

# **EYE NEIGHBOURHOOD PLAN**

## **Submission Draft Version**

**A report to Mid Suffolk District Council  
into the examination of the  
Eye Neighbourhood Plan  
by Independent Examiner, Rosemary Kidd**

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## 1.0 Summary

- 1.1 The Eye Neighbourhood Plan has been prepared to set out the community's wishes for the parish of Eye to address, as far as possible, the challenges that face the community, to ensure that Eye retains its charm and attractiveness as a centre providing shops and services for the community.
- 1.2 I have made a number of recommendations in this report in order to make the wording of the policies and their application clearer and to ensure that they meet the Basic Conditions. Section 7 of the report sets out a schedule of the recommended modifications.
- 1.3 The main recommendations concern:
  - The deletion of Policies Eye 4, 17, 19, 21, 22 and a number of the proposed Local Green Spaces;
  - Moving Policies Eye 26 and 32 to a new section titled Community Aspirations;
  - Amendments to clarify the wording of policies to ensure that they are clear and unambiguous, that they are flexible and to correct errors;
  - Updating Tables in the text to reflect changes to the policies; and
  - Ensuring that the clarity of the Policies Map is improved so that the boundaries of areas referred to in policies can be determined.
- 1.4 Subject to these modifications being made to the Neighbourhood Plan, I am able to confirm that I am satisfied that the Eye Neighbourhood Plan satisfies the Basic Conditions and that the Plan should proceed to referendum.

## 2.0 Introduction

### Background Context

- 2.1 This report sets out the findings of the examination into the Eye Neighbourhood Plan (referred to as the ENP throughout this report).
- 2.2 The market town of Eye lies about 6km to the south of Diss and 28 km north of Ipswich within the boundary of Mid Suffolk District Council (MSDC). The Plan area contains the historic town of Eye, the Mid Suffolk Business Park located on the former Eye Airfield and the surrounding rural area containing farms and rural properties. There is a conservation area and many listed buildings. At 2011 there were 2154 people living in Eye in 969 households.

### Appointment of the Independent Examiner

- 2.3 I have been appointed by MSDC with the consent of Eye Town Council, to undertake the examination of the Neighbourhood Plan and prepare this report of the independent examination. I am independent of the Town Council, the Neighbourhood Plan Steering Group and Mid Suffolk District Council. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I hold appropriate qualifications and have appropriate experience.

### Role of the Independent Examiner

- 2.4 As an independent Examiner, I am required to determine, under paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990, whether the legislative requirements are met:
- The Neighbourhood Plan has been prepared and submitted for examination by a qualifying body as defined in Section 61F of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
  - The Neighbourhood Plan has been prepared for an area that has been designated under Section 61G of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004;
  - The Neighbourhood Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provisions relating to 'excluded development', and must not relate to more than one Neighbourhood Area); and
  - The policies relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of the Planning and Compulsory Purchase Act 2004 Section 38A.
- 2.5 An Independent Examiner must consider whether a neighbourhood plan meets the "Basic Conditions". The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to

neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The Basic Conditions are:

1. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan;
2. the making of the neighbourhood plan contributes to the achievement of sustainable development;
3. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
4. the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
5. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. The following prescribed condition relates to neighbourhood plans:
  - Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) sets out a further Basic Condition in addition to those set out in the primary legislation. That the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended).

- 2.6 Under the terms of the neighbourhood planning legislation I am required to make one of three possible recommendations:
- That the plan should proceed to referendum on the basis that it meets all the legal requirements;
  - That the plan should proceed to referendum if modified; or
  - That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements.
- 2.7 If recommending that the Neighbourhood Plan is submitted to referendum my report must also recommend whether the area for the referendum should extend beyond the neighbourhood area to which the Neighbourhood Plan relates, and if to be extended, the nature of that extension.
- 2.8 The role of an Independent Examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans. It is not within my role to comment on how the plan could be improved but rather to focus on whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.

- 2.9 It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings. I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements.

### **The Examination Process**

- 2.10 The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or so that a person has a fair chance to put a case.
- 2.11 I have sought clarification on a number of factual matters from the qualifying body and/or the local planning authority in writing. I am satisfied that the responses received have enabled me to come to a conclusion on these matters without the need for a hearing.
- 2.12 I had before me background evidence to the plan which has assisted me in understanding the background to the matters raised in the Neighbourhood Plan. I have considered the documents set out in Section 5 of this report in addition to the Submission draft of the Eye Neighbourhood Plan 2018 – 2036 dated May 2019.
- 2.13 I have considered the Basic Conditions Statement and the Consultation Statement as well as the screening reports for the Strategic Environmental Assessment and Habitats Regulation Assessment and the Environmental Report. In my assessment of each policy I have commented on how the policy has had regard to national policies and advice and whether the policy is in general conformity with relevant strategic policies, as appropriate.
- 2.14 I have undertaken an unaccompanied visit to the Plan area and viewed the sites referred to under the policies in the plan.

### **Legislative Requirements**

#### **Qualifying Body**

- 2.15 The neighbourhood plan making process has been led by Eye Town Council which is a “qualifying body” under the Neighbourhood Planning legislation which entitles them to lead the plan making process. The Plan was prepared by the Neighbourhood Plan Steering Group.
- 2.16 I am satisfied that the requirements set out in the Localism Act (2011) and in Section 61F(1) and (2) of the Town and Country Planning Act (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act) have been met.

#### **The Plan Area**

- 2.17 The Neighbourhood Plan area is co-terminus with the parish of Eye. The area was designated by MSDC on 18 October 2018 as a Neighbourhood Area.

The Basic Conditions Statement confirms that there are no other neighbourhood plans relating to that area.

- 2.18 This satisfies the requirements of preparing a Neighbourhood Development Plan under section 61G (1) (2) and (3) of the Town and Country Planning Act 1990 (as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004) and regulations 5, 6 and 7 of the Neighbourhood Planning (General) Regulations 2012.

### **Plan Period**

- 2.19 A neighbourhood plan must specify the period during which it is to have effect. The front cover of the Plan states that the lifespan of the Neighbourhood Plan is 2018 – 2036.

### **Excluded Development**

- 2.20 The Plan does not include provision for any excluded development: county matters (mineral extraction and waste development), nationally significant infrastructure or any matters set out in Section 61K of the Town and Country Planning Act 1990.

### **Development and use of land**

- 2.21 The Neighbourhood Development Plan should only contain policies relating to development and use of land. Subject to the modifications proposed, the ENP would be compliant with this requirement of Section 38B of the Planning and Compulsory Purchase Act 2004 as amended.
- 2.22 I am satisfied therefore that the Eye Neighbourhood Plan satisfies all the legal requirements set out in paragraph 2.4 above.

## **The Basic Conditions**

### **Basic Condition 1 – Has regard to National Policy**

- 2.23 The first Basic Condition is for the neighbourhood plan “to have regard to national policies and advice contained in guidance issued by the Secretary of State”. The requirement to determine whether it is appropriate that the plan is made includes the words “having regard to”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans which requires plans to be “consistent with national policy”.
- 2.24 The Planning Practice Guidance assists in understanding “appropriate”. In answer to the question “What does having regard to national policy mean?” the Guidance states a neighbourhood plan “must not constrain the delivery of important national policy objectives.”
- 2.25 In considering the policies contained in the Plan, I have been mindful of the guidance in the NPPG that:

*“Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like.”*

2.26 In order to ensure that a neighbourhood plan can be an effective tool for the decision maker, the PPG advises that:

*“A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”*

2.27 The NPPF of February 2019 is referred to in this examination in accordance with paragraph 214 of Appendix 1, as the plan was submitted to the Council on 8 May 2019.

2.28 The Planning Practice Guidance on Neighbourhood Plans states that neighbourhood plans should *“support the strategic policies set out in the Local Plan or spatial development strategy and should shape and direct development that is outside of those strategic policies”* and further states that *“A neighbourhood plan should, however, contain policies for the development and use of land. This is because, if successful at examination and referendum, the neighbourhood plan becomes part of the statutory development plan.”*

2.29 PPG on Housing Needs of Different Groups under Rural Housing states that *“a wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlements will need to be supported by robust evidence of their appropriateness”*.

2.30 The Basic Conditions Statement sets out the Core Planning Principles of the 2019 NPPF and describes how the Vision Statements and policies are aligned with these principles. It demonstrates that the Plan in principle has had regard to the NPPF Core Planning Principles and to delivering sustainable development. It has not however considered how each policy has taken account of national planning policy.

2.31 I consider the extent to which the policies of the plan meet this Basic Condition No 1 in Section 3 below.

### **Basic Condition 2 - Contributes to sustainable development**

2.32 A qualifying body must demonstrate how a neighbourhood plan contributes to the achievement of sustainable development. The NPPF as a whole constitutes the Government’s view of what sustainable development means in

practice for planning. The NPPF explains that there are three dimensions to sustainable development: economic, social and environmental.

- 2.33 There is no legal requirement for a formal Sustainability Appraisal to be carried out in respect of neighbourhood plans. However good practice suggests that where neighbourhood plans are allocating land for development an appraisal should be carried out.
- 2.34 Section 3 of the Basic Conditions Statement considers how the ENP contributes to the delivery of sustainable development with regards to economic, social and environmental aspects. Taking account of the information presented, I am satisfied that the ENP contributes to the delivery of sustainable development.

### **Basic Condition 3 – is in general conformity with strategic policies in the development plan**

- 2.35 The third Basic Condition is for the neighbourhood plan to be in general conformity with the strategic policies contained in the Development Plan for the area.
- 2.36 The current local strategic planning policy for Eye is contained in the Mid Suffolk Core Strategy (adopted in 2008); Mid Suffolk Core Strategy Focused Review (adopted in 2012); Stowmarket Area Action Plan (adopted 2013); and the “saved” policies of the Mid Suffolk Local Plan (adopted 1998). MSDC has helpfully prepared a list of relevant policies that were live in 2016.
- 2.37 An emerging Joint Local Plan is currently being prepared between MSDC and Babergh District Council. However, the emerging Joint Local Plan is at a relatively early stage and therefore the Core Strategy remains the key policy document for the district. The Preferred Options Local Plan was approved by MSDC in June 2019 with consultation undertaken between July and September 2019.
- 2.38 The Basic Conditions Statement comments on how the Plan policies will support and deliver the saved policies and Core Strategy policies which were in force at the time of preparing the ENP. Paragraph 2.3 of the SEA Environmental Report sets out the key considerations of the emerging Local Plan that are relevant to the ENP.
- 2.39 I have considered the Neighbourhood Plan as a whole against the NPPF and PPG and the adopted strategic policies. Then I have considered each of the policies to ascertain whether there is any conflict between a particular policy and the NPPF or the strategic policies of the Development Plan. Where appropriate I have highlighted relevant policies and guidance when considering each policy of the Neighbourhood Plan. I have also considered the Basic Conditions Statement submitted alongside the Neighbourhood Plan.
- 2.40 I consider in further detail in Section 3 below the matter of general conformity with the strategic policies of the plan.

## Basic Condition 4 – Compatible with EU obligations and human rights requirements

- 2.41 A neighbourhood plan must be compatible with European Union obligations as incorporated into UK law, in order to be legally compliant. Key directives relate to the Strategic Environmental Assessment Directive and the Habitats and Wild Birds Directives. A neighbourhood plan should also take account of the requirements to consider human rights.
- 2.42 Regulation 15 of the Neighbourhood Planning Regulations as amended in 2015 requires either that a Strategic Environmental Assessment is submitted with a Neighbourhood Plan proposal or a determination from the responsible authority that the plan is not likely to have “significant effects.”
- 2.43 A screening opinion was carried out on the draft ENP. The conclusions of the SEA for the Submission draft ENP indicate:
- “In the light of the Screening Report for Consultation prepared by Essex Place Services and the consultation with Historic England, Natural England and the Environment Agency it is determined that a Strategic Environmental Assessment of the Eye Neighbourhood Plan **is required** in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.”*
- 2.44 A SEA Environmental Report was published alongside the Submission Draft ENP in May 2019. This set out an assessment of the housing numbers to be delivered through the Plan, an assessment of reasonable alternatives for site allocations to be determined through the plan and an assessment of the policies of the Plan against eight SEA themes. The Environmental Report identified a number of beneficial effects that are likely to arise as a consequence of the policies of the ENP.
- 2.45 A representation has been made that the assessment of the Paddock House site is incorrect as reference is made to the loss of the roadside meadow Local Green Space. It is argued that as this is a proposal of the Plan and not a designated site it should not be included in the assessment. The site is in any case a garden to the former care home and has not been accessible to the public.
- 2.46 Habitat Regulations Assessment (HRA) screening for the ENP concluded that as the Parish of Eye lies outside the Impact Risk Zone for any Natura 2000 sites, it is possible to rule out likely significant effects. It was concluded that there was therefore no need for an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017. The determination is *“In the light of the Screening Report prepared by Essex Place Services and the responses from the statutory bodies it is determined that the Eye Neighbourhood Plan **does not require** further assessment under the Habitats Regulations 2017.”*

2.47 The statutory environmental bodies: Historic England, Natural England and the Environment Agency were consulted on the SEA and HRA Screening Reports in January 2019. They concurred with the findings of the screenings.

