan. That is not to say it is not a worthy candidate or that this land does not meet the standard for valued landscape simply that I do not feel confident in defining the area on a plan at this moment in time.

I am mindful though that there is no need to designate an area on a plan. For that reason, I consider the designation on the Policies Map should be removed, but the policy reference to valued landscapes in general can be retained with some modification to ensure the policy reads well.

The policy wording is flexible; it does not prevent development per se, but seeks to ensure any development is appropriate given the special qualities of these landscapes.

The third criterion of the policy refers to mitigation measures. I consider these may not always be necessary and so a modification is made to address this point.

There is also straightforward production duplication in the policy.

⁴³ NPPF para 174

⁴⁴ Land at Red House, Chantry Vale, Landscape Assessment, AFA, page 18

⁴⁵ Ibid page 25

With these modifications, the policy will have regard to the NPPF, be in general conformity with the CS and in particular Policy CS15 which, amongst other things, sets out how development should respect the local context and character of different parts of the District and will help to achieve sustainable development therefore meeting the basic conditions.

Consequential amendments to the policy's title and supporting text should be made.

- **Change the title of the policy to “Area of Local Landscape Sensitivity *and other valued landscapes*”**

- **Amend the policy to read:**

“Development proposals in the Area of Local Landscape Sensitivity as identified on the Policies Map, *or in valued landscapes* will be permitted only where they:

a) protect and enhance the special landscape qualities of the area

b) *are designed and sited so as to harmonise with the landscape setting of the site and*

c) provide landscape impact mitigation measures as part of the proposal *where necessary.*”

- **Delete the proposed designation Valued Landscape from the Policies Maps**
- **Change the reference to “Map 3” in paragraph 8.9 on page 33 of the Plan to “Map 5”**
- **Consequential amendments to the supporting text to remove references to the Chantry Vale Valued Landscape will be needed by deleting paragraph 8.10 with the exception of its last paragraph which begins “Reference can also be made...” and incorporating this into paragraph 8.9**

Policy SPTN 8 – Settlement Gaps

The Landscape Appraisal identifies the importance of distinct and separate built up areas. It explains that an important characteristic of the Parish is its perceived rural character and separation from Ipswich and Bramford. In relation to the latter settlement, the document explains the village has expanded southwards towards Sroughton village. It states that the open meadow landscape along the River Gipping and rural character of Loraine Way is of critical importance in helping to retain a sense of separation.⁴⁶

⁴⁶ Landscape Appraisal page 21

It continues that the rural character of Sproughton Road between Sproughton Bridge and the roundabout to the A14 is also important in reinforcing the sense of separation between Sproughton village and Ipswich.⁴⁷

The character of the rising land associated with Sproughton Manor is also important in defining the valley and providing a rural context to the village thereby physically, visually and perceptually separating the village from Ipswich.⁴⁸

The Landscape Appraisal therefore identifies a gap on its Figure 4.

A Design Guidance and Codes document has been produced independently by AECOM as part of the work carried out on the Plan. This document also refers, as a general design guideline for new development, to the avoidance of coalescence development.

The Plan explains there is concern about coalescence with the urban area of Ipswich and the villages of Bramford, Burstall and Copdock and Washbrook.

A number of settlement gaps have been identified. These are shown on Map 6 on page 36 of the Plan as dotted lines. This is different to the Landscape Appraisal which identified a larger, single area covering the areas described above. Therefore as far as I can see there is little detailed evidence to support the settlement gaps. I asked a question on this point and was directed to the Landscape Appraisal.

There is therefore little evidence to support the settlement gaps as defined. I saw at my visit that some possibly do have merit as village edges or important gaps in the built environment. However, many of the gaps are not designated between areas of built development and seem to peter out.

Furthermore there is some ambiguity about how the settlement gaps are portrayed on the Policies Maps. It is not clear to me whether, as the gaps are portrayed along roads in the main whether it is only the frontage along the roads which might be subject to this policy or a wider area.

The combination of insufficient justification and a lack of clarity in how the policy might be applied leaves me with little option but to recommend deletion.

