

# **Thurston Neighbourhood Development Plan 2018 - 2036**

**Report by Independent Examiner to Mid Suffolk  
District Council**

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## Summary and Conclusion

1. The Thurston Neighbourhood Development Plan has a clear vision supported by objectives.
2. There is not an up-to-date strategic policy against which to assess overall housing figures. The Neighbourhood Plan has been produced in parallel with the production of the emerging Local Plan. The Neighbourhood Plan does not allocate sites for housing development. Instead, it seeks to focus development within the settlement boundary, emphasising the need for housing for older people and young first time buyers.
3. I have recommended modification to some of the policies in the Plan, for the reasons set out in detail below. Even though I have recommended a number of modifications to the Plan, these do not significantly or substantially alter the intention or nature of the Plan.
4. **Whilst I have set out my reasoning under individual policies, my overall conclusion is that, subject to my recommendations, the Plan meets the Basic Conditions. It is appropriate to make the Plan. Subject to my recommendations being accepted, I consider that the Thurston Neighbourhood Development Plan will provide a strong practical framework against which decisions on development can be made. I am pleased to recommend that the Thurston Neighbourhood Development Plan, as modified by my recommendations, should proceed to Referendum.**

## Introduction

5. On 2 September 2013 Mid Suffolk District Council (MSDC) approved that the Thurston Neighbourhood Area be designated in accordance with the Neighbourhood Planning (General) Regulations 2012. The Area covers the whole of the parish of Thurston.
6. The qualifying body is Thurston Parish Council. The Plan has been prepared by the community through the Thurston Neighbourhood Plan Steering Group. The Plan covers the period 2018 – 2036.
7. I was appointed as an independent Examiner for the Thurston Neighbourhood Development Plan 2018 - 2036 in February 2019. I confirm that I am independent from the Parish Council and MSDC. I have no interest in any of the land affected by the Plan and I have appropriate experience to undertake this examination. As part of my examination, I have visited the Plan area.

## Legislative Background

8. 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 policies in the Plan relate to the development and use of land for a designated Neighbourhood Area in line with the requirements of Section 38A of the Planning and Compulsory Purchase Act (PCPA) 2004;
  - the Plan meets the requirements of Section 38B of the 2004 PCPA where the plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one Neighbourhood Area; and
  - that the Plan has been prepared for an area that has been designated under the Localism Act 2011 and has been developed and submitted for examination by a qualifying body.
9. I am obliged to determine whether the Plan complies with the Basic Conditions. The Basic Conditions are:
- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan;
  - the making of the neighbourhood plan contributes to the achievement of sustainable development;
  - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the Development Plan for the area of the authority; and
  - the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations and human rights requirements.
10. *The Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018* came into force on 28 December 2018. They state:
- Amendment to the Neighbourhood Planning (General) Regulations 2012.*
- 3.—(1) The Neighbourhood Planning (General) Regulations 2012(5) are amended as follows.*
- (2) In Schedule 2 (Habitats), for paragraph 1 substitute:*
- “Neighbourhood development plans*

1. *In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2)(g) of Schedule 4B to the 1990 Act(6)—*

*The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017(7).”*

11. Since 28 December 2018, a neighbourhood plan is required to be examined against this extra Basic Condition. I will make further reference to this matter under EU Obligations.
12. Subject to the modifications I have recommended in this report, I am content that these requirements have been satisfied.

## **EU Obligations**

13. Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended) (EA Regulations) set out various legal requirements and stages in the production of a Strategic Environmental Assessment (SEA).
14. A *Thurston Neighbourhood Development Plan 2018 - 2036 Pre-Submission Version Draft 6 Strategic Environmental Assessment (SEA) & Habitat Regulations Assessment (HRA): Screening Report* was prepared in August 2018. For SEA it concludes:

*The Plan does not allocate sites for development and therefore has no specific content that could give rise to an identified effect of the magnitude or ‘significance’ that would warrant the application of the SEA Directive, in the form of a SEA Environmental Report. Further analysis of the environmental characteristics of the Plan area and the Plan’s policies within this Screening Report has further indicated that there would be no significant effect on the environment.*

*As such, the content of the Thurston Neighbourhood Plan has therefore been **screened out** for its requirement of Strategic Environmental Assessment in line with the requirements of Directive 2001/42/EC.*

15. The statutory consultees concurred with this conclusion. Based on the screening determination and consultee response, I consider that it was not necessary for the Plan to require a full SEA Assessment. The SEA screening accords with the provisions of the European Directive 2001/42/EC.
16. As regards HRA, the above Screening Report concludes:

*The Thurston Neighbourhood Plan is not predicted to have any likely significant effects on an N2k site. The requirement for the Plan to undertake*

*further assessment under the Habitats Regulations 2017 is therefore screened out.*

17. Natural England concurred with this conclusion. Based on the screening determination and consultee response, I consider that the Plan did not require a full HRA under Articles 6 or 7 of the Habitats Directive. I am satisfied that the Plan does not breach the requirements of Chapter 8 of Part 6 of *the Conservation of Habitats and Species Regulations 2017(7)*.
18. A Neighbourhood Plan must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. I am satisfied that the Plan is compatible with EU obligations and does not breach the European Convention on Human Rights obligations.

## **Policy Background**

19. The revised *National Planning Policy Framework* has recently been published on 24 July 2018. Minor modifications to the revised *National Planning Policy Framework* have subsequently been published in February 2019. At paragraph 214 it states: *The policies in the previous Framework published in March 2012 will apply for the purpose of examining plans, where those plans were submitted on or before 24 January 2019.*
20. The revised *National Planning Policy Framework* incorporates policy proposals previously consulted on in the Housing White Paper and the Planning for the Right Homes in the Right Places consultation, as well as changes to planning policy implemented through Written Ministerial Statements since the *National Planning Policy Framework* was published in 2012.
21. In accordance with paragraph 214 in the revised *National Planning Policy Framework*, I have examined this Plan against the previous *National Planning Policy Framework* (2012) (NPPF). Where I refer to the NPPF, it is to the 2012 version. This sets out the Government's planning policies for England and how these are expected to be applied.
22. The *Planning Practice Guidance* (2014) (PPG) provides Government guidance on planning policy. Similarly, I have examined the Plan against PPG guidance and any Written Ministerial Statements that related to the 2012 Framework. The PPG is currently being revised in accordance with the revised NPPF. I have referred to paragraphs in the PPG that may be in the process of being archived as part of this revision, as it is necessary in this transition period to refer to PPG related to the 2012 NPPF.
23. Paragraph 7 in the NPPF identifies the three dimensions to sustainable development:

*There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:*

**•an economic role** – *contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*

**• a social role** – *supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being; and*

**•an environmental role** – *contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.*

24. Thurston Parish is within the local authority area of Mid Suffolk District Council (MSDC). The development plan for the Thurston Neighbourhood Development Plan Area comprises the saved policies in the Mid Suffolk Local Plan (1998); The Mid Suffolk Local Plan First Alteration: Affordable Housing (2006); The Mid Suffolk Core Strategy Development Plan Document (2008); and The Mid Suffolk Core Strategy Focused Review (2012).
25. The strategic policies in the development plan include policies regarding housing provision and the conservation and enhancement of the natural and historic environment.
26. MSDC with Babergh District Council published a new Joint Local Plan Consultation Document in August 2017. This covers the period to 2036. There is no legal requirement to test the Neighbourhood Plan against emerging policy although PPG advises that the reasoning and evidence informing the Local Plan process may be relevant to the consideration of the basic conditions against which the neighbourhood development plan is tested.
27. The qualifying body and the local planning authority should aim to agree the relationship between policies in the emerging Neighbourhood Plan, the emerging Local Plan and the adopted development plan, with appropriate regard to national policy and guidance. Whilst there is no requirement for the Neighbourhood Plan to conform to emerging policies, I note that The Thurston Pre-Submission Neighbourhood Plan has sought to reflect as far

as possible the emerging Joint Local Plan but, given its early stage of preparation, this has been limited.

## **The Neighbourhood Plan Preparation**

28. 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.
29. I usually outline a brief summary of the consultation process. In this instance, there has been so much consultation that I don't know where to start! The consultation has included seven whole parish questionnaires; open public meetings; open Neighbourhood Plan meetings; drop-in surgeries; engagement surgeries; updates in the Thurston Newsletter; whole parish postcard deliveries and dedicated pages on the Thurston website.
30. The consultation period on the pre-submission draft of the Plan ran from 9 July to 31 August 2018. A summary booklet on the pre-submission document was produced. There was a postcard drop at the beginning of the consultation period and community engagement surgeries were held. Full copies of the Plan were available on a dedicated website page and copies were available to view at the Parish Office and Library.
31. I am satisfied that the pre-submission consultation and publicity has met the requirements of Regulation 14 in The Neighbourhood Planning (General) Regulations 2012. Indeed, I am amazed at the amount of consultation and publicity, which went well beyond the requirements. It is clear that the people responsible for consultation and publicity went to considerable lengths to ensure that local residents and businesses were able to engage in the production of the Plan. I congratulate them on their enormous efforts.
32. MSDC publicised the submission Plan for comment during the publicity period between 21 January and 6 March 2019 in line with Regulation 16 in The Neighbourhood Planning (General) Regulations 2012. A total of ten responses were received. I am satisfied that all these responses can be assessed without the need for a public hearing.
33. Some responses suggest additions and amendments to policies. My remit is to determine whether the Plan meets the Basic Conditions. Where I find that policies do meet the Basic Conditions, it is not necessary for me to consider if further suggested additions or amendments are required. Whilst I have not made reference to all the responses in my report, I have taken them into consideration. I gave the Parish Council the opportunity to comment on the Regulation 16 representations. I have taken their comments into consideration. Their comments have been placed on the MSDC web site.

# The Thurston Neighbourhood Development Plan

## Background To The Neighbourhood Plan

34. I have been provided with a detailed evidence base in background supporting documents. This has provided a useful and easily accessible source of background information. In addition, the Plan identifies the local background context.
35. The Plan has a strong detailed vision for Thurston in 2036. This vision is supported by a number of objectives that have been identified through engagement with the local community.
36. It is necessary for neighbourhood plans to provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as stated in the core planning principles in paragraph 17 in the NPPF. I do refer to clarity and precision with regard to some recommendations to modifications to the Plan. Where I do so, I have in mind the need to provide a practical framework in accordance with the core principles in the NPPF, thus ensuring that the Plan has regard to national policy in this respect.
37. It is not for me to re-write the Plan. Where I have found editing errors, I have identified them as minor editing matters and highlighted these as such. These have no bearing on whether the Plan meets the Basic Conditions.
38. Paragraph 1.9 states the Neighbourhood Area was designated by MSDC on 3 September 2013. However, the letter is dated 2 September 2013. **I see this as a minor editing matter.**
39. Paragraph 3.9 is a repetition of paragraph 3.8 and should thus be deleted. **I see this as a minor editing matter.**
40. I sought clarification from MSDC and the Parish Council as to the possible location or timing of provision of the proposed primary school. I was informed that Suffolk County Council has advised that they recently carried out a pre-application planning consultation on a proposal to relocate Thurston Primary Academy to a new site off Norton Road (Site A shown on the Policies Maps). That consultation has just closed and it is currently expected that a planning application will be made in April/May, with the school to open in 2021. The Parish Council has confirmed that this is their preferred choice of site, as already indicated in paragraph 3.11 in the Plan. In light of the updated information regarding the provision of the primary school, it may be appropriate to update paragraph 3.53 accordingly. **I see this as a minor editing matter.**
41. Paragraph 3.50 is concerned with the existing railway crossing and I recognise the problems associated with the existing arrangements. I sought clarification from the Parish Council and MSDC as to the meaning of the sentence: *the approved development in late 2017 will move the cumulative*

*passenger risk into a higher category and mitigation measures should be in place prior to increased development.* I was unclear as to whether this sentence meant mitigation measures should be in place prior to the development of the sites with planning permission, or whether it means that mitigation measures should be in place before any further development, above that already permitted, should be allowed. There replies have been placed on the MSDC website.

42. I received confirmation that the Parish Council are of the view that mitigation measures should be in place prior to any further development, above that already permitted, being allowed. MSDC has further clarified that the calculation of risk at the railway crossing is not simple. Therefore, the view has been taken that, although it is recognised that the crossing needs improvement, there is not sufficient justification at present for this being used as a reason for refusing planning applications.

