

## Mid Suffolk District Council

### Stowupland Neighbourhood Development Plan

### Submission Consultation Responses



In September 2018 Stowupland Parish Council (the 'qualifying body') submitted their Neighbourhood Development Plan to Mid Suffolk District Council for formal consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The consultation period ran from Friday 19 October until Friday 30 November 2018.

In total, six organisations submitted representations. These are listed below and copies of their representations are attached.

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## (1) Suffolk County Council

Date: 30<sup>th</sup> November 2018  
Enquiries to: Cameron Clow  
Tel: [REDACTED]  
Email: [REDACTED]



Mid Suffolk District Council

Dear Paul Bryant,

### **Submission version of the Stowupland Neighbourhood Plan**

Thank you for consulting Suffolk County Council (SCC) on the Submission version of the Stowupland Neighbourhood Plan.

SCC is not a plan making authority, except for minerals and waste. However, it is a fundamental part of the planning system being responsible for matters including:

- Archaeology
- Education
- Fire and Rescue
- Flooding
- Health and Wellbeing
- Libraries
- Minerals and Waste
- Natural Environment
- Rights of Way
- Transport

In general, SCC are content that the plan meets the basic conditions and welcome that the Submission Draft Neighbourhood Plan has taken account of the comments made by SCC in the previous stage of consultation.

There is one minor transport comment, which is not necessarily related to the Basic Conditions SCC would like to raise. It is noted that the action on page 26 indicating that a 20mph variable speed limit is desired along church road to cover the school entrances is still in the plan, despite suggestions from SCC in the previous consultation to amend this.

While the desire for this is understandable, SCC would like to reiterate that it is currently against policy to apply a 20mph speed limit to as it is an A class road, which does not meet the criteria for consideration of 20mph schemes. The full criteria can be read here:

<https://www.suffolk.gov.uk/assets/Roads-and-transport/traffic-management-and-road-safety/20mph-Speed-Limit-Policy-Criteria.pdf>

SCC suggests that traffic calming measures would be more appropriate for this road than speed restrictions and would support the inclusion of this in the action.

[Cont/...]

I hope that these comments are helpful. The County Council is always willing to discuss issues or queries you may have.

If there is anything I have raised you would like to discuss, please use my contact information at the top of this letter.

Yours sincerely,  
Cameron Clow  
Planning Officer  
Growth Highways and Infrastructure

Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX  
[www.suffolk.gov.uk](http://www.suffolk.gov.uk)

*[ - Ends - ]*

## (2) Natural England

Date: 26 November 2018  
Our ref: 261852  
Your ref: Stowupland Neighbourhood Plan



communityplanning@baberghmidsuffolk.gov.uk

**BY EMAIL ONLY**

Hombeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Mr Bryant,

### **Stowupland Neighbourhood Development Plan 2016 - 2036**

Thank you for your consultation on the above dated and received 17 October 2018.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made..

**Natural England does not have any specific comments on this draft neighbourhood plan.**

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

Miss Rachel Bowden  
Consultations Team

## Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

### Natural environment information sources

The [Magic](http://magic.defra.gov.uk)<sup>1</sup> website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)<sup>2</sup>.

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>3</sup>. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

**National Character Areas (NCAs)** divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)<sup>4</sup>.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk)<sup>5</sup> website and also from the [LandIS website](http://www.landis.org.uk)<sup>6</sup>, which contains more information about obtaining soil data.

### Natural environment issues to consider

The [National Planning Policy Framework](https://www.gov.uk/government/publications/national-planning-policy-framework-2)<sup>7</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/)<sup>8</sup> sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

1. <http://magic.defra.gov.uk>

2. <http://www.nbn-nfbr.org.uk/nfbr.php>

3. <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

4. <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

5. <http://magic.defra.gov.uk/>

6. <http://www.landis.org.uk/index.cfm>

7. <https://www.gov.uk/government/publications/national-planning-policy-framework-2>

8. <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

## Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)<sup>9</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>10</sup>. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

## Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>11</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>12</sup> to help understand the impact of particular developments on protected species.

## Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)<sup>13</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

9. <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>
10. <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>
11. <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>
12. <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>
13. <http://publications.naturalengland.org.uk/publication/35012>

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#)<sup>14</sup>).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

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14. <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

[ - Ends - ]

## (3) Environment Agency



Mr Paul Bryant  
[Mid Suffolk District Council]  
Endeavour House Russell Road  
Ipswich  
Suffolk  
IP1 2BX

**Our ref:** AE/2018/123410/01-L01

**Your ref:** NHP

**Date:** 30 November 2018

Dear Mr Bryant

### **NEIGHBOURHOOD PLANNING (GENERAL) REGULATIONS 2012 (AS AMENDED)**

#### **STOWUPLAND NEIGHBOURHOOD DEVELOPMENT PLAN**

Thank you for your consultation received 17 October 2018 for the Stowupland Neighbourhood Plan. We are unable to provide bespoke comments on the neighbourhood plan; however we would like to draw your attention to the following general comments:

Our principal aims are to protect and improve the environment, and to promote sustainable development, we:

- Act to reduce climate change and its consequences
- Protect and improve water, land and air
- Work with people and communities to create better places
- Work with businesses and other organisations to use resources wisely

You may find the following document useful; it provides:

- an overview of our role in development and when you should contact us;
- initial advice on how to manage the environmental impact and opportunities of development;
- signposting to further information which will help you with development;
- links to the consents and permits you or developers may need from us.

Building a better environment: Our role in development and how we can help:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/289894/LIT\\_2745\\_c8ed3d.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/289894/LIT_2745_c8ed3d.pdf)



## **Site Allocations**

The Neighbourhood Plan sets out 3 major site allocation plans SNP2 SNP3 and SNP4. All three allocation sites lie over a Source Protection Zone 3.

SNP2 and SNP3 have already been granted planning permission and do not lie over previously contaminating sites nor propose development that could potentially be contaminating and therefore they do not raise concern for us.

SNP4 has not yet received planning permission. We have commented on the individual application and recommend our comments be included in the Neighbourhood Plan. If the plans for the cemetery extension alter in the future and were to include burials of human remains instead of ashes from cremations, a greater number of ashes spread per year, or a more environmentally sensitive location, we would require a tier 1 assessment to be carried out.

## **Fluvial Flood Risk**

Section 11.18 highlights fluvial flood risks on the outskirts of the Neighbourhood area. And that some small areas around the river gipping fall into flood zones 2 and 3. We advise that any future development throughout the life time of the Neighbourhood Plan, are accompanied with a Flood Risk Assessment.

Please note that the view expressed in this letter by the Environment Agency is a response to the proposed Neighbourhood Development Plan only and does not represent our final view in relation to any future planning or permit applications that may come forward. We reserve the right to change our position in relation to any such application.

Please contact me on the details below should you have any questions or would wish to contact any of our specialist advisors. Please continue to keep us advised on the progress of the plan.

We trust this advice is helpful.

Yours sincerely

**Miss Natalie Kermath**  
**Planning Advisor**

Environment Agency  
Cobham Road, Ipswich, Suffolk, IP3 9JD.  
Customer services line: 03708 506 506  
[www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

[ - Ends - ]

## (4) Historic England

**Note:** This response was submitted on Monday 3 December 2018 by written agreement from Mid Suffolk DC following a request from Historic England to grant a short time extension due to extenuating circumstances. Their letter below refers to comments made at the Regulation 14 stage, a copy of which can be found in the Consultation Statement submitted in support of this Neighbourhood Plan



Paul Bryant  
Neighbourhood Planning Officer  
Babergh & Mid Suffolk Councils  
By Email

Direct Dial: 01223 582746

Our ref: PL00448662

3 December 2018

Dear Mr Bryant,

Ref: Stowupland Neighbourhood Plan Regulation 16 Consultation

Thank you for your correspondence dated 17 October 2018 inviting Historic England to comment on the Regulation 16 Submission version of the Stowupland Neighbourhood Plan.

We welcome the production of this neighbourhood plan, and are pleased to note that our comments at Regulation 14 stage have been taken on board with reference to Policy SNP4 and the production of character assessments for the parish, and that the historic environment of Stowupland is referred to throughout. We also welcome the strong emphasis the plan places on high quality design, using the Built in Context Toolkit as a foundation to achieve that.

Aside from congratulating those involved, we do not wish to provide further detailed comments at this time. We would refer you to our previous advice submitted at Regulation 14 stage, and for any further information to our detailed guidance on successfully incorporating historic environment considerations into your neighbourhood plan, which can be found here:

<https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

I would be grateful if you would notify me if and when the Neighbourhood Plan is made by the district council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed NP, where we consider these would have an adverse effect on the historic environment.