2.48 The Basic Conditions Statement does not include a statement on how human rights have been taken into account in preparing the ENP. I have asked the Qualifying Body to supply me with a statement; their response is as follows:

*“The Town Council confirms that both non-statutory and statutory consultations have been carried out in such a way that all sections of the local community have been given the opportunity to express their views. The Steering Group was mindful of the need to engage all sections of the local community and applied different consultation techniques accordingly. These initiatives are documented in the accompanying Consultation Statement.*

*“The Town Council also wish to confirm that the neighbourhood plan has been prepared to represent the views of the whole community.*

*“It is therefore believed that the Eye Neighbourhood Plan has had appropriate regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act 1998.”*

2.49 From the evidence provided in this assessment and the Consultation Statement, I am satisfied that the plan makers have sought to consult the whole community and have taken their views into consideration in preparing the ENP. I am satisfied that the Plan has met the requirements of the Human Rights Act.

2.50 I am not aware of any other European Directives which apply to this particular Neighbourhood Plan and no representations at pre or post-submission stage have drawn any others to my attention. Taking all of the above into account, I am satisfied that the ENP is compatible with EU obligations and therefore with Basic Conditions Nos 4 and 5.

### **Consultation on the Neighbourhood Plan**

2.51 I am required under The Localism Act 2011 to check the consultation process that has led to the production of the Plan. The requirements are set out in Regulation 14 in The Neighbourhood Planning (General) Regulations 2012.

2.52 The Consultation Statement sets out an overview of the consultation process that has been undertaken in the course of preparing the Neighbourhood Plan. The key stages of consultation were:

1. The Steering Group began work preparing the Plan in October 2017. There were four main phases of consultation and engagement:
  - a. The initial consultation (March/April 2018) to agree a vision for the Town through a set of vision statements which provided a basis for preparing the Plan.

- b. The interim consultation (July 2018) targeted some key issues such as levels of development, key sites and infrastructure issues.
  - c. The Housing Needs Survey (May 2018) sought views on housing needs but also provided an opportunity for general views and asked a specific question about the development of the Paddock House site.
  - d. The Regulation 14 Pre Submission draft of the Plan was consulted on from 8 November to 20 December 2018.
2. The Steering Group also took account of the views that had been expressed before the preparation of the ENP during consultation as part of the preparation of the Parish Plan (2009), on the outline planning application for 280 homes South of Eye Airfield (2015) and on the District Councils' Joint Local Plan Consultation Document (2017).
  3. There was a specific consultation of residents of Wellington Road and Church Street about use of the green space within the Paddock House site (May 2018).
  4. The Steering Group kept the people of Eye informed about the Plan through the Town website ([www.eyesuffolk.org](http://www.eyesuffolk.org)), messages through the Eye 2 Eye email network (which has about 500 subscribers in the Town and neighbouring villages and hamlets) and the Town magazine which is circulated to all households as part of the initial consultation and at the start of the Pre Submission consultation.
  5. Exhibitions were held during the initial, interim and Pre Submission consultation stages.
  6. Public meetings were held on specific issues including car parking and the use of the allotments and agricultural land at Victoria Mill.
- 2.53 The Consultation Statement includes a link to Supporting Document 20 which sets out a summary of the comments and responses on the Submission Draft Eye Neighbourhood Plan (Nov/Dec 2018).
- 2.54 The ENP was submitted to MSDC on 8 May 2019. The Regulation 16 Consultation took place between 22 May and 5 July 2019. In total 23 representations were received.
- 2.55 I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulations 14 and 15 in the Neighbourhood Planning (General) Regulations 2012.
- 2.56 This report is the outcome of my examination of the Submission Draft Version of the Eye Neighbourhood Plan 2018 - 2036. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions. My report makes recommendations based on my findings on whether the Plan meets the Basic Conditions and provided the Plan is modified as recommended, I am satisfied that it is appropriate for the Neighbourhood Plan to be made. Once the plan is approved by MSDC it may proceed to a referendum. If it receives the support of over 50% of those voting then the Plan will be made by Mid Suffolk District Council.

### 3.0 Neighbourhood Plan – As a whole

- 3.1 The Neighbourhood Plan is considered against the Basic Conditions in this section of the Report following the structure and headings in the Plan. Given the findings in Section 2 above that the plan as a whole is compliant with Basic Conditions No 4 (EU obligations) and other prescribed conditions, this section largely focuses on Basic Conditions No 1 (Having regard to National Policy), No 2 (Contributing to the achievement of Sustainable Development) and No 3 (General conformity with strategic policies of the Development Plan).
- 3.2 Where modifications are recommended, they are presented and clearly marked as such and highlighted in bold print, with any proposed new wording in italics.
- 3.3 Basic Condition 1 requires that the examiner considers whether the plan as a whole has had regard to national policies and advice contained in guidance issued by the Secretary of State. Before considering the policies individually, I have considered whether the plan as a whole has had regard to national planning policies and supports the delivery of sustainable development.
- 3.4 The Plan sets out a comprehensive range of policies to steer the development of this attractive historic market town and the surrounding countryside for the next 18 years or so. It is clearly written and is supported by a number of background documents setting out the evidence that has been used to develop the plan. Section 2 of the Plan lists the documents that make up the background evidence. The Environmental Report contains a wealth of descriptive information about the plan area.
- 3.5 The Plan is ambitious in planning for the future growth of the parish. The Plan proposes sufficient land for about 579 new homes with a number of sites proposed to be allocated for housing development. A reserve site proposes around 174 additional homes.
- 3.6 I have tested the housing requirement figure as required by the 2019 NPPF by considering the evidence that has been prepared in the Housing Needs Assessment. This was prepared before the June 2019 Preferred Options draft of the emerging Joint Core Strategy was published which sets out an indicative housing requirement figure of 541. I consider that the background evidence on the housing requirement figure is not robust and should not be used to limit the housing requirement for the ENP.
- 3.7 The housing allocations in the Plan are based on an assessment of available deliverable and developable land. The starting point is that a significant area of land to the south of Eye Airfield has the benefit of outline planning permission for 280 homes. The Town Council is working towards releasing the site of the allotments adjacent to this site for housing to provide funds for them to invest in community infrastructure. A further site to the north west is proposed as a reserve site. Other sites proposed for allocation in the plan are brownfield sites within the settlement boundary.

- 3.8 After considering whether the Plan satisfies the Basic Conditions and taking account of the points raised during the consultation on the Submission draft of the Plan, I have recommended modifications to clarify the phasing of the reserve site and the discounting of one site that has not been declared surplus by the landowners. This would result in the allocation for over 700 dwellings in the Plan.
- 3.9 Other policies of the Plan set out an approach to the design of development, enhance the town centre, improve car parking provision and community infrastructure, and safeguard and enhance the environmental assets.
- 3.10 The Plan contains a number of maps most of which have very faint base maps meaning that it is very difficult to identify the location of the site when the ENP is printed. The maps in the electronic version clearly identify the boundaries of the sites to be allocated for development, the conservation area and listed buildings, Local Green Spaces and other proposals of the Plan. The Policies Map and Inset Map bring together the sites referred to in the policies. As the base map is very faint it has resulted in some difficulty distinguishing the location of the sites. The Environmental Report includes a map showing viewpoints which are referred to in Policy Eye 18 and should be included within the ENP. There is also a map of scheduled monuments, although these are shown at a scale that could not be used to identify the locations.
- 3.11 A number of policies in the Plan refer to the need to undertake archaeological investigation. Some policies refer to it being undertaken prior to planning permission being granted. Others refer to it being required by planning condition, prior to the planning application or prior to any development. It is recommended that a consistent form of wording is used throughout the plan.
- 3.12 The Plan includes two non planning policies (Policies Eye 26 and 32). These should be set out in a separate section of the Plan headed "Community Aspirations" with a note to state that they do not form part of the Neighbourhood Development Plan.
- 3.13 Evidence often relies on opinions expressed during consultation. These should be regarded as an indication that there are public concerns about a subject. They should be followed up with specific surveys on the subject to ascertain the facts.
- 3.14 An example is that of car parking. Public opinion is that there is an issue. However, before embarking on proposing new parking provision, it is necessary to ascertain the number of existing parking places and how they are managed to determine if they could be managed differently. Only then should consideration be given to how many additional spaces are required and in what locations and how they are to be managed.
- 3.15 The Eye Masterplanning and Design Guidance includes masterplans for various housing allocations; however it is only referred to in paragraph 7.5. It would be beneficial to plan users to make reference to it in the relevant site

specific policies. It is suggested that it should be updated to reflect the policies of the final version of the Plan.

- 3.16 The numbering of criteria should be reviewed and a consistent style adopted. Most are alphabetical but some policies have bullet points. In the case of Policy Eye 9 there are two sets of alphabetical points.

#### **Recommendation 1:**

**Improve the legibility of the base map used for the Policies and Inset Maps. Ensure that all sites to which policies apply are shown on the Policies Map or Inset Map at a scale that will enable the boundary of the site to be clearly identified.**

**Review the policies that require an archaeological investigation to be carried out and use a consistent form of wording. (Policies Eye 4, 5, 7, 8, 9, 12, 13, 15 and 16).**

**Review the numbering of bullet points in the policies to ensure a consistent format.**

**Update the Eye Masterplanning and Design Guidance to reflect the policies in the final Plan and include cross references to it under relevant policies.**

#### **The Neighbourhood Plan's Vision Statements**

- 3.17 Section 3 of the Plan sets out seven vision statements to guide the preparation of the Plan. They have been prepared and tested through consultation. Table 2 demonstrates how the policies contribute to delivering the vision statements. The table will require updating to reflect the recommendations in my report.

## **Neighbourhood Plan – The Policies**

### **Strategic Context for Development in Eye**

- 3.18 The 2008 Core Strategy Policy CS1 designates Eye as a Town where the main focus for development in the district will be located. The 2012 Core Strategy Focused Review Policy FC2 (Provision and Distribution of Housing) indicates the 15 years of housing supply from the date of the Core Strategy adoption from 2010 to 2025. For Eye there is a total housing requirement of 230 homes, of which 200 should be built on greenfield land and a further 30 on previously developed land.
- 3.19 The baseline year of the Joint Local Plan is April 2018, with the Plan end date of March 2036 (18 years). Using the standard methodology, the local housing need for Mid Suffolk is 10,008 homes within this period, which equates to an

annual local housing need target of 556 homes. The local housing need represents a 'starting point' in identifying housing requirements.

- 3.20 Emerging Policy SP03 identifies Eye as a Market Town/Urban Area that is a second tier settlement. These settlements will act as a focus for development to be delivered through site allocations in the emerging Joint Local Plan and/or in Neighbourhood Plans, and windfall development in accordance with the relevant policies.
- 3.21 Emerging Policy SP04 states that “*designated Neighbourhood Plan areas will be expected to plan to deliver the minimum housing requirements set out between 2018 and 2036. Neighbourhood Plan documents can seek to exceed these requirements, should the unique characteristics and planning context of the designated area enable so*”. A housing requirement of 541 is proposed for Eye in the Preferred Options draft of the Joint Local Plan (June 2019) in accordance with NPPF guidance.
- 3.22 NPPF paragraph 65 states that housing requirement figures in adopted strategic policies will not need re-testing in the neighbourhood plan examination. However indicative figures and figures in emerging strategic policies do need to be tested at the neighbourhood plan examination to ensure that they have taken account of the latest evidence on housing need and will deliver an appropriate level of housing in the parish.
- 3.23 A Housing Needs Assessment has been prepared by independent consultants to provide the evidence for the housing requirement, and tenure, size and type of housing to be planned for in Eye. The Assessment has considered a number of sources of data and projections to determine an appropriate figure. Table 3.2 of the report (set out below) summarises the housing needs figures that have been derived from various sources. In the light of considering market signals, an uplift of 10% is proposed to the figure.

