

INDEPENDENT EXAMINATION OF THE BUNGAY NEIGHBOURHOOD DEVELOPMENT PLAN

INDEPENDENT EXAMINER:
Christopher Collison BA(Hons) MBA MRTPI MIED IHBC

To East Suffolk District Council and Bungay Town Council and The Broads Authority

By email to Ruth Bishop, Senior Planner (Policy and Delivery), East Suffolk District Council; John Adams, Roz Barnett, Town Clerk Bungay Town Council; and Natalie Beal, Planning Policy Officer, the Broads Authority.

Dated 6 July 2022

Dear All

Bungay Neighbourhood Development Plan Independent Examination – Examiner letter seeking clarification of matters

Further to my initial letter of 13 June 2022 I am writing to seek clarification of the following matters:

Call for Sites

1. The Regulation 16 comments of East Suffolk Council state “Para. 69 of the plan references the call for sites carried out by the Local Planning Authority in 2015 to support the preparation of the Local Plan to help identify sites for allocation in the neighbourhood plan. Reference is made in the neighbourhood plan; Consultation Statement; and submitted SEA Environmental Report to a call for sites carried out by the neighbourhood plan group in 2020. However, there is little information on the process or outcomes of this later call for sites. No sites are included from this call for sites in the submitted ‘Potential site allocations for residential development assessment proforma’ document or assessed in the Environmental Report. The neighbourhood plan and the supporting documents should be clearer and provide more comprehensive information around their call for sites as evidence of a robust process.” The final two sentences of paragraph 70 of the Neighbourhood Plan appear to refer to offer a partial explanation. I agree with East Suffolk Council that additional information in this respect should be included in the Neighbourhood Plan. Please provide me with suitable text that could form the basis of a modification to the Neighbourhood Plan that I could recommend. I may also recommend such text should be included in the Environmental Report.

Strategic Environmental Assessment

2. The Regulation 16 comments of East Suffolk Council relating to SEA draw particular attention to how the alternative housing allocation site had been

assessed, and the approach to consideration of alternatives. The East Suffolk Council comments at Regulation 14 had stated the alternatives do not appear to be significantly different; that there should be explanation of why alternatives had been chosen; and full assessments are not included in the report.

The Strategic Environmental Assessment Environmental Report (March 2022) seeks to address assessment of reasonable alternatives in relation to the location of additional housing growth. Paragraph 69 of the Environmental Report states “To explore potential site options for allocation the Neighbourhood Plan group have tested a number of sites around Bungay. Each of these sites were identified through East Suffolk (Waveney) District Council call for sites in 2015. Following work locally to establish that these sites were still being promoted by the landowner, a detailed technical site assessment was conducted by Small Fish Strategy Consultants in June 2019 which appraised four identified site options. The potential site allocations for residential development assessment proforma (June 2019) document submitted to support the Neighbourhood Plan and referenced in the Environmental Report provides details of the assessment of four sites known to be suitable, available and achievable following identification through Local Plan preparation work. Of the four sites assessed, two are either suitable or potentially suitable for allocation in BNDP, see Figure 4 and 5. The other two sites were found to be unsuitable for allocation due to the level of constraint affecting each one.” The explanation why the potential of only two sites was explored in the formulation of alternatives is summarised in paragraph 74 of the Environmental Report.

Given the significance of the site assessment proforma document, rather than merely being referred to in a footnote providing an electronic link, I am mindful to recommend the potential site allocations for residential development assessment proforma (June 2019) document should be included in the Environmental Report as an appendix.

The Guidance states “the strategic environmental assessment should only focus on what is needed to assess the likely significant effects of the neighbourhood plan. It should focus on the environmental impacts which are likely to be significant. It does not need to be done in any more detail, or using more resources, than is considered to be appropriate for the content and level of detail in the neighbourhood plan” and “reasonable alternatives are the different realistic options considered in developing the policies in the plan. They need to be sufficiently distinct to highlight the different environmental implications of each so that meaningful comparisons can be made. However, it may be that the strategic policies for the neighbourhood area limit the alternatives that can realistically be considered.”

