

Halesworth Neighbourhood Development Plan 2021-2036

**A report to East Suffolk Council on the Halesworth
Neighbourhood Development Plan**

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Executive Summary

- 1 I was appointed by East Suffolk Council in September 2022 to carry out the independent examination of the Halesworth Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 9 September 2022.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character and designating local green spaces. The Plan has successfully identified a range of issues where it can add value to the strategic context already provided by the adopted Local Plan.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Halesworth Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
17 November 2022

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Halesworth Neighbourhood Development Plan 2021-2036 (the 'Plan').
- 1.2 The Plan has been submitted to East Suffolk Council (ESC) by Halesworth Town Council (HTC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) 2012 and its updates in 2018, 2019 and 2021. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises as a result of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive and to be complementary to the development plan.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the Plan area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by ESC, with the consent of HTC, to conduct the examination of the Plan and to prepare this report. I am independent of both ESC and HTC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 40 years' experience in various local authorities at either Head of Planning or Service Director level and more recently as an independent examiner. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted proceeds to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Sections 7 and 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (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
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

- 3.1 In undertaking this examination I have considered the following documents:

Halesworth Neighbourhood Plan – Examiner's Report

- the submitted Plan;
- the supporting documents;
- the Basic Conditions Statement;
- the Consultation Statement (and its appendices);
- the SEA screening report;
- the HRA screening statement;
- the Supporting Evidence papers;
- the Halesworth Design Guide January 2020;
- the Connectivity of Halesworth Town Centre -Proposals and Masterplan 2021;
- the Housing Needs Assessment November 2019;
- the responses to the clarification note from HTC;
- the responses to the clarification note from ESC;
- the representations made to the Plan;
- the adopted Waveney Local Plan 2014-2036;
- the National Planning Policy Framework (July 2021);
- Planning Practice Guidance;
- The Queen (on behalf of Lochailort Investments Ltd) and Mendip District Council [2020] EWCA Civ 1259; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 9 September 2022. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in paragraphs 5.9 to 5.15 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined by written representations and without the need for a public hearing.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 HTC prepared a Consultation Statement. The Statement is extensive in the way it sets out the mechanisms used to engage all concerned in the plan-making process. It includes an assessment of the consultation undertaken during the various stages of the Plan's production. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan. Its key strength is the way in which it sets out the key issues in a proportionate way which is then underpinned by more detailed sections in the report and its appendices.
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the open Public Meeting September 2018
 - the questionnaires distributed around the town, online survey October – December 2018
 - the questionnaires to Businesses Groups November 2019
 - the consultation events with children and young people July 2019
 - the leafletting of the town with online questionnaire to consult on the Vision and Objectives November 2020
 - the questionnaire with estate agents and Housing Association October 2020
 - the questionnaire with builders February 2021
 - the questionnaire with those in the creative industries February 2021
 - the consultation on the Millennium Green designation as a Local Green Space. August 2021
 - the consultation event with children September 2021
 - the weekend open session consultation November 2021.
- 4.4 The Statement provides details of the way in which HTC engaged with statutory bodies. The process has been both proportionate and robust.
- 4.5 The Statement also provides specific details on the comments received as part of the consultation process on the pre-submission version of the Plan (November to December 2021). Appendices S and T of the Statement set out the comments received at that stage of the Plan preparation process. They help to explain how the Plan was refined to take account of the comments received.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. ESC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.7 Consultation on the submitted Plan was undertaken by ESC. It ended on 3 August 2022. This exercise generated comments from a range of organisations as follows:

- Suffolk County Council.
- East Suffolk Council.
- Historic England.
- Natural England.
- East Suffolk Internal Drainage Board
- Environment Agency
- Halesworth Business Group
- Halesworth and Southwold Narrow Gauge Railway Society
- Hopkins Homes
- SFC Developments
- Sport England

