

1. CHAPTER 1 - INTRODUCTION

1.1 PARAGRAPH 1.8 – 1.13 FUNCTIONS OF THE PLAN

The Objections

114-115 Mr D F Martin;237-238 Mr A G Barker;266-267 Mr J M B Edgell;270-271 Mr G V Jackaman;1998-1999 Mrs S J Spinks; 2910-2911 Mr J M Aitken

Objecting against Chelmondiston western settlement boundary and indicates that the boundary should be moved to Richardsons Land, to include an omission site. Various reasons for the change of the Built Up Boundary are provided. (Also see Rep no 112).

Inspector's Reasoning and Conclusions

1.1.1 I have dealt with the principle of developing various sites on the Shotley peninsular and specific omission site objections, including Chelmondiston, in the Settlement Policy and Housing Chapter of the plan. Paragraphs 1.8 to 1.13 lay down the Strategy and Aims of the Plan but do not relate to particular settlements. Apart from a general objection to these paragraphs I have no detailed evidence before me suggesting specific changes on which I can comment.

RECOMMENDATION

Make no modification to the Plan in response to this objection

1.2 PARAGRAPH 1.9 STRATEGY AND AIMS OF THE PLAN

The Objections

**2104 ICI Corporate Real Estate/Andrew Martin Associates
Conditional Withdrawal**

Generally support approach to sustainable development but some of bulleted strategy points require amendments. The first bullet to read: ".. Suffolk Structure Plan, and to meet the development requirements of the District itself". The second bullet to read: "..are already well supported or are capable of being well supported by services and public transport which have a range.."

Inspector's Reasoning and Conclusions

- 1.2.1 From my consideration of particular allocations at Inquiry it seemed to me that some of the allocations and policies for housing and employment in the plan are specifically to meet local needs and not Structure Plan requirements. It would, therefore, be reasonable to include the wording proposed by the Objector in the first bullet of paragraph 1.9
- 1.2.2 I have recommended in the Settlement Policy and Housing Chapter of the Plan that the categorisation of villages should be reconsidered. This should define sustainable villages and those close to sustainability, and the forms of development acceptable within them. I do not believe that the remainder of the villages would be capable of being well supported by services and public transport.

RECOMMENDATION

Modify the first bullet point of paragraph 1.9 of the plan by adding **and to meet the needs of the district**

1.3 PARAGRAPH 1.13 STRATEGY AND AIMS OF THE PLAN

The Objections

1012 Hadleigh Town Council

Policies do not make reference to the need to consider the wider effects following major developments on the local community particularly in relation to key public services, for example schools and health services provision, and infrastructure works, like roads, drainage, lighting, sewerage, pedestrian and cycle ways.

8870 Ashwell Developments Limited/FPD Savills Conditional Withdrawal

Amend paragraph to confirm that the reference "securing contributions from developers" is written in the context of the guidance contained within Circular 1/97. Accordingly change to: "*..nevertheless, the plan can make positive contributions to social and community issues through, its land-use policies and proposals, and using the development control process where appropriate having regard to the guidance contained within Circular 1/97; such as; ...* "

B.D.C is proposing a change to Paragraph 1.13 Pre-Inquiry Change 16

Amend text to read: 'The Plan itself, however, can only address social and community issues where they have land-use implications. Nevertheless, the Plan can make positive contributions to social and community issues through its land-use planning policies and proposals and through using the Development Control process where appropriate ~~such as~~ **while having regard to the guidance contained within the prevailing Government Guidance/Circular; by:**

- **Seeking to secure** ~~securing~~ contributions from developers towards...' (*3rd bullet point*)
- provision of high-quality public open space within new housing developments. ~~paid for by the developer.'~~ (*6th bullet point*)'

The Objections

13216 Great Cornard Parish Council

Objection to 'seeking to secure'. Wish to retain 'securing'.

Inspector's Reasoning and Conclusions

1.3.1 The amended supporting text in Pre-Inquiry Change No. 16 would better reflect government guidance and recognise that such contributions are subject to negotiation.

RECOMMENDATION

Make no further modification to the Plan in response to this objection but modify in accordance with Pre-Inquiry Change No. 16.

1.4 PARAGRAPH 1.15A REGIONAL PLANNING GUIDANCE FOR THE EAST OF ENGLAND

The Objections

5012 Mr J F Tinworth

Lack of Public Consultation on the Haven Gateway/Stanstead implications as Babergh is totally included. There is an extreme risk of a corridor effect development.

5323 Suffolk County Council

The text should be amended to reflect the latest timetable for RPG14 production. The second paragraph should say Spatial Planning Vision rather than Division.