Source		Total housing need in Eye	Examiner's comments
1	Core Strategy	124	Out of date figure
2	eJLP	147	Aug 2017 figure. Figure is 541 in June 2019 PO draft
3	SHMA	170	Assumes fair share of 2% of District total.
4	MHCLG Household projections	129	Assumes fair share of 2% of District total.
5	Home growth	287	Based on no of new homes completed 2011 - 18
<b>Average</b>		<b>181</b>	
<b>Average of 2, 3 and 4</b>		<b>149</b>	
<b>Application of market signals 10%uplift</b>		<b>164</b>	

3.24 I make the following comments on the figures used:

- The adopted Core Strategy is out of date and should not be relied on.
- The figure in the emerging Local Plan has been increased to 541 in the Preferred Options draft (July 2019); however this figure may be subject to change and is indicative only.
- The figures from the SHMA and MHCLG assume that the housing development will be based on the current proportion of the District's population and households in Eye of 2%. It does not take into consideration whether the town could or should accommodate a higher proportion of houses as a higher tier settlement with a good range of facilities. The justification to the emerging Local Plan policy explains that the following factors should be taken in account: "*the availability and deliverability of sites, the preferred spatial distribution pattern, the sensitivities and constraints of the area (eg. flood zones, heritage features and landscape designations etc) and the infrastructure capacity and opportunities (eg. schools and healthcare etc)*".
- The Home Growth figure is an extrapolation of recent trends and is based on actual housing completions between 2001 and 2018. The average for the period was 12 homes per annum, with a high rate of delivery of 20 homes per annum between 2011 and 2016. If the latter figure were projected this would result in 360 dwellings over the Plan period.

3.25 I have concerns that the housing requirement figure proposed in the background evidence report is not robust and cannot be relied upon to form the basis of the housing requirement for the ENP. It has not taken account of the development opportunities that may be available in the plan area and any development constraints. Moreover, since the Housing Needs Assessment Report was prepared, the Preferred Options for the emerging JLP has been published and indicates a higher figure.

3.26 Policy Eye 1 sets a housing requirement of 579 which is considerably higher than the figure proposed in the Housing Needs Assessment. It is evident that this is based on the availability of deliverable and developable potential housing sites and is not limited by the figures presented in the evidence report on the Housing Needs Assessment. Paragraphs 4.12 – 4.13 of the ENP indicate that the housing requirement figure in Policy Eye 1 has been set to enable the development of sufficient housing to deliver specific housing needs, in particular affordable social homes. The figure does not take account of the reserve site in Policy Eye 8 which could provide for around a further 174 dwellings.

3.27 Paragraph 4.12a) of the ENP states that there is no guidance on the housing requirement figure for the Plan area. This paragraph should be updated to reflect the indicative figure in the emerging JLP and the results of my recommendations in this examination. Paragraph 4.13 should also be reviewed to explain the matters taken into account in preparing the housing requirement.

**Recommendation 2: Revise the last sentence of paragraph 4.12a) to read: “A housing requirement of 541 dwellings has been set for the Eye Neighbourhood Plan area in the emerging Joint Local Plan; however this may be subject to change before the Plan is adopted.”**

**Revise paragraph 4.13 to read: “The Eye Neighbourhood Plan’s housing requirement has taken account of the housing requirement set in the emerging Joint Local Plan for the parish and the specific housing needs identified during the preparation of the Plan and other objectives.”**

### **Policy Eye 1 Housing Allocations**

- 3.28 This policy makes provision for around 579 dwellings during the plan period, including a site south of Eye Airfield for 280 homes which has outline planning permission and five other sites of a variety of sizes ranging from 12 to 78 dwellings. In addition to these sites, a reserve site is identified under Policy Eye 8 for around 174 homes which will be brought forward if required before the end of the Plan period. An allowance of 60 dwellings is included for windfall sites of less than 10 homes.
- 3.29 The Sites Assessment Report (June 2018) sets out a detailed assessment of all sites that have been considered. The SEA Environmental Report considered eleven sites and assessed them against the eight SEA themes to provide an indication of each site’s sustainability performance.
- 3.30 Whilst the housing requirement set in the policy is higher than that proposed in the emerging Joint Local Plan, the strategic policies state that neighbourhood plans can seek to exceed the requirements, should the unique characteristics and planning context of the designated area enable so. Paragraph 4.13 explain the reasons for seeking the higher figure.
- 3.31 It is considered that Policy Eye 1 accords with national planning guidance and will support the delivery of the housing requirement of the emerging Joint Local Plan for the plan period. Modifications to the policy are recommended to reflect revisions proposed to other site allocation policies.
- 3.32 MSDC has commented that “*We note the site allocations proposed in the neighbourhood plan and would seek full evidence that all of the sites being promoted are suitable, available and deliverable as defined by national planning policy and guidance.*” I have sought evidence on this matter from the Qualifying Body (QB) and comment on each site under the relevant policy.
- 3.33 Representations have expressed concern about the availability of some sites in particular that the site of Policy Eye 4 has not been declared surplus to requirements, the site of Policy Eye 7 is awaiting agreement to an alternative allotment site being made available before consent can be sought from the Secretary of State to dispose of allotments. I comment on the availability of these sites under the relevant policies.

- 3.34 Paragraph 4.30 notes that the level of windfall housing has been assumed at 50% of the rate of completions between 2012 and 2018 during which period no large development sites came forward. No assessment has been made of the potential for small sites of less than 10 dwellings in the plan area. I make no comment on the reasonableness of these assumptions.
- 3.35 There is a discrepancy between the figures for the Chicken Factory site in Policy Eye 1 and paragraph 4.22. The Qualifying Body has suggested that this should be rounded to “around 80 homes”. There is a typographical error in point 2ai) “Eye”

**Recommendation 3: Revise Policy Eye 1 as follows:**

**Revise the first paragraph to read “...around 716 homes....**

**Correct point a.i) to “Eye Airfield”.**

**Delete point a.ii).**

**Revise point a.iii) to “around 80 homes”.**

**Revise point a.iv) to “around 16 homes”.**

**Add a new site under a. “*South of Eye Airfield Phase 2 around 174 homes*”.**

**Delete “In addition a reserve site is identified for around 174 dwellings south of Eye Airfield (north of site ai. above).**

**Revise paragraph 4.22 to read “about 80 market homes”.**

**Policy Eye 2 Affordable Housing Provision**

- 3.36 The policy proposes that affordable housing should be provided in groups of 15 or fewer dwellings.
- 3.37 Paragraphs 4.14 and 4.15 set out the number of various tenures and sizes of homes that the Housing Needs Survey has demonstrated to be required in the plan area. These paragraphs were included in policies on housing tenure and house types in the pre-submission draft ENP. They were placed in the justification on the advice of MSDC.
- 3.38 As the numbers of dwellings of various tenures and sizes is supported by evidence from the Housing Needs Survey, there appears to be no reason for not including them in the policy wording. This would give the figures greater weight in decision making. Experience from other areas cautions against being too prescriptive in specifying a number of one bedroom dwellings. It is suggested that to improve the flexibility of the policy the requirements for one and two bedroom dwellings should be combined to give 53% 1 and 2

bedrooms. Revisions are recommended to paragraphs 4.14 and 4.15 to provide introductory and explanatory text to the new and revised policy.

- 3.39 I have recommended modifications to the number of affordable homes in Summary Table 3 on page 44 of the ENP later in my report to reflect changes to the sites allocated. The revised figures from this table are included in the revised Policy Eye 2.
- 3.40 It should be noted that the Housing Needs Survey will require updating periodically as needs will change over time.
- 3.41 It would be helpful to improve the clarity of the plan for users to include a statement that affordable housing is to be provided in accordance with the latest strategic policy and guidance and that the type, size and tenure of housing should reflect the latest housing needs assessment.

**Recommendation 4: Revise Policy Eye 2 as follows:**

***“Residential development sites in the Plan area should provide for 163 affordable homes and 70 sheltered homes. There should be at least 40 small homes to buy through shared ownership, 18 homes at (less than 80% of market) social rent and 27 homes at (80% of market rent) affordable rent.*”**

**“Affordable housing should be provided in groups of 15 homes or fewer and be integrated within development schemes.**

***“The type, size and tenure of housing should reflect the latest housing needs assessment. Affordable housing should be delivered in accordance with the latest strategic policy and guidance.”***

**Add a new Policy Eye X House Types and Sizes**

***“Across the various sites for all forms of new residential development proposals the following mix of house types and sizes should be delivered:***

- a. 53% of new homes should be 1 or 2 bedrooms, 41% 3 bedrooms and 5% 4 or more bedrooms;***
- b. 48% should be houses, 29% bungalows and 14% flats.***

***An alternative mix will only be permitted where evidence is brought forward that clearly demonstrates that the above is not viable or deliverable.”***

**Revise paragraph 4.14 to read: “The following policies set out guidance on both affordable housing provision and on the types of dwellings that all new residential development proposals will be expected to deliver.”**

**Revise paragraph 4.15 to read: “Evidence from the 2017 Housing Needs Survey demonstrated that there is a high demand for 1, 2 and 3 bedroom dwellings and that bungalows are also in demand. Policy Eye [X] sets out the preferred mix.”**

### **Policy Eye 3 Land South of Eye Airfield**

- 3.42 This site has received outline planning permission and is the subject of a Design Brief. The policy stipulates that development should accord with the Design Brief. The site is shown to be within the settlement boundary.
- 3.43 The details of the proposed development set out in paragraphs 4.16 – 4.18 are informative. However the Policy as worded adds no requirements to the current planning consent. It would be helpful to state that the site is considered to be a commitment of the Plan so that should the current planning consent lapse, it would continue to be an allocated site.
- 3.44 Paragraph 4.16 includes an inappropriate emotive comment that should be revised or deleted.

#### **Recommendation 5: Revise Policy Eye 3 to read:**

**“Land south of Eye Airfield shall remain as a commitment of the Plan and shall be developed for 280 dwellings and a Care Home in accordance with the approved Design Brief.”**

**Revise the last sentence of paragraph 4.16 to read: “ ....sporting facilities, *however* no provision is made for improvements to other community facilities.”**

### **Policy Eye 4 Land at Eye Health Centre and Hartismere Health and Care**

- 3.45 The policy proposes that the site should be developed for housing for 14 market dwellings and 29 sheltered houses. The justification explains that the availability of all or part of the site depends on it being declared surplus to operational healthcare requirements. I have asked the QB and LPA to confirm the current position on the availability of this site. They have confirmed that the Clinical Commissioning Group is currently unable to comment on the long term future of the site.
- 3.46 NHS Property Services has proposed revisions to the wording of the policy to refer to the Health Commissioners role in developing a strategy for the future delivery of health services in the area. I consider that this is adequately explained in paragraph 4.19 and is not appropriate wording for a planning policy. They also suggest that the policy should state that the site should be developed for 26 dwellings or a larger number of care home units. No

evidence has been presented for this increase in numbers and I make no recommendation to change the numbers in the policy.

- 3.47 In view of the lack of evidence that the site would be available for development within the plan period, it is recommended that the site should not be allocated for housing development and the policy should consequently be deleted. Paragraphs 4.19 and 4.20 and Figure 3 should be retained. As the site is within the settlement boundary it could come forward for a suitably designed housing development. Alternatively, it could accommodate other types of community infrastructure. Additional text should be added to paragraph 4.20 to set out the preferred type of housing on the site if it becomes available. The site should be deleted from the Policies Map.

#### **Recommendation 6: Delete Policy Eye 4.**

**Retain paragraphs 4.19 and 4.20 and figure 3. Add the following to paragraph 4.20: “A mix of market housing, affordable and potentially sheltered housing will be preferred on this site, subject to evidence from an up to date housing needs survey.”**

**Delete the site from the Policies Map.**

#### **Land at A1 Chicken Factory, Yaxley Road**

- 3.48 Paragraphs 4.21 – 4.22 relate to Policy Eye 9 and should be moved to section 5 of the Plan.

#### **Recommendation 7: Move paragraphs 4.21 – 4.22 to the justification to Policy Eye 9 before paragraph 5.5.**

#### **Policy Eye 5 Paddock House, Church Street**

- 3.49 The policy proposes that the site of this former care home should be allocated for a mixed market and affordable housing scheme of 12 dwellings; that the green space along the frontage should be retained, that a safe pedestrian route should be provided from Wellington Road to Church Street and that 20 public car parking spaces should be provided.
- 3.50 The site has been acquired by MSDC to provide affordable housing. A car parking audit has not been undertaken and the requirement for car parking is not evidenced by need. The ENP policy would result in a reduction in the number of dwellings on this site to that proposed in the emerging JLP contrary to NPPF paragraph 29.
- 3.51 I am not satisfied that the need for public car parking provision on the site is supported by robust evidence of need. The provision of public car parking would reduce the amount of land available for housing and would affect the

amount of housing for local needs that could be delivered on this site and would not therefore support sustainable development.