- **Delete Policy SPTN 8, its supporting text and remove the proposed designation from the Policies Maps**

Policy SPTN 9 – Protection of Important Views

This policy details 20 important views which are identified on Map 7 and the Policies Maps.

⁴⁷ Landscape Appraisal page 21

⁴⁸ Ibid

The supporting text refers to a separate appraisal of views and so I asked a question about this document. I was directed to the Landscape Appraisal. The Landscape Appraisal identifies all of the views to the west of the A14. The views to the east of the A14 are identified in the Landscape Appraisal document on Land at Red House, Chantry Vale. Whilst it may have been preferable to bring this evidence together in one document, both are presented as supporting documents and identify all the views.

The Design Guidance and Codes document also refers to distant views and key views of landmark features throughout the Plan area which contribute to creating a sense of place and identity. The document indicates that new development must identify the key views and assess its visual impact. Skyline is important for the more distant views. New development should not dominate, distract or obscure views. Views from within the village to the wider landscape should be preserved and where possible, enhanced. It recognises that new views can also be created.

I have considered each of these views at my site visit. For those views I was not able to see, I was able to understand the extent and context of these views. I consider all of the views have been appropriately identified.

Turning now to the wording of the policy, there is a correction to make to the Map reference.

In addition the policy refers to important views from public vantage points including those identified on Map 7. I consider that the policy should refer to the views which have been identified and justified rather than being open ended on this given there might well be scope for arguments over what else might constitute an important view. Given a number of views have been identified then I would assume that all the important views have been identified as part of this process at this time. A modification is made to address this.

Usually policies of this nature are flexibly worded to ensure that any new development does not have a detrimental impact on the key attributes of the views. Policies of this nature do not prevent development per se. In this case, the policy indicates that the views shall be maintained. I therefore recommend a modification which amends the policy wording to make it more flexible.

It would also be helpful to number the views on the maps and bring together the evidence in one place with those numbers.

The policy also requires new buildings outside the Settlement Boundary to be accompanied by a Landscape Visual Impact Assessment or similar. This is to show that the development is appropriate in its location in respect of the important views. This will help to ensure that the policy will not prevent development per se.

With these modifications, the policy will meet the basic conditions. It will take account of national policy and guidance in recognising the intrinsic character and beauty of the

countryside and promoting and reinforcing local distinctiveness,⁴⁹ will be in general conformity with, and add a local layer of detail to, strategic policies and CS Policies CS11 and CS15 in particular which recognise the need for development to respect the local context and character of the District and will help to achieve sustainable development.

- **Amend the wording of the first paragraph of the policy to read:**

“To conserve the landscape and rural character and setting of the Neighbourhood Plan Area, development proposals shall, where appropriate, demonstrate how they will ensure that there is no detrimental impact on the key features and attributes of important views identified on Map 7 and the Policies Maps.”

- **Number each of the views on the maps**

Green Infrastructure

At this juncture, there is a section in the Plan entitled Green Infrastructure (GI). Map 8 on page 39 of the Plan shows the GI Network. A representation has raised a query about the inclusion of this section. In response to my query on this to the qualifying body and BDC, I am informed both documents referred to form part of the evidence base for the emerging JLP. The specific projects on Map 8 are discussed in the latest version of the emerging JLP.

I consider that it would be useful for an additional sentence to update this section in the interests of clarity.

- **Add a new sentence at the end of paragraph 8.15 on page 39 of the Plan that reads:**

“Both the Green Infrastructure Framework 2012 and the Haven Gateway Green Infrastructure Strategy 2015 form part of the evidence base for the emerging JLP. The specific projects illustrated on Map 8 form part of a series of opportunities in the Ipswich Fringe. Babergh District Council is currently working on an emerging GI Strategy to support the Biodiversity Action Plan.”

Policy SPTN 10 - Local Green Spaces

The Plan proposes 15 areas as Local Green Space (LGS). They are shown on the Policies Map. A separate Local Green Space Assessment has been carried out. The Landscape Appraisal also identifies some of the proposed spaces (1, 2, 3, 4, 5, 7, 8, 12, 13, 14, 15) as suitable for LGS designation where these are considered as open spaces in that appraisal.