4.8 Representations were also received from sixteen residents.

4.9 I have taken account of all the representations on preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis in Section 7 of this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Halesworth. Its population in 2011 was 4726 persons living in 2441 houses. It was designated as a neighbourhood area on 31 May 2018.
- 5.2 The neighbourhood area sits in an attractive location within the Suffolk countryside. It is approximately 5 miles to the west of the A12 at Blythburgh. It has a railway station on the East Suffolk Line which connects Ipswich to the south with Lowestoft to the north and east. The A144 is the principal road connecting the town to the wider strategic highway network.
- 5.3 The town has a very attractive urban environment. Its historic core is a designated conservation area. The Saxons Way bypass was completed in 1989 and enabled Halesworth's historic high street (The Thoroughfare) to become semi-pedestrianised in 1991. The Thoroughfare has independent niche shops and cafes, an interesting and pleasing range of shop fronts and street furniture. As the Conservation Area Character Appraisal comments the conservation area possesses a satisfying and attractive people-oriented scale, because of the survival of the equine-based street widths, the pre-industrial, two storey scale of its buildings, and the limitation of vistas caused by the serpentine course of the roads.

Development Plan Context

- 5.4 The development plan covering the neighbourhood area is the Waveney Local Plan 2036. The Local Plan sets out a vision, objectives, a spatial strategy, and overarching planning policies that guide new development in the Plan period. It was adopted in March 2019.
- 5.5 The Local Plan includes a comprehensive range of policies. Halesworth is addressed in Section 4 of the Plan. The strategy for Halesworth and Holton is to increase the level of housing within the town which will help deliver enhanced health and sports facilities and new employment opportunities. This will help attract younger, working age, people to the town and provide more balance to the demographics of the population. The increased levels of development will help support the town centre and enhance its role as a service centre for Holton and other nearby villages. The Plan allocates five sites in Halesworth (one for a mix of uses, three for residential use and one for employment use). The main site for development is the Halesworth/Holton Healthy Neighbourhood (Policy WLP 4.1). It seeks to deliver 215 new homes, a new retirement community and associated healthcare facilities, and new sports facilities on the proposed Halesworth Campus and improvements to the existing Dairy Hill playing fields. The development of this site will be an important part of the delivery of the overall strategy for the town.
- 5.6 The following more general policies in the Local Plan have been particularly important in influencing and underpinning the various policies in the submitted Plan:

Policy WLP1.2	Settlement Boundaries
Policy WLP8.7	Small scale residential development in the countryside
Policy WLP8.23	Protection of Open Space
Policy WLP8.29	Design
Policy WLP8.32	Housing Density and Design

Policy WLP8.35	Landscape Character
Policy WLP8.37	Historic Environment

- 5.7 The submitted Plan has been prepared within its wider adopted development plan context. In doing so, it has relied on up-to-date information and research that has underpinned existing planning policy documents in East Suffolk. This is good practice and reflects key elements in Planning Practice Guidance on this matter.
- 5.8 It is also clear that the submitted Plan seeks to add value to the different components of the development plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Unaccompanied Visit

- 5.9 I visited the neighbourhood area on 9 September 2022. I drove into Halesworth from the west along the B1123. This gave me an initial impression of its setting and character. It also highlighted its connection to the strategic road system.
- 5.11 I looked initially at the Town Park and the Millennium Green. I saw their scale and significance in the wider town. I also appreciated the various access points into and out of these areas.
- 5.12 I then walked into The Thoroughfare. I saw its attractive range of retail and commercial uses. I also saw the healthy balance of independent and national retailers. I also saw the attractive range of traditional shop fronts.
- 5.13 I then took time to walk around the tight network of streets in and around the Market Place. I saw the attractive mix of the building types and their ages. I also saw the Market Place's relationship with St Mary's Church. I appreciated the issues about the separation of Market Place from The Thoroughfare as highlighted in the Plan.
- 5.14 I then took the opportunity to walk up to the railway station. In doing so I saw the attractive residential properties in Station Road, The Cut, and the former Maltings building.
- 5.15 I left the neighbourhood area on the A144 to Bramfield and then to the A12.

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.

6.2 As part of this process, I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan in the area;
- be compatible with European Union (EU) obligations and the European Convention on Human Rights (ECHR); and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

6.3 I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in July 2021.

6.5 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following matters are particularly relevant to the Halesworth Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Waveney Local Plan 2014-2036
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.

6.8 Having considered all the evidence and representations available as part of the examination, I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies to promote economic development

and the enhancement of the town centre. It also proposes the designation of local green spaces.

- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies for housing (Policy HSG2), for a variety of employment-related uses (Policies ED1-3) and for the town centre (Policy TC1). In the social role, it includes policies on local green spaces and other open spaces (Policies ENV1-2) and play areas (Policy COM1). In the environmental dimension the Plan positively seeks to protect its natural, built, and historic environment. It has specific policies on design (Policy DM1), on a nature reserve (Policy ENV3) and on energy efficiency housing (Policy HSG3). HTC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in East Suffolk in paragraphs 5.4 to 5.8 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.

- 6.15 In order to comply with this requirement ESC undertook a screening exercise (November 2021) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. As a result of this process, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA. It reached this conclusion on the basis that the Plan does not allocate land for built development and applies to a localised area. All the policies reflect and implement strategic policies in the Waveney Local Plan (March 2019) which has been subject to Sustainability Appraisal including Strategic Environmental Assessment and Appropriate Assessment under the Habitats Regulations Assessment.

Habitat Regulations Assessment

- 6.16 ESC produced a separate Habitats Regulations Assessment (HRA) of the Plan at the same time. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 6.17 The HRA report is very thorough and comprehensive. It took appropriate account of an extensive range of protected sites as set out in its Appendix 3. In doing so it provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.
- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

Human Rights

- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.20 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.

- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and HTC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It includes a series of well-developed Actions.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. Where necessary, I have identified the inter-relationships between the policies. It addresses the Actions after the policies.
- 7.6 For clarity this section of the report comments on all policies irrespective of whether I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial section of the Plan (Sections 1-3)

- 7.8 These introductory parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a very professional fashion. It makes a very effective use of well-selected photographs and maps. A very clear distinction is made between its policies and the supporting text.
- 7.9 The Introduction (Section 1) comments about the development of the Plan. It also provides background information on neighbourhood planning in general and the way in which the submitted Plan will complement the wider development plan. It includes an excellent map of the neighbourhood area (Figure 1.1) and identifies the Plan period (in paragraph 1.5). It comments about the planning policy context within which the Plan has been prepared and the consultation exercises which took place as it was prepared.
- 7.10 The Local Context (Section 2) comments about the neighbourhood area. It describes its history and its current profile. It also comments about the evidence gathered and used in the preparation of the Plan. It provides comprehensive information on the socio-economic profile of the town. This analysis is well-presented. It provides a very helpful context to several of the policies in the Plan.
- 7.11 The Vision and Objectives (Section 3) comments about the broader ambitions of the Plan based around a series of challenges. It then identifies a Vision for Halesworth and a series of objectives for the preparation of the neighbourhood plan. This approach provides a structure for the remainder of the Plan.
- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy HAL.ENV1: Local green spaces

- 7.35 This policy proposes the designation of a series of local green spaces (LGSs). They are shown on Figures 4.1 and 4.2. The proposed LGSs reflect the character and the nature of the parish and the way in which green spaces form important parts of the local environment.
- 7.36 The supporting text comments about the tests in the NPPF for the designation of LGSs and provides detailed commentary on the way in which HTC considers that the proposed LGSs meet the criteria for such designation in the NPPF. I looked at the proposed LGSs when I visited the neighbourhood area.
- 7.37 On the basis of all the information available to me, including my own observations, I am satisfied that the proposed Town Park LGS complies with the three tests in the NPPF.
- 7.38 The proposed Millennium Green LGS is a very important part of the overall character and appearance of the town. I looked at it very carefully during the visit. In the round it is significantly larger than other LGSs which have been promoted in neighbourhood plans elsewhere in East Suffolk and England. Whilst Planning Practice Guidance does not define the extent to which a proposed LGS should be 'local in character and not an extensive parcel of land' I am not satisfied that the Green as proposed in the Plan meets this test in paragraph 102 of the NPPF. However, the wider Millennium Green consists of several discrete elements with their individual characteristics and maintenance regimes. In these circumstances I recommend that the proposed LGS is subdivided into the following areas:
- Millennium Green - Blyth Meadow
 - Millennium Green - Two Acres
 - Millennium Green - Birds Folly
 - Millennium Green - Folly Meadow
 - Millennium Green - Chestnut Meadow
 - Millennium Green - Angel Meadow
 - Millennium Green - Lester's Piece
 - Millennium Green – Arthur's Wood
 - Millennium Green – Community Orchard
 - Millennium Green – The Scrub Triangle
 - Millennium Green – Southwold to Halesworth Railway

Each of these discrete areas would meet the size criteria in paragraph 102 of the NPPF. I also recommend that Figure 4.2 is revised to identify the component parts of the wider Green

- 7.39 I am also satisfied that the proposed designation of the Town Park and the various elements of the Millennium Green would accord with the more general elements of paragraph 101 of the NPPF. Firstly, I am satisfied that their designation is consistent with the local planning of sustainable development. They do not otherwise prevent sustainable development coming forward in the neighbourhood area and no such

development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and, in most cases, have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the proposed local green spaces would not endure beyond the end of the Plan period.