- 3.52 The policy also proposes traffic calming at the entrance to the site and along Wellington Road. MSDC has made a representation that the policy should be revised to delete reference to traffic calming along Wellington Road.
- 3.53 The area of open land along the frontage has been private garden and has not had public access. My recommendation under Policy Eye 20 is that the frontage should not be designated as Local Green Space as it has been a private garden. Part of the area could be retained to provide landscaping or open space to serve the development as required by strategic policies.
- 3.54 I have taken into account NPPF paragraphs 122 and 123 which state that planning policies should support development that makes efficient use of land and takes account of amongst other things the identified need for different types of housing, local market conditions and the desirability of retaining an area's prevailing character. New development should support inclusive communities and be well designed respecting the local historic character.
- 3.55 I have taken account of the evidence in the Babergh and Mid Suffolk Joint Local Plan: Strategic Housing and Economic Land Availability Assessment (SHELAA) August 2017 which identifies the site as suitable for development for about 20 dwellings although this is subject to various assessments.
- 3.56 In response to my question on the proposals for car parking and traffic calming, MSDC and the QB have discussed the developability of the site and have proposed revisions to the wording of the policy to delete the requirement for public car parking and traffic calming and to refer to their consideration through the Traffic Management Plan. I recommend that Policy Eye 5 should be revised as proposed.

**Recommendation 8: Revise Policy Eye 5 as follows:**

**Revise the first paragraph to read: “Paddock House *is allocated for housing development. An area of 0.05 hectares of green space shall be retained on the frontage to Church Street as part of the scheme. On the remaining 0.28 hectares, about 16 affordable homes should be provided on the site, 11 for shared ownership and for 5 affordable rent.*”**

**Delete paragraphs 3 and 4 of the policy. Add the following “A *Traffic Management Plan shall be submitted as part of the development proposal which shall demonstrate that satisfactory pedestrian access, parking and traffic calming measures will be provided.*”**

**Delete the following from paragraph 4.23 “and this has been identified as a Local Green Space (see Policy Eye 20). This means that the site area is reduced from 0.33 hectares to 0.28 hectares” Add the following at the end of this paragraph “*Some open space should be retained on the Church Street frontage to provide open space for the new*”**

***development in accordance with adopted policies relating to open space standards.”***

**Revise paragraph 4.24 to read: “The District Council purchased the site from the County Council in early 2017 intending that the site should be developed for housing *to meet an identified local need*. It is an important site in the townscape and *future development proposals should produce a design that complements the setting.*”**

**Revise paragraph 4.25 to read: “The site is on an important pedestrian through route to and from the Primary School. The development of the site should support safe walking and cycling options *along Church Street and Wellington Road.*”**

### **Policy Eye 6 Land North of Victoria Mill Allotments**

- 3.57 This site was previously used as allotments and latterly for agriculture. Permission has been granted by the Secretary of State to dispose of the site. The Site Assessment Report notes that the development of the site would require a new means of access from the housing development to the north. The development of the site would be linked to that of the allotments to the south once they have received consent from the Secretary of State to be disposed of.
- 3.58 The site that is subject to Policy Eye 2 lies on the western and eastern boundaries of this site. It appears that the site is available and deliverable subject to agreement over the access arrangements. From the evidence presented to me it appears that the allocation of this site accords with national and strategic policy.
- 3.59 To improve the clarity of the policy it is recommended that the site should be allocated for housing development instead of “proposed”.

#### **Recommendation 9: Revise Policy Eye 6 as follows:**

**Revise the first paragraph to read “Land north of Victoria Mill allotments is *allocated for...***

### **Policy Eye 7 Victoria Mill Allotments**

- 3.60 This policy proposes to allocate the allotments for residential development. The site is owned by the Parish Council and they are proposing to use the proceeds from the sale of the site and that to the north allocated under Policy Eye 6 for housing development to invest in the infrastructure and social needs of the town. Work is ongoing in identifying the infrastructure requirements arising from the future development around the town and Supporting Document 9 sets out the position at November 2018.

- 3.61 Before the allotment site can be made available for development, consent to dispose has to be obtained from the Secretary of State and alternative allotment provision made.
- 3.62 It is evident that there are uncertainties about the timescales for its delivery. Paragraph 6.13 notes that alternative allotment provision should be made available. In response to my question on the matter, the QB has stated that they are working to identify a suitable site that meets the criteria set out in paragraph 6.13 of the ENP and are in discussions with a landowner. An application for de-scheduling the current allotments will be made once the alternative site has been agreed. I have no reason therefore to suppose that the site will not be available and developable within the lifetime of the Plan.
- 3.63 In view of the importance of allotments to support the national planning theme of improving health and wellbeing, it is recommended that the policy should include a requirement that alternative provision for the allotments should be made to enable the allotment holders to enjoy continuous cultivation.
- 3.64 To improve the clarity of the policy it is recommended that the site should be allocated for housing development instead of “proposed”.
- 3.65 Paragraph 4.28 states that allotments are also identified as Local Green Space under Policy Eye 20. It is agreed that the allotments meet the criteria to be designated as a Local Green Space, however, the policy associated with such a designation would mean that the site could not be developed for housing. It is incorrect to state that the designation would transfer to new allotments. It is recommended that the text be deleted.

**Recommendation 10: Revise Policy Eye 7 as follows:**

**Revise the first paragraph to read “The site of the Victoria Mill allotments is *allocated* for...**

***Add the following to the policy “Alternative provision for allotments of a similar number and quality shall be made available to enable continuous cultivation prior to the commencement of development.”***

**Delete the last two sentences from paragraph 4.28: “The allotments site also meets the criteria....identified.”**

**Windfall or Small Sites Allowance**

- 3.66 Paragraph 4.30 sets out the case for the windfall allowance. In view of the recommended modifications to Policy 8, it is recommended that this section should be positioned after Policy 8.

**Recommendation 11: Move paragraph 4.30 to after Policy 8.**

## Policy Eye 8 Reserve Site South of Eye Airfield, Phase 2

- 3.67 The policy proposes the allocation of a reserve site of 5.8 hectares with the potential to deliver 174 dwellings. The policy states that it will be brought forward “should further residential development be required before the end of the Plan period”. It is considered that this wording is imprecise and does not set out any conditions for when the site should be released. In response to my question on the subject the QB has proposed revised wording to the policy to state that the development of this site would be expected to come forward on the completion of the 250<sup>th</sup> house on the site allocated under Policy Eye 3 and to delete reference to the site as a “reserve” site. I concur with this suggestion and have recommended a modification to clarify when the site is to be released. The site should also be shown within the Settlement Boundary on the Policies Map. With the uncertainties about delivering the site at the Health Centre, the QB has suggested that sheltered housing required to meet local housing need should be provided on this site. I have recommended a modification to this effect.

### Recommendation 12: Revise Policy Eye 8 as follows:

**Add the following at the beginning of the policy: “*Land South of Eye Airfield (phase 2) is allocated for housing development. This site will be commenced once the 250<sup>th</sup> dwelling on the site South of Eye Airfield (Policy Eye 3) has been completed.*”**

**Revise the first paragraph to read: “The site is 5.8 hectares and developed at 30 dwellings per hectare would provide about 174 dwellings. 35% of these dwellings should be affordable (61 dwellings) and the tenure and type of homes should be determined following an updated local Housing Needs Assessment before planning permission is granted. The site will also be expected to deliver a sheltered housing scheme providing about 25 units.”**

**Retain the second, third and fifth paragraphs of the policy.**

**Delete “Reserve” from the title of Policy 8.**

**Include the site within the Settlement Boundary on the Policies Map.**

**Revise the heading above paragraph 4.31 to read “Site South of Eye Airfield, Phase 2”.**

**Revise the first sentence of paragraph 4.31 to read “ ....views of local people have been sought on a site for development in the later years of the Plan.”**

## Summary of Housing Proposals

3.68 This section helpfully summarises the type of housing to be delivered on each site allocation and the phasing of the sites. It should be updated to reflect the recommended modifications to the housing policies.

**Recommendation 13: Revise Table 3 Housing Proposals by Site, Type and Tenure as follows:**

Site/dwellings	Affordable	Sheltered	Market	Total
South of Eye Airfield	56	0	224	280
South of Eye Airfield Phase 2	61	25	88	174
Chicken Factory	0	0	80	80
Paddock House	16	0	0	16
Victoria Mill Agricultural	15	0	19	34
Victoria Mill Allotments	15	45	12	72
Windfall allowance	0	0	60	60
<b>Total</b>	<b>163</b>	<b>70</b>	<b>483</b>	<b>716</b>
<b>Housing Need Targets</b>	<b>90</b>	<b>70</b>	<b>No target</b>	

**Revise Table 4 Expected Phasing of Housing Development as follows:**

Site/dwellings	2018-2023	2024-2029	2030-2036	Total
South of Eye Airfield	200	80	0	280
South of Eye Airfield Phase 2	0	100	74	174
Chicken Factory	0	40	40	80
Paddock House	16	0	0	16
Victoria Mill Agricultural	0	34	0	34
Victoria Mill Allotments	0	36	36	72
Windfall allowance	19	19	22	60
<b>Total</b>	<b>235</b>	<b>309</b>	<b>172</b>	<b>716</b>

## Sites Not proposed for Development

3.69 This section lists those sites that have been considered in the sites assessment that it is proposed not to allocate for housing development. Representations have been received supporting their allocation.

- 3.70 I have given consideration to the availability and deliverability of the sites to be allocated and have noted that site 1a North of Maple Way is the subject of an appeal against the refusal of planning permission and that it is proposed as a housing allocation in emerging Local Plan.
- 3.71 I consider that the Plan makers have assessed the potential housing sites in an appropriate manner. The number of dwellings proposed to be allocated in the ENP exceeds that set out in the housing needs assessment and that proposed in emerging draft JLP. There is no justification to allocate any further site(s).
- 3.72 In view of my recommendation to delete reference to a reserve site under Policy Eye 8, a modification is recommended to the table under paragraph 4.37.

**Recommendation 14: Revise the second sentence in the text in the table under paragraph 4.37 against site 1a to read: “The site has been considered as an option *for the later period of the plan* but there is a very strong public preference for...”**

### **Policy Eye 9 Redevelopment of the Chicken Factory**

- 3.73 The policy proposes the redevelopment of the Chicken Factory and the two fields to the west for a mixed use development of about 78 homes, a small supermarket with operational parking, 80 public car parking spaces and informal leisure uses. Pedestrian and cycleway linkages are to be provided through the site.
- 3.74 The land to the west of the site is identified as Flood Zone 3 and would therefore only be suitable for open land uses. In the interests of clarity it is recommended that this should be set out as a requirement of the policy.
- 3.75 In view of my recommendation to delete Policy Eye 17 on Special Landscape Areas, reference to the site being in a Special Landscape Area in criterion c) should be deleted.
- 3.76 The Eye Neighbourhood Masterplanning and Design Guidelines (Supporting Document 19) includes an indicative masterplan and guidelines for the layout and development of this site. It would be helpful to plan users to include reference to the document in the justification to the policy.
- 3.77 As a consequence of my recommendation under Policy Eye 1, the number of dwellings proposed on this site should be revised to “around 80”.
- 3.78 Suffolk County Council has commented on the desirability of identifying a site in the Plan to meet the NPPF social sustainable development objective (NPPF paragraph 8b). They have suggested that a site of 915.2m<sup>2</sup> should be reserved within Policy Eye 9. In response to my question on the proposal, the QB has commented that it may be possible to include such a facility in the site

but its effect on viability has not been assessed during the preparation of the plan. As no evidence has been provided to demonstrate the suitability of this site for this proposal and the impact it would have on the viability of the overall proposal, I am unable to recommend its inclusion in the scheme.

- 3.79 Suffolk CC as the Lead Local Flood Authority in Suffolk has recommended revisions to the wording of criterion d) to better reflect national guidance. I agree that this modification should be made.
- 3.80 A representation has been made to the wording of paragraph 5.7 concerning the former station buildings. It is acknowledged that the buildings are in a poor state of repair and the final sentence of the paragraph should be deleted. It is not clear what the SCC Design Guidance relates to. It is recommended that reference to this document should be deleted and the wording of this sentence should be revised to enable further consideration to be given to the feasibility of retaining these buildings.
- 3.81 A representation has been made to the requirement for a transport management plan to be prepared to mitigate the effects of additional traffic through the town centre. It is suggested that a Transport Assessment would be the most appropriate means of considering the effect of the development of the site and to make recommendations and mitigation measures relevant to the development and its context. I agree that this would be a more appropriate requirement. Paragraph 5.11 is unclear and should be deleted.
- 3.82 The policy includes two sets of criteria both with alphabetical bullet points. To improve the clarity of the plan for users it is recommended that one set of criteria is numbered.