⁴⁹ NPPF paras 127, 170

The NPPF explains that LGSs are green areas of particular importance to local communities.⁵⁰

The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.⁵¹ It is only possible to designate LGSs when a plan is prepared or updated and LGSs should be capable of enduring beyond the end of the plan period.⁵²

The NPPF sets out three criteria for green spaces.⁵³ These are that the green space should be in reasonably close proximity to the community it serves, be demonstrably special to the local community and hold a particular local significance and be local in character and not be an extensive tract of land. Further guidance about LGSs is given in PPG.

I saw the proposed areas on my site visit. I understand from the representations received that the list of proposed spaces has changed from earlier drafts of the Plan. It is my role to assess those proposed now rather than to indicate whether others or different spaces might meet the criteria in the NPPF.

1. **Millennium Green** is a recreation area on the edge of the village. Part of the space runs along the River Gipping. Parish events are held on the space. It is valued as a recreational and communal space and as an important landscape contributing to a sense of place close to the River and Mill.
2. **Parish Square** is a green space with seating and the village sign. There are trees of importance and the area is the location for the village Christmas tree.
3. **Sproughton Court** consists of three areas of open space laid mainly to grass adjoining residential development. The spaces are integral to the development and valued as amenity spaces.
4. **Glebe Close** consists of four areas alongside Glebe Close and fronting residential development. It is valued as amenity open space for these bungalows and is an integral part of the development and has an important tree on it.
5. **Gipping Way** is an open space at the centre of Gipping Way which surrounds it on four sides. It is valued as amenity open space primarily serving this development.
6. **Gorse Field Close and Ladder Field, Church Lane** consists of two areas which adjoin a recent development. It is valued as a recreation area and has play equipment on one of the spaces whilst the other is a SuDs.

⁵⁰ NPPF para 101

⁵¹ Ibid

⁵² Ibid

⁵³ Ibid para 102

7. **Oak triangle by Manor Lodge, Lower Street** is a small triangular area with an oak tree. It is valued for its amenity and the tree, but also as a gateway to the village centre.
8. **Allotments, Burstall Lane** are located on the edge of the village. The allotments have been on the site for some 50 years. I saw at my visit they are well used and popular for both food and flower growing as well as for social interaction.
9. **Ransome Close** is a small area of green space integral to this development helping to create a sense of place.
10. **Cemetery/Churchyard at Church of All Saints** is a county wildlife site and surrounds the listed Church.
11. **Monks Gate** is a roadside entrance comprising grass and vegetation adjacent to woodland. It is important as a gateway to the village.
12. **Land adjoining The Shed, High Street/Lower Street** is a small roadside area which is valued as a focal point in the village.
13. **Chantry Cut Island** is a nature reserve which forms part of the redevelopment of the former sugar beet factory. This is a large area of some 15 hectares which includes the island and the River Gipping which surrounds it. There is a footpath alongside the river so this site is valued for its recreation and wildlife.
14. **The Grove Wood, east of High Street** is an area of about 1.5 hectares which is woodland. It contributes to a sense of place.
15. **Oak Pit, Church Lane** is a wooded area off Church Lane. It adjoins housing to its northern boundary. There are some trees on the site.

In my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily. The proposed LGSs are demonstrably important to the local community, are capable of enduring beyond the Plan period, meet the criteria in paragraph 102 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given other policies in the development plan and this Plan.

Turning now to the wording of the policy, it designates the LGSs and sets out that any new development should be consistent with that in the Green Belt; this has regard to the NPPF's stance on how development will be managed in LGSs.⁵⁴ Therefore the policy meets the basic conditions and no modifications are recommended.

⁵⁴ NPPF para 103

Policy SPTN 11 – Biodiversity Protection and Enhancement

The NPPF⁵⁵ is clear that planning policies should contribute to and enhance the natural and local environment including through minimising impacts on biodiversity and providing net gains. It continues⁵⁶ that “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”.

CS Policy CS14 seeks to protect and enhance existing green infrastructure.

