



Bredfield Neighbourhood Plan Decision Statement

(The Neighbourhood Planning (General) Regulations 2012 – Regulation 18)

1. Summary

1.1 Following an independent examination, East Suffolk Council now confirms that the Bredfield Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum subject to the modifications set out in section 3.

2. Background

2.1 Bredfield Parish Council, as the Qualifying Body, successfully applied for Bredfield Parish to be designated as a Neighbourhood Area under The Neighbourhood Planning (General) Regulations 2012. The [Neighbourhood Area](#) was designated by (former) Suffolk Coastal District Council on 12th August 2015.

2.2 The Bredfield Neighbourhood Plan was published by Bredfield Parish Council for pre-submission consultation (Regulation 14) between 20th July 2018 and 31st August 2018.

2.3 Following the submission of the Bredfield Neighbourhood Plan ([submission version](#)) to East Suffolk Council the Plan was publicised and comments invited over a six week period which closed on 21st August 2019.

2.4 East Suffolk Council, with the agreement of Bredfield Parish Council, appointed an independent examiner, Richard High BA MA MRTPI to review the Plan and to consider whether it met the Basic Conditions required by legislation and whether it should proceed to Referendum.

2.5 The [Examiner's Report](#) received 14th July 2020 concluded that subject to modifications identified in the Report, the Bredfield Neighbourhood Plan meets the basic conditions. This is summarised in page 5 of the Report which states:

“I am therefore pleased to recommend that the Bredfield Neighbourhood Plan should proceed to a referendum subject to the modifications that I have recommended.”

2.6 The Examiner recommends that subject to the modifications listed in the Report, the Bredfield Neighbourhood Plan should proceed to referendum. He further recommends that the referendum area should be the same as the designated neighbourhood area, there being no substantive evidence to demonstrate that this is not the case. The referendum area is contiguous with the administrative boundary for Bredfield Parish.

2.7 Following receipt of the Examiner's Report, legislation requires that East Suffolk Council consider each of the modifications recommended, the reasons for them, and decide what action to take. This is set out in the table below. Ahead of this consideration, the Report and its findings have been subject to discussion between the Council and Bredfield Parish Council.

3. Decision and Reasons

3.1 East Suffolk Council, under powers delegated to the Head of Planning and Coastal Management, has considered each of the modifications recommended. The Council concurs with the reasoning and modifications provided by the Examiner in his Report dated 14th July 2020.

3.2 With the Examiner's recommended modifications East Suffolk Council has decided that the Bredfield Neighbourhood Plan meets the Basic Conditions mentioned in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention rights and complies with provision made by or under Section 38A and 38B of the Planning and Compulsory Purchase Act 2004. As a consequence, the submission version of the Bredfield Neighbourhood Plan will be modified as recommended for it then to proceed to referendum. It should be noted that under the Local Government and Police and Crime Commissioner (Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020, the referendum will not be able to take place until at least 6th May 2021.

3.3 The Council has considered the referendum area as recommended by the Examiner and has decided there is no reason to extend the Neighbourhood Area for the purposes of referendum. The Referendum area will be the same as the designated Neighbourhood Area for the Bredfield Neighbourhood Plan.

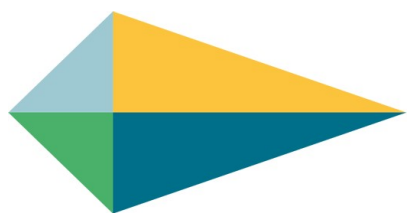
3.4 The list of modifications and actions required are set out in the following tables. As a consequence of these changes the Bredfield Neighbourhood Plan will be re-published and titled the Bredfield Neighbourhood Plan (Referendum Version).



Philip Ridley BSc(Hons) MRTPI

Head of Planning and Coastal Management

Dated: 10 September 2020



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COUNCIL

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
<p>Change the heading of Section 2 to Vision and Objectives In paragraph 2.2.1 after 2036 delete the comma, insert a full stop and delete the rest of the sentence and add "Each section then contains policies and, in some cases, statements of intent which are intended to address the issues. The policies in blue boxes are the part of the Plan which carry statutory force as they will become part of the development plan and will be used in the determination of planning applications. The Statements of Intent in green boxes will not carry this weight as they do not relate to land use planning but set out action which the Parish Council intends to take to help realise the objectives."</p>	<p>To provide a clear explanation of the status of the Statements of Intent and reflect the intentions of PPG and thus meet the basic conditions.</p>	<p>Agree. Wording amended as recommended.</p>
<p>Change the headings to sections 3.3, 4.3, 5.3, 6.3, 7.3 and 8.3 to read "Objectives, Policies and Statements of Intent".</p>	<p>To reflect the fact that the policies of the Plan are the most important element of it as they are the only part which will have statutory force in the determination of planning applications.</p>	<p>Agree. Wording amended as recommended.</p>
<p><u>Policy BDP 1: Maintaining Distinctive Views</u> Renumber Map 6 as Map 2 and insert it on the page following Policy BDP. 1 In Policy BDP 1, Modify the first part of section 2 "Not cause any significant loss or diminution of the distinctive views offering open field aspects or</p>	<p>The original policy wording is too broad and not sufficiently clearly defined. It is necessary to clarify the views to which the policy relates.</p>	<p>Agree. Policy and map amended as recommended.</p>