**Recommendation 15: Revise Policy Eye 9 as follows:**

**Revise the first paragraph: “The Chicken Factory site is *allocated* for ....**

**Revise first criterion a) to read: 1.89 hectares is *allocated* for....around 80 homes at...”**

**Revise first criterion b) to read “0.5 hectares is *allocated* ....”**

**Revise the first sentence of the first criterion c) to read: “1.46 hectares *on the western part of the site is allocated* for informal recreation use”.**

**Delete the following from the last sentence of the first criterion c): “This area of the site is within the Special Landscape Area and”.**

**Revise the second criterion b) to read: “a transport *assessment* should be prepared.”**

**Revise criterion d) to read: “a flood risk assessment should be undertaken, *taking account of flooding from all sources, to identify the effects of the development on flood risk elsewhere and identify the most appropriate measures to address flood risks. Site layouts should take***

***into account and where possible avoid areas at risk of flooding with a site.”***

**Add the following to the end of paragraph 5.5: “*The Eye Neighbourhood Masterplanning and Design Guidelines (Supporting Document 19) includes an indicative masterplan and guidelines for the layout and development of this site. It is proposed that the open land at the west of the site which is at risk of flooding should be used for car parking and informal leisure / recreational uses.*”**

**Revise the last sentence of paragraph 5.7 to read: “*Further consideration should be given to the feasibility of retaining the former station buildings in the development.*” Delete “(SCC Design Guidance)”.**

**Delete paragraph 5.11.**

**Number one set of criteria in this policy.**

### **Policy Eye 10 Public Car Parking at The Rettery**

- 3.83 The policy proposes up to 60 public car parking spaces on land at The Rettery. There is an existing narrow access to the site. In response to my question on the subject, the QB has confirmed that the Highway Authority has commented on the requirements for and feasibility of improving the visibility at the access.
- 3.84 It is noted that a parking survey has not been undertaken during the preparation of the Plan. The QB has confirmed that they are relying on the comments received during the consultation that more parking spaces are needed.
- 3.85 During my site visit it was evident that the limited number of parking spaces in the town centre were well used. However there is no management of the length of stay of parking and no spaces dedicated to the short term needs of shoppers, users of the health centre and other services in the centre.
- 3.86 The Policy seeks to remedy a significant issue for residents and town centre users and, with appropriate management, could provide for the long stay parking needs of town centre users, freeing up the car parks nearer the shops and facilities for short stay and disabled parking provision. I propose no modifications to the policy.

### **Policy Eye 11 Cycle Parking in Public Car Parks**

- 3.87 The policy proposes that cycle parking provision should be made within new public car parks to meet the Council’s Parking Standards. I make no comments on this policy.

### **Policy Eye 12 Crematorium, Land west of Eye Cemetery, Yaxley Road**

- 3.88 The policy allocates land to the west of the existing cemetery for a crematorium, associated landscaped grounds and car parking. Access is proposed from the B1117. The site is at some distance from any houses. The QB has confirmed that the proposal has been tested against national criteria for the location of crematoria. I make no comments on the policy

### **Policy Eye 13 Land for Primary School west of Hartismere High School**

- 3.89 Additional primary school and pre-school places will be required to meet the educational needs arising from the increased housing provision. Table 5 sets out the Calculation of Demand for School Places. This will require updating to reflect the changes in site allocations and indicative housing capacity. The options proposed are of extending the existing primary school or constructing a new school. The policy identifies land to the west of Hartismere High School for a primary school as a reserve site.
- 3.90 All Saints School Trust has commented that Eye Town Council has resolved to remove reference to a new relocated or alternative primary school from the Plan. The Qualifying Body has confirmed that this is correct and that the policy should be amended to refer generally to education provision rather than specifically a primary school. I have recommended a number of corrections to the wording of the policy and other text in the ENP as a consequence.
- 3.91 Paragraph 6.6 recognises that pre-school provision should be made elsewhere in the town, however no proposals are included in the ENP. Suffolk County Council (SCC) has commented on the desirability of identifying a site in the Plan to meet the NPPF social sustainable development objective (NPPF paragraph 8b). They have suggested that a site of 915.2m<sup>2</sup> should be reserved within Policy Eye 9. SCC and MSDC have put forward a suggestion that the redevelopment of the Chicken Factory offers the potential to deliver new pre-school provision. As no evidence has been provided to demonstrate the suitability of this site for this proposal and the impact it would have on the viability of the overall proposal, I am unable to recommend its inclusion in the scheme.
- 3.92 Paragraphs 10.3 – 10.4 comment further on the options for early years provision. It is suggested that these paragraphs should be included in the section on schools.
- 3.93 I have noted the representation from the landowner of the site to be allocated under this policy for educational purposes who is seeking housing development on adjacent land as “enabling development”. I consider that this

has not been justified in these circumstances as it would be reasonable to expect that finances for the development of the site for educational purposes could be achieved through developer contributions from other housing allocations in the area.

**Recommendation 16: Revise Policy Eye 13 as follows:**

**“...is allocated for a reserve site for educational purposes. ....”**

**Revise the Policy title, Figure 10 and key to Policies Map to: “Land for Educational Purposes, West of Hartismere High School.**

**Revise “a possible new Primary School” in paragraph 5.2b) to “a site for educational purposes”.**

**Revise paragraph 5.3.d) to read “a site for educational purposes”**

**Revise the first sentence of paragraph 6.8 to read: “...it supports the allocation of a reserve site for educational purposes which is allocated under Policy Eye 13 on land west of Hartismere High School.....”**

**Delete paragraphs 6.9 and 6.11.**

**Update Table 5 to reflect the changes in site allocations and indicative housing capacity.**

**Revise Table 6 Eye 13 to read: “New educational provision would be brought forward by Suffolk County Council.....”**

**Move paragraphs 10.3 – 10.4 to the section on schools.**

### **Allotments**

- 3.94 This section sets out the criteria to be employed in assessment the suitability of an allotment site to replace that to be lost through the development of the Victoria Mill Allotments. I have commented on this matter under Policy Eye 7.

### **Policy Eye 14 Sports Hall and Related uses at Hartismere High School**

- 3.95 The policy proposes a sports hall and related uses within the grounds of Hartismere High School. SCC and MSDC has commented that in principle they can support this provision. I make no comments on the policy.
- 3.96 The site on Figure 11 differs from that shown on the Policies Map. In response to my question on the matter the QB has confirmed that Figure 11 is correct and the Policies Map needs to be revised.

**Recommendation 17: Revise the site shown on the Policies Map for Policy Eye 14.**

### Policy Eye 15 Development Outside the Settlement Boundary

- 3.97 This policy states that the settlement boundary identifies the area required to meet its housing and other development requirements. Neither the policy nor paragraph 7.1 explain how the boundary has been identified or its purpose in controlling and focusing new development into the settlement. The Eye Business Area is a major employment area outside the settlement boundary. The policy should include a statement as to how development proposals in that area are to be considered.
- 3.98 The policy states that further development outside the settlement boundary will be resisted unless it meets one of three criteria. I consider that this is negatively worded and does not reflect national policies for development in the countryside as set out in NPPF paragraph 79 and 83 – 84. It is recommended that the policy be revised to state that development outside the settlement boundary will be supported where it satisfies national and strategic policies.
- 3.99 The policy does not explain how development inside the settlement boundary is to be considered. Whilst Policy Eye 16 is entitled “Development Within the Settlement Boundary”, it is in fact design and other guidance relevant to development throughout the plan area. I have recommended a modification to address the omission.
- 3.100 The definition of the settlement boundary on the Policies Map should be improved as it is not clearly shown in places.

#### **Recommendation 18: Revise Policy Eye 15 as follows:**

**Revise the first paragraph to read: “*The Settlement Boundary is defined on the Policies Map. Development within the Settlement Boundary will be supported where it complies with the policies of the development plan. Outside of the Settlement Boundary, development will be supported where it satisfies national and strategic policies on development in the countryside.*”**

**Delete the three bullet points.**

**Revise paragraph 7.1 to read “*The Settlement Boundary around Eye has been defined by revising the Settlement Boundary established in the 1998 Mid Suffolk Local Plan to include the allocated housing sites and other completed development sites. It defines the area where most new development will take place. Policy Eye 15 will apply outside the Settlement Boundary, except for the Eye Business Area where Policy Eye 33 will apply.*”**

**Improve the definition of the Settlement Boundary on the Policies Map.**

## Historic Environment

- 3.101 This heading is misleading as the section also covers flooding and parking. It would be clearer to retitle it as “Design Guidance”

**Recommendation 19: Revise the title above paragraph 7.2 to “*Design Guidance*”.**

## Policy Eye 16 Development within the Settlement Boundary

- 3.102 This policy sets out design and other guidance for development throughout the Plan area. Paragraph 7.5 refers to the supporting document 19 – Design Guidance. It would give the document greater weight if it were referred to in the policy.
- 3.103 The policy states that “the conservation area has been delineated by the MSDC Appraisal of 2009”. The Eye Conservation Area was designated in 1970 and its main features are defined in the Conservation Area Appraisal of 2011 which has been approved by MSDC. Revisions to correct this text and to ensure that it accords with national guidance to conserve and where possible enhance the setting of the conservation area are recommended.
- 3.104 The Environment Agency has suggested that the policy could state that a site specific flood risk assessment should be provided to demonstrate that the risk of flooding elsewhere will be achieved. I recommend additional text to help to clarify this point.

**Recommendation 20: Revise Policy Eye 16 as follows:**

**Revise the first paragraph to read: “Development proposals should *conserve and where possible enhance the conservation area and its setting and should respect local distinctiveness. They should demonstrate high quality, sustainable and inclusive design. Development proposals outside the conservation area should consider their impact on the setting of the conservation area and seek to make a positive contribution.***

**Add the following at the end of the first paragraph: “*Development proposals should take account of the Eye Conservation Area Appraisal 2011 and the Eye Neighbourhood Masterplanning and Design Guidelines 2019.*”**

**Add the following to the third paragraph on flood risk: “*A site specific flood risk assessment should be provided to demonstrate that the risk of flooding will not be increased elsewhere as a result of the development.*”**

**Revise the heading above paragraph 7.2 to “*Design Guidance*”. Move paragraph 7.5 to before Policy Eye 16.**

**Correct the title of Supporting Document 19 in paragraph 7.5 to “Eye Neighbourhood Masterplanning and Design Guidelines 2019”.**

### **Policy Eye 17 Special Landscape Area**

- 3.105 The policy seeks to retain the Special Landscape Area (SLA) around Eye as defined in the 1998 Mid Suffolk Local Plan. The policy seeks to resist development that will have a significant adverse impact on the character and special qualities of the SLA where the impact cannot be satisfactorily mitigated.
- 3.106 The relevant policy in the Mid Suffolk Local Plan saved Policy CL2 is more positively worded stating that “*particular care will be taken to safeguard landscape quality, and where development does occur it should be sensitively designed, with high standards of layout, materials and landscaping*”.
- 3.107 I have considered whether this policy accords with national guidance which recognises, safeguards and enhances the characteristics of all landscape areas, instead of focusing on special areas. The 2008 Core Strategy followed the change in the national approach to landscape conservation. It was underpinned by a Countywide assessment of Suffolk's landscape which identified and described distinctive landscape character areas in Suffolk. More recently the 2015 Joint Landscape Character Assessment sets out in detail the key characteristics of each type of landscape, guidance and design principles for development in each area.
- 3.108 Core Strategy Policy CS5 on Landscape states that: “*The Council will protect and conserve landscape qualities taking into account the natural environment and the historical dimension of the landscape as a whole rather than concentrating solely on selected areas, protecting the District's most important components and encourage development that is consistent with conserving its overall character.*”
- 3.109 The emerging Joint Local Plan is proposing that the policy approach to landscape protection and enhancement should be based on decision making being informed by the Landscape Character Assessment and Settlement Sensitivity Assessment.
- 3.110 It is considered that Policy Eye 17 does not accord with national guidance which is based in recognising the intrinsic character and beauty of the countryside. Furthermore the policy adds no locally specific guidance on the planning and management of this area that is not addressed in strategic policies and the countywide Landscape Guidance and Landscape Character Assessment. I therefore recommend that the policy should be deleted.

