

THURSTON NEIGHBOURHOOD PLAN 2018 - 2036

Reg 16 Consultation and Written Responses

Thurston Parish Council (the 'qualifying body'), in December 2018 submitted its 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 Monday 21st January until Wednesday 6th March 2019 and in total 10 written representations were received.

In accordance with the NPIERS 'Guidance to Service Users and Examiners' there is an opportunity for Neighbourhood Plan Working Groups to comment on representations made

"1.11.4 The qualifying body will normally be given the opportunity to comment on the representations made by other parties at this stage. Ideally, the qualifying body should make its comments known within two weeks of the close of the Regulation 16 stage. This may be particularly important where the matters concerned have not been raised at the Regulation 14 stage. The opportunity for the qualifying body to comment on representations could be incorporated within an independent examiner's clarification note. The clarification process is described later in this Guidance in 1.14.3-4"

The Parish Council has taken the opportunity to review the representations received and has the following comments to make on new matters that have only been made at Regulation 16 Stage.

Colour used	Meaning
	Agree/straightforward change
	No further action prior to examination

Respondent Page / Policy Number	Comment	Comments by Thurston Parish Council	Proposed action to be taken – <i>subject to Examiner approval.</i>
WEST SUFFOLK General	Paragraphs 3.8 and 3.9 are duplicates,	This is noted and paragraph 3.8 should be removed.	Removal of para. 3.8 and renumbering of following sections.
p32. Policy 1- Thurston Spatial Strategy	D) Allows a lot of exceptions to development outside the settlement boundary. It is suggested that this criteria wording is tightened as most types of economic development for example, are capable of supporting the rural economy. This means that there is easily scope for development outside the settlement boundaries. Likewise, specialist housing is not ordinarily sufficient reason to allow development in the countryside.	<p>The general spatial strategy is to focus development within the settlement boundary. Any such amendment would suggest that uses other than those in Policy 1D are appropriate in open countryside and that is not the intention of the policy.</p> <p>It is not thought that most types of economic development are capable of supporting the rural economy – for example an office park or a distribution warehouse would not be justifiable in the countryside.</p> <p>The reference to specialist housing is deliberately followed in the policy by the words “...where it can be demonstrated that no available and deliverable site exists within the settlement boundary”.</p> <p><i>Suggested amendment would be to remove the words “meet local community needs” as this does not relate to the section “meet specialist housing and care needs” which is designed to cater for specialist housing & care i.e. a care home.</i></p>	No further action at this stage.

	The new settlement boundary still appears to have sites with planning permission lying outside it despite para 4.5 stating that the proposals are within the boundary, which is inconsistent. It is recommended that these are captured by the settlement boundary.	Agree that the settlement boundary on the Policies Map at Figure 13 and Figure 14 should be redrawn to include the sites with planning permission.	Redraw policies map at Figure 13 and 14 to show settlement boundary to accord with Policy 1.
Policy 2 &3 – Meeting Thurston’s Housing Needs/ Specialist Care Needs	These policies “encourage” the provision of younger person housing/ older person and specialist care facilities. It is suggested that this may not suffice to ensure delivery, and instead such provision could be “required” on sites over a certain threshold if there is a genuine need for this in the village.	The Group’s Professional Partner has advised that NP Guidance from Locality (‘Writing Planning Policies’) says: “‘encouraged’ or ‘supported’ and that many plans use these terms to convey a positive approach to development and generally ‘encouraged’ is considered as being the more proactive.	No further action required at this stage.
Policy 5 – Community Facilities	This policy (e) reads as though it would be possible for a community facility to be constructed outside of the settlement boundary “if it is not required or achievable within the settlement boundary.” This has potential to pressurise the settlement boundary and make it more difficult to safeguard the character of the area and countryside. It is unclear under what circumstances this would not be required in the settlement boundary. It is suggested that the wording is re- examined and tightened.	In practical terms, it is felt that the only location where comprehensive multi-functional community (sporting) facilities can be provided are on the edge of Thurston – this also reflects the fact that current key community sports clubs such as the rugby club are located away from the main built-up area of the village. In reality it is unlikely that there would be a slew of such applications such that ‘pressure’ would be created on the settlement boundary. Therefore, the policy provides the necessary flexibility to deliver additional community facilities which are required to support the growing population.	No further action required at this stage
Policy 6 Key Movement Routes	Figures 10, 13 and 14 demonstrate Key Movement Routes for walking and cycle safety including the National Cycle Route 51, which is welcomed. It is suggested that the National Cycle Route 51 is specifically mentioned in the policy wording as a Key Movement Route.	Agree and support the suggestion. Suggested amendment would be to insert the words National Cycle Route 51 within the first part of the policy wording.	Insertion of words “and National Cycle Route 51” <i>Note that Policies Maps should be referred to as on Pages 76 and 77 throughout the document.</i>