43. I realise that the Plan does not allocate sites for development. Nevertheless, in the interest of precision and to ensure that the Plan contributes towards sustainable development, I recommend modification to paragraph 3.50 to provide clarification as referred to above. I have suggested revised wording.

44. **Recommendation: to meet the Basic Conditions, I recommend modification to paragraph 3.50 to read as follows:**

**Access to the westbound platform is via the Barrow Foot Crossing over the two rail lines. Network Rail acknowledges that there is a need to mitigate passenger risk but to date a solution has not been found. The approved development in late 2017 will move the cumulative passenger risk into a higher category and the Parish Council is of the view that mitigation measures should be in place prior to any further development, above that already permitted, being allowed. However, in recognising that the crossing needs improvement and that the calculation of risk at the railway crossing is not simple, MSDC has taken the view that there is not sufficient justification at present for this being used as a reason for refusing planning applications. Car parking at the station is inadequate and is impacting increasingly on the village.**

45. Paragraph 3.51 is a repeat of the last sentence of paragraph 3.50 and thus should be deleted. Paragraph 3.72 incorrectly cross refers to paragraph 2.28. A more appropriate cross reference would be to the current paragraph 3.32. **I see these as minor editing matters.**

46. PPG states: 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. (Paragraph: 041 Reference ID: 41-041-20140306).

47. For ease of reference, I have used the same policy titles as those in the Plan. I have briefly explained national policy and summarised main strategic policies where relevant to each neighbourhood plan policy. I have tried not to repeat myself. Where I have not specifically referred to other relevant strategic policy, I have considered all strategic policy in my examination of the Plan.
48. Policies in a neighbourhood plan can only be for the development and use of land. Where there are community aspirations (identified as non-policy actions in this Plan), these have to be clearly differentiated from policies for the development and use of land.

### **Policy 1 – Thurston Spatial Strategy**

49. The NPPF in paragraph 185 is clear that outside the strategic elements *neighbourhood plans will be able to shape and direct sustainable development in their area.*
50. Whilst Core Strategy Focused Review Policy FC 2 outlines the provision and distribution of housing in the District, this is not up to date.
51. The emerging Joint Local Plan Consultation Document identifies nine potential sites for housing development at Thurston. Views have been sought on the suitability of sites. Five of the sites have been granted planning permission. The SEA Screening Determination states that a further 17 sites have been submitted for consideration as potential allocations within the emerging Local Plan (through the Regulation 18 consultation) in the Neighbourhood Plan area. A total of 26 sites have therefore been identified for development purposes within the Thurston Neighbourhood Plan area.
52. The emerging Joint Local Plan Consultation Document states, for the whole Joint Plan area, that many of the sites presented will not be needed to meet the development requirements of the District and not all will be taken forward in the Plan into allocations. In addition, it states that there is opportunity for local communities to bring forward sites for development in neighbourhood plans in parallel with the developing local plan process and in accordance with the emerging level of growth agreed with the two District Councils and there is opportunity to share evidence.
53. The emerging Joint Local Plan sets the housing requirement for the whole District as 9,951 dwellings for the period 2014 - 2036. For Core Villages, including Thurston, the emerging Joint Local Plan has suggested options for growth ranging from a requirement of between 15 - 30% of the total District requirement. This has not been further broken down to a percentage for each Core Village.

54. The five sites that were granted planning permission would provide, amongst other things, 818 new dwellings. When added to earlier planning permissions yet to be completed, this brings the total to in excess of 1,000 dwellings. Given this level of growth, concerns about highway capacity and the need for a larger primary school, the Plan states that it is not expected that significant additional growth will need to be planned for in Thurston to support the emerging Joint Local Plan. MSDC has not made adverse comment in representations on the submission Plan regarding this approach. A neighbourhood plan is not required to allocate land for housing. Rather than allocate housing sites, the Plan concentrates on the housing needs of the ageing population and younger people.
55. The Neighbourhood Plan Examination process does not require a rigorous examination of district wide housing land requirements. This is the role of the examination of the emerging Joint Local Plan. In the absence of up to date adopted strategic housing policies, it is not my role to determine whether the Neighbourhood Plan would be inconsistent with the adopted version of the emerging Joint Local Plan.
56. Core Strategy Policy CS1 identifies Thurston as a Key Service Centre. The majority of new development is directed to the Towns and Key Service Centres.
57. Policy 1 is a spatial strategy for Thurston. It focusses new development within the settlement boundary. It lists key matters to be addressed for all residential development. My concern is that the definition of residential development includes household extensions and these key matters are not relevant to small householder extensions. In the interest of precision, I therefore recommend that this policy refers to 'new housing', rather than 'residential development'.
58. Paragraph 173 in the NPPF states: *Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be delivered viably is threatened.*
59. Developer contributions can only be sought where they meet the tests that they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. These tests are set out as statutory tests in the *Community Infrastructure Levy Regulations 2010*.
60. Policy 1 criterion C. c. lists 'contributions as necessary' towards infrastructure. To have regard to national policy, I recommend modification to this criterion to specify that contributions are required in accordance with the statutory tests. I have suggested revised wording.
61. Policy 1 criterion C. b. requires demonstration that there is sufficient primary school provision. I realise the importance of this provision to the local community. However, this matter is sufficiently covered in criterion C. c.,

particularly as contributions towards education provision are required in instances where they are necessary to make the development acceptable in planning terms. In the interest of precision, I therefore recommend the deletion of criterion C. b.