**Recommendation 21: Delete Policy Eye 17 and paragraph 7.6.**

**Delete the Special Landscape Area from the Policies Map.**

### Policy Eye 18 Managing Change in the Landscape

- 3.111 This sets out a general approach to ensuring development takes account of the landscape character. Paragraph 7.8 refers applicants to the MSDC Landscape Guidance (2015) and the Suffolk Landscape Character Assessment. It would be helpful to plan users to include reference to the documents in the text of the policy itself and to include a Figure within the text showing the location of the viewpoints.
- 3.112 Paragraph 7.7. refers to Supporting Document 17 which provides a description of a number of key views around the town and close to proposed development sites. A correction to the wording of the paragraph is recommended as the views do not “define” the character of the settlement.

#### **Recommendation 22: Add the following to Policy Eye 18:**

***“Account should be taken of the MSDC Landscape Guidance (2015) and the Suffolk Landscape Character Assessment and Settlement Sensitivity Assessment.”***

**Revise the second sentence of paragraph 7.7 to read *“From these views the rural character of the settlement can be appreciated and the importance of the landscape is demonstrated to suitably blend the edge of town into the .....the town. The viewpoints are shown on Figure X.”***

**Include a map within the text to show the viewpoints.**

### Policy Eye 19 Visually Important Open Spaces

- 3.113 This policy repeats the wording of Policy SB3 from the 1998 Mid Suffolk Local Plan. The sites are listed in Supporting Document 27 but not mapped in this document or on the Policies Map. I have asked the QB for maps of the sites and to explain the purpose of the policy as many of the sites are also included under Policy Eye 20 as Local Green Space. They have stated that the aim of the policy is to protect the areas which are important in the street scene. They have not identified the features of interest on each site or supplied me with maps to identify the sites.
- 3.114 The second paragraph of the policy adds in a requirement that development proposals should address their impact on these areas and any effect on views of the conservation area and demonstrate that they will not significantly affect views of the open spaces. It is considered that this matter is adequately addressed through Policy Eye 16 c).
- 3.115 I consider that this policy is unclear and imprecise and would not be capable of being applied consistently by decision makers. The boundaries of the sites have not been identified and the particular features that each site has that contribute to the character or appearance of the area have not been defined.

## Recommendation 23: Delete Policy Eye 19 and paragraphs 7.9 to 7.11.

### Policy Eye 20 Local Green Spaces

- 3.116 The policy proposes the designation of 27 areas of land as Local Green Space. National policy guidance on Local Green Spaces is set out in NPPF paragraphs 99 – 101.
- 3.117 Supporting Document 12 sets out the rationale for selecting the sites and gives a brief description of each area. Other than a cross against a selection of typography headings, the document gives little information about why the sites are considered to be demonstrably special to the local community. There is a wide variety of areas; some of them are in public ownership or have public access to them, others rely on their biodiversity or other interest. I have visited each site and come to a conclusion on whether I consider that the area satisfies the NPPF criteria.
- 3.118 It is recommended that the boundaries of the sites recommended for designation should be checked to ensure that they only cover the open land of importance (eg pitches) and exclude car parks, pavilions and other buildings. This should be verified with the clubs and owners of the sites.
- 3.119 A representation has been received from All Saints Schools Trust objecting to the designation of the land at the primary school as a Local Green Space. They state that the land is privately owned and members of the public are excluded from the site except on special occasions. The site may be required to expand the capacity of the school.
- 3.120 As the area is private land and it is not clear whether part of the land may be required to provide additional accommodation to expand the school, I consider that the site does not satisfy paragraphs 99 -100 of the NPPF and I am recommending that the site should not be designated as a Local Green Space.

Site	Comment	Designate?
1. Town Moors woodland	Publicly accessible woodland managed for community	Yes
2. Town Moors playing field	Public playing fields and playground	Yes
3. The Rettery	Publicly accessible woodland. The area allocated for car park under Policy Eye 10 should be deleted from the LGS.	In part. Delete the area of the car park under Policy Eye 10.
4. Rettery allotments	Private allotments	Yes

5. Oak Crescent Green	Public amenity area in housing	Yes
6. Primary School Playing Field	School playing field. Owned by Trust who have objected	No
7. St Peter & St Paul Churchyard	Churchyard	Yes
8. Eye Castle and Meadow	Heritage site with public access	Yes
9. The Pennings Local Nature Reserve	LNR with public access	Yes
10. Eye Cricket Pitch	Private club pitch	Yes
11. Eye Cemetery	Public cemetery	Yes
12. Hartismere School Playing Fields	Southern part of school playing fields. Excludes tennis courts and pitches at NW corner of site	Yes
13. Victoria Windmill	Heritage site with public access	Yes
14. Victoria Allotments	Proposed to be allocated for housing under Policy Eye 7.	No
15. 490th Memorial	Public memorial site	Yes
16. Abbey Bridge meadow	Small area of tree lined meadow adjacent to river. No evidence of why the site is demonstrably special.	No
17. Eye Scout Hut field	Most of site is built up with scout hut. Little open land.	No
18. Hartismere Hospital Roadside Meadow	Wide amenity verge in front of hospital. No public access.	No
19. Paddock House Roadside Meadow	Garden to former care home, no public access	No
20. Langton House orchard	Private garden	No
21. Lamsey Beck field (West)	Privately owned overgrown area of land.	No
22. Lamsey Beck field (East)	Privately owned gardens	No
23. The Meadows	The site has received planning permission but is not yet developed and cannot therefore be designated.	No

24. Century Rd /Victoria Hill junction patch	Small roadside verge with little green space value	No
25. Eye Bowls club	Private club pitch. Site shown includes club house, car park and adjacent land.	Yes. Reduce area to pitch only.
26. Access Buckshorn Lane car park to Castle Hill	Public path and steps with limited open space value	No
27. Rapsy Tapsy Lane	Public right of way only.	No

- 3.121 I consider that the following sites satisfy the criteria to be designated as Local Green Space: Sites 1, 2, 3 (in part), 4, 5, 7, 8, 9, 10, 11, 12, 13, 15, 25 (in part)
- 3.122 I consider that the following sites do not meet the criteria and should not be designated as Local Green Space: Sites 6, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27. They should be deleted from the policy, Figure 13 and the Policies Map.
- 3.123 The sites should be numbered in the Policy to correspond to the Policies Map key.
- 3.124 I have recommended a revision to the final paragraph of the policy to ensure that it conforms to national policy on Green Belts in paragraph 143 of the NPPF.

**Recommendation 24: Revise Policy Eye 20 as follows:**

**Revise the list of sites to the following sites:**

- 1 Town Moors woodland,**
- 2 Town Moors playing field,**
- 3 The Rettery (in part),**
- 4 Rettery allotments,**
- 5 Oak Crescent Green,**
- 7 St Peter & St Paul Churchyard,**
- 8 Eye Castle and Meadow,**
- 9 The Pennings Local Nature Reserve,**
- 10 Eye Cricket Pitch,**
- 11 Eye Cemetery,**
- 12 Hartismere School Playing Fields,**

13 Victoria Windmill,

15 490th Memorial,

25 Eye Bowls club (in part)

**Revise the final paragraph of the policy to read: “*Development that will harm the permanent open character of these Local Green Spaces will only be supported in very special circumstances.*”**

### **Policy Eye 21 Biodiversity Networks**

- 3.125 The Policy provides general support for the retention and enhancement of biodiversity habitats. Some of the habitats are listed in the justification and some are indicated imprecisely on the Policies Map. Paragraph 7.16 states that the Plan will ensure a high level of connectivity for biodiversity by providing a coherent matrix of habitats. However the Plan contains no proposals as to how this is to be achieved.
- 3.126 The PPG on Neighbourhood Plans advises that neighbourhood plans should shape and direct development that is outside of the strategic policies. Concerning biodiversity, the PPG advises that Plans can be used to set out a suitable approach to both biodiversity and wider environmental net gain, how it will be achieved, and which areas present the best opportunities to deliver gains. It lists potential areas and states that consideration may also be given to local sites including where communities could benefit from improved access to nature.
- 3.127 It is considered that the policy does not add local detail to the strategic policy and does not propose details of opportunities for how the biodiversity in the local area could be enhanced. It is recommended therefore that the policy should be deleted. It would be helpful to plan users to retain the information in the justification about the local habitats and for a map to be included in the Plan. Supporting Document AA referred to in paragraph 7.16 was not included in the background evidence and has been supplied to me by the QB on my request for further information.

#### **Recommendation 25: Delete Policy Eye 21.**

**Retain the justification and include more information of the sites in the plan area, including a map within the text. The sites should not be shown on the Policies Map.**

## Policy Eye 22 District Shopping Centre

## Policy Eye 23 Uses Appropriate to the District Shopping Centre

- 3.128 The plan retains the boundary of the district centre from the 1998 Local Plan and has included policies for the uses within the district centre and the design of shop fronts from the Local Plan. It is considered that these policies are dated and the national planning policy approach to the management of change in the district centre has changed since then.
- 3.129 Policy Eye 22 states that retail development should normally take place in the district centre. Policy Eye 23 states that Class A1, A2 and A3 uses from the 1987 Use Class Order will normally be permitted. This Use Class Order has been amended several times and the relevant use classes have been revised.
- 3.130 National policy is to support the role of town centres at the heart of local communities and to take a positive approach to their growth, management and adaptation. They should be allowed to grow and diversify in a way that can respond to changes in the retail and leisure industries. There is a range of uses that are defined as main town centre uses including other leisure uses. Residential development may also play a part ensuring the vitality of the centre.
- 3.131 It would have been helpful if the Plan had contained a vision or statement of how it is envisaged that the district centre should change and develop over the plan period. In the circumstances I can only recommend revisions to the policies to ensure that they accord with national planning policy.
- 3.132 Policy Eye 22 seeks to focus new retail development in the district centre, yet Policy Eye 9 is proposing a new small supermarket outside the centre. There is a degree of overlap and repetition between Policies Eye 22 and 23. It is recommended therefore that the policies be combined and the uses updated and revised to accord with the NPPF guidance.

### **Recommendation 26: Delete Policy Eye 22.**

**Revise Policy Eye 23 to read: “Within the defined district shopping area as shown on the Policies Map, developments within Use Classes A1 Shops, A2 Financial and Professional Services, A3 Restaurants and Cafés, A4 Drinking Establishments, A5 Hot Food Takeaways and C3 Dwellinghouses will be supported. Leisure, arts, culture and tourism developments of an appropriate scale to the centre will be supported.**

**“Development in the district shopping centre should:**

- a) Be designed to a high standard with attention to scale, massing, detailing and materials in accordance with Policy Eye 16;**
- b) Provide a satisfactory access, servicing arrangements and off street parking;**
- c) Make use of upper floors for offices or residential use; and**

- d) ***Avoid having a significant adverse effect on the general amenity of neighbouring properties particularly by reason of noise or smell.***

### **Policy Eye 24 Shop Front Design**

3.133 I make no comments on this policy.

### **Policy Eye 25 Retaining Traditional Shop Fronts**

3.134 The only recommendation I make on this policy is to revise the wording to “non-retail” use.

**Recommendation 27: Revise Policy Eye 25 to read: “to a change of use to a *non-retail* use.”**

### **Non Planning Policy Eye 26 Management of Car Parking Spaces**

- 3.135 Policy Eye 26 concerns the management of public car parking and is headed as a non planning policy. NPPG is clear that the role of neighbourhood plans is to set out policies for the development and use of land. Wider community aspirations should be clearly identifiable (for example set out in a companion document or annex) and it should be made clear that they do not form part of the statutory development plan.
- 3.136 Non Planning Policy Eye 26 is presented in the same format as the planning policies. It does in fact set out three objectives that are community aspirations for the management of car parking. I recommend that these aspirations should be set out in a separate section of the Plan titled “Community Aspirations” and with an explanation that they are not part of the statutory development plan.

**Recommendation 28: Delete Non Planning Policy Eye 26.**

**Create a new section to the Plan titled “Community Aspirations” and with an explanation that it does not part of the statutory development plan. Add the following:**

**Community Aspiration 1:**

***“The Town Council will seek to ensure that on and off street public car parking spaces are managed to meet the following objectives:***

- a) to encourage people to use the shops, cafes and services in the Town Centre;**
- b) to provide spaces for households in the historic centre without their own spaces (in as far that this is feasible); and**

c) to provide spaces for people working in the Town Centre.”