An environmental report for the purpose of the regulations must identify, describe and evaluate the likely significant effects on the environment of implementing the neighbourhood plan policies and of the reasonable alternatives taking into account the objectives and geographical scope of the neighbourhood plan. The objectives of the Neighbourhood Plan, in particular

objectives 7 and 8 relating to the natural environment including the Broads, and to flood risk are important in this respect. In terms of geographical scope, realistic alternatives are heavily constrained by the location of a significant part of the Neighbourhood Area being contained within the Broads area, and by other environmental considerations not least flood risk; ecology; landscape quality and sensitivity; and important open space. A rating of the land between Pilgrims Way and Wingfield Street, and the land south of Mountbatten Road, is presented in Figure 6 of the Environmental Report and described in paragraph 75 of the Environmental Report. The Environmental Report has considered reasonable alternatives for the allocation of land for housing development taking into account what land is known to be available, and the limitations arising from strategic policies for the Neighbourhood Area. The assessment of reasonable alternatives and the development of a preferred approach is adequately explained in the Environmental Report.

A full appraisal of each of the draft policies of the Neighbourhood Plan against the SEA framework is set out in Appendix C of the Environmental Report, and a summary of impact against each theme is set out in paragraphs 129 to 175 of the report, and cumulative effects have also been considered. The Environmental Report concluded the Neighbourhood Plan will have positive or neutral impacts on all but two SEA themes. Those two themes were 'water resources, soil and land', and 'accessibility and transport'. The report recommended mitigations which seek to minimise the potential for negative effects and maximise the potential for positive effects in relation to the relevant SEA themes. The Environmental Report states at paragraph 182 that each of the recommended mitigation measures have been incorporated into the submission version Neighbourhood Plan. The Environmental Report has been published alongside the Neighbourhood Plan during the Regulation 16 publicity period. Statutory consultation bodies have not objected to any element of the Environmental Report.

I have noted East Suffolk Council has suggested some additional minor adjustments should be made to the Environmental Report and I intend to deal with those in the Annex to my report when it is prepared.

I am mindful to conclude the requirements regarding Strategic Environmental Assessment have been met. I invite comment on my assessment and conclusion.

Policy H3

3. In a representation East Suffolk Council state "This section of the plan identifies a very high need for affordable rented homes, and the second paragraph of the policy requires 90% of Affordable homes to be provided affordable rent. However, the exception site element in the final paragraph of the policy allows only for First Homes to be provided. Restricting exceptions sites to First Homes only, seems incongruous with the identified high need for affordable rented homes."

I read the final paragraph of the policy as relating to First Homes exception sites only. If the proposed policy of the Neighbourhood Plan became part of the Development Plan for the Neighbourhood Area, rural exception sites would continue to be determined in the context of paragraph 78 of the Framework. I invite comment on my understanding.

Policy H4

4. Part e. of the policy refers to St Johns Hill but my reading of relevant maps suggests this should be a reference to St Johns Road. Please confirm the correct road name.

Policy TM1.

5. Paragraph 107 of the National Planning Policy Framework sets out five factors that should be taken into account if setting local parking standards. Please direct me to the existing evidence that demonstrates these factors have been taken into account in formulating this policy.

I request any response to these matters is agreed as a joint response of the Parish and District Councils and the Broads Authority wherever possible. This request for clarification and any response should be published on the District Council website.

In order to maintain the momentum of the Independent Examination I would be grateful if any reply could be sent to me by 12.00 Noon on Wednesday 20 July 2022.

For the avoidance of doubt recommendations of modification of the Neighbourhood Plan that may be contained in my report of Independent Examination will not be limited to those matters in respect of which I have requested clarification.

I should be grateful if the District Council, the Broads Authority, and the Parish Council could acknowledge receipt of this email.

Best regards

Chris Collison
Independent Examiner
Planning and Management Ltd