CS Policy CS15 seeks to protect and enhance biodiversity, create green spaces and/or extend existing green infrastructure. In addition, Core Strategy Policy CS15 seeks to ensure that proposals for development 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 natural environment, including habitats.

The Environment Act 2021 makes provision for achieving a minimum 10% biodiversity net gain to be a condition of receiving planning permission. Various parts of this Act, including this biodiversity net gain requirement, are yet to come into force.

Policy SPTN 11 seeks to enhance the natural environment including through biodiversity net gain and improving the connectivity between biodiversity assets and green infrastructure.

I note Anglian Water support this policy.

Another representation sets out in detail much helpful information about biodiversity and indeed climate change policies in neighbourhood plans and their potential. This information will be for the Parish Council to consider in any future review of the Plan or work carried out on this topic area.

I consider the policy before me has regard to national policy and guidance, adds a local layer to, and is in general conformity with, the relevant strategic policies, in particular CS Policies CS14 which protects and enhances green infrastructure and CS15 which, amongst other things, seeks to protect and enhance biodiversity, and help to achieve sustainable development.

⁵⁵ NPPF para 174

⁵⁶ Ibid para 180

Policy SPTN 12 – Recreational disturbance Avoidance and Mitigation

The Parish is located within a 13km of the Stour and Orwell Estuaries SPA and Ramsar Zone of Influence (ZOI). A Recreational disturbance Avoidance and Mitigation Strategy (RAMS) has been produced by a number of Suffolk local authorities and was adopted by BDC in November 2019.

The RAMS has been undertaken to address the impact of increased recreational disturbance arising from new housing on Habitats sites and requires mitigation. The mitigation is a combination of a financial contribution to fund a warden and visitor management scheme and green infrastructure on housing sites to encourage people to stay local thereby reducing the pressure on the European site.

The policy refers to the RAMS as well as Suitable Alternative Natural Greenspace provision for large residential developments in paragraph two of the policy. This latter requirement arises from the recommendation in the HRA Report of June 2022 prepared by LUC and is welcomed by Natural England in their response to the screening opinions. I am also mindful that such an approach has been taken in other neighbourhood plans in Suffolk.

A modification is recommended to help the flow of the wording of the policy. With this modification, the policy meets the basic conditions in that it seeks to address any impact from new housing, is in generally conformity with the District level strategy and CS Policy CS15 in particular and will help to achieve sustainable development.

- **Amend the second paragraph of the policy to read: “Large residential developments (50 units or more) *should* provide Suitable Alternative Natural Greenspace (SANG) on site or *in its proximity*.”**

9. Historic Environment

Policy SPTN 13 - Heritage Assets

The Plan area has a number of listed buildings including the Grade II* listed All Saints Church.

The NPPF is clear that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.⁵⁷ It continues⁵⁸ that great weight should be given to the assets’ conservation when considering the impact of development on the significance of the asset.

⁵⁷ NPPF para 189

⁵⁸ Ibid para 199

This policy seeks to ensure that development proposals preserve or enhance the significance of designated heritage assets through an understanding of the asset's significance and the provision of clear justification for any works that would lead to harm.

The policy also references the Design Guidance and Codes which have been produced by AECOM.

The first element of the policy requires proposals to preserve and enhance the significance of designated heritage assets. This does not reflect the statutory duty in the Planning (Listed Buildings and Conservation Areas) Act 1990. This then requires modification.

The policy at criterion f. refers to harm and substantial benefit. This is revised to better reflect the stance of the NPPF.

The policy cross-references Valued Landscapes which has now been deleted and so a modification is made in the interests of consistency.

With these modifications, the policy will meet the basic conditions by having regard to national policy. It is in general conformity with strategic policies, particularly CS Policy CS15 which indicates that development proposals must ensure adequate protection or enhancement as appropriate are given to distinctive local features which characterise the heritage assets of Babergh's built and natural environment. The policy will especially help to achieve sustainable development.