- 7.40 The policy lists the proposed LGSs. The national policy implications of LGS designation are set out in paragraph 4.4 of the supporting text of the Plan. I have considered this approach carefully. On the one hand, the approach towards proposed development in LGSs is now well-established. On the other hand, it is important that every neighbourhood plan is self-contained in terms of its policies. As such, I recommend a modification so that the policy directly explains the policy implications of LGS designation and in doing so takes the matter-of-fact approach in the NPPF. I also recommend that the supporting text is expanded so that it sets out the way in which development proposals affecting the designated LGSs would be assessed on a case-by-case basis by ESC. In this context ESC will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the ‘very special circumstances’ required by the policy.
- 7.41 Otherwise the policy meets the basic conditions. It will do much to contribute to the delivery of the environmental and the social dimensions of sustainable development.

In the policy as submitted replace The Millennium Green bullet point with the following:

- **Millennium Green - Blyth Meadow**
- **Millennium Green - Two Acres**
- **Millennium Green - Birds Folly**
- **Millennium Green - Folly Meadow**
- **Millennium Green - Chestnut Meadow**
- **Millennium Green - Angel Meadow**
- **Millennium Green - Lester’s Piece**
- **Millennium Green – Arthur’s Wood**
- **Millennium Green – Community Orchard**
- **Millennium Green – The Scrub Triangle**
- **Millennium Green – Southwold to Halesworth Railway**

**Insert an additional paragraph at the end of the policy to read:
‘Development proposals within the designated local green spaces will only be supported in very special circumstances.’**

Revise Figure 4.2 to identify the component parts of the wider Green.

In paragraph 4.5 replace ‘two’ with ‘twelve’

At the end of paragraph 4.5 add: 'Policy ENV1 follows the matter-of-fact approach in the NPPF. If development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by East Suffolk Council. It will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy'

Policy HAL.ENV2: Protection of open spaces

- 7.42 This policy identifies three open spaces to which Policy WLP8.23 of the Waveney LP would apply. Based on all the information I am satisfied that the three open spaces have the character and appearance to be safeguarded as open spaces within the context that they do not meet the exacting standards required to be designated as a LGS (in Policy ENV1 of the Plan).
- 7.43 In its response to the clarification note HTC provided a further explanation of the way in which the policy and the way in which the policy would be applied. I recommend a modification to the policy to remove any potential uncertainty about the way in which the policy would be applied. Given that Policy WLP8.23 of the Local Plan would apply to the three open spaces there is no need to explain its role and contents. There is no need for me to recommend modifications to the supporting text given that the matter is adequately explained in paragraph 4.16 of the Plan. Otherwise, the policy meets the basic conditions. It will contribute significantly to the delivery of the social dimension of sustainable development.

Replace the policy with:

'The green spaces at Princes Green, Aldergrove Close and Rectory Green, as shown in Figures 4.4-4.6 and on the Policies Map, are designated open spaces.

Any proposals for development of these spaces will be assessed against the requirements of Local Plan Policy WLP8.23 (Protection of Open Space).'

Policy HAL.ENV3: New nature reserve

- 7.44 This policy supports proposals for the development of a new nature reserve to the immediate south of the town. The approach is underpinned by helpful supporting text (paragraphs 4.18-4.21).
- 7.45 The land concerned is south of Kennedy Close and adjacent to an area of public open space. It is in flood zone 3 and is unsuitable for built development or arable activity. It also likely includes remains of historic water meadows associated with the River Blyth. However, the fact that it retains water means that it is a very attractive habitat for wetland species.
- 7.46 The policy has approached this matter in a positive way. It meets the basic conditions.