62. Core Strategy Policy CS2 seeks to restrict development in the countryside other than in defined categories. The list of possible development in the countryside allowed outside the settlement boundary in Policy 1 criterion D. is more restrictive than Core Strategy Policy CS2 and is somewhat vague. In particular, it omits rural exception housing and house extensions. It is not clear what local community needs refer to or what is meant by particular types of development required to support the rural economy. I see no robust evidence to justify restricting development in the countryside in this Parish to a greater degree than the restriction on development in the countryside in the rest of the District. Therefore, to ensure that Policy 1 is not more restrictive than Core Strategy Policy CS2, I recommend the deletion of most of criterion D. and the corresponding last sentence of the supporting text in paragraph 4.5.
63. Rather than list what is restricted in the countryside, I suggest that criterion D. is modified to list what is considered acceptable. It is clear from reading the Plan as a whole that the provision of specialist care facilities is supported by the local community. It may well be that this provision would have to be outside the settlement boundary if no available and deliverable site exists within the settlement boundary. Such an exception would be in addition to the development allowed in the countryside in Core Strategy Policy CS2. National policy emphasises that development means growth and in these circumstances, I consider such an approach is justified by the background evidence and is in general conformity with strategic policy with regard to Thurston's role as a Key Service Centre.
64. Criterion D. b. refers to the retention of existing businesses and the provision of new commercial business activities that are appropriate in the countryside. However, there is no further policy in the plan defining what is meant by being 'appropriate in the countryside' and no background justification. Core Strategy Policy CS2 allows new-build employment generating proposals where there is a strategic, environmental or operational justification. Criterion D. b. is vague and does not add a clear layer of detail to Core Strategy Policy CS2. Thus, I recommend deletion of criterion D. b.
65. Core Strategy Policy CS2 allows utility infrastructure in the countryside and does not require proof that there is no reasonable alternative location. I see no justification for the requirement for proof that there is no reasonable alternative location in criterion D. c. Thus, I recommend deletion of criterion D. c.
66. Criterion C. a. refers to addressing evidence based needs. As such needs are explained in Policy 2, in the interest of precision, I recommend cross referring to Policy 2 in this criterion.

67. Subject to the modifications I have recommended above, Policy 1 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy 1 meets the Basic Conditions.
68. Paragraph 4.5 clearly states that the sites with planning permission are situated within the amended settlement boundary. However, this is not what is shown on the Policies Maps. The Parish Council has confirmed that this is a cartographical error. In the interest of precision, I recommend that the Policies Maps are modified to include all the sites with planning permission within the settlement boundary.
69. **Recommendation: to meet the Basic Conditions I recommend:**

**1) modification to the Policies Maps to include sites A-E with planning permission within the settlement boundary.**

**2) modification to Policy 1 to read as follows:**

**POLICY 1: THURSTON SPATIAL STRATEGY**

**A. New development in Thurston parish shall be focused within the settlement boundary of Thurston village as defined on the Policies Maps (pages 76-77).**

**B. Development proposals within the settlement boundary (as defined on the Policies Maps pages 76-77) will be supported subject to compliance with the other policies in the Neighbourhood Plan.**

**C. All new housing proposals will be expected to address the following key matters:**

**a. ensure they address the evidence-based needs of the Thurston Neighbourhood area in accordance with Policy 2; and  
And**

**b. In accordance with the statutory tests in the *Community Infrastructure Levy Regulations 2010*, contribute towards education infrastructure and other key infrastructure which shall include health, transport and movement, community facilities, utilities and public realm improvements, through direct provision and/or developer contributions (including Community Infrastructure Levy and/or Section 106).**

**c. Design high quality buildings and deliver them in layouts with high quality natural landscaping in order to retain the rural character and physical structure of Thurston.**

**D. Development proposals to meet specialist housing and care needs on sites that are outside the settlement boundary will be permitted where it can be demonstrated that no available and deliverable site exists within the settlement boundary.**

**E. Where development uses best and most versatile agricultural land, it must be clearly demonstrated that the remaining parts of any fields remains economically viable for commercial farming.**

**3) deletion of the last sentence in paragraph 4.5.**

## **Policy 2 – Meeting Thurston’s Housing Needs**

## **Policy 3 – Meeting Specialist Care Needs**

70. The NPPF at paragraph 50 emphasises the need to deliver a wide choice of high quality homes. Local planning authorities should, amongst other matters, plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.
71. Core Strategy Policy CS9 seeks to ensure a mix of housing types, sizes and affordability to cater for different accommodation needs.
72. Policy 2 seeks to meet Thurston’s housing need with an emphasis on housing for older people and younger first time buyers. From background evidence to support the Plan, it is evident that there is an ageing population in Thurston and an identified need for small properties for both older people and for younger first time buyers. In addition, the background evidence supports the provision of housing specifically designed to address the needs of older people. This does not mean that all new housing would have to be small units, as Policy 2 criterion C. allows for an alternative mix where such a need is demonstrated. The Housing Needs Survey provides robust evidence for the specific housing mix requirements of Policy 2 and for the provision of specialist care facilities supported by Policy 3.
73. My main concern is with the use of ‘encouraged’ in both Policies 2 and 3. Whilst in some circumstances encouragement can be emphasised in policies, in this particular instance where the needs of younger people and older people are such important objectives in the Plan, I consider that encouragement should be replaced with ‘supported’ in this context. This will ensure a practical framework for decision making.
74. Subject to the above modifications, Policy 2 and Policy 3 have regard to national policy, contribute towards sustainable development, particularly the

social role, and are in general conformity with strategic policy. Modified Policies 2 and 3 meet the Basic Conditions.

75. Paragraph 5.12 refers to the BMSDC's Affordable Housing Supplementary Planning Document (SPD). However, there is not an SPD for Mid Suffolk District. Therefore, this reference should refer to Mid Suffolk's affordable housing policies. **I see this as a minor editing matter.**
76. Paragraph 5.20 specifies that a care home will be supported subject to 'need and viability being demonstrated'. The need has been demonstrated in background evidence and neither the demonstration of need or viability is a specific requirement of Policy 3. Therefore, to avoid internal conflict within the Plan, to make a practical framework for decision making, I recommend deletion of the last sentence in paragraph 5.20.
77. **Recommendation : to meet the Basic Conditions I recommend:**

**1) modification to Criteria D. and E. in Policy 2 to read as follows:**

**D. In order to address the needs of younger people in Thurston, development that provides housing specifically designed to address their needs will be supported.**

**E. In order to address the needs of older people in Thurston, development that provides housing specifically designed to address their needs will be supported. This includes the provision of sheltered housing.**

**2) modification to Policy 3 to read as follows:**

**POLICY 3: MEETING SPECIALIST CARE NEEDS**

**In order to address the care needs of older people in Thurston, the provision of specialist care facilities (Class C2) is supported. This includes the provision of a residential care home.**