- **Change the first sentence and criterion a. of the policy to read:**

“To conserve or enhance the parish designated heritage assets, proposals should:

- a. conserve or enhance the significance of the designated heritage assets of the parish including, where appropriate, their setting and the wider built environment;”***

- **Delete criterion b. ii. of the policy so that the criterion reads:**

“retain buildings and spaces, the loss of which would cause harm to the character or appearance of the parish including areas of distinctive character”

- **Change criterion f. of the policy to read:**

“provide clear and convincing justification, through the submission of a proportionate heritage statement, for any works that would lead to harm to a heritage asset and where this would be less than substantial harm, weigh this against the public benefits of the proposal and in the case of substantial harm, show that this is necessary to achieve substantial public benefits that outweigh that harm.”

Policy SPTN 14 – Buildings of Local Significance

As referred to above, the NPPF⁵⁹ explains that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance. In relation to non-designated heritage assets, the NPPF is clear that the effect of any development on its significance should be taken into account and that a balanced judgment will be needed having regard to the scale of any harm or loss and the significance of the heritage asset.⁶⁰

Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes which have heritage significance, but do not meet the criteria for designated heritage assets. PPG advises there are various ways that such assets can be identified including through neighbourhood planning.⁶¹

However where assets are identified, PPG advises it is important that decisions to identify them are based on sound evidence.⁶² There should be clear and up to date information accessible to the public which includes information on the criteria used to select assets and information about their location.⁶³

In this case, an Appraisal of Non-Designated Heritage Assets has been produced by the Parish Council to support the identification of the list. The list has been compiled based on Historic England's published guidance, has taken a logical approach and supports the designation of these locally important buildings and structures.

Some of the buildings are also identified in the Landscape Appraisal as key built landmarks which contribute to a sense of place and orientation.

The policy seeks to retain and protect these buildings which are specified in the report and cross-referenced in the policy wording. It uses similar language to the NPPF in how such assets will be considered in relation to planning applications where harm may be caused. It meets the basic conditions by having regard to the NPPF, adds local detail to, and is in general conformity with CS Policy CS15 in particular and helps to achieve sustainable development. There is however a reference to Appendix 3 in the policy which is not correct and so a modification is made to address this.

It would also be useful in the interests of clarity for the policy to amend its title.

The supporting text indicates that it is the responsibility of BDC to designate the assets as Local Heritage Assets; this is not the case as explained above. I note Historic England also make this point in their representation. I therefore recommend two modifications that make it clear that the policy designates these buildings and features as non-

⁵⁹ NPPF para 189

⁶⁰ Ibid para 203

⁶¹ PPG para 040 ref id 18a-040-20190723

⁶² Ibid

⁶³ Ibid

designated heritage assets.

- **Delete the reference to Appendix 3 in the policy**
- **Amend the policy's title to *"Non-Designated Heritage Assets"***
- **Delete the last sentence of paragraph 9.3 on page 47 of the Plan which starts "Where such buildings do exist..." to end**
- **Replace the first paragraph of the policy to read:**

"This policy designates the following buildings and features as non-designated heritage assets. These are identified on the Policies Map and in the separate appraisal document. The retention and enhancement of these buildings and features will be secured."

Policy SPTN 15 – Sproughton Special Character Area

The Plan explains that at present there is no Conservation Area. This policy seeks to designate a Special Character Area which is shown on Map 10 on page 48 of the Plan.

A Special Character Area Appraisal has been submitted in support of the proposed designation. This was sent to me in response to a query as the appraisal was referred to in the Plan, but was not in my bundle of documents. I also note that it was revised in February 2023 coinciding with the end of the submission period of consultation. However, the document indicates it is a 'living' document that will be regularly updated and that the amendments made were not material. I do not consider anyone would be prejudiced by the lack of the Appraisal in the bundle as there was ample opportunity to ask for it as I did and no one queried this point in representations.

The Appraisal is a comprehensive document. It refers to an Area of Distinct Character identified in the Landscape Appraisal, but understandably the extent of the two areas is not quite the same. Nevertheless there is sufficient justification for the designation of such an Area and I saw at my site visit that the Area has been appropriately designated.

I note that Historic England support this designation.

The policy designates the area and requires any development proposal to preserve or enhance the distinct characteristics of existing buildings and features and their settings.

