

# **Little Waldingfield Neighbourhood Development Plan 2018 – 2036**

## **Independent Examination**

**First published: 11 December 2020**

**Last updated: 24 February 2021**

### **Introduction**

This document will provide an on-going record of all 'general' correspondence during the Little Waldingfield Neighbourhood Plan examination period between the Examiner (Ann Skippers), the Parish Council (the Qualifying Body or 'QB'), and Babergh District Council (BDC). It will also act as a record of matters raised and the responses to these.

As required, specific documents will continue to be published on the district councils Little Waldingfield NP webpage: [www.babergh.gov.uk/LittleWaldingfieldNP](http://www.babergh.gov.uk/LittleWaldingfieldNP)

### **Copies of e-mails / letters etc. appearing on the following pages:**

- 1. E-mail from Examiner dated 9 Dec 2020: Examination start date, Procedures and question re Joint Local Plan.**
- 2. E-mail to Examiner dated 15 Dec 2020: Responses to Reg 19 Joint Local Plan question from the QB and District Council.**
- 3. E-mail from Examiner dated 11 Feb 2021: Update on Examination progress and Questions for Clarification.**
- 4. E-mail to Examiner dated 24 Feb 2021 – Response to Questions for Clarification**

## 1. E-mail from Examiner dated 9 December 2020 - Examination Start etc.

**From:** Ann Skippers  
**To:** Paul Bryant (BMSDC)  
**Dated:** 9 Dec 2020  
**Attach:** Examination Note 1  
*Fwd to Tim Shepperd (Little Waldingfield PC), Ian Poole (Places4People Ltd)*

Dear Paul,

I am writing to confirm that the examination of the Little Waldingfield NDP has now commenced.

I attach a note giving some information about procedure and how the examination will be conducted which I hope you and the QB will find useful. [\[BDC note: See overleaf\]](#)

Whilst writing, I would like to confirm with you whether the QB has had a chance to comment on any or all of the reps made at Regulation 16 stage please? Once the response, if any, has been completed, please do forward them on to me. There is no hurry for this over the next week or so. [\[BDC note: The QB's response was forwarded to the Examiner on 11 Dec' and a copy of the same is published on the LWNP webpage\]](#)

In addition, you have kindly informed me that the Regulation 19 version of the Joint Local Plan has recently been published for consultation. It would be most helpful if you and the QB could comment on whether any implications arise for this particular neighbourhood plan please. [\[BDC note: See responses starting on page 6\]](#)

Finally, please do not hesitate to get in touch if you or the QB have any queries at any point in the process.

Should there be any queries of clarification, I will of course be in touch and also let you know when to expect a fact check if there are no queries. I am hoping to undertake the site visit as soon as possible and it is my intention to have at least the fact check report with you (all being well and no need for questions or hearings etc.) before Christmas.

Best wishes  
Ann Skippers

## **Examination Note 1**

### **Little Waldingfield Neighbourhood Plan Independent Examination**

#### **Information Note from the Independent Examiner to the Local Planning Authority and Qualifying Body**

Further to my appointment to undertake the independent examination of the above Neighbourhood Plan, this note aims to set out how I intend to conduct the examination. My role is to determine whether the Plan meets the basic conditions and other legal requirements.

#### **1. Communications**

It is important that the examination process is open and transparent to all interested parties. I hope to ensure that the Parish Council feels part of the process. My main point of contact will be the designated local planning authority contact, Paul Bryant.

Any correspondence (other than that relating to contractual matters) should be published on the local planning authority's website and the Parish Council's website in a timely manner. If anyone else who is not the designated point of contact gets in touch with me direct, for example a local resident or planning consultant, I will refer them to the local planning authority contact in the first instance.

#### **2. Examination documents**

I will access most documents electronically either from the local planning authority's website or on the Parish Council website or any dedicated Neighbourhood Plan website. If I have any trouble finding or accessing any documents, I will let you know so that these can be provided to me. The local planning authority has provided me with a paper copy of the Plan itself, the representations received at the submission (Regulation 16) stage and other documents which is most helpful.

It would be also helpful, if not already done, if the local planning authority could confirm the adopted development plan and any saved policies. In addition if there are any emerging development plans, details of the stages reached and future programmes would be appreciated. In both cases, please direct me to relevant parts of your website or let me know how I can access the documents that you identify.