Policy HAL.ENV4: Verges

- 7.47 This policy highlights the importance of verges in the neighbourhood area. It has four related parts.
- 7.48 As the Plan comments generous grass verges are a key characteristic of Halesworth. In built-up areas, the value of green verges to biodiversity is significant. Equally, such verges can be lost to parking, particularly where there are wide verges and cars can park entirely off-road. This results in significant degradation of the verge, loss of wildlife or loss of the opportunity for species-rich planting. Examples of grass verges providing a positive impact on biodiversity are along Roman Way and Holton Road. The verges are managed to allow grass and wildflowers to grow which encourages wildlife, with some grass cutting to the road edges to maintain a tidy border.
- 7.49 In general terms the policy meets the basic conditions. However, I recommend modifications to bring the clarity required by the NPPF. They ensure that the first part of the policy can be applied where it is practicable to do so.

In part A of the policy replace ‘maximise’ with ‘incorporate’ and add ‘wherever practicable’ at the end

In part B of the policy replace the two uses of ‘must’ with ‘should’

Policy HAL.ENV5: Heritage trees

- 7.50 This policy identifies a range of heritage trees. It then seeks to ensure that development proposals on land affecting or adjacent to the identified trees preserve the trees concerned and avoid any damage to their root structures.
- 7.51 The policy has been well developed and researched. In general terms the policy meets the basic conditions. I recommend a modification so that the policy has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. In this context ‘encouraged’ has little if any weight in a planning policy context.

Replace ‘are encouraged to’ with ‘should’

Policy HAL.HSG1: Provision of large family housing

- 7.52 This policy sets out the Plan’s requirements for new housing to meet Local Plan requirements on this matter. It specifies that 15% of the homes to be provided as four-bedroom properties.
- 7.53 Paragraph 5.13 of the Plan sets out the rationale behind the approach in the policy. It comments that evidence from housebuilders suggests that they are less keen to provide 4-bed properties, so this could result in a disproportionate number of 3-bed properties. This is despite the proportionately low number of 4-bed properties in the neighbourhood area. Moreover, the Strategic Housing Market Assessment covering the Waveney Housing Market Area identifies that there is a need for 27% of all owner-occupied housing over the period to 2040 to be 4-bed properties or larger. Whilst there is a high proportion of retirees in Halesworth, it is important for the vibrancy of the town to attract more families, and this requires a range of family-sized housing. Four-bed units will provide spare bedrooms for most families that can be used as office spaces,

which is a growing need as more people work regularly from home (including multiple workers in a single household). Policy HAL.HSG1 helps to achieve this by requiring at least 15% of all properties in a development to be 4-bed. The figure of 15% has been selected to ensure that a reasonable minimum proportion of large properties on a site are provided, thereby avoiding delivery of an excess of 3-bed units.

- 7.54 On the balance of the evidence, I am satisfied that the policy takes a balanced and well-researched approach to this important matter. Nevertheless, I recommend a series of modifications so that the policy has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. I also recommend that the supporting text makes clearer reference to Policy WLP8.1 of the adopted Local Plan.
- 7.55 Finally I recommend that the title of the policy is modified so that it refers more generally to larger houses. Whilst I appreciate that the ambition of the policy is to bring forward houses to attract more families, the occupation of houses is not directly a land use planning matter.

Replace the policy with:

‘In meeting the requirements of Waveney Local Plan Policy WLP8.1 (Housing mix), development proposals should provide a mix of larger properties (3-bed properties or larger) and, in particular, should provide at least 15% as 4-bed properties.’

Replace the title of the policy with ‘Provision of Larger Housing’

At the beginning of paragraph 5.11 add: ‘Policy WLP8.1 of the Local Plan requires that’

Policy HAL.HSG2: Small housing sites

- 7.56 This policy offers support for small scale housing sites in the settlement boundary where they otherwise meet the objectives of the Plan. It identifies three specific objectives.
- 7.57 I recommend a series of modifications so that the policy has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. They reconfigure the three identified objectives of the Plan so that they read as criteria of the policy (rather than loosely repeating objectives in the Plan).

Replace the policy with:

‘Development proposals for small housing sites (10 dwellings or less) within the settlement boundary that demonstrate how they will actively address the objectives of the Neighbourhood Plan will be strongly supported. In particular, development proposals should:

- a. Retain or provide employment where they are mixed use developments;**
- b. Provide biodiversity-rich space as appropriate to their scale, nature, and location; and**

c. Where appropriate, preserve or enhance the Conservation Area.’