Please do contact me, either via email or the number above, if you have any queries

Yours sincerely,

Edward James  
Historic Places Advisor, East of England



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749  
HistoricEngland.org.uk



*Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.*

[ - Ends - ]

## (5) Ipswich & East Suffolk Clinical Commissioning Group



### **Ipswich and East Suffolk Clinical Commissioning Group**

Endeavour House  
8 Russell Road  
Ipswich Suffolk  
IP1 2BX

Email address: [REDACTED]

Telephone Number – [REDACTED]

Planning Services  
Babergh and Mid Suffolk District Councils  
Endeavour House  
8 Russell Road  
Ipswich  
Suffolk, IP1 2BX

16/11/2018

Dear Sir/Madam

#### **Stowupland Neighbourhood Plan**

Thank you for communicating with Ipswich and East Suffolk Clinical Commissioning Group (CCG) regarding Stowupland Parish Council's proposal to create a Neighbourhood Plan (NP). The CCG recognises that the Parish of Stowupland does not have a primary healthcare facility actually inside the parish but do have healthcare facilities nearby in Stowmarket which residents of Stowupland predominantly use. To maintain a primary care service for the residents of Stowupland, mitigation might be sought through a Community Infrastructure Levy (CIL) from developments in the Parish.

The Neighbourhood Plan indicates that 331 dwellings have planning permission in the parish with a possible 21 more if planning permission is granted on two other sites. The number of dwellings would contribute to a not insignificant rise in the number of patients on the respective lists of both Combs Ford Surgery and Stowhealth. Combs Ford Surgery and Stowhealth will require further investment to increase their respective capacities as a result of the proposed developments.

We would welcome the addition of a simple statement, to confirm that Stowupland Parish Council will support Ipswich & East Suffolk CCG in ensuring suitable and sustainable provision of Primary Healthcare services for the residents of Stowupland. Ipswich and East Suffolk CCG would welcome the opportunity to discuss with the Parish Council potential solutions to ensure sustainable Primary Care services for the local community going forward.

If you have any queries or require further information, please do not hesitate to contact me.

Yours Faithfully

**Chris Crisell**

Estates Planning Support Officer  
Ipswich and East Suffolk Clinical Commissioning Group

*High quality care for all, now and for future generations*

[ - Ends - ]

## (6) Gladman Developments

*By email*

Sent: Fri 30/11/2018 14:02  
To: BMSDC Community Planning



### **Re: Stowupland Neighbourhood Plan – Regulation 16 consultation**

Please find attached the response of Gladman Developments to the above consultation.

I would be grateful if you could confirm receipt of this email and its contents.

Yours faithfully,  
John Fleming

[John Fleming](#) - Policy Planner | | DDI:

Gladman Developments | Gladman House | Alexandria Way | Congleton | Cheshire | CW12 1LB  
T: 01260 288 800 | F: 01260 288 801  
[www.gladman.co.uk/land](http://www.gladman.co.uk/land)

*[Full response attached]*

Stowupland  
Neighbourhood Development Plan  
Regulation 16 Consultation  
Submission Version



November 2018

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## APPENDICES

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# 1 INTRODUCTION

## 1.1 Context

1.1.1 **Gladman Developments Ltd (hereafter referred to as “Gladman”)** specialises in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for the planning system to deliver the homes, jobs and thriving local places that the country needs.

1.1.2 **These representations provide Gladman’s response to the current consultation held by Mid Suffolk District Council (MSDC)** on the submission version of the Stowupland Neighbourhood Plan (SNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. Gladman has been involved throughout the preparation of the Stowupland Neighbourhood Plan having submitted representations to the Regulation 14 consultation. It is disappointing that a number of issues that were previously raised by Gladman have not been fully considered and therefore outstanding objections to the SNP remain.

1.1.3 Gladman are promoting land South of Gipping Road, Stowupland for residential development. At a time when future housing needs of the District are uncertain, we suggest that the site presents an excellent opportunity to create a sustainable, high quality residential development in a suitable and sustainable location.

1.1.4 Through these representations, Gladman provides an analysis of the SNP and the policy decisions promoted within the draft Plan. Comments made by Gladman through these representations are provided in consideration of the **SNP’s suite of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions** as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG<sup>1</sup>.