#### **3. Late representations**

As a general rule of thumb I will not accept late or additional representations. The only time when I will consider accepting a representation submitted after the consultation period has ended is in those cases where there has been a material change in circumstances since the six week consultation period has ended. For example national planning policy changes or a judgement may be handed down from the Courts. In these circumstances anyone wishing to introduce new evidence should fully justify why and in the case of substantial documents, indicate which parts of the document are relevant and why.

However, if a meeting or hearing is held, there may be further opportunities for comments to be made at my request to assist me in ensuring adequate examination of an issue.

#### **4. Clarification procedures**

Once I have read all the papers, I may at any time during the examination seek written clarification of any matters that I consider necessary. The usual time for response to any clarification queries is one to two weeks.

I must emphasise that this does not mean I will accept new evidence. In the interests of fairness to other parties, I cannot accept any new evidence other than in exceptional circumstances. If the Parish Council is unsure as to whether information it is submitting may constitute new evidence, may I suggest it is sent to the local planning authority in the first instance for their advice on this point.

Any request for clarification and any response should be published on the relevant Council websites.

If I find that there are significant issues which may prevent the Plan meeting the basic conditions I will let you know during the course of the examination as soon as I can so that options on how to proceed can be considered. Whilst this situation can usually be dealt with through an exchange of correspondence, if it would be helpful to hold a meeting between the local planning authority, the Parish Council and I together with any other relevant organisations or individuals, I will suggest this and be in touch to make suitable arrangements. Any such meeting will be held in public.

#### **5. Visit to the Plan area**

I will be visiting the Plan area during the examination. The visit will help me to understand the nature of the Plan and the representations. It will also help me decide if there are any issues to be clarified. I will not need to be accompanied on my visit. If however, I feel it is essential to gain access onto private land then I will be in touch to seek permission to do that and at that point an accompanied site visit may need to be arranged.

If I am 'spotted' during my visit, I would appreciate it if I am not approached, but allowed to continue my visit unheeded.

#### **6. Examination timetable**

The main determinants of how long the examination will take are firstly the number and complexity of the policies in the Neighbourhood Plan, the clarity of supporting documentation and evidence and the number and nature of any representations.

It may be there is very little correspondence from me during the examination. I will however endeavour to keep you updated on the progress of the examination. Please do not hesitate to contact me if you wish to know progress and have not heard from me.

#### **7. The need for a hearing**

I am proceeding on the basis that this examination can be conducted without the need for a hearing as this is the 'default' position. At any time before I issue my final report I may call a hearing if I consider this is necessary to ensure adequate examination of any issue or to allow a person a fair chance to put a case.

If I feel a hearing is necessary, I will let you know as early as possible. If I do intend to hold a hearing, I will let you know about procedure and will be in touch to make suitable arrangements at that time.

The period of notice for hearings is not prescribed, but typically 21 days' notice is given. In present circumstances it is likely that any meetings or hearings would be carried out remotely.

### **8. The 'Fact Check' stage**

A confidential draft of my report will be send to the local planning authority and Parish Council to allow an opportunity for both parties to check whether there are any factual errors such as dates, sequence of events, names and so on. This is not an opportunity for further representations to be made to me. A period of a week or so is usually set aside for this purpose.

I usually find it helpful if the local planning authority collates its own comments with those of the Parish Council into a single response or both separate responses are sent to me at the same time.

I will endeavour to issue my final report shortly after the fact check stage.

### **9. Procedural questions**

I hope this information is helpful. If the local planning authority or Parish Council have any questions relating to the examination process, please do not hesitate to get in touch and I will do my best to answer any such queries.

Ann Skippers MRTPI  
Independent Examiner Director,  
Ann Skippers Planning

[ Ends ]

**2. E-mail to Examiner dated 15 Dec 2020 - Response to Reg 19 Joint Local Plan question from the QB and District Council.**

**From:** Ian Poole (Places4People Ltd)  
**To:** Ann Skippers, Paul Bryant (BMSDC)  
**Cc:** Tim Shepperd (Little Waldingfield PC),  
**Dated:** 14 Dec 2020

Dear Ann

Please find [\[below\]](#) the Little Waldingfield NP response to your question concerning the impact of the Joint Local Plan on the content of the Neighbourhood Plan.