<p>Policy 7 – Highway Capacity at Key Road Junctions</p>	<p>The identified junction improvements highlighted are welcomed. However, Transport Statements/ Assessments are usually site specific. It would be difficult to hold site owners responsible for the transport impacts of neighbouring developments. Instead, the neighbourhood plan team could investigate pooled funding through s106 or CIL contributions and this policy could look at transport schemes for the village that tackle these existing problem junctions.</p>	<p>Paragraph 3.41 demonstrates that the significant growth arising from approval of planning permission for 818 new homes in Thurston will have an impact on the village and neighbouring developments and as such Transport Statements and Site Assessments has resulted in pooled funding through s106 to bring forward a number of schemes that it is hoped would benefit residents of the village of Thurston and surrounding villages that will be impacted by future growth.</p>	<p>No further action required at this stage</p>
<p>ANGLIAN WATER Policy 1</p>	<p>Policy 1 states that applicants are required to demonstrate a need for utility infrastructure including that provided by Anglian Water to be located outside of the identified settlement boundary. Anglian Water’s existing water and water recycling infrastructure is located both within urban areas as well as within open countryside. It is unclear on what basis it would be determined that a need for a rural location had been demonstrated. Anglian Water provides new and improved infrastructure to address the impact of additional development and to ensure we can serve our existing and new customers.</p> <p>It is suggested that Policy 1 should be amended to include the following wording: ‘c. They relate to necessary utilities infrastructure and where no reasonable alternative location is available.’</p>	<p>The policy as drafted doesn’t preclude utilities infrastructure from being delivered within the settlement boundary.</p> <p>What Policy 1.D.c is actually saying is that, if utilities infrastructure is proposed to be delivered outside the settlement boundary, then it is permitted provided it has demonstrated that there are no other better locations (within the settlement boundary).</p>	<p>No further action required at this stage</p>

<p>PROPOP ADVISERS (obo Mr & Mrs P Hay)</p>	<p>The Settlement Boundary as defined by Policy 1 is incorrect as it does not reflect the recent planning consents for development in the village and also does not include various areas of existing development throughout the village.</p> <p>The Settlement Boundary therefore should be revised to reflect the current position.</p>	<p>It is acknowledged that there is a mistake in the cartography and that the settlement boundary includes those areas that have planning applications approved namely:</p> <ul style="list-style-type: none"> • Land at Norton Road (ref. 5070/16) • Land west of Norton Road (ref. 4963/16) • Land south of Norton Road (ref. 2797/16 / 5010/16) • Land at Meadow Lane (ref. 4942/16) • Land west of Barton Road (ref. 02232/17). 	<p>Redraw policies map at Figure 13 and 14 to show settlement boundary to accord with Policy 1.</p>
	<p>There is too much emphasis on developments needing to be within the Settlement Boundary. There may be opportunities for small scale development in areas outside the Settlement Boundary, or not contiguous with the Settlement Boundary, which can meet identified local needs and work well in planning terms.</p> <p>The Neighbourhood Plan should recognise that there may be opportunities for small scale development in the short term, outside the Settlement Boundary, which will meet identified local needs. In the longer term, furthermore significant development may be needed to provide sustainable growth for Thurston</p>	<p>Paras. 4.2 and 4.5 of the submission document outlines the rationale behind the Thurston NP strategy regarding future development and as such policies have been written with this that rationale in mind.</p>	<p>No further action at this stage</p>
<p>GLADMAN Policy 1 – Thurston Spatial Strategy</p>	<p>The above policy states that new development in the neighbourhood plan area will be focused within the settlement boundary. Development outside the settlement boundary will be limited to development that is required to support the rural economy, meet specialist housing and care needs, or where it can</p>	<p>The Parish Council feels that the suggestion of removing the settlement boundary in its entirety raises the question as to why there are then any boundaries in development plans at all.</p> <p>If all applications should be considered on their merits with little detail as to where they</p>	<p>No further action at this stage</p>