1.1.5 It is noted that the SNP has been updated to take account of the Revised National Planning Policy Framework (Revised Framework). Gladman reiterate the comments made previously in that whilst the Revised Framework is a material consideration when dealing with planning applications, it is against the previous Framework that the SNP will be tested against since the SNP has already been submitted under Regulation 15.

1.1.6 In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the National Planning Policy Framework (the Framework) and the wider strategic policies for the area **set out in the Council’s adopted Development Plan**. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.

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<sup>1</sup> Section ID: 41

- 1.1.7 The SNP should only be progressed if it meets the Neighbourhood Plan Basic Conditions, supported by a robust and proportionate evidence base.
- 1.1.8 The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent sustainable development opportunities from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the development needs for the area and assist local authorities in delivering full objectively assessed needs (OAN) for housing. Policies that are not clearly worded or intended to place an unjustified constraint on further sustainable development from taking place are not consistent with the requirements of the Framework or the Neighbourhood Plan Basic Conditions.
- 1.1.9 The SNP should not seek to include policies in Neighbourhood Plans that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals contained in the SNP should be designed to add value to existing policies and national guidance, as opposed to replicating their requirements.

## 2 LEGAL REQUIREMENTS, NATIONAL POLICY & GUIDANCE

### 2.1 Legal Requirements

2.1.1 Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The Basic Conditions that the SNP must meet are as follows:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.
- d) The making of the order contributes to the achievement of sustainable development.
- e) The making of the order 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).
- f) The making of the order does not breach, and is otherwise compatible with, EU obligations.

### 2.2 National Planning Policy Framework, & Planning Practice Guidance

#### National Planning Policy Framework

2.2.1 **The National Planning Policy Framework (the Framework) sets out the Government's planning** policies for England and how these are expected to be applied. In doing so it provides guidance on the requirement for the preparation of neighbourhood plans to be in general conformity with the strategic priorities for the wider area and defines the role which neighbourhood plans can play in delivering sustainable development.

2.2.2 At the heart of **the Framework, is a "presumption in favour of sustainable development"** which, as outlined in paragraph 14, should be seen as a golden thread running through both plan-making and decision taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet Objectively Assessed Needs (OAN) for housing, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to neighbourhood plans.

2.2.3 Paragraph 16 of the Framework makes clear that the presumption in favour has implications for how communities engage in neighbourhood planning, stating that neighbourhoods should;

- **"Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;**
- Plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and
- Identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed.

"

- 2.2.4 Furthermore, paragraph 17 sets out that neighbourhood plans should define a succinct and positive vision for the future of the area and that neighbourhood plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. In addition, neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.
- 2.2.5 Further guidance for groups involved with the production of neighbourhood plans is specified at paragraph 184;

**“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”**

#### Planning Practice Guidance

- 2.2.6 It is clear from the requirements in the Framework that neighbourhood plan policies should be prepared in general conformity with the strategic requirements for the wider areas, as confirmed in an adopted Development Plan. The requirements set out in the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).
- 2.2.7 The PPG also emphasises that;
- “...blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”**

- 2.2.8 With further emphasis that;
- “... All settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”<sup>2</sup>**

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<sup>2</sup> Paragraph: 044 Reference ID: 41-044-20160519 (Revised 19/05/2016).

- 2.2.9 Accordingly, the SNP will need to ensure that it takes into account the latest guidance issued by the SoS so that it can be found to meet basic conditions (a) and (d).

## 3 DEVELOPMENT PLAN

### 3.1 Adopted Development Plan

3.1.1 To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.

3.1.2 The adopted Development Plan relevant to the preparation of the SNP is the Mid Suffolk Core Strategy adopted in 2008 and the subsequent Core Strategy Focused Review which was undertaken and adopted by the Council in December 2012.

### 3.2 Emerging Development Plan

3.2.1 Mid Suffolk District Council are working with neighbouring authority Babergh District Council to produce a new Joint Local Plan, having consulted on the Issues and Options document in late 2017. The Parish Council should be mindful of this document as it emerges and draft the policies within the SNP as flexibly as possible to minimise any potential conflicts with the emerging Joint Local Plan.

3.2.2 The housing requirement in the Joint Local Plan will be based upon the new standardised methodology for calculating local housing needs however this methodology is still yet to be finalised following publication of the revised NPPF. The Government has stated it will consider adjusting the methodology, following publication of the household projections published in September 2018, to be consistent with ensuring that 300,000 homes are built per year by the mid-2020s. It is not known what impact this will have for the future housing requirement in the Joint Local Plan but this will almost certainly be higher than the figure proposed in the latest Strategic Housing Market Assessment (SHMA) for the District.