I hope this will assist but please do not hesitate to contact me should you require further information.

Kind regards

Ian

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**Little Waldingfield Neighbourhood Plan**

**Impact of Babergh / Mid Suffolk Joint Local Plan on Submission Neighbourhood Plan**

**December 2020**

This note provides a brief review of how the Submission version of the Little Waldingfield Neighbourhood Plan conforms with the draft strategic policies of the Pre-Submission Babergh / Mid Suffolk Local Plan which was published for consultation in November 2020. For the ease of reference, it is set out in the form of a table to show how the Neighbourhood Plan is in conformity with those strategic policies.

<b>Draft Local Plan Strategic Policy</b>	<b>Neighbourhood Plan compliance</b>
<b>SP01 – Housing Needs</b> The policy states that new housing development will be expected to reflect the established needs in the district needs assessment or local needs assessment.	Policy LWD2 reflects this requirement and is in general conformity
<b>SP02 – Affordable Housing</b> The policy sets out a requirement of 35% affordable housing contributions on sites of 10 or more dwellings	The Neighbourhood Plan does not make provision for development on sites of 10 or more dwellings.
<b>SP03 – Settlement Hierarchy</b> The policy identifies a hierarchy of settlements across each district and that Little Waldingfield is designated as a Hamlet.	Policy LWD1 refers to the Hamlet designation and is consistent with the Joint Local Plan.
<b>SP04 – Housing Spatial Distribution</b> The policy identifies the level of housing growth distributed across the settlement hierarchy. For Neighbourhood Plans, it sets	Policy LWD2 makes provision for around 10 additional dwellings between 2018 and 2036 and is therefore in conformity with the Joint Local Plan.

out the minimum housing requirement which is 4 dwellings. It notes that all of these dwellings had planning permission as of 1 April 2018.	
<b>SP05 – Employment Land</b> The policy identifies strategic sites for employment and a locational strategy for new employment sites.	The Neighbourhood Plan does not contain policies on employment.
<b>SP06 – Retail and Town Centre Use</b> The policy relates specifically to defined town centres and does not appear to relate to retail uses in villages.	The Neighbourhood Plan does not contain policies on retail and town centre development.
<b>SP07 – Tourism</b> The policy encourages tourism development across the district where appropriate in scale, character and nature of the locality.	The Neighbourhood Plan does not contain policies on tourism development.
<b>SP08 – Strategic Infrastructure Development</b> The policy identifies strategic infrastructure projects and identifies the mechanism for collecting the Community Infrastructure Levy and other contributions.	The Neighbourhood Plan does not contain any policies that contradict with Policy SP08.
<b>SP09 – Enhancement and Management of the Environment</b> The policy requires development to support the enhancement and management of the natural and local environment.	Policies LWD11, LWD15, LWD16 and LWD17 are in general conformity with this policy.
<b>SP10 – Climate Change</b> The policy requires all development to take a proactive approach to mitigate and adapt to climate change.	Policies LWD16 and LWD17 are in general conformity with this policy.

\* \* \* \* \*

**From:** Paul Bryant (BMSDC)  
**To:** Ann Skippers,  
**Cc:** Tim Shepperd (Little Waldingfield PC), Ian Poole (Places4People Ltd)  
**Dated:** 14 Dec 2020

Dear Ann

Your e-mail dated 9 December refers. In addition to the comments you have received from the QB please see below the District Councils response to your conformity question:

The District Council are of the opinion that there are no specific implications arising for the Little Waldingfield Neighbourhood Plan (LWNP) following publication of the Regulation 19 Joint Local Plan in November 2020.

As noted in the QBs response, Little Waldingfield's status as a Hamlet Village within the Settlement Hierarchy is confirmed at Table 2 under Policy SP03.

Through detailed representations received from statutory consultees and others to our July 2019 Preferred Options consultation document, and through on-going dialogue with the LWNP Group, the minimum housing requirement for the LWNP area has been reduced to 4 dwellings, all of which are accounted for through outstanding planning permissions granted as of 1 April 2018 [Table 04 under Policy SP04]. Adjustments have also made to the JLP settlement boundary, most notably through re-drawing this to follow the main highway (The Street) on the eastern side of the village.