The policy meets the basic conditions. In particular, it has regard to the NPPF which explains that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what planning should achieve⁶⁴ and that neighbourhood planning groups have an important role to play in identifying the special qualities of each area

⁶⁴ NPPF para 126

and what expectations for new development there are.⁶⁵ It also sets out a local layer of policy in general conformity with strategic policy including CS Policy CS15 and will help to achieve sustainable development.

10. Development Design

Policy SPTN 16 – Development Design Considerations

The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.⁶⁶

It continues that neighbourhood plans can play an important role in identifying the special qualities of an area and explaining how this should be reflected in development.⁶⁷ It refers to design guides and codes to help provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design.⁶⁸

It continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history whilst not preventing change or innovation, establish or maintain a strong sense of place, optimise site potential and create places that are safe, inclusive and accessible.⁶⁹

Policy SPTN 16 is a long policy with numerous and varied criteria covering a wide range of issues. In essence, the policy seeks to deliver locally distinctive development of a high quality that protects, reflects and enhances local character taking account of the NPPF and leading on from CS Policy CS15 in particular.

The policy cross-references the Design Checklist in Appendix 3 of the Plan which is taken from the Design Guidance and Codes document.

I note Anglian Water support this policy. A comment is made that the Design Guidance and Codes document could be referenced in the policy in addition to the design checklist. At present, there is no reference to this document. I agree that, in the interests of achieving sustainable development, this should be explicitly referenced; this will make the policy more robust. A modification is therefore recommended.

A representation suggests an amendment is needed to criterion c. However, I consider

⁶⁵ NPPF para 127

⁶⁶ Ibid para 126

⁶⁷ Ibid para 127

⁶⁸ Ibid para 128

⁶⁹ Ibid para 130

it has sufficient regard to the NPPF in that it refers to mitigation measures which could include the public benefits including securing the heritage asset's optimum viable use.

Suffolk County Council (SCC) comments that some on-street parking can be successfully included within new developments. I note that the Design Guidance and Codes document recommends only on-plot parking and rear parking courts in very limited circumstances with any off-road parking to be provided on site. Therefore a modification to this policy is recommended.

SCC also considered the policy could be enhanced by the addition of wording prioritising pedestrians and cyclists. This would take account of the NPPF's prioritisation and emphasis on these modes of travel.⁷⁰ A modification is therefore put forward.

With these modifications, the policy will meet the basic conditions by supporting locally distinctive development of a high quality having regard to the NPPF, leading on from, and being in general conformity with, CS Policy CS15 in particular, and achieving sustainable development.

There is a typo in the supporting text to the policy that should be corrected.

- **Amend paragraph two of the policy to read:**

“Planning applications should, as appropriate to the proposal, demonstrate how they *have taken the Design Guidance and Codes document into account and how they satisfy the requirements of the Development Design Checklist in Appendix 3 of this Plan.*”

- **Amend criterion g. of the policy to read:**

“produce designs, in accordance with standards, that maintain or enhance the safety of the highway network ensuring that road layouts do not dominate the area, that all vehicle parking is *normally* provided within the plot and seek always to ensure permeability through new housing areas, connecting any new development into the heart of the existing settlement *whilst prioritising the movement of pedestrians and cyclists*”

- **Correct the first word of the seventh bullet point in paragraph 10.6 on page 51 of the Plan to “enhance”**

⁷⁰ NPPF para 112

Policy SPTN 17 - Flooding and Sustainable Drainage

The Plan explains that the Plan area is liable to flood given it lies in the Gipping Valley.

This policy sets out a requirement for all new development to assess flood risk and to ensure that surface water is managed.

It also encourages the appropriate use of sustainable drainage systems (SuDs). This is in line with the NPPF which encourages new development to incorporate SuDs where appropriate.⁷¹

I note Anglian Water support this policy.

The East Suffolk Internal Drainage Board has recommended a reference to the relevant regulators be added to the policy. I consider this can be usefully included in the supporting text.

The policy has regard to national policy and guidance, is in general conformity with strategic policies, in particular CS Policy CS15 and will help to achieve sustainable development.