Policy HAL.HSG3: Low energy and energy efficient housing design

- 7.58 This policy comments that small-scale housing developments (of less than 10 homes) should be accompanied by a Sustainability Statement.
- 7.59 The policy takes a positive and non-prescriptive approach to this important matter. I recommend a modification so that the policy has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. Otherwise, it meets the basic conditions.

Replace ‘must’ with ‘should’

Policy HAL.ED1: Small-scale commercial workspaces and micro employment areas

- 7.60 This policy sets out a positive and supportive approach towards the development of small-scale commercial workshops in the town.
- 7.61 It also identifies two locations in the town as Small-Scale Employment Areas where proposals for the loss of existing employment uses will only be supported in two defined circumstances.
- 7.62 I recommend that the reference to flexible business terms in the first part of the policy is deleted. The way in which any business leases businesses premises is a commercial matter rather than a land use planning matter. In reaching this conclusion I have taken account of HTC’s responses to the clarification note on this matter. Nevertheless, to recognise the potential opportunities that such an approach would bring I recommend that they are captured in the supporting text.
- 7.63 I also recommend broader modifications to the format of part A of the policy so that the policy has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. This will ensure that the potential for housing development as part of mixed-use development is more clearly expressed.
- 7.64 I recommend modification to part B of the policy so that its format is simpler. I also recommend that the supporting text is expanded to clarify the Plan’s definition of existing employment sites.
- 7.65 Finally I recommend modifications to part D of the policy so that the policy has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period.

Replace part A of the policy with:

‘Within the settlement boundary of Halesworth development proposals for small-scale offices/workspaces designed for the creation and growth of start-up and micro-businesses will be supported.

Where relevant, such provision will be supported where they arise as part of a mix of uses. Such a mix of uses which includes residential uses will only be

supported where this is necessary to make the overall scheme viable and where the residential floorspace is less than 25% of the overall total floorspace delivered. Proposals involving residential use should demonstrate that they will both minimise the impact of employment use on residential amenity and not hinder the ability of the occupiers of the employment premises to carry out business activities.’

Replace part B of the policy with: ‘The provision of employment space to serve the needs of existing and growing businesses in Halesworth on existing employment sites will be supported’

In part D of the policy replace ‘permitted’ with ‘supported’ and delete ‘all of’

Replace the final sentence of paragraph 6.6 with ‘Policy HAL.ED1 sets out to address these important matters in supporting the development of small-scale offices and workshops. Whilst commercial lease arrangements are not directly land use matters the Town Council would encourage developers to offer flexible arrangement to companies to help to stimulate the local economy and promote new and growing businesses.’

At the end of paragraph 6.7 add: ‘This matter is addressed in Part B of Policy HAL.ED1. For the purpose of the policy existing employment sites are defined as the employment sites identified in Policy WLP8.12 of the Local Plan and the Small-Scale Employment Areas identified in Part C of Policy HAL.ED1’

Policy HAL.ED2: Tourism and creative industries

- 7.66 This policy continues the approach towards economic development taken in Policy HAL. ED1. The first part of the policy offers general support for the development of tourism and creative industries and business in the town. I recommend modifications to this part of the policy so that it has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period.
- 7.67 The second part of the policy comments that proposals for hotels should be in the town centre. I recommend that the policy is recast so that it sets out the sequential approach as proposed by HTC and as restated in its response on this matter to the clarification note. Otherwise, it meets the basic conditions and will make a positive contribution to the delivery of the economic dimension of sustainable development.

In the first part of the policy replace ‘are encouraged’ with ‘will be supported’

Replace the second part of the policy with:

‘Proposals for hotel accommodation within Halesworth town centre will be supported. Where it can be demonstrated that no suitable sites are available within the town centre, proposals for hotel accommodation within the settlement boundary will be supported.’

Policy HAL.ED3: Major development opportunities

- 7.68 This policy sets out the Plan's general approach towards major development opportunities which are not already captured in the Local Plan. Its second part comments that proposals in the town centre should incorporate public open spaces and linkages to the Primary Shopping Area. I recommend a modification to this part of the policy so that its purpose and application is clear.
- 7.69 A key focus of the Plan is to ensure that any such developments deliver a range of uses.
- 7.70 The policy takes an appropriate approach to this matter. For clarity, I recommend that the third part of the policy sits immediately at the end of the first part.