Some natural updating of the LWNP may be required where it refers to the status of the Joint Local Plan and we note that some very minor differences remain between the LWNP and JLP settlement boundaries. Ideally, both settlement boundaries should complement each other and the opportunity exists for this Council to review and, as appropriate, address this through the JLP examination process.

We trust that both the QB's and our response are helpful.

Kind regards

Paul Bryant  
N'hood Planning Officer | Planning for Growth  
Babergh & Mid Suffolk District Councils - Working Together

[ Ends ]



**3. E-mail to Examiner dated 11 Feb 2021: Update on examination progress and questions for clarification.**

**From:** Ann Skippers  
**To:** Paul Bryant (BMSDC)  
**Cc:** Tim Shepperd (Little Waldingfield PC), Ian Poole (Places4People Ltd)  
**Dated:** 11 Feb 2021  
**Attach:** Questions of Clarification from the Examiner

Dear Paul, Ian and Tim

I hope you are all keeping well and safe during these strange times. I am making good progress with the above examination and have nearly completed my assessment, but have not yet been able to visit the area. However, some matters have arisen on which I would be grateful for your kind assistance.

A number of queries of a factual nature or matters on which I seek further clarification or information have arisen during my review of the Neighbourhood Plan. Subject to the satisfactory resolution of these issues, I do not consider at this stage that a hearing will be needed, but this will depend on the information provided. It is not unusual at all for me to have a few queries or to ask for some further information so I'd like to reassure the Parish Council that this is quite 'normal'.

I would be most grateful if both Councils as appropriate would respond to these queries which are detailed in the attachment. I have sent you this in word format so that some of the answers may be easily added in to it if you so wish. [\[BDC note: See questions and collated response starting on page 10 below\]](#).

I would usually suggest a week or so to come back to me with the responses to maintain momentum with the examination. However, with circumstances as they are, and given the nature of the queries, if more time is needed please let me know and of course if things come back to me sooner, that's great.

It would be very helpful to me if all the answers could be collated together and that just one bundle of responses is sent to me by Paul at BDC please.

This email, the attachment with the questions (and the responses to them) will be a matter of public record and should be placed on the appropriate websites.

With regard to the site visit, I am hopeful that I will be able to undertake this over the next week depending on the weather, the pandemic and my health. If I have not been able to do this by the time I have your responses or within a few days of that, I will let you know so we can discuss and agree a way forward. However, at this time there I can see no reason why I cannot do the visit at some point next week.

With many thanks in anticipation of your kind assistance, and of course please do not hesitate to contact me if anything is not clear or if any queries arise. My apologies for the time taken to reach this point.

Kind regards

Ann Skippers MRTPI  
Independent Examiner Director,  
Ann Skippers Planning

#### 4. E-mail to Examiner dated 24 Feb 2021: Response to Questions for Clarification.

**From:** Paul Bryant (BMSDC)  
**To:** Ann Skippers  
**Cc:** Tim Shepperd (Little Waldingfield PC), Ian Poole (Places4People Ltd)  
**Dated:** 24 Feb 2021  
**Attach:** Response to Questions of Clarification

Dear Ann

Thank you for your e-mail dated 11 February refers.

On behalf of all concerned, please find attached our collated response to your questions for clarification. We trust these are helpful. You also remind us that your questions and our responses are a matter of public record so I will update our 'LWNP Examination Correspondence' document as soon as is practically possible.

Should you have any further questions, then please do not hesitate to contact us.

Kind regards

Paul Bryant  
N'hood Planning Officer | Planning for Growth  
Babergh & Mid Suffolk District Councils - Working Together

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#### **Little Waldingfield Neighbourhood Plan Examination**

#### **Questions of clarification from the Examiner to the Parish Council and BDC**

Having completed my initial review of the Neighbourhood Plan (the Plan), I would be grateful if both Councils could kindly assist me as appropriate in answering the following questions which either relate to matters of fact or are areas in which I seek clarification or further information. Please do not send or direct me to evidence that is not already publicly available.