**3) the deletion of the last sentence in paragraph 5.20.**

**Policy 4 – Retaining and Enhancing Thurston Character Through Residential Design**

78. The NPPF seeks high quality design. Paragraph 58 in the NPPF refers to the need for policies in neighbourhood plans to: *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.*

79. Paragraph 59 in the NPPF emphasises that: *design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.*
80. Core Strategy Policy CS5 seeks to ensure that all development maintains and enhances the environment, including the historic environment, and retains the local distinctiveness of the area.
81. Core Strategy Focused review Policy FC1.1 seeks to ensure that proposals for development conserve and enhance the local character of different parts of the district.
82. Policy 4 seeks to retain and enhance the character of the Parish. *The Character Assessment 2017 - Revised 2018* provides robust background evidence to support this policy to help ensure that new development contribute towards the positive aspects of local character. In the interest of precision, I recommend cross reference to this Character Assessment in Policy 4. This will strengthen the policy by making it clear which features positively define Thurston's character.
83. To avoid Policy 4 becoming unnecessarily prescriptive, I am happy in this instance for the design aspects in Policy 4 criterion B. to be 'encouraged'. However, I am concerned that paragraph 5.26 lists specific requirements in twelve bullet points. These read as very detailed policy requirements. Whilst it is helpful for examples of good design to remain in this paragraph, in the interest of clarity, the policy requirements that go beyond those specified in Policy 4 should be deleted. I realise that this paragraph will have to be significantly revised and it is not for me to re-write the Plan. Instead, I see my above comments as sufficient guidance for what can remain.
84. In a Written Ministerial Statement of 25 March 2015, the Government announced that it is not appropriate to refer to any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings in neighbourhood plans. As such, reference to features which contribute to addressing climate change, such as solar PV panels in Policy 4 does not have regard to national policy. Therefore, to meet the Basic Conditions, I recommend the deletion of this reference.
85. The Revised NPPF is now the Government's statement of national planning policy, and most pre-existing Written Ministerial Statements should be disregarded. However, as mentioned earlier in my report, under the transitional arrangements set out within paragraph 214 in the Revised NPPF, the policies in the previous Framework will apply where the plan is submitted for examination on or before 24 January 2019. Therefore, it is necessary for me to have regard to the pre-existing Written Ministerial Statement.
86. The reference to electric charging points for vehicles can remain in Policy 4. This is not specific to the performance of a new dwelling and has regard to

paragraph 35 in the NPPF where it states that developments should be designed where practical to incorporate facilities for charging plug-in and other ultra low emission vehicles. I have suggested revised wording.

87. Criterion B. e. regarding parking and access in Policy 4 provides no design policy guidance for parking and access arrangements. Policies 6 and 8 specify access and parking requirements. I recommend the deletion of Criterion B. e. in Policy 4, leaving the parking and access requirements to be Policies 6 and 8.
88. Subject to the modifications I have outlined above, Policy 4 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy 4 meets the Basic conditions.
89. **Recommendation: to meet the Basic Conditions, I recommend:**

**1) modification to paragraph 5.26 by retaining examples of good design and deleting the policy requirements that go beyond those specified in Policy 4.**

**2) modification to Policy 4 to read as follows:**

**POLICY 4: RETAINING AND ENHANCING THURSTON CHARACTER THROUGH RESIDENTIAL DESIGN**

**A. Development proposals must demonstrate how they contribute to the features which positively define Thurston's character, taking into consideration the *Thurston Character Assessment 2017 – Revised 2018*. All development shall protect the amenity of neighbours, and reflect the scale, mass, height and form of neighbouring properties.**

**B. In particular, development proposals are encouraged to:**

**a. Provide short, winding streets/closes (excluding main access roads) that promote an intimacy to development with a variety of styles and designs; and**

**b. Retain historic buildings that contribute to the distinctive character and historic and architectural interest of the village; and**

**c. Not lead to over-development of a site and avoid the appearance of cramming; and**

**d. Ensure provision is made to store refuse and recycling bins out of sight; and**

**e. Promote 'active travel' – walking and cycling; and**

**f. Use boundary treatments which, where possible, provide a soft feel to the boundary; and**

**g. Retain distinctive trees such as Scots Pines and Oaks and mixed hedging and provide similar as part of new development.**

**C. New dwellings that incorporate electric charging points for vehicles will be supported.**

### **Policy 5 – Community Facilities**

90. Paragraph 28 in the NPPF promotes a strong rural economy. It states that neighbourhood plans should *promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.*
91. *Paragraph 70 in the NPPF requires planning policies to plan positively for the provision and use of community facilities and guard against the unnecessary loss of valued facilities.*
92. Core Strategy Policy CS6 seeks to ensure that new development provides or supports the delivery of appropriate and accessible infrastructure to meet the justified needs of new development. Core Strategy Policy CS2 permits community services and facilities in the countryside that meet a proven local need.
93. Policy 5 seeks to retain existing community facilities and encourages additional ones. Background evidence identifies a local justified need for play provision and allotments.
94. For the above reasons, Policy 5 has regard to national policy, contributes towards sustainable development, particularly the social role, and is in general conformity with strategic policy. Policy 5 meets the Basic Conditions.
95. Paragraph 6.16 is a policy requirement for community facilities on the housing site that does not provide a primary school. There is no corresponding policy in the Plan and this does not make a practical framework for decision making. Whilst community facilities may be required as part of any development, as there is no policy in the Plan for this requirement, I recommend the deletion of paragraph 6.16.
96. Paragraph 6.19 refers to housing sites A, B and C catering for the need for allotments through the neighbourhood plan consultation process. As these sites all have outline planning permission and the neighbourhood plan consultation process has come to an end, any provision of allotments on these sites would be via the planning application process. Therefore, in the interest of precision I recommend the deletion of paragraph 6.19.
97. **Recommendation: to meet the Basic Conditions, I recommend the deletion of paragraphs 6.16 and 6.19.**