**Move paragraphs 8.1 – 8.2 to the Community Aspiration section.**

#### **Policy Eye 27 Public Rights of Way West**

#### **Policy Eye 28 Public Rights of Way East**

#### **Policy Eye 29 Improvement to Public Rights of Way**

3.137 I make no comments on these policies which seek to secure a new right of way to the west of the town, improvements to the route on the eastern side of the town and the enhancement of routes in the plan area.

#### **Policy Eye 30 Electric Car Charging in Development**

#### **Policy Eye 31 Electric Car Charging in New Public Car Parking**

3.138 These policies set out standards for electric vehicle charging points in new development and in car parks. The policies will support the government’s initiative to move towards ultra low emissions vehicles. I make no comments on the policies.

#### **Policy Eye 32 Traffic Management**

3.139 This policy seeks the preparation of a traffic management plan in the town. The Qualifying Body has commented that it will be prepared to contribute to the work being undertaken by SCC and MSDC. It is not a planning policy and should be included in the Community Aspirations Section of the Plan.

**Recommendation 29: Delete Policy Eye 32 and paragraph 8.10 and place them in the Community Aspirations Section.**

**Community Aspiration 2: “The Town Council will work with Suffolk County Council and Mid Suffolk District Council to prepare a traffic management Plan to identify.....”**

#### **Policy Eye 33 Eye Business Area**

3.140 Eye Business Area is a significant employment area and is proposed to be allocated as a strategic employment site in the emerging Joint Local Plan.

3.141 MSDC prepared a Framework to guide development proposals on the area in November 2013 and the proposed uses in the policy are taken from this Framework. The policy provides no additional local detail to guide the future planning of the business area.

- 3.142 It is not clear what is meant by “further piecemeal extension of the airfield” as the area is clearly defined. The QB has confirmed that this should refer to “piecemeal development”. Neither is it clear what the “strategic aims” for the site are. It is therefore recommended that this sentence should be deleted.
- 3.143 In response to my question, MSDC has commented that the strategic policy approach is to allow flexibility in employment related uses in line with the NPPF given that business needs may be subject to change during the lifetime of the plan.
- 3.144 Paragraph 9.1 includes a negatively worded statement that is not appropriate.

**Recommendation 30: Revise Policy Eye 33 as follows:**

**Replace the first paragraph with: “*Eye Business Area shall be developed in accordance with the national and strategic policies.*”**  
**Retain the second and third paragraphs.**

**Revise paragraph 9.1 to include the list of appropriate uses after the first sentence. Delete the second sentence “This is a holding document....failed to produce.”.**

**Policy Eye 34 Infrastructure**

- 3.145 The policy sets the expectation that all development in Eye will contribute to the infrastructure requirements for the town and the implementation of the Town Infrastructure Plan including the improvement of community facilities. It goes on the state that there is an expectation that MSDC will invest the majority of CIL raised from development in Eye in the infrastructure requirements of the town.
- 3.146 MSDC has prepared a Framework for CIL Expenditure and a Regulation 123 List which sets out guidance on the distribution of CIL collected throughout the District. It is not appropriate for the ENP to seek to specify how MSDC should allocate CIL receipts.
- 3.147 MSDC has commented that the policy is unacceptable to them as they would expect development proposals to be determined in line with the Infrastructure Provision policy in the emerging Joint Local Plan. This states that infrastructure will be provided through a combination of CIL, Planning Obligations and Developer Contributions and, where appropriate, contributions from the Councils and other provider organisations.
- 3.148 SCC has commented that there may be expenditure from CIL which serves a wider strategic purpose meaning that it is not spent in Eye directly for example waste infrastructure or strategic flood measures.
- 3.149 SCC has also made suggestions for the improvement of various types of infrastructure to be included in the draft Eye Town Infrastructure Plan (Supporting Document 9) in line with the policies in the ENP. It is noted that

the Infrastructure Plan is a work in progress; however, it would be beneficial if the identified improvements were included to ensure that it is consistent with the ENP policies. The Eye Infrastructure Plan should also take account of the changes to the CIL Regulations that came into force in September 2019.

- 3.150 There are comments in paragraph 10.1 and 10.2 which are views that may be held by Eye Town Council which are critical of the decisions made by MSDC. These are negative and are not appropriate for inclusion in a neighbourhood plan.
- 3.151 It would be appropriate for a Community Aspiration to be included to list the types of projects that the community wish to see provided through various contributions.

**Recommendation 31: Revise Policy Eye 34 as follows:**

**Revise the first sentence to read: “...for the town *in accordance with Mid Suffolk District Council’s most up to date CIL spending guidance and the Eye Town Infrastructure Plan.*”**

**Delete the second sentence “Mid Suffolk.....infrastructure requirements of the Town.”**

**Delete the third sentence from paragraph 10.1 “Eye Town Council will hold the District Council to that commitment.” Add the following: “*Expenditure may also be required from CIL funding to deliver strategic projects such as waste infrastructure or strategic flood measures.*”**

**Delete the following from paragraph 10.2 “even though they were identified in a plan of requirements prepared for the District Council.”**

**Include a new Community Aspiration: “*The Town Council will work with XX to support the following schemes: list of projects, partners and source of funding.*”**

## 4.0 Referendum

- 4.1 The Eye Neighbourhood Plan reflects the views held by the community as demonstrated through the consultations and, subject to the modifications proposed, sets out a realistic and achievable vision to support the future improvement of community.
- 4.2 I am satisfied that the Neighbourhood Plan meets all the statutory requirements, in particular those set out in paragraph 8(1) of schedule 4B of the Town and Country Planning Act 1990 and, subject to the modifications I have identified, meets the basic conditions namely:
- has regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contributes to the achievement of sustainable development;
  - is in general conformity with the strategic policies contained in the Development Plan for the area;
  - does not breach, and is otherwise compatible with, EU obligations and human rights requirements
- 4.3 **I am pleased to recommend to MSDC that the Eye Neighbourhood Plan should, subject to the modifications I have put forward, proceed to referendum.**
- 4.4 I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. In all the matters I have considered I have not seen anything that suggests the referendum area should be extended beyond the boundaries of the plan area as they are currently defined. I recommend that the Neighbourhood Plan should proceed to a referendum based on the neighbourhood area defined by the MSDC on 18 October 2018.

## 5.0 Background Documents

5.1 In undertaking this examination, I have considered the following documents

- Eye Neighbourhood Plan 2018 – 2036 Submission Draft Version May 2019
- Eye Neighbourhood Plan Basic Conditions Statement
- Eye Neighbourhood Plan Consultation Statement
- Eye Neighbourhood Plan SEA and HRA Screening Reports January 2019 and SEA Environmental Report May 2019
- Eye Neighbourhood Plan Supporting Documents SD 2- 19, 26-27.
- National Planning Policy Framework February 2019
- Planning Practice Guidance March 2014 (as amended)
- The Town and Country Planning Act 1990 (as amended)
- The Localism Act 2011
- The Neighbourhood Planning (General) Regulations 2012
- Mid Suffolk Core Strategy (2008)
- Mid Suffolk Core Strategy Focused Review (2012)
- Stowmarket Area Action Plan (2013)
- Mid Suffolk Local Plan “saved” policies
- Allotment disposal guidance: Safeguards and alternatives, DCLG, 2014
- The Community Infrastructure Levy Expenditure Framework Babergh and Mid Suffolk District Councils
- Community Infrastructure Levy MSDC Regulation 123 Infrastructure list January 2016
- Babergh and Mid Suffolk Joint Local Plan: Strategic Housing and Economic Land Availability Assessment (SHELAA) August 2017
- Eye Conservation Area Appraisal, MSDC, 2011
- Suffolk Landscape Character Assessment and Settlement Sensitivity Assessment.
- Mid Suffolk DC Landscape Guidance 2015

## 6.0 Summary of Recommendations

### Recommendation 1:

Improve the legibility of the base map used for the Policies and Inset Maps. Ensure that all sites to which policies apply are shown on the Policies Map or Inset Map at a scale that will enable the boundary of the site to be clearly identified.

Review the policies that require an archaeological investigation to be carried out and use a consistent form of wording. (Policies Eye 4, 5, 7, 8, 9, 12, 13, 15 and 16).

Review the numbering of bullet points in the policies to ensure a consistent format.

Update the Eye Masterplanning and Design Guidance to reflect the policies in the final Plan and include cross references to it under relevant policies.

**Recommendation 2:** Revise the last sentence of paragraph 4.12a) to read: *“A housing requirement of 541 dwellings has been set for the Eye Neighbourhood Plan area in the emerging Joint Local Plan; however this may be subject to change before the Plan is adopted.”*

Revise paragraph 4.13 to read: *“The Eye Neighbourhood Plan’s housing requirement has taken account of the housing requirement set in the emerging Joint Local Plan for the parish and the specific housing needs identified during the preparation of the Plan and other objectives.”*

**Recommendation 3:** Revise Policy Eye 1 as follows:

Revise the first paragraph to read “...around 716 homes....

Correct point a.i) to “Eye Airfield”.

Delete point a.ii).

Revise point a.iii) to “around 80 homes”.

Revise point a.iv) to “around 30 homes”. CHECK figure

Add a new site under a. *“South of Eye Airfield Phase 2 around 174 homes”.*

Delete “In addition a reserve site is identified for around 174 dwellings south of Eye Airfield (north of site ai. above).

Revise paragraph 4.22 to read “about 80 market homes”.

**Recommendation 4:** Revise Policy Eye 2 as follows:

***“Residential development sites in the Plan area should provide for 163 affordable homes and 70 sheltered homes. There should be at least 40 small homes to buy through shared ownership, 18 homes at (less than 80% of market) social rent and 27 homes at (80% of market rent) affordable rent.***

**“Affordable housing should be provided in groups of 15 homes or fewer and be integrated within development schemes.**

***“The type, size and tenure of housing should reflect the latest housing needs assessment. Affordable housing should be delivered in accordance with the latest strategic policy and guidance.”***

**Add a new Policy Eye X House Types and Sizes**

***“Across the various sites for all forms of new residential development proposals the following mix of house types and sizes should be delivered:***

- a. 53% of new homes should be 1 or 2 bedrooms, 41% 3 bedrooms and 5% 4 or more bedrooms;***
- b. 48% should be houses, 29% bungalows and 14% flats.***

***An alternative mix will only be permitted where evidence is brought forward that clearly demonstrates that the above is not viable or deliverable.”***

**Revise paragraph 4.14 to read: “The following policies set out guidance on both affordable housing provision and on the types of dwellings that all new residential development proposals will be expected to deliver.”**

**Revise paragraph 4.15 to read: “Evidence from the 2017 Housing Needs Survey demonstrated that there is a high demand for 1, 2 and 3 bedroom dwellings and that bungalows are also in demand. Policy Eye [X] sets out the preferred mix.”**

**Recommendation 5: Revise Policy Eye 3 to read:**

**“Land south of Eye Airfield shall remain as a commitment of the Plan and shall be developed for 280 dwellings and a Care Home in accordance with the approved Design Brief.”**

**Revise the last sentence of paragraph 4.16 to read: “ ....sporting facilities, however no provision is made for improvements to other community facilities.”**

**Recommendation 6: Delete Policy Eye 4.**

**Retain paragraphs 4.19 and 4.20 and figure 3. Add the following to paragraph 4.20: “A mix of market housing, affordable and potentially**

*sheltered housing will be preferred on this site, subject to evidence from an up to date housing needs survey.”*

Delete the site from the Policies Map.