#### **1. Policy LWD 3 (Housing Allocation) refers to two site allocations.**

**The first site is Land adjoining the Swan PH, The Street. It indicates that development on the site is expected to be in accordance with the extant permission (DC/19/01283). However, two issues arise. Firstly, the planning permission is for three dwellings rather than two (the conversion of the PH and two new dwellings). Secondly, only part of the planning application site is designated as the allocation and the Swan PH is shown as being subject to Policy LWD 18 which protects existing services and facilities.**

**I consider that the whole of the planning application site should be the allocation site and the wording changed to the total of three houses. This would reflect the extant planning permission and avoid any potential conflict between the policies.**

**The second proposed site allocation is Land at The Grange, The Street. Referring to planning application DC/17/05333, it looks as if this permission would now have expired. However, given the principle has been accepted, I consider that the allocation can be retained with suitable modifications to reflect the now expired permission.**

**Do either Council have any comments on this proposed course of action?**

**Response from Parish Council:**

The planning permission (**DC/19/01283**) is not, as stated, for three dwellings but for the “*Refurbishment and extension of Public House; Conversion of existing out building to form 1No dwelling and erection of new detached dwelling and associated external works*”. It does not involve the change of use of the public house. The Neighbourhood Plan is therefore correct in identifying the residential element of the planning permissions in Policy LWD3 for two dwellings and protecting the loss of the public house in Policy LWD18.

In respect of **Land at The Grange**, the planning application (DC/17/05333) has expired since the examination commenced. However, a new permission was granted in April 2020 (DC/20/00899 | Full Planning Application - Erection of 1no. dwelling (following demolition of existing garage and shed) on the same site. With this in mind, the site still has an extant planning permission but there is perhaps a need to reflect the new planning permission in part ii of the policy?

**Response from District Council:**

**Land adjoining the Swan PH:** We would agree with the Parish Council in that the published description; taken from the submitted application form, is open to misinterpretation. The following extract is taken from the Conclusion in the Case Officer’s Delegated Report. It refers specifically to two dwellings and the Swan PH being brought back into business use:

*“The proposed dwellings are within a built Up Area Boundary of a Hinterland Village and therefore are generally acceptable. Less than substantial harm has been identified by the Heritage Team. The proposal is considered to be an enabling development to ensure that the heritage asset [the Swan PH] can be returned to optimum viable use and that the two dwellings will help to pay for repairs and refurbishment of the public house, which in turn will lead to the re-opening of this important community asset. Therefore the harm identified is considered to be outweighed by the public benefits that the scheme offers.”*

**Land at The Grange:** This site does appear to have a long planning history. The most recent application (DC/20/00899/FUL) goes by the site description ‘Land adjacent The Grange’ but the Case Officer report clearly states that: “*The site has previously been granted permission under DC/17/05333 ...*” and, “[that] *the proposal hereby assessed proposes some minor changes to the design and positioning of the dwelling ...* “. We can therefore be confident that we are still talking about this site delivering a single dwelling.

We would also agree with the suggestion that part ii of the policy could be updated to reflect the new permission (granted on 14 April 2020). As there is also a reference to this site in the table at Appendix 3 (page 40 in the submitted NP) we suggest this also be updated.

*NB: For information on these and any other application referred to below, please enter the ref' number in the search box at: <https://planning.baberghmidsuffolk.gov.uk/online-applications/>*

**2. Given the above, can both Councils also outline any implications arising from this situation for Strategic Environmental Assessment and Habitats Regulation Assessment?**

**Response from Parish Council:** The Parish Council does not consider that anything has changed in the light of the answer to question 1 and that there are no implications for Strategic Environmental Assessment and Habitats Regulation Assessment.

**Response from District Council:** Based on both our and the Parish Councils response to the first question we are confident that there are no implications for Strategic Environmental Assessment and Habitats Regulation Assessment.

**3. Page 15 of the Plan refers to a site, Land east of The Street and opposite Grove Avenue. I think this is the same site as Church Green and is no longer being pursued; is this right?**

**Response from Parish Council:** We are not sure where the reference to “Church Green” arises but the area of land referred to in paragraphs 6.4 and 6.5 of the Plan has now been withdrawn from the Regulation 19 Pre-Submission Joint Local Plan (November 2020). An outline planning application for residential development on the same site (DC/20/04728) was withdrawn by the applicants in December 2020.

**Response from District Council:** The District Council can confirm that:

1. the area of land being referred to here has been withdrawn from the Pre-submission (Regulation 19) Joint Local Plan published in November 2020 (see map on page 265), *and*
2. that the outline application (DC/20/04728) has also been withdrawn. This is confirmed in a published e-mail from the agent to the Planning Case Officer dated 21 December 2020.