3.2.3 The emerging Joint Local Plan proposes to designate Stowupland as a Core Village and consulted on a number of options for the percentage of the districts growth that would be appropriate in these settlements. The level of growth that these settlements are required to deliver is yet to be determined and as such the SNP should be as flexible as possible regarding the level of development proposed.

## 4 STOWUPLAND NEIGHBOURHOOD PLAN

### 4.1 Context

4.1.1 These representations are made in response to the current consultation on the submission version of the SNP, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This chapter of the representation highlights the key points that Gladman raise with regard to the content of the SNP as currently proposed.

### 4.2 Neighbourhood Plan Policies

4.2.1 This section of **Gladman's** representations is made in response to those policies which need to be addressed and amended through modification and/or deleted to meet the basic conditions, allowing a flexible and positive approach consistent with the requirements of national policy and guidance.

#### The Vision

4.2.2 Gladman are concerned with the wording of the vision and suggest that this does not set out a positive approach to planning in the neighbourhood area. This is highlighted by the use of the terms 'conserve', '**tranquil**' and '**retaining open and inspirational countryside views and habitats**'. Further, whilst growth should consider environmental constraints the social and economic benefits of development should also be a consideration in the planning balance. We suggest that the Vision is revisited to establish a positive approach to planning in the neighbourhood area.

#### SNP1-Strategy for Sustainable Development

4.2.3 Having considered the Planning for Housing Growth document supporting this consultation it is not clear or certain why at least 203 homes is deemed to be the appropriate level of development over the twenty-year plan period as it seems to be a capacity based approach to existing consents as opposed to an objective assessment of housing needs.

4.2.4 It appears that the SNP is proposing to follow the formula set out in the *Planning for the Right Homes for the Right Places* consultation however in its response to this consultation the Government stated that it is not proposing to take forward this approach and as such there is no reference to this formula in the revised NPPF. This could not therefore be demonstrated to be a robust approach to establishing the local housing needs of the neighbourhood area.

4.2.5 The Revised Framework has brought about fundamental changes to identifying housing needs through the Standardised methodology. Whilst this is an issue for the local planning authority to consider, Gladman would highlight that the standard method only provides for the base housing requirement local planning authorities are required to deliver to meet the minimum number of homes needed. It does not take into account local conditions and variations which may not be captured under national projections or account for economic investments or ambitions contained in the local authority area. Indeed, the standard method is currently under review by Government

due to the inherent problems with the calculation as exposed by the most recently published household projections. Although the Plan is to be examined under the NPPF2012, the Steering Group should have considered this issue following our previous representations to identify an indicative housing figure in collaboration with the District Council to plan for as a baseline requirement with additional contingency measures built into the Plan to ensure it is as flexible as possible until greater certainty is provided by the local planning authority as it progresses its emerging Local Plan.

- 4.2.6 Whilst welcoming that the SNP is trying to propose a housing figure for the plan period it is unfortunate that this is at a time when national policy is in the process of changing. The SNP could follow the figures set out in the latest SHMA but the plan would need to reference that this will not be the figure used in the emerging Joint Local Plan and the SNP would need reviewing and updating accordingly upon adoption of the emerging Joint Local Plan.

#### Policies SNP2, SNP3 and SNP4 – Site Allocations

- 4.2.7 To deliver the housing requirement, the plan makes several ‘allocations’ however each of these allocations already have planning permission. These planning commitments should therefore not be referenced as allocations within the SNP nor attempt to apply policy requirements to them. Land between Church Road and Gipping Road has Reserved Matters approval and land between Church Farm barn and Brecklands, Church Road is an approved full application. Each of the policies relating to these allocations should therefore be deleted with instead a reference to them as commitments within the neighbourhood area.

