

# Stutton Neighbourhood Development Plan 2022 - 2037

## Independent Examination Correspondence document

First published: 22 November 2022

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### Introduction

This document provides a written record of all general correspondence between the Independent Examiner (Ann Skippers), the Parish Council (the Qualifying Body or 'QB'), and Babergh District Council during the examination of the Stutton Neighbourhood Plan.

As required, specific documents will continue to be published on the Council website at:

[www.babergh.gov.uk/StuttonNP](http://www.babergh.gov.uk/StuttonNP)

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

1. **E from Examiner: Examination start and procedures note**
2. **E to NP Group (cc. to Ann Skippers) re start notice etc.**

## **1. E from Examiner: Examination start and procedures. Documents request**

**From:** Ann Skippers  
**To:** Paul Bryant (BMSDC)  
**Dated:** 21 November 2022  
**Attached:** Examination Note 1 [\[copied below\]](#)

Dear Paul,

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

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

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

Kind regards  
Ann Skippers

### **Stutton Neighbourhood Plan Independent Examination**

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

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

#### **1. Communications**

It is important that the examination process is open and transparent to all interested parties. I hope to ensure that the Parish Council feels part of the process. My main point of contact will be the designated local planning authority contact, Paul Bryant. The Parish Council will be copied in on all correspondence other than that relating to contractual matters. Please let me know the best contact email for the Parish Council if I haven't already got these details.

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

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

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

I have already received paper copies of the Plan and representations which is very helpful. I will access most other documents electronically either from the local planning authority's website or on the Parish Council website or any dedicated Neighbourhood Plan website. If I have any trouble finding or accessing any documents, I will let you know so that these can be provided to me.

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

### **3. Late representations**

As a general rule of thumb I will not accept late or additional representations. The only time when I will consider accepting a representation submitted after the consultation period has ended is in those cases where there has been a material change in circumstances since the six week consultation period has ended. For example national planning policy changes or a relevant judgement may be handed down from the Courts. In these circumstances anyone

wishing to introduce new evidence should fully justify why and in the case of substantial documents, indicate which parts of the document are relevant and why.

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

### **4. Clarification procedures**

Once I have read all the papers, I may, at any time during the examination, seek written clarification of any matters that I consider necessary. The usual time for response to any clarification queries is one to two weeks.

I must emphasise that this does not mean I will accept new evidence. In the interests of fairness to other parties, I cannot accept any new evidence other than in exceptional circumstances. If the Parish Council is unsure as to whether information it is submitting may constitute new evidence, may I suggest it is sent to the local planning authority in the first instance for their advice on this point.

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

If I find that there are significant issues which may prevent the Plan meeting the basic conditions I will let you know during the course of the examination as soon as I can so that options on how to proceed can be considered. Whilst this situation can usually be dealt with through an exchange of correspondence, if it would be helpful to hold a meeting between the local planning authority, the Parish Council and I together with any other relevant organisations or individuals, I will suggest this and be in touch to make suitable arrangements. Any such meeting will be held in public and at the present time, be held virtually.

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

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

If I am 'spotted' during my visit, I would be very grateful if I am not approached, but allowed to continue my visit unheeded.

### **6. Examination timetable**

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

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

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

I am proceeding on the basis that this examination can be conducted without the need for a hearing as this is the 'default' position. At any time before I issue my final report I may call a hearing if I consider this is necessary to ensure adequate examination of any issue or to allow a person a fair chance to put a case.

If I feel a hearing is necessary, I will let you know as early as possible. If I do intend to hold a hearing, I will let you know about the procedure and will be in touch to make suitable arrangements at that time.

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

In present circumstances it is likely that any meetings or hearings would be carried out remotely.

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

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

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

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

## **9. Procedural questions**

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

Ann Skippers MRTPI  
Independent Examiner Director,  
Ann Skippers Planning

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## **2. E to NP Group (cc. to Ann Skippers) re start notice etc.**

**From:** Paul Bryant (BMSDC)  
**To:** Jenny Morris & Bill Hewlett (Stutton NP Group)  
**cc:** Ann Skippers, and the Clerk to Stutton PC  
**Dated:** 21 November 2022

Dear Jenny, Bill

Please see the e-mail copied here and the Examination Note attached, that I received from your examiner (Ann Skippers) today.

Ann ... to respond briefly to the information request under section 2 of your note:

- The adopted development plan for Babergh comprises the saved policies of the [Babergh Local Plan Alteration No 2](#), adopted June 2006, and the [Babergh Core Strategy 2011 - 2031](#), adopted Feb 2014.

- With Mid Suffolk, the two Councils are preparing a new 'Joint Local Plan' (JLP) which will cover the period to 2037. Our recently published [Joint Local Development Scheme 2022-2025 \(Oct. 2022\)](#) provides, at Chapter 4, an update on the proposal to split the JLP into a Part 1 and Part 2 document and, at Chapter 9, the expected timetable for their delivery.
- Please also note that the Minerals Core Strategy and the Waste Core Strategy produced by Suffolk County Council also form part of the development plan. [\[see here\]](#)

Kind regards,

Paul Bryant  
N'hood Planning Officer | BMSDC

[Ends]