**Recommendation 7:** Move paragraphs 4.21 – 4.22 to the justification to Policy Eye 9 before paragraph 5.5.

**Recommendation 8:** Revise Policy Eye 5 as follows:

Revise the first paragraph to read: “Paddock House *is allocated* for housing development. An area of 0.05 hectares of green space shall be retained on the frontage to Church Street as part of the scheme. *On the remaining 0.28 hectares, about 16 affordable homes should be provided on the site, 11 for shared ownership and 5 for affordable rent.*”

Delete paragraphs 3 and 4 of the policy. Add the following “*A Traffic Management Plan shall be submitted as part of the development proposal which shall demonstrate that satisfactory pedestrian access, parking and traffic calming measures will be provided.*”

Delete the following from paragraph 4.23 “and this has been identified as a Local Green Space (see Policy Eye 20). This means that the site area is reduced from 0.33 hectares to 0.28 hectares” Add the following at the end of this paragraph “*Some open space should be retained on the Church Street frontage to provide open space for the new development in accordance with adopted policies relating to open space standards.*”

Revise paragraph 4.24 to read: “The District Council purchased the site from the County Council in early 2017 intending that the site should be developed for housing *to meet an identified local need*. It is an important site in the townscape and *future development proposals should produce a design that complements the setting.*”

Revise paragraph 4.25 to read: “The site is on an important pedestrian through route to and from the Primary School. The development of the site should support safe walking and cycling options *along Church Street and Wellington Road.*”

**Recommendation 9:** Revise Policy Eye 6 as follows:

Revise the first paragraph to read “Land north of Victoria Mill allotments *is allocated for...*

**Recommendation 10:** Revise Policy Eye 7 as follows:

Revise the first paragraph to read “The site of the Victoria Mill allotments *is allocated for...*

***Add the following to the policy “Alternative provision for allotments of a similar number and quality shall be made available to enable continuous cultivation prior to the commencement of development.”***

**Delete the last two sentences from paragraph 4.28: “The allotments site also meets the criteria....identified.”**

**Recommendation 11: Move paragraph 4.30 to after Policy 8.**

**Recommendation 12: Revise Policy Eye 8 as follows:**

***Add the following at the beginning of the policy: “Land South of Eye Airfield (phase 2) is allocated for housing development. This site will be commenced once the 250<sup>th</sup> dwelling on the site South of Eye Airfield (Policy Eye 3) has been completed.”***

***Revise the first paragraph to read: “The site is 5.8 hectares and developed at 30 dwellings per hectare would provide about 174 dwellings. 35% of these dwellings should be affordable (61 dwellings) and the tenure and type of homes should be determined following an updated local Housing Needs Assessment before planning permission is granted. The site will also be expected to deliver a sheltered housing scheme providing about 25 units.”***

**Retain the second, third and fifth paragraphs of the policy.**

**Delete “Reserve” from the title of Policy 8.**

**Include the site within the Settlement Boundary on the Policies Map.**

**Revise the heading above paragraph 4.31 to read “Site South of Eye Airfield, Phase 2”.**

**Revise the first sentence of paragraph 4.31 to read “ ....views of local people have been sought on a site for development in the later years of the Plan.”**

**Recommendation 13: Revise Table 3 Housing Proposals by Site, Type and Tenure as follows:**

<b>Site/dwellings</b>	<b>Affordable</b>	<b>Sheltered</b>	<b>Market</b>	<b>Total</b>
<b>South of Eye Airfield</b>	<b>56</b>	<b>0</b>	<b>224</b>	<b>280</b>
<b>South of Eye Airfield Phase 2</b>	<b>61</b>	<b>25</b>	<b>88</b>	<b>174</b>
<b>Chicken Factory</b>	<b>0</b>	<b>0</b>	<b>80</b>	<b>80</b>
<b>Paddock House</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>16</b>
<b>Victoria Mill Agricultural</b>	<b>15</b>	<b>0</b>	<b>19</b>	<b>34</b>
<b>Victoria Mill Allotments</b>	<b>15</b>	<b>45</b>	<b>12</b>	<b>72</b>
<b>Windfall allowance</b>	<b>0</b>	<b>0</b>	<b>60</b>	<b>60</b>
<b>Total</b>	<b>163</b>	<b>70</b>	<b>483</b>	<b>716</b>

Housing Need Targets	90	70	No target	
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Revise Table 4 Expected Phasing of Housing Development as follows:

Site/dwellings	2018-2023	2024-2029	2030-2036	Total
South of Eye Airfield	200	80	0	280
South of Eye Airfield Phase 2	0	100	74	174
Chicken Factory	0	40	40	80
Paddock House	16	0	0	16
Victoria Mill Agricultural	0	34	0	34
Victoria Mill Allotments	0	36	36	72
Windfall allowance	19	19	22	60
<b>Total</b>	<b>235</b>	<b>309</b>	<b>172</b>	<b>716</b>

**Recommendation 14:** Revise the second sentence in the text in the table under paragraph 4.37 against site 1a to read: “The site has been considered as an option *for the later period of the plan* but there is a very strong public preference for...”

**Recommendation 15:** Revise Policy Eye 9 as follows:

Revise the first paragraph: “The Chicken Factory site is *allocated* for ....

Revise first criterion a) to read: 1.89 hectares is *allocated* for....around 80 homes at...”

Revise first criterion b) to read “0.5 hectares is *allocated* ....”

Revise the first sentence of the first criterion c) to read: “1.46 hectares *on the western part of the site is allocated* for informal recreation use”.

Delete the following from the last sentence of the first criterion c): “This area of the site is within the Special Landscape Area and”.

Revise the second criterion b) to read: “a transport *assessment* should be prepared.”

Revise criterion d) to read: “a flood risk assessment should be undertaken, *taking account of flooding from all sources, to identify the effects of the development on flood risk elsewhere and identify the most appropriate measures to address flood risks. Site layouts should take*

*into account and where possible avoid areas at risk of flooding with a site.”*

**Add the following to the end of paragraph 5.5: “*The Eye Neighbourhood Masterplanning and Design Guidelines (Supporting Document 19) includes an indicative masterplan and guidelines for the layout and development of this site. It is proposed that the open land at the west of the site which is at risk of flooding should be used for car parking and informal leisure / recreational uses.*”**

**Revise the last sentence of paragraph 5.7 to read: “*Further consideration should be given to the feasibility of retaining the former station buildings in the development.*” Delete “(SCC Design Guidance)”.**

**Delete paragraph 5.11.**

**Recommendation 16: Revise Policy Eye 13 as follows:**

**“...is allocated for a reserve site for educational purposes. ....”**

**Revise the Policy title, Figure 10 and key to Policies Map to: “Land for Educational Purposes, West of Hartismere High School.**

**Revise “a possible new Primary School” in paragraph 5.2b) to “a site for educational purposes”.**

**Revise paragraph 5.3.d) to read “a site for educational purposes”**

**Revise the first sentence of paragraph 6.8 to read: “...it supports the allocation of a reserve site for educational purposes which is allocated under Policy Eye 13 on land west of Hartismere High School.....”**

**Delete paragraphs 6.9 and 6.11.**

**Update Table 5 to reflect the changes in site allocations and indicative housing capacity.**

**Revise Table 6 Eye 13 to read: “*New educational provision would be brought forward by Suffolk County Council.....*”**

**Move paragraphs 10.3 – 10.4 to the section on schools.**

**Recommendation 17: Revise the site shown on the Policies Map for Policy Eye 14.**

**Recommendation 18: Revise Policy Eye 15 as follows:**

**Revise the first paragraph to read: “*The Settlement Boundary is defined on the Policies Map. Development within the Settlement Boundary will be supported where it complies with the policies of the development plan. Outside of the Settlement Boundary, development will be supported where it satisfies national and strategic policies on development in the countryside.*”**

Delete the three bullet points.

Revise paragraph 7.1 to read ***“The Settlement Boundary around Eye has been defined by revising the Settlement Boundary established in the 1998 Mid Suffolk to include the allocated housing sites and other completed development sites. It defines the area where most new development will take place. Policy Eye 15 will apply outside the Settlement Boundary, except for the Eye Business Area where Policy Eye 33 will apply.”***

Improve the definition of the Settlement Boundary on the Policies Map.

**Recommendation 19:** Revise the title above paragraph 7.2 to ***“Design Guidance”***.

**Recommendation 20:** Revise Policy Eye 16 as follows:

Revise the first paragraph to read: ***“Development proposals should conserve and where possible enhance the conservation area and its setting and should respect local distinctiveness. They should demonstrate high quality, sustainable and inclusive design. Development proposals outside the conservation area should consider their impact on the setting of the conservation area and seek to make a positive contribution.”***

Add the following at the end of the first paragraph: ***“Development proposals should take account of the Eye Conservation Area Appraisal 2011 and the Eye Neighbourhood Masterplanning and Design Guidelines 2019.”***

Add the following to the third paragraph on flood risk: ***“A site specific flood risk assessment should be provided to demonstrate that the risk of flooding will not be increased elsewhere as a result of the development.”***

Revise the heading above paragraph 7.2 to ***“Design Guidance”***. Move paragraph 7.5 to before Policy Eye 16.

Correct the title of Supporting Document 19 in paragraph 7.5 to ***“Eye Neighbourhood Masterplanning and Design Guidelines 2019”***.

**Recommendation 21:** Delete Policy Eye 17 and paragraph 7.6.

Delete the Special Landscape Area from the Policies Map.

**Recommendation 22:** Add the following to Policy Eye 18:

***“Account should be taken of the MSDC Landscape Guidance (2015) and the Suffolk Landscape Character Assessment and Settlement Sensitivity Assessment.”***

Revise the second sentence of paragraph 7.7 to read “*From these views the rural character of the settlement can be appreciated and the importance of the landscape is demonstrated to suitably blend the edge of town into the .....the town. The viewpoints are shown on Figure X.*”

Include a map within the text to show the viewpoints.

**Recommendation 23: Delete Policy Eye 19 and paragraphs 7.9 to 7.11.**

**Recommendation 24: Revise Policy Eye 20 as follows:**

Revise the list of sites to the following sites:

- 1 Town Moors woodland,
- 2 Town Moors playing field,
- 3 The Rettery (in part),
- 4 Rettery allotments,
- 5 Oak Crescent Green,
- 7 St Peter & St Paul Churchyard,
- 8 Eye Castle and Meadow,
- 9 The Pennings Local Nature Reserve,
- 10 Eye Cricket Pitch,
- 11 Eye Cemetery,
- 12 Hartismere School Playing Fields,
- 13 Victoria Windmill,
- 15 490th Memorial,
- 25 Eye Bowls club (in part)

Revise the final paragraph of the policy to read: “*Development that will harm the permanent open character of these Local Green Spaces will only be supported in very special circumstances.*”

**Recommendation 25: Delete Policy Eye 21.**

Retain the justification and include more information of the sites in the plan area, including a map within the text. The sites should not be shown on the Policies Map.

**Recommendation 26: Delete Policy Eye 22.**

Revise Policy Eye 23 to read: “*Within the defined district shopping area as shown on the Policies Map, developments within Use Classes A1*

**Shops, A2 Financial and Professional Services, A3 *Restaurants and Cafés*, A4 *Drinking Establishments*, A5 *Hot Food Takeaways* and C3 *Dwellinghouses* will be supported. *Leisure, arts, culture and tourism developments of an appropriate scale to the centre will be supported.***

**“Development in the district shopping centre should:**

- a) Be designed to a high standard with attention to scale, massing, detailing and materials *in accordance with Policy Eye 16*;**
- b) Provide a satisfactory access, servicing arrangements and *off street* parking;**
- c) *Make use of upper floors* for offices or residential use; and**
- d) *Avoid having* a significant adverse effect on the general amenity of neighbouring properties particularly by reason of noise or smell.”**

**Recommendation 27: Revise Policy Eye 25 to read: “to a change of use to a *non-retail* use.”**

**Recommendation 28: Delete Non Planning Policy Eye 26.**

**Create a new section to the Plan titled “Community Aspirations” and with an explanation that it does not part of the statutory development plan. Add the following:**

**Community Aspiration 1:**

**“*The Town Council will seek to ensure that* on and off street public car parking spaces are managed to meet the following objectives:**

- d) to encourage people to use the shops, cafes and services in the Town Centre;**
- e) to provide spaces for households in the historic centre without their own spaces (in as far that this is feasible); and**
- f) to provide spaces for people working in the Town Centre.”**

**Move paragraphs 8.1 – 8.2 to the Community Aspiration section.**

**Recommendation 29: Delete Policy Eye 32 and paragraph 8.10 and place them in the Community Aspirations Section.**

**Community Aspiration 2: “*The Town Council will work with Suffolk County Council and Mid Suffolk District Council to prepare a traffic management Plan to identify.....*”**

**Recommendation 30: Revise Policy Eye 33 as follows:**

**Replace the first paragraph with: “*Eye Business Area shall be developed in accordance with the national and strategic policies.*”**  
**Retain the second and third paragraphs.**

Revise paragraph 9.1 to include the list of appropriate uses after the first sentence. Delete the second sentence “This is a holding document....failed to produce.”.

**Recommendation 31: Revise Policy Eye 34 as follows:**

Revise the first sentence to read: “...for the town *in accordance with Mid Suffolk District Council’s most up to date CIL spending guidance and the Eye Town Infrastructure Plan.*”

Delete the second sentence “Mid Suffolk.....infrastructure requirements of the Town.”

Delete the third sentence from paragraph 10.1 “Eye Town Council will hold the District Council to that commitment.” Add the following: “*Expenditure may also be required from CIL funding to deliver strategic projects such as waste infrastructure or strategic flood measures.*”

Delete the following from paragraph 10.2 “even though they were identified in a plan of requirements prepared for the District Council.”

Include a new Community Aspiration: “*The Town Council will work with XX to support the following schemes: list of projects, partners and source of funding.*”