#### Policy SNP5 – Affordable Housing

- 4.2.8 This policy is a continuation of the Core Strategy affordable housing target. There is no need to repeat policy already set out in another development plan document and Gladman suggest that this policy is removed from the SNP. This is now clearly set out in the revised NPPF Paragraph 16 **which states that ‘plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area...’**

#### Policy SNP7-Settlement Boundaries

- 4.2.1 The above policy applies a presumption in favour of residential development proposals within the settlement boundaries. Gladman object to the use of settlement boundaries if these would preclude otherwise sustainable development from coming forward. The Framework is clear that development which is sustainable should go ahead without delay and does not distinguish the sustainability credentials of site based on its location within or outside settlement boundaries. The use of settlement boundaries to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and as such Gladman suggest that flexibility is added to this policy to allow demonstrably sustainable development to come forward adjacent to the settlement boundary.



4.2.2 Indeed, it is important to note the recent Woolpit decision<sup>3</sup> which identified the Policy CS2 of the adopted Core Strategy was out-of-date in the context of national policy as the Framework does not exhort a restrictive approach to development outside settlements. In addition, the Inspector identified that the Council was at best able to demonstrate a housing land supply of 3.4 years against the requirements of the revised Framework. As such, the SNP should not contain policies such as the use of settlement limits which would restrict the ability of sustainable growth opportunities coming forward.

4.2.3 As set out above, the development level of Stowupland in the emerging Joint Local Plan is yet to be determined and so to ensure the longevity of this policy more flexibility will need to be drafted into the policy wording. A tightly drawn settlement boundary would not allow the plan to respond to rapid change such as the standardised housing requirement being higher than the latest SHMA figure. Accordingly, Gladman consider that the above policy is modified to allow for flexibility and it is considered that the SNP would be better served by a criteria based approach consistent with the requirements of national policy which allows a decision maker to consider development proposals by undertaking the planning balance exercise. The following wording is put forward for consideration:

**“The neighbourhood plan will take a positive approach to new development that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.**

Development proposals that are considered sustainable and well related to the existing settlement will be supported provided that the adverse impacts do not significantly and demonstrably **outweigh the benefits of development.**”

4.2.4 Indeed, this would mirror the approach contained in policy SNP6 Rural Exception Sites which recognises that proposals for housing development can come forward on sites to be situated outside, but adjoining the proposed settlement boundaries. Notwithstanding this, Gladman consider that the approach contained in Policy SNP6 is restrictive as it limits development to a maximum of 20 dwellings and is therefore not considered to be in accordance with the requirements of the Framework to significantly boost the supply of housing nor is it supported by robust evidence contrary to the PPG to demonstrate why the figure that has been selected is appropriate.

Policy SNP8 – Landscape Character – Important gaps, views and features

4.2.5 Gladman are concerned with the intention of this policy which seeks to protect numerous key views in the neighbourhood area. Having considered the Landscape Appraisal supporting this consultation we do not consider this evidence to be sufficient to justify the protection of the number of views identified.

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<sup>3</sup> Appeal Reference: APP/W3520/W/18/3194926 – paragraph 92

4.2.6 We consider that for a view to be identified for protection there should be a demonstrable physical attribute that elevates a views importance out of the ordinary, it is not justified to seek to protect nice views of open countryside. Gladman note the key views identified cover extensive areas of the neighbourhood plan area and this could be seen to be an attempt to impose an almost blanket restriction towards development in much of the neighbourhood area.

4.2.7 To support this policy Gladman suggest that the evidence would have to demonstrate the physical attributes of the views identified that elevate them above simply being a nice view of open countryside. **An area's pleasant sense of openness to the open countryside cannot on their own amount to a landscape which should be protected.**

4.2.8 Furthermore, Gladman consider the identification of the important gap to be a strategic issue and should be deleted. The PPG is clear that:

**"blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence."**<sup>4</sup>

Policy SNP9 – Protecting best and most versatile agricultural land

4.2.9 As drafted this policy does not accord with Paragraph 112 of the Framework. This paragraph seeks, where possible, for development to be directed to areas of poorer quality agricultural land in preference to that of higher quality.

4.2.10 The Judgment in BT&W Vs. SSCLG and Gladman Developments Ltd. [2016] EWHC concludes that Paragraph 112 of the Framework, cannot be characterised as a policy which indicates that **'development should be restricted' within the context of Paragraph 14 of the Framework (and the associated footnote 9).**

4.2.11 Gladman consider that the implications of the Judgment apply equally to the decision-making process and the plan making process. It confirms that there is not a prohibition on the development of BMV agricultural land, nor a restriction on its development in principle. The location of a site on BMV agricultural land should not therefore automatically result in its removal from consideration for development.