## **Policy 6 – Key Movement Routes**

98. The NPPF seeks to promote sustainable transport and highlights in paragraph 35 that developments should be located and designed where practical *to give priority to pedestrian and cycle movements and have access to high quality public transport facilities*. In paragraph 29 it is stated that: *the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel*.
99. Core Strategy Policy CS6, amongst other matters, seeks to reduce the need to travel and make safer and easier access. This policy is also relevant to my comments under Policy 7.
100. Policy 6 seeks to enhance identified Key Movement Routes and ensure safe pedestrian and cycle access. The first sentence in Policy 6 is a statement rather than a land use and development policy. Therefore, in the interest of precision, I recommend deletion of this paragraph. It can be moved to the supporting text.
101. The definition of development in planning policy encompasses a wide range, including change of use and there may be many instances where small scale development has absolutely no need to provide any form of pedestrian or cycle access. Therefore, in the interest of precision, I recommend that criterion A. in Policy 6 includes ‘where appropriate’ with regard to the need to provide pedestrian and cycle access.
102. Criterion B. a. in Policy 6 seeks to ensure the retention of Key Movement Routes. I do not see how development adjacent to Key Movement Routes could threaten the retention of these routes. In the interest of clarity, I recommend the deletion of this reference.
103. Criterion B. a. in Policy 6 seeks to ensure, where possible, the enhancement of Key Movement Routes. As mentioned under Policy 1, Developer contributions can only be sought where they meet the tests in the Community Infrastructure Levy Regulations 2010. Therefore, contributions from development towards the enhancement of Key Movement Routes can only be sought where they meet these tests. This also applies to criterion C. I have suggested revised wording.
104. Criterion B. b. in Policy 6 implies that there will always be additional traffic movements arising from development, but this may not be the case for small scale development. In the interest of precision, I suggest this criterion refers to assessing and addressing the impact of ‘any’ additional traffic movements.
105. Subject to the modifications I have suggested above, Policy 6 has regard to national policy, contributes towards sustainable development, particularly the social role, and is in general conformity with strategic policy. Modified Policy 6 meets the Basic Conditions.

106. The Policies Maps are currently on pages 76 and 77, but I realise that this may change in the final version of the Plan. For the time being, I have referred to the current page numbers in Policy 6. **I see this as a minor editing matter.**
107. The Parish Council has agreed with the West Suffolk Council's suggestion that National Cycle Route 51 is included in Policy 6. My remit is to determine whether the Plan meets the Basic Conditions and other legal requirements. As such, whilst this inclusion would be acceptable, I am unable to recommend the inclusion of this reference, as this is not required for the Plan to meet the Basic Conditions. My recommendations are not binding and MSDC is required to decide what action to take in response to each of my recommendations.
108. Paragraph 7.22 cross refers to Figure 10 which identifies proposed cycleways and footpaths. However, there is no corresponding policy in the Plan to deliver these specified cycleways/footpaths and much of the requirements of paragraph 7.22 are non-policy actions. Therefore, in the interest of precision, I recommend that paragraph 7.22 and Figure 10 are moved to the Non-Policy Actions section at the end of the Plan and re-written to delete the policy requirement in the second sentence of paragraph 7.22.
109. **Recommendation: to meet the Basic Conditions, I recommend:**
- 1) modification to Policy 6 to read as follows:**

#### **POLICY 6: KEY MOVEMENT ROUTES**

**A. where appropriate, new developments must ensure safe pedestrian And cycle access to link up with existing pavements and cycle Infrastructure that directly connect with the Key Movement Routes as identified on the Policies Maps on pages 76-77. Such routes should also ensure that access by disabled users and users of mobility scooters is secured.**

**B. Proposals to enhance the identified Key Movement Routes will be supported. Development that is immediately adjacent to the Key Movement Routes will be expected to:**

**a. contribute towards the enhancement of the Key Movement Route in accordance with the statutory tests in the *Community Infrastructure Levy Regulations 2010*; and**

**b. Not have a detrimental impact on the Key Movement Route and assess and address the impact of any additional traffic movements on the safety and flow of pedestrians and cyclists.**

**C. The Public Rights of Way network should be protected.**  
Where appropriate, in accordance with the statutory tests in the *Community Infrastructure Levy Regulations 2010*, development should enhance the Public Rights of Way network by improving routes or creating new links. Linking the Public Rights of Way network to the Key Movement Routes is encouraged.

**2) that the first paragraph in Policy 6 is moved to the supporting text.**

**3) that paragraph 7.22 and Figure 10 are moved to the Non-Policy Actions section at the end of the Plan and re-written to delete the policy requirement in the second sentence of paragraph 7.22.**

### **Policy 7 – Highway Capacity at Key Road Junctions**

110. The NPPF at paragraph 32 requires that *all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.*
111. PPG states: *Local planning authorities must make a judgement as to whether a development proposal would generate significant amounts of movement on a case by case basis.*
112. I understand the concerns of local residents with regard to road safety and I have seen for myself the existing highway situation. In addition, I note the comments of Suffolk County Council in a letter dated 13 October 2017 with regard to junction capacity. This letter is part of the background evidence base.
113. Policy 7 requires a Transport Statement or Transport Assessment to address transport impacts on road junctions, including those listed as being identified of main concern.
114. A Transport Statement or Transport Assessment is usually site specific and there may be situations where assessing cumulative impact is not necessary or appropriate. Therefore, in the interest of precision, I recommend deletion of reference to cumulative impact.
115. Policy 7 criterion B. refers to junction improvements and their provision as being essential. This is a statement rather than a land use and development policy. Thus, in the interest of precision, I recommend that criterion B. is deleted from Policy 7 and moved to the supporting text.
116. Subject to the modifications I have suggested above, Policy 7 has regard to national policy, contributes towards sustainable development, and is in general conformity with strategic policy. Modified Policy 7 meets the Basic Conditions.

117. **Recommendation: to meet the Basic Conditions, I recommend:**

**1) modification to Policy 7 to read as follows:**

**POLICY 7: HIGHWAY CAPACITY AT KEY ROAD JUNCTIONS**

**A. Where a Transport Assessment or Transport Statement is required, this should address the transport impacts on road junctions.**

**Particularly including the following junctions on the Policies Maps:**

**a. Fishwick Corner;**

**b. Pokeriage Corner;**

**c. Junction of Beyton Road and New Road;**

**d. The railway bridge / junction of Barton Road and Station Hill.**

**2) the deletion of Criterion B. from Policy 7. This can be moved to the supporting text.**

**Policy 8 – Parking Provision**

118. The NPPF seeks to ensure safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

119. Saved Local Plan Policies T9 and T10 seek to ensure the provision of adequate space for parking on site. However, I do not consider these to be strategic policies.