B.D.C is proposing a change to Paragraph 1.15a Pre-Inquiry Change 17

Revise to: 'The Regional Planning Guidance is currently being updated and will cover the new East of England Region. The first consultation draft of the new guidance (RPG14) covers the period up to 2021 and consultation took place ~~between~~ **in September 2002 and December 2002**. The draft RPG 14 is due ~~in mid 2003~~; followed by the ~~second consultation period~~ and the new guidance is expected to be adopted sometime in 2004 **to be submitted to the Secretary of State in February 2004 with a twelve-week consultation period starting in March 2004. The public examination is expected to be in October 2004 with the final publication due in July 2005.**

... relating to the spatial strategy for the region and sub-regions are set out below:

- The Spatial Planning ~~Vision~~ ~~Division~~ for the East of England ...'
(1st bullet)

The Objections

13174 Ashwell Developments Limited/FPD Savills ; 13225 House Builders Federation

Amend paragraph 1.15a to provide up to date position with regard to draft RPG14.

Inspector's Reasoning and Conclusions

1.4.1 It seems to me that as RPG 14 is still evolving that the final wording of the adopted Plan may well change from that now proposed. For the time being I consider the amended wording in the pre-inquiry change be used.

RECOMMENDATION

For the present modify the plan in accordance with Pre-Inquiry Change No.17

1.5 PARAGRAPH 1.35 OTHER PLANNING POLICY DOCUMENTS

The Objections

848 Mr R J Prosser

The Village Planning Policy Guidelines, including the built-up area boundaries plans, should be included in the Local Plan.

7086 Mrs D G M Judd

The Settlement Planning Policies in the Village Planning Policy Guidelines have not been subject to the correct public consultation. There is no Appendix 6 presented for public scrutiny as suggested in para 1.35.

B.D.C is proposing a change to Paragraph 1.35 Pre-Inquiry Change 18

Amend text to : 'In 1995 this Council adopted Village Planning Policy Guidelines for a number of villages in the District. This defined the built-up boundaries of villages for the interpretation of the Settlement Planning Policy. Since then, the Settlement Planning Policies in the Village Planning Policy Guidelines have been reviewed and the defined Built-Up Area Boundaries have been incorporated in ~~this the~~ Local Plan. ~~(See Appendix 6).~~ ' (1st bullet)

The Objections

None

Inspector's Reasoning and Conclusions

1.5.1 At the 2nd deposit stage the Council included Built Up Area Boundaries in the plan and these were subject to the normal consultation procedure. Reference to Appendix 6 was misleading and has been deleted.

RECOMMENDATION

Modify paragraph 1.35 of the Plan in accordance with Proposed Pre-Inquiry Change No.18

1.6 PARAGRAPH 1.35A OTHER PLANNING POLICY DOCUMENTS

The Objections

5427 Suffolk West NHS Primary Care Trust

The list of plan and documents might benefit from referring to the community strategies being developed by the two Local Strategic Partnerships, which cover Babergh.

B.D.C is proposing a change to Paragraph 1.35a Pre-Inquiry Change 19

'In order to provide a co-ordinated framework for development within the District, the Plan must be supported by and integrate with the various corporate documents adopted by this Council. This approach aims to achieve a sustainable, integrated and viable planning process. The key corporate documents taken into account include:

- **'Western Suffolk Local Strategic Partnership, Community Plan (2003) (1st bullet)**
- **Babergh East Local Strategic Partnership, Community Plan (2003) (2nd bullet) '**

The Objections

None

Inspector's Reasoning and Conclusions

1.6.1 In my view the reference to the partnerships should be included and the proposed change meets the objection raised

RECOMMENDATION

Modify paragraph 1.35a of the Plan in accordance with Proposed Pre-Inquiry Change No 19

1.7 PARAGRAPH 1.42 IMPLEMENTATION (TOWN AND PARISH COUNCILS)

The Objections

368 Sproughton Parish Council

Support statement on the role of Parish Councils, however the statement should be extended to include reference to the government document "Our Countryside: the future", November 2000, and the role that PC's should play in developing new roles and managing local facilities in partnership with County and District Authorities, the development of Parish Plans etc.

Inspector's Reasoning and Conclusions

1.7.1 I consider that paragraph 1.42 as amended in the 2nd deposit draft briefly describes the role of Town and Parish

Councils in so far as they relate to land use and planning matters. The inclusion of further reference to "Our Countryside: the Future" would be too detailed for supporting text on this Implementation section of the plan.

RECOMMENDATION

Make no modification to the Plan in response to this objection

1.8 PARAGRAPH 1.44 IMPLEMENTATION (UTILITY COMPANIES)

The Objections

7627 Elmsett Parish Council

British Gas is now National Grid Transco. Objector suggests checking other companies also.