Policy SNP12 – Local Green Spaces

4.2.12 This policy seeks to designate two parcels of land as Local Green Space (LGS). The proposed **designation of 'the meadow'** is within the same land ownership as the land which Gladman are promoting through this neighbourhood plan. Acting on behalf of the landowners, Gladman state that the allocation of the wider site for residential development would offer the opportunity to maintain, manage and improve access to an important area of open space for the benefit of the local community.

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<sup>4</sup> PPG Paragraph:044 Reference ID: 41-044-20160519

4.2.13 The SNP will need to demonstrate robust evidence to meet national policy requirements as set out in paragraph 76 and 77 of the Framework. Paragraph 76 of the Framework sets out the role of local communities seeking to designate land as LGS and makes clear that the designation of LGS should be consistent with the local planning of sustainable development in the wider area. Further guidance is provided at paragraph 77 which sets out three tests which must be met for designation. It states that:

“The Local Green Space designation will not be appropriate for most green areas or open space.

The designation should only be used:

- Where the green space is in reasonably close proximity to the community it serves;
- Where the green area is demonstrably special to a local community and holds a particular significance, for example because of its beauty, historic significance, recreation value (including as a playing field), tranquillity or richness of its wildlife; and
- **Where the green area concerned is local in character and is not an extensive tract of land.”**  
(Emphasis added).

4.2.14 It does not appear that any evidence has been undertaken to consider the tests above when preparing the Plan beyond the supporting text to the policy. In allocating sites for LGS designation the Framework is clear that all tests must be met. As such, the Plan is not supported by proportionate and robust evidence as required by the Framework and is therefore contrary to basic condition (a).

4.2.15 The second paragraph of this policy could also be said to extend the area that an LGS designation covers, providing a buffer around the LGS designations. National policy and guidance does not seek to protect the area around a designated LGS, only the area covered by the LGS itself. As the areas around the designated LGS have not been deemed worthy of this protection this element of the policy should also be deleted.

## 5 SITE SUBMISSION

### 5.1 Land South of Gipping Road, Stowupland

5.1.1 Gladman are promoting land South of Gipping Road, Stowupland for residential development. The site lies adjacent to the approved residential development on the edge of Stowupland. A location plan can be found at appendix 1 of this submission. A planning application<sup>5</sup> was submitted on 28<sup>th</sup> September 2018 and validated on 2<sup>nd</sup> October 2019 and has yet to be determined. In summary, the proposal is able to deliver numerous benefits to the local community. These include:

- The delivery of this scheme will provide key benefits for both the local and wider area and will deliver both market and affordable housing to meet identified housing needs. The proposal will deliver up to 70 residential dwellings (including 35% affordable housing delivered in accordance with current planning policy);
- The form of the proposed development has been guided by an understanding of the landscape and visual characteristics of the site. The proposal will deliver an extensive network of public open space totality 2.96ha of formal and informal open space which will comprise a variety of elements to the benefit of both existing and future community members;
- Structural landscape planting and the retention and positive management of key landscape features;
- Improve connectivity and access to public rights of way;
- Development of this site could support the management of the adjacent land proposed as **Local Green Space 'the meadow'** offering the opportunity to maintain, manage and improve access to an area of open space for the benefit of the local community.
- A range of densities and house types to meet identified local needs; and
- New residents will lead to increased spending at local services and businesses helping to protect, maintain and enhance the services available and accessible within the town and the surrounding area.

5.1.2 Gladman consider the above site is sustainable and should be included within the neighbourhood plan as an allocation to meet local needs and assist MSDC in delivering its housing needs in full.