	<p>be demonstrated that there are no suitable, available or deliverable sites within the settlement boundary.</p> <p>Gladman do not consider the use of built-up boundaries to be an effective response to future development proposals if it would act to preclude the delivery of otherwise sustainable development opportunities, as indicated in the policy. The Framework 2012 is clear that development which is sustainable should go ahead without delay. The use of settlement limits to arbitrarily restrict suitable development or apply strict criteria limiting the type or justification for development to come forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a).</p> <p>We suggest that the policy recognises that proposals for development on the edge of the settlement should be considered on their own merits, and further recognises that such development could assist in the delivery of community facilities, such as those listed in criterion c of Policy 5.</p>	<p>should be located spatially, then the need for many things, including Policies Maps, falls away.</p>	
<p>Policy 4 Retaining and Enhancing Thurston Character Through Residential</p>	<p>Policy 4 states that development proposals must demonstrate that they contribute to the features which positively define the plan area's character. In total 8 design criteria are set out within the policy.</p> <p>Whilst Gladman recognise the importance</p>	<p>The representations cite paragraph 60 of the NPPF but that is why Policy 4 has been carefully worded in order not to impose styles or tastes or to stifle innovation or originality.</p> <p>In particular, wording such as "a variety of styles and designs", "appropriate parking</p>	<p>No further action at this stage</p>

Design	<p>of high-quality design, planning policies and the documents sitting behind them should not be overly prescriptive and need flexibility in order for schemes to respond to sites specifics and the character of the local area. There will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.</p> <p>Gladman therefore suggest that more flexibility is provided in the policy wording to ensure that a high quality and inclusive design is not compromised by aesthetic requirements alone. We consider that to do so could act to impact on the viability of proposed residential developments. We suggest that regard should be had to paragraph 60 of the Framework 2012 which states that: "Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles".</p>	<p>and access arrangements" and "use boundary treatments...where possible" provides a flexible framework for high quality design whilst at the same time giving clear signposting to the issues of importance in achieving this in Thurston.</p>	
Policy 9 Landscape and Environmental Features	<p>Policy 9 states that development which abuts open countryside must not create a hard edge and a native species landscape buffer of at least five meters is required where a development abuts open countryside.</p> <p>Whilst Gladman acknowledge the importance of developments not creating a hard edge, we suggest that as currently drafted Policy 9 is overly prescriptive in</p>	<p>The Parish Council is aware that within the Stradbroke Neighbourhood Plan, which has now been examined, Policy STRAD2 of that Plan also required a landscape buffer of at least 5 metres. That policy was considered to meet the Basic Conditions and it is considered that the context of Thurston being a rural village with significant levels of development planned on its rural edge is the same as for Stradbroke.</p>	<p>No further action at this stage.</p>

	<p>requiring all proposals for development to provide a five-meter native species landscape buffer wherever the proposals abut open countryside.</p> <p>Again, we suggest that it is appropriate for the requirement for a landscape buffer, and indeed details regarding the size and content of the landscape buffer, to be assessed on a site-by-site basis, with formal input from the Council's landscape officers being used to determine the individual requirements.</p>		
<p>PHIL COBBOLD PLANNING (obo Mr & Mrs G LeMar) Policy 1</p>	<p>In its current form Policy 1 does not accord with the NPPF. This is because the NPPF does not exhort a restrictive approach to development outside settlements in the manner set out in Policy 1. Policy 1 obviates a balancing exercise and precludes otherwise sustainable development by default and thereby defeats the presumption in its favour. Therefore, Policy 1 is contrary to paragraph 78 of NPPF 2018.</p> <ol style="list-style-type: none"> 1. Policy 1 should be amended in such a way that it permits residential development on land adjacent to the settlement boundary where the proposal fulfils the three objectives of sustainable development set out at paragraph 8 of the NPPF. 2. The settlement boundary shown at Figure 13 and 14 should be extended to include the land shown edged red on the attached drawing 949/TNP/1. 	<p>The Parish Council feels that the reference to paragraph 78 of the NPPF is out of context as Thurston is already planning for significant levels of growth to support its needs and those of the surrounding communities, as well as contributing towards the wider district housing need.</p> <p>It is therefore considered to be meeting the requirements of paragraph 78.</p> <p>The rationale for Policy 1 is outlined in paras. 4.2 and 4.5.</p>	<p>No further action at this stage.</p>