Replace part B of the policy with:

'Major development proposals within or adjacent to the town centre boundary of Halesworth, as shown on the Policies Map, should demonstrate the way in which they have incorporated public open space and improved pedestrian linkages into the Primary Shopping Area into their overall designs and layouts'

Reposition part C of the policy so that it sits at the end of part A of the policy.

Policy HAL.COM1: Play facilities

- 7.71 This policy identifies three existing play areas where proposals for an improvement of the facility, or their upgrade to LEAP standards will be supported.
- 7.72 The policy is well-considered. It meets the basic conditions.

Policy HAL.DH1: Design

- 7.73 This is an important part of the Plan. It is underpinned by extensive supporting text (paragraphs 8.4 to 8.17) and a series of excellent photographs.
- 7.74 The overall approach is underpinned by the excellent Design Guide.
- 7.75 There are three related parts to the policy. The first sets out the need for high quality design which relates to the Design Guide. The second identifies a series of design principles. The third comments about the details which will be required to support planning applications.
- 7.76 In the round this is an excellent policy and a first-class local response to Section 12 of the NPPF.
- 7.77 I recommend modifications to the policy so that it has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. In particular, I recommend that the second part of the policy is worded in a fashion which will ensure that it can be applied in a proportionate fashion. The third part of the policy is entirely appropriate. Nevertheless, it is a process rather than a policy matter. As such I recommend that it is deleted from the policy and repositioned into the supporting text. Otherwise, it meets the basic conditions.

In part B of the policy replace ‘must’ with ‘should’ and add the following at the beginning of its second sentence ‘As appropriate to the scale, nature and location of the development proposals concerned’

Delete part C of the policy.

At the end of paragraph 8.6 add:

‘Policy DH1 sets out the Plan’s approach to this matter. All major residential development proposals should include a proportionate statement and illustrations demonstrating how the principles and guidance in the Halesworth Design Guide have been addressed.’

Policy HAL.DH2: Views and gateways into and out of Halesworth town

- 7.78 This policy identifies the view of St Mary’s Church tower and two gateways as features which development proposals should preserve.
- 7.79 The tower and the two identified gateways are immediately apparent in the town.
- 7.80 I recommend modifications to the policy so that it has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. In particular, I recommend that the first part of the policy is modified so that it can be applied on a proportionate basis. As submitted it has universal effect and many minor and domestic planning applications will have no direct effect on the views of the Church Tower. Otherwise, it meets the basic conditions.

At the beginning of part A of the policy insert ‘As appropriate to their scale, nature and location’

In part B of the policy:

- **Replace the two uses of ‘Development’ with ‘Development proposals’**
- **Replace the two uses of ‘must’ with ‘should’**

Policy HAL.DH3: Non-designated heritage assets

- 7.81 This policy identifies a series of non-designated heritage assets.
- 7.82 The first part of the policy sets out the proposed assets and the second part sets out a policy approach which will be applied to the identified assets. The attractiveness and legibility of this part of the Plan is significantly enhanced by a series of carefully-selected photographs.
- 7.83 The policy itself has been carefully-developed. It has been designed to correspond with the corresponding Local Plan policy and has regard to paragraph 203 of the NPPF which addresses non-designated heritage assets. In the round it is an excellent policy which meets the basic conditions.

Policy HAL.TM1: Key movement routes

- 7.84 This is the first of three policies on transport and movement. The series of policies is underpinned by the very detailed and informative Section 9 of the Plan. It includes an interconnected series of land use policies and Actions. The Plan comments about the volume of cars in and around Halesworth and how the Plan seeks to address the issue. It comments that the primary opportunity is to improve the potential for walking and cycling for local journeys, particularly those into the town centre and to other key destinations. One of the Plan's key objectives is to promote a transport infrastructure which connects different parts of the town and enables people to move about easily, safely, and enjoyably whether on foot, bicycle, mobility vehicle or public transport.
- 7.85 Policy TM1 seeks to encourage more sustainable means of travel and movement in the town. It has several related aspects including identifying and safeguarding key movement routes and offering support to proposals to improve cycling and walking. It identifies a series of Key Movement Routes.
- 7.86 I recommend modifications to the policy so that it has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. The modification to part D of the policy takes account of HTC's helpful response to the clarification note.