B.D.C is proposing a change to Paragraph 1.44 Pre-Inquiry Change 20

Revise to read as follows: 'The companies providing utility infrastructure include Anglian Water Services Ltd (AWS), Suffolk and Essex Water Company, Powergen, National Grid plc, ~~24 Seven~~ **EDF Energy Limited, British Gas (Eastern) National Grid Transco**, British Telecom and Mercury Communications.'

The Objections

None

Inspector's Reasoning and Conclusions

1.8.1 The names of the companies have been updated.

RECOMMENDATION

Modify the plan in accordance with Proposed Pre-Inquiry Change No.20

1.9 POLICY LP01

The Objections

604 GO-East Conditional Withdrawal

The plan should offer certainty & clarity without phrases that introduce doubt regarding planning permission. The Local plan is implemented by different authorities and policies should not refer to individual authorities. Reasons for policy should not be part of policy. SPG may be used to supplement parts of the Plan. However, policies should not delegate decisions to SPG or other documents. Do not accord with PPG1, PPG12 or best quality guides.

1472 Mr A Gordon/Fenn Wright

The proposed development at Orvis Lane, East Bergholt could include provision or payment for all services, facilities and other improvements directly related to development.

1897 Bellway Homes Ltd;4500 Bovis Homes Limited

Objectors would like Policy LP01 to be redrafted to refer to development contributions being sought, rather than must be included. Contrary to Circular 1/97 on Planning obligations. Planning obligation not requirement.

6926 Camstead Homes Limited/Taylor Vintners

By being both prescriptive and imperative in the nature of the policy, as drafted, goes beyond national planning policy guidance and what is permitted by law. The proper consideration is the impact of the development not the planning loss. The policy should be deleted as it adds nothing to national planning policy or other policies in the plan.

7788 House Builders Federation

Replace 'must' with 'should', where appropriate.

7789 House Builders Federation;7790 House Builders Federation; 8872 Ashwell Developments Limited/FPD Savills Conditional Withdrawal

Many developments will not necessitate such payments due to their limited scale and/or the fact that spare existing capacity is available in respect of relevant facilities and services. Circular 1/97 sets out the framework in respect of seeking developer contributions, it specifies in what circumstances and refers to five tests where such contributions might be appropriate. This should be incorporated.

B.D.C is proposing a change to Policy LP01 Pre-Inquiry Change 21

Amend to: 'Planning applications for the development of sites ~~must~~ **should seek to** include provision, or payment, for all services, facilities and other improvements, directly related to that development.'

The Objections

None

Inspector's Reasoning and Conclusions

1.9.1 LP01 is a general policy on contributions. Although it now reflects national guidance the wording that planning applications should *seek to* include provision does not read well. I do not feel strongly about it but would suggest the following. "On the submission of a planning application the Council will, when appropriate, seek the provision, or payment for all services, facilities and other improvements directly related to the development.

RECOMMENDATION

Modify the plan in accordance with paragraph 1.9.1 above

1.10 PARAGRAPH 1.49 PLANNING OBLIGATIONS FOR SERVICES, FACILITIES AND IMPROVEMENTS

The Objections

7791 House Builders Federation; 8873 Ashwell Developments Limited/FPD Savills Conditional Withdrawal

There should be consistency of wording between the new sentence in paragraph 1.49 and paragraph 1.48a. It is suggested that the phrase be amended to reflect that the District Council will seek to use Planning Obligations and conditions to secure features of development proposals.

B.D.C is proposing a change to Paragraph 1.49 Pre-Inquiry Change 22

Amend to read: 'All the principal sites allocated for development in the second Alteration to the Babergh Local Plan are accompanied by a list of those services, facilities and other improvements that the District Council will expect to be provided before they can proceed. In some instances, these will be further supplemented by site development and design briefs. The District Council will **seek to** use Planning obligations to secure these features of development proposals.'

The Objections

13217 Great Cornard Parish Council

Object to 'will seek to use'. Wish to retain 'will use'.

Inspector's Reasoning and Conclusions

1.10.1 The wording of the proposed change better reflects government guidance and accepts that there is flexibility in the negotiation of planning agreements.

RECOMMENDATION

Modify paragraph 1.49 of the plan in accordance with Proposed Pre-Inquiry Change No.22

1.11 MISCELLANEOUS

The Objections

33 Mr R A Smith

Detailed comments on the methodology used in the Environmental / Sustainability Appraisal. Argue that the approach used contributes towards questionable results.

Inspector's Reasoning and Conclusions

1.11.1 Paragraph 1.11 merely states the aims of the plan to maintain and improve the quality of life and does not specifically refer to the Environmental/Sustainability Appraisal adopted by the Council to assess sites. This is explained in detail in a topic paper. I have considered objections to the implementation and results of the appraisal when dealing with objections to particular allocation and omission sites.

RECOMMENDATION

Make no modification to the Plan in response to this objection