- **Add reference in the supporting text to the relevant regulators (East Suffolk Internal Drainage Board, the Environment Agency and the Lead Local Flood Authority) to make it clear that any works to alter a watercourse will require consent from the relevant regulatory body**

11. Infrastructure, Services and Facilities

Policy SPTN 18 – Protecting Existing Services and Facilities

To support a prosperous rural economy, the NPPF expects planning policies to enable the retention and development of accessible local services and community facilities.⁷² It also states that policies should guard against the unnecessary loss of valued facilities and services as part of its drive to promote healthy and safe communities.⁷³

The Plan explains that the Parish has a number of services and facilities focused on Sproughton village. Ipswich is also convenient for services.

This policy seeks to protect existing services and facilities permitting their loss only subject to a number of criteria such as viability and local need. All the criteria are

⁷¹ NPPF paras 167, 169

⁷² Ibid para 84

⁷³ Ibid para 93

appropriate. However, two of the criteria work together in ensuring that viability and need for the premises no longer exist and the final criterion refers to alternative availability of the facility or service. Two modifications are required to help with the clarity of the policy.

With these modifications, the policy will have regard to national policy, be in general conformity with strategic policies particularly CS Policy CS15 which seeks the retention, protection or enhancement of local services and facilities and will help to achieve sustainable development.

- **Add the word “and” at the end of criterion a.**
- **Add the word “or” at the end of criterion b.**

Policy SPTN 19 – Open Space, Sport and Recreation Facilities

The NPPF cites open space and sports venues as part of the local services and community facilities which planning policies should retain and enable.⁷⁴ In addition, the NPPF recognises that planning policies should help to achieve healthy, inclusive and safe places which enable and support healthy lifestyles.⁷⁵ It also encourages policies to provide recreational facilities and to guard against their unnecessary loss.⁷⁶

This policy supports the provision and improvement of amenity, sport or recreation open space or facilities. The loss of such spaces and facilities is prevented unless they are surplus to requirements or they will be replaced by equivalent or better provision in a suitable location. New development is required to provide such areas as appropriate.

The policy has regard to the NPPF, is in general conformity with strategic policies and CS Policy CS15 in particular and will help to achieve sustainable development, particularly the social objective referred to in the NPPF which specifically mentions open space. It meets the basic conditions and no modifications are put forward.

Policy SPTN 20 – Utilities and Infrastructure

This policy supports communications infrastructure where it is designed to minimise adverse visual impact.

Not all telecommunications development requires full planning permission. Some types of development also fall into ‘permitted development’ category of development where only design and siting can be considered.

⁷⁴ NPPF para 93

⁷⁵ Ibid para 92

⁷⁶ Ibid para 93

The NPPF is clear that advanced, high quality and reliable communications infrastructure is essential for economic growth and social wellbeing.⁷⁷ It expects that development should be sympathetically designed and camouflaged where appropriate and that the number of masts for example, should be kept to the minimum necessary.⁷⁸

This policy has regard to the NPPF, is in general conformity with the CS and will help to achieve sustainable development. It meets the basic conditions and no modifications are recommended.

12. Highways and Movement

Policy SPTN 21 – Public Rights of Way

The NPPF is clear that planning policies should protect and enhance public rights of way and access including taking opportunities to provide better facilities for users.⁷⁹ Such networks can also help with providing opportunities and options for sustainable transport modes.⁸⁰

This policy seeks the enhancement of the existing network. This was one of the main issues for improvement identified through the questionnaire to the local community. I consider this policy can be deliverable through a range of schemes which may come forward including through any new larger schemes.

The policy has regard to the NPPF, is in general conformity with the CS and in particular CS Policy CS15 and helps to achieve sustainable development. It therefore meets the basic conditions and no modifications are recommended.

Policies Map

The maps are generally clearly presented throughout the document.

There is a missing notation on the key to the Policies Maps. This should be added to avoid confusion. In addition the brown coloured area on the Wolsey Grange Inset Map is not identified.