120. Policy 8 requires suitable off-street parking and refers to meeting the requirements of guidance in *Suffolk Guidance for Parking*. That guidance, whilst advocating off-street parking, also emphasises for residential development: *a design-led allowance for on-street parking will normally be the best way to cater for visitor parking and additional vehicles owned by residents, to provide the most efficient use of land where there are no on-street restrictions in place*. Therefore, for Policy 8 to only refer to off-street parking in criterion A. and then refer to the *Suffolk Guidance for Parking* in criterion B. creates a conflict within this policy. This does not provide a practical framework for decision making. I have suggested revised wording. In addition, as the *Suffolk Guidance for Parking* document is guidance, rather than a policy requirement, I have suggested that development proposals have regard to the guidance rather than being required to be in accordance with the guidance.

121. Whilst criterion D. does not specify the appropriate levels of off-street parking for a new primary school, I am satisfied that it is clear in criterion A that this should have regard to guidance in the *Suffolk Guidance for Parking* document.

122. Subject to the modifications I have proposed above, Policy 8 has regard to national policy and contribute towards the social and environmental roles of sustainable development. Modified Policy 8 meets the Basic Conditions.
123. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy 8 to read as follows:**

#### **POLICY 8: PARKING PROVISION**

**A. Development proposals that generate an increased need for parking must provide adequate and suitable parking, having regard to the Suffolk County Council Parking Guidance 1 (2015) (or any successor document), in order to minimise obstruction of the local road network in the interests of the safety of all road users, including pedestrians and cyclists unless it can be satisfactorily demonstrated that an alternative provision would be appropriate on a specific site. Parking spaces must be permanently available for parking use.**

**B. Proposals that would reduce the existing level of off street parking provision (both public and private) will be resisted unless it can be satisfactorily demonstrated that the amount of overall provision is adequate. This is particularly the case in respect of public car parking serving community facilities.**

**C. The provision of a new primary school in Thurston must be designed to support appropriate levels of off road parking and drop-off facilities for cars, buses and coaches.**

#### **Policy 9 – Landscaping and Environmental Features**

124. The NPPF, in Section 11 requires the planning system to contribute to and enhance the natural and local environment.
125. Core Strategy Policy CS5 requires all development to maintain and enhance the environment and retain local distinctiveness.
126. The *Thurston Parish Environment, Landscape, Green and Open Spaces (2018)* background report provides a comprehensive account of the local environment and identifies key features in the local landscape. Policy 9 criterion C. refers to the protection of valued features in the landscape. I suggest that this cross refers to the above report, in the interest of precision.
127. Policy 9 requires a landscape buffer of at least five metres where development abuts open countryside. Whilst I appreciate the need for native species landscape buffers adjacent to open countryside, I have no robust background evidence to justify the five metre requirement. In particular, such a requirement cannot be concluded from the landscape assessments in

the above report. Therefore, to avoid over prescription that cannot be justified, I recommend deletion of the five metre reference, whilst retaining the general need for native species landscape buffers adjacent to open countryside.

128. The Parish Council has referred to a similar policy for a five metre buffer in the Stradbroke Neighbourhood Plan. Having examined that Plan, I recall that there was background evidence justifying that policy in the form of a Village Design Statement. I have not been provided with similar background evidence to justify this approach in Policy 9.
129. Subject to the modifications I have proposed above, Policy 9 has regard to national policy, contributes towards the environmental role of sustainable development and is in general conformity with strategy policy. Modified Policy 9 meets the Basic Conditions.
130. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy 9 to read as follows:**

#### **POLICY 9: LANDSCAPING AND ENVIRONMENTAL FEATURES**

**A. Development must be designed to ensure that its impact on the landscape and the high-quality rural environment of Thurston is minimised.**

**B. Development which abuts open countryside must not create a hard edge. Proposals must demonstrate how the visual impact of buildings on the site has been minimised through their layout, heights and landscaping. In particular, the retention and planting of trees, hedges and vegetation is encouraged to soften the impact of development, retain and improve the street scene and keep the rural village feel of Thurston. A native species landscape buffer is required where a development abuts open countryside.**

**C. Development must ensure that valued features of the local landscape, as identified in the *Thurston Parish Environment, Landscape, Green and Open Spaces (2018)*, including hedgerows, are protected where possible. New development must preserve these features and they should only be lost where it is fundamentally necessary for the delivery of the development, e.g. to provide access to the site.**

## **Policy 10 – Local Green Spaces**

131. Paragraph 76 in the NPPF allows for neighbourhood plans to *identify for special protection green areas of particular importance to them.*
132. Paragraph 77 in the NPPF 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 local significance, for example because of its beauty, historic significance, recreational 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.*
133. I must emphasise that in order for an area to be designated as a Local Green Space (LGS), it has to meet all the criteria for designation.
134. Whilst there is no strategic policy specifically concerned with LGS, Core Strategy Policy CS5 seeks to protect and conserve landscape qualities.
135. I have visited the Parish and seen the proposed LGS listed in Policy 10. The supporting justification to Policy 10 helps explain how each site complies with paragraph 77 in the NPPF.
136. It is clear that all the sites are in reasonably close proximity to the local community, local in character and not extensive tracts of land. They are demonstrably special areas, which include areas of informal recreation, and areas of tranquillity. I consider all the sites in Policy 10 meet the criteria for designation as LGS.
137. Paragraph 78 in the NPPF states: *Local policy for managing development within a Local Green Space should be consistent with policy for Green Belts.*
138. It is clear in the NPPF that development on LGS is only allowed in very special circumstances, consistent with Green Belt policy. These very special circumstances are not defined in the NPPF and it is not for me to decide whether development that is required to enhance the role and function of the LGS is a very special circumstance. Therefore, to have regard to national policy, I recommend modification to the last sentence in Policy 10. I have suggested revised wording.
139. Subject to the above modification, Policy 10 has regard to national policy, contributes towards sustainable development, particularly the environmental role and is in general conformity with strategic policy. Modified Policy 10 meets the Basic Conditions.