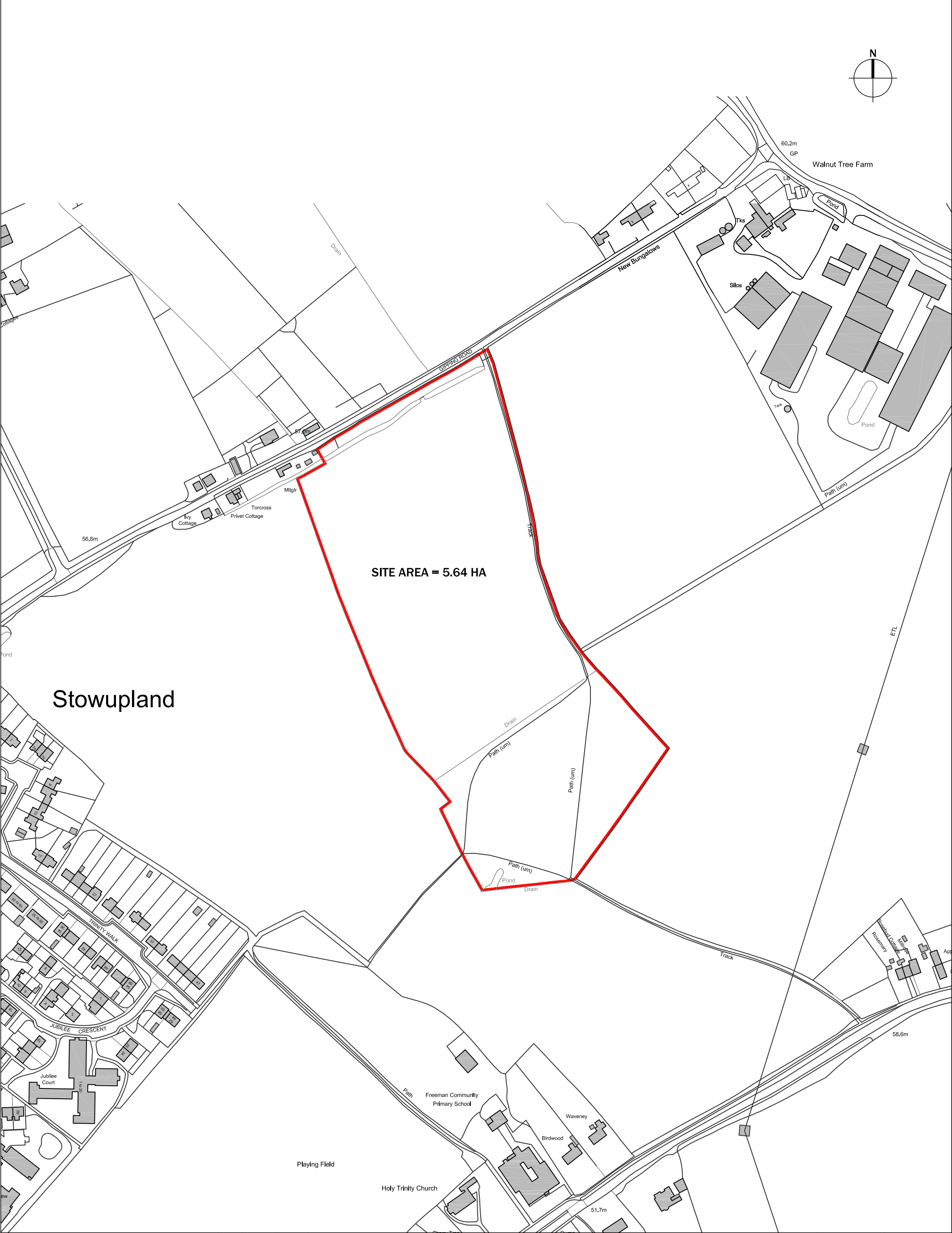
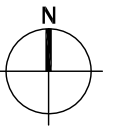
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<sup>5</sup> See application DC/18/04357 for further details

## 6 CONCLUSIONS


- 6.1.1 Gladman recognises the Governments ongoing commitment to neighbourhood planning and the role that such Plans have as a tool for local people to shape the development of their local community. However, it is clear from national guidance that the SNP must be consistent with national planning policy and the need to take account of up-to-date housing needs evidence and the direction contained in the emerging Joint Local Plan.
- 6.1.2 We have submitted land south of Gipping Road, Stowupland for allocation within the SNP as a site that is in a sustainable and suitable location.
- 6.1.3 The plan is progressing at a time when the full future housing needs of the district are unknown, **pending the finalisation of the Government's standardised methodology for assessing** local housing needs. Gladman have therefore suggested that flexibility is drafted in to the policies of the SNP. Failing this the Parish Council should realise that upon adoption of the new Joint Local Plan it is highly likely that the housing policies would be superseded under Section 38(5) of the Planning and Compulsory Purchase Act 2004 and therefore the SNP would need an immediate review.
- 6.1.4 Should the Examiner consider it necessary to discuss the issues raised then Gladman formally request to participate in the hearing session(s).

## APPENDIX 1 – SITE LOCATION PLAN



SITE AREA = 5.64 HA

Stowupland

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