The Wolsey Grange Inset Map should be indicated on the Parish Wide Policies Map for consistency and to avoid confusion.

⁷⁷ NPPF para 114

⁷⁸ *ibid* para 115

⁷⁹ *Ibid* para 100

⁸⁰ *Ibid* paras 105, 106

On the Wolsey Grange Inset Map, it would be useful to add a key that should include identifying the brown coloured area.

- **Complete the key on the Parish Wide Policies Map**
- **Indicate the Wolsey Grange Inset Map on the Parish Wide Policies Map**
- **Add a key to the Wolsey Grange Inset Map**

Appendices

There are a number of appendices to the Plan.

Appendix 1 is a list of listed buildings. To future proof the information, I suggest a sentence is added to signpost where the most up to date information can be obtained.

Appendix 2 details landscape character.

Appendix 3 is the Development Design Checklist referred to in Policy SPTN 16.

Appendix 4 lists the supporting documents referred to in the Plan and its policies.

- **Add a sentence to Appendix 1 that reads: *“The information in this appendix is correct at the time of writing the Plan. Up to date information on heritage assets should always be sought from Historic England or other reliable sources of information.”***

Glossary

The Plan includes a helpful glossary.

There is a production error in relation to the definition of “conservation” at the bottom of page 71 which can be corrected as a non-material amendment.

8.0 Conclusions and recommendations

I am satisfied that the Sproughton Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to Babergh District Council that, subject to the modifications proposed in this report, the Sproughton Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Sproughton Neighbourhood Development Plan should proceed to a referendum based on the Sproughton Neighbourhood Plan area as approved by Babergh District Council on 16 April 2020.

Ann Skippers MRTPI

Ann Skippers Planning

24 July 2023

Appendix 1 List of key documents specific to this examination

Sproughton Neighbourhood Plan 2018 – 2037 Submission Plan September 2022

Basic Conditions Statement September 2022

Consultation Statement September 2022

Strategic Environmental Assessment Screening Determination September 2022 (BDC)

Strategic Environmental Assessment Screening Final Report June 2022 (LUC)

Habitats Regulations Screening Determination September 2022 (BDC)

Landscape Appraisal Final Report February 2021 (Alison Farmer Associates)

Land at Red House, Chantry Vale, Sproughton Landscape Appraisal Final Report September 2019 (Alison Farmer Associates)

HRA Report Final Report June 2022 (LUC)

Local Green Space Assessment August 2022

Appraisal of Non-Designated Heritage Assets September 2022

Design Guidance and Codes Final Report March 2021 (AECOM)

Housing Needs Assessment October 2020 (AECOM)

Site Options and Assessment Final Report March 2021 (May 2021 update) (AECOM)

Sproughton Listed Buildings Nov 2020

Special Character Area Appraisal September 2022 Revised February 2023

School Survey Results

Household Survey Results

Settlement Sensitivity Assessment Volume 1 Landscape Fringes of Ipswich July 2018 (Alison Farmer Associates)

Landscape Response to Application by Taylor Wimpey DC/21/02671 for SPC July 2021 (Lucy Batchelor-Wylam)

Babergh Local Plan 2011 – 2031 Core Strategy & Policies February 2014

Babergh Local Plan Alteration No. 2 adopted June 2006

Rural Development & Core Strategy Policy CS11 Supplementary Planning Document adopted August 2014

Affordable Housing Supplementary Planning Document adopted February 2014

Babergh and Mid Suffolk Joint Local Plan Pre-Submission (Reg 19) document November 2020

BDC Draft Five-Year Housing Land Supply Position Statement 2022 December 2022 (BDC/Lichfields)

Joint Local Plan – Part 1 Modifications Schedule March 2023

Joint Babergh and Mid Suffolk District Council Landscape Guidance August 2015

List ends

Appendix 2 Questions of clarification

Sproughton Neighbourhood Plan Examination

Questions of clarification from the Examiner to the Parish Council and BDC

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?
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?
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.
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)?
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?
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?
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 to show consented sites for housing, is this necessary? Are any other updates needed?
8. Was land north of the A1071 allocated in any previous versions of the neighbourhood plan?

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.

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