140. **Recommendation: to meet the Basic Conditions, I recommend modification to the last sentence in Policy 10 to read as follows:**

**Proposals for development on the Local Green Spaces will only be permitted in very special circumstances.**

### **Policy 11 – Provision for Wildlife in New Development**

141. The NPPF, in Section 11 requires the planning system to contribute to and enhance the natural and local environment. This includes protecting and enhancing valued landscapes and minimising impacts on biodiversity and providing net gains in biodiversity where possible. Opportunities to incorporate biodiversity in and around developments should be encouraged.
142. Core Strategy Policy CS5 requires all development to maintain and enhance the environment and retain local distinctiveness.
143. Policy 11 seeks to ensure that new development incorporates provision for wildlife. My concern is that the definition of residential development includes household extensions and the requirements of Policy 11 criterion B. are not relevant to small householder extensions. In the interest of precision, I therefore recommend that this policy refers to ‘new housing’, rather than ‘residential development’.
144. I have concern with criterion C. with regard to connecting to wider ecological networks, as this may not always be possible, or it may not always be possible to prove a connection. In the interest of ensuring that there can be net gains in biodiversity at every opportunity, I recommend modification to criterion C. by adding ‘where possible’ to the end of the sentence.
145. Subject to the above modifications, Policy 11 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy 11 meets the Basic Conditions.
146. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy 11 to read as follows:**

#### **POLICY 11: PROVISION FOR WILDLIFE IN NEW DEVELOPMENT**

**A. Development proposals that incorporate into their design features which encourage wildlife to thrive will be strongly supported.**

**B. All new housing proposals shall incorporate provision for local wildlife to thrive. Specific examples of such provision include:**

**a. Bird and bat boxes and hedgehog runs;**

**b. Measures to support character species of fauna and flora;**

**c. Planting schemes including native species of trees and shrubs and nectar-rich plants for bees and other pollinators;**

**d. Veteran tree retention;**

**e. A sustainable drainage systems (SuDS) approach to natural water management and flood resilience, including soft, green landscaping and wetland habitat close to where people live.**

**C. Planting, landscaping and features which encourage wildlife in new development should connect wider ecological networks where possible.**

### **Policy 12 – Minimising Light Pollution**

147. Paragraph 125 in the NPPF states: *By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.*
148. Core Strategy Policy CS4 refers to the need for development to avoid causing light pollution wherever possible.
149. Policy 12 seeks to minimise light pollution. In the interest of precision, I recommend that the first criterion explains that new development minimises light pollution ‘created through its proposed use’.
150. The Institute of Lighting Engineers (2000) *Guidance Notes for the Reduction of Light Pollution* has been replaced by *Guidance Notes for the Reduction of Obtrusive Light (2011)* produced by the Institute of Lighting Professionals. That document recommends local planning authorities should specify environmental zones for exterior lighting control in their development plans. Environmental Zone E2 refers to low district brightness areas and examples in this category include village locations. Whilst I see the relevance of guidance to the Parish, this is guidance, rather than policy. As such, in the interest of precision, I recommend modification to Policy 12 criterion C. to refer to having ‘regard to’ the guidance where relevant, rather than a requirement to follow it.
151. Whilst background evidence states that bats are seen in the parish, there is no evidence to suggest that there are glow worms in need of protection from light pollution. In the interest of clarity, I have recommended revised wording to criterion D. so that it refers to light sensitive species.
152. Subject to the modifications I have recommended above, Policy 12 has regard to national policy, contributes towards sustainable development and is in general conformity with strategic policy. Modified Policy 12 meets the Basic Conditions.
153. **Recommendation: to meet the Basic Conditions, I recommend modification to Policy 12 to read as follows:**

## **POLICY 12: MINIMISING LIGHT POLLUTION**

**A. In recognition of the County Council's standards with regards to public lighting of the adopted highway, new development should be required to demonstrate how it has minimised light pollution created through its proposed use.**

**B. Where lighting of public places is proposed, the use of down lighters will be required.**

**C. New development should have regard to guidance from the Institute of Lighting Professionals ('Guidance Notes for the Reduction of Obtrusive Light' (2011) or any successor document) in respect of sites where relevant.**

**D. Sensitive use of lighting shall be used to minimise impact on light sensitive species where relevant.**

## **Referendum and the Thurston Neighbourhood Development Plan Area**

154. I am required to make one of the following recommendations:

- the Plan should proceed to Referendum, on the basis that it meets all legal requirements; or
- the Plan as modified by my recommendations should proceed to Referendum; or
- the Plan does not proceed to Referendum, on the basis that it does not meet the relevant legal requirements.

155. **I am pleased to recommend that the Thurston Neighbourhood Development Plan as modified by my recommendations should proceed to Referendum.**

156. I am required to consider whether or not the Referendum Area should extend beyond the Thurston Neighbourhood Development Plan Area. I see no reason to alter or extend the Neighbourhood Development Plan Area for the purpose of holding a referendum.

## **Minor Modifications**

157. The Plan is a well-written document, which is easy to read. Where I have found errors, I have identified them above. It is not for me to re-write the Plan. If other minor amendments are required as a result of my proposed modifications, I see these as minor editing matters which can be dealt with as minor modifications to the Plan. In particular, I note that page 7, with regard to the stages of the preparation of the Plan, will need updating.

**Janet Cheesley**

**Date 15 April 2019**

## Appendix 1 Background Documents

The background documents include

The National Planning Policy Framework (The Framework) (2012)  
The Revised National Planning Framework (2018) and minor modifications  
(February 2019)  
The Planning and Compulsory Purchase Act 2004  
The Localism Act (2011)  
The Neighbourhood Planning Regulations (2012)  
The Neighbourhood Planning (General) (Amendment) Regulations (2015)  
The Planning Practice Guidance (2014)  
The Conservation of Habitats and Species and Planning (Various  
Amendments) (England and Wales) Regulations 2018  
The Saved Policies in the Mid Suffolk Local Plan (1998)  
The Mid Suffolk Local Plan First Alteration: Affordable Housing (2006)  
The Mid Suffolk Core Strategy Development Plan Document (2008)  
The Mid Suffolk Core Strategy Focused Review (2012)  
Babergh & Mid Suffolk Joint Local Plan: Consultation Document (August  
2017)  
Regulation 16 Representations and response from the Parish Council  
All Supporting Documentation submitted with the Plan  
Examination Correspondence (On the MSDC web site)