In part A replace 'Development which proposes to' with 'Development proposals which would'

In part B replace 'all new developments where feasible' with 'where practicable development proposals'

In part C replace 'are strongly encouraged' with 'will be supported'

In part D replace 'Development must' with 'Development proposals should'. In the second sentence replace 'Developments will be expected to' with 'Development proposals should'

At the end of part D add 'on the identified Key Movement Routes'

Policy HAL.TM2: Cycle parking

- 7.87 This policy comments that proposals to provide new cycle parking facilities will be supported. In addition, it provides detailed guidance for the way in which the parking facilities should be designed and arranged.
- 7.88 I recommend modifications to the policy so that it has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. Otherwise, it meets the basic conditions.
- In part A replace the two 'Proposals' with 'Development proposals' and the two uses of 'must' with 'should'.**
- Replace the final sentence of part A with: 'Where practicable such provision should be designed to support parking by cargo bikes and other non-standard bikes.'**

In part B of the policy replace ‘are encouraged to’ with ‘should’ and at the end add ‘wherever practicable’

Policy HAL.TM3: Residential electric car charging

- 7.89 This policy requires new residential development to provide electric vehicle charging facilities. For properties of three or more bedrooms, the policy encourages the provision of more than one electric charging point.
- 7.90 As paragraph 9.46 of the Plan comments this issue is now largely controlled by the Building Regulations. Approved Document S applies to new residential and non-residential buildings; buildings undergoing a material change of use to dwellings; residential and non-residential buildings undergoing major renovation; and mixed-use buildings that are either new, or undergoing major renovation. This approved document took effect on 15 June 2022. It does not apply to work subject to a building notice, full plans application or initial notice submitted before that date, provided the work is started on site before 15 June 2023.
- 7.91 In all the circumstances I recommend that the policy is simplified so that it draws attention to the importance of this matter.

Replace the policy with:

‘Proposals for new residential properties with off-street parking should provide charging points for electric vehicles to the most up-to-date published national standards.’

Policy HAL.TC1: Enhancing Halesworth town centre

- 7.92 This policy is underpinned by a series of proposals to enhance the role, function and appearance of the Town Centre as set out in Section 10 of the Plan. The supporting text is informed by earlier work undertaken by HTC on the town centre in general, and on the Connectivity Study in particular. It is a particularly helpful part of the Plan. The implementation of the various Actions will do much to enhance the viability and vitality of the town centre.
- 7.93 The policy comments that proposals which enhance the quality and accessibility (specifically for pedestrians and disabled users) of the public realm in Halesworth Town Centre will be supported. It also comments that any such proposals are encouraged to reflect the principles that informed the public realm and movement solutions and projects identified in Section 10 of the Plan.
- 7.94 I recommend a modification to the policy so that it has the clarity required by the NPPF and can be applied consistently through the development management process in the Plan period. Otherwise, it meets the basic conditions. It will contribute significantly to the delivery of the economic dimension of sustainable development in the town.

Replace ‘In particular, any proposals are encouraged to’ with ‘In particular such proposals should’

Non-Policy Actions

7.95 The Plan includes a series of Actions. They are non-land use issues which have naturally been developed as part of the plan-making process. They are incorporated on a themed basis throughout the Plan after the relevant policies. Key Actions include:

- New Nature Reserve;
- Community Led Housing;
- Long Term Car park Site;
- Secondary School Provision;
- Community Centre Requirements;
- Community Transport; and
- Public Car Parking.

7.96 National policy comments that community aspirations should be included in a separate section of a neighbourhood plan to ensure that they are distinct from the land use policies. On balance, I am satisfied that the way in which the Plan has incorporated the Actions is appropriate. I have come to this judgement for two reasons. The first is that in most cases the community aspirations consolidate the approach taken in the relevant land use policies. The second is that the community aspirations are shown in a different colour to the land use policies.

7.97 I am satisfied that the various Actions are both appropriate and distinctive to the neighbourhood area. In some cases, they complement the land use policies.

Other matters – General

7.98 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly as a result of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan as a result of the recommended modifications to the policies. It will be appropriate for ESC and HTC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community.
- 8.2 Following my independent examination of the Plan I have concluded that the Halesworth Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report I recommend to East Suffolk Council that subject to the incorporation of the modifications set out in this report that the Halesworth Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by Waveney District Council on 31 May 2018.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
17 November 2022