**4. Policy LWD 10 identifies important views. I am having trouble finding information on two of the views which have been included on the Policies Maps. These are the view from the edge of the Playing Field looking northwest and the view from the northern side of the Church looking across the cemetery and Church Green. Please could you give me the references for these two views in the evidence documents?**

**Response from Parish Council:** All the views included on Village Inset Map (page 34) are indicated and referenced in the Character Assessment (see in particular, pages 15 and 17 of the Character Assessment). Certain additional views were identified as part of the Regulation 14 consultation.

**Response from District Council:** With reference to the ‘additional views’, we helpfully direct the Examiner to pages 96, 100, 124 to 126, and 154 in the submitted [Consultation Statement](#).

These pages record the various consultation responses which suggest that additional important views should be added.

**5. Policy LWD 12 refers to Buildings of Local Significance. Please can you point me in the direction of the evidence and criteria used to identify these buildings?**

**Response from Parish Council:** References to the Buildings of Local Significance are contained in the Character Assessment. Unfortunately, for no apparent reason, the description of the Old School Rooms has been deleted from the published version of the Appraisal. It should have read: *“In 1871 a piece of land in Church Road, approximately one third of an acre in size, was donated under Deed of Covenant by Miss E Hanmer, whose family was one of the principal village landowners, to build a school. It is believed that the school probably opened in 1876. However, Electric lighting was not installed until the end of 1948, and then only in the main classroom. The school finally closed on 5<sup>th</sup> April 1963, the 6 children then on the roll being transferred to Acton.”*

In terms of criteria for inclusion, the Neighbourhood Plan has had regard to the criterion contained on page 11 of Historic England’s publication “Local Heritage Listing: Identifying and Conserving Local Heritage” [see link below]

<https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/heag301-local-heritage-listing/>

The Parish Rooms has Historic Interest given it was built in 1903 to commemorate the coronation of Edward VI in 1902 and paid for by Miss Hanmer of Holbrook Hall.

The Old School Rooms were also built on land donated by Miss Hanmer and has an important significant cultural importance for the village in that many residents will have attended the primary school before it closed.

Cyprus Cottage has both historic and group value interest, particularly given its relationship to three other Listed Buildings on the other corners of this junction.

Yew Tree Cottage, Bramley Cottage and Rose Cottage have group value given their age (Rose Cottage is dated 1875) and location adjoining a range of Listed Buildings to the north-east.

**6. Policy LWD 14 refers to Holbrook Park. Can you point me in the direction of any information about this/the reasons for designating this area as a Special Character Area please?**

**Response from Parish Council:** Reference to Holbrook Hall Park is made in the published Character Assessment (see page 22) as well as paragraph 8.7 of the Plan. The reasoning for identifying the area as being of special significance is set out in paragraph 8.8.

**Response from District Council:** The reference to the Character Assessment is understood to relate specifically to the section headed ‘Character Area 5 - Holbrook Hall Park’ on page 22 of the ‘Village Character Assessment (Oct 2018)’ supporting document ([linked here](#)).

The formatting of the PDF means that the word search function is inoperative but, for convenience, the relevant text box reads as follows:

#### **Holbrook Hall Park**

- Small isolated group of mainly Victorian buildings dominated by a large manor house (now a care home) in an ancient rural setting. Cluster of employment / commercial buildings, sympathetically constructed to minimise its impact on the area. Pretty privately restored nature area
- Local Listing. The Hall and other residential buildings in the vicinity of the same area should be considered for local listing(s)
- Footpath from B1115 to Lavenham Road: commences through domestic field/meadow land towards the brook; elongated views towards the NE as approaches the brook, through arable land, sloping north on far side of the brook. Minimal views of Little Waldingfield.

It may be the case that on receipt of your anticipated assistance on these matters that I may need to ask for further clarification or that further queries will occur as the examination progresses. These queries are raised without prejudice to the outcome of the examination.

Please note that this list of clarification questions is a public document and that your answers will also be in the public domain. Both my questions and your responses should be placed on the Councils' websites as appropriate.

With many thanks,

Ann Skippers MRTPI  
Independent Examiner  
11 February 2021

[ Ends ]