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views over open spaces listed below and shown on Map 2: Between the Playing Field and Ufford Thicks”		
<p><u>Policy BDP 3: Maintaining Priority Habitats</u> In the second part of Policy BDP 3 modify the first line to read “Development proposals will be required to submit evidence of the significance of any of the features listed below that will be affected and will be resisted where they:” In the last line delete “will be resisted”.</p>	<p>Appendix D provides an overview of wildlife assets in the Parish but does not map the specific sites referred to, this means that the value of individual hedges, trees and other features is not documented and evidence will therefore need to be provided on a case by case basis. The modification clarifies how the policy will be applied.</p>	<p>Agree. Policy amended as recommended.</p>
<p><u>Policy BDP 4: Green Spaces</u> Renumber Map 7 as Map 3 and insert it as close as possible to Policy BDP 4: Before the first part add “The spaces listed below and shown on Map 3 are designated as Local Green Spaces: 1) The Playing Field 2) The Village Green 3) Jubilee Meadow and Orchard 4) St Andrew’s Churchyard 5) Quaker Burial Ground” In the second part delete “expansion” and replace “scale and setting” with “form”.</p>	<p>To clarify the sites that are being designated by the policy. Including the map in the main body of the Plan makes these areas easily identifiable by those using the Plan. The modification to the second part of the policy clarifies how the policy will be applied.</p>	<p>Agree. Policy and map amended as recommended.</p>
<p><u>Policy BDP 5: Locally Valued Heritage Assets</u> Prepare a new Map as Map 4 and insert it as close as possible to Policy BDP 5 Modify the first paragraph to read: “The buildings and</p>	<p>To ensure decision makers and those referring to the Plan in preparing an application are able to identify the location of these assets.</p>	<p>Agree. Policy amended as recommended and new map provided.</p>

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<p>structures listed below and shown on Map 4 are identified as locally valued heritage assets:</p> <ol style="list-style-type: none"> 1) Lords Waste Houses 2) Primrose Cottages 3) Teacher's House 4) The School House 5) Belvedere 6) Bredfield Chapel 7) The Village Pump 8) The Village Sign 9) The Orchard Foxburrow Farm <p>In the second paragraph delete "must demonstrate how the asset will be protected or enhanced" and insert "should demonstrate how the significance of the asset has been taken into account. Where there is any harm to the asset permission will only be granted where the harm is clearly outweighed by the benefits of the development." Delete the last sentence of the policy.</p> <p>Insert a map after the policy to indicate the location of each of these features. In Annex B Delete the heading "Landscape and Local Character Special Sites, renumber the Village Pump as 7, the Village Sign as 8 and the Orchard Foxburrow Farm as 9 and delete the Playing Field, the Community shop, the</p>	<p>The locations listed in the second part of Annex B under the heading of Landscape vary greatly in character and of the six assets listed only the village pump, the village sign and the Foxburrow Farm heritage orchard can properly be considered to be heritage assets. Heritage assets are features that are of historic significance and the other features listed here are important for other reasons. The Playing Field, the Village Hall, the Community Shop and the Jubilee Meadow are important because of the function they serve for the community rather than their historic significance. The Playing Field and the Jubilee Meadow are designated as Local Green Spaces under Policy BDP 4 and are also protected by NPPF paragraph 97.</p> <p>Non-designated heritage assets are clearly of less significance than listed buildings, but the policy does not provide for any balance it simply requires evidence that the assets will be protected. The modification to the second paragraph therefore aligns the policy more closely to national policy.</p>	

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Jubilee Meadow and the Village Hall from the list of locations		
<u>Policy BDP 7: Farming and Agriculture</u> In Policy BDP 7: delete "they can be shown to be viable and of benefit to the local economy and wellbeing of the parish, and"	While it is sometimes required that business activities should be shown to be unviable before the site is released for other uses, it is not necessary or normal to require business related development to demonstrate viability. It is unclear how "the wellbeing of the parish" would be assessed.	Agree. Policy amended as recommended.
<u>Policy BDP 8: Small Scale Business and Tourism</u> Modify Policy BDP 8 to read "Small scale business and tourism development will be supported where it does not result in unacceptable air, noise or light pollution or a severe impact on highway safety or have a significant detrimental effect on the surrounding landscape or historic buildings.	It is not clear what "community benefits" means other than "employment opportunities" and, if they could be defined, there is no apparent reason why they should be required. There may also be circumstances where development may increase the viability or productivity of a business without creating employment opportunities and this would not be a reason to refuse permission. Moreover, it is not practical to require any employment opportunities to be restricted to local people. While it is clearly appropriate to seek to prevent unacceptable environmental impact, it would be unreasonable to prevent any air, noise or light pollution, as most business developments are likely to have some effect.	Agree. Policy amended as recommended.

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<p>Policy BDP 9: Expansion of Business Premises Modify Map 5 to show the proposed point of access and to make the boundary of the proposed allocation consistent with that in Map 3. Insert Map 5 (which will retain this number) as close as possible to Policy BDP9: After "...into the adjoining land" insert "shown on Map 5" In the 4th line delete "Proposals for new businesses should" and insert "The development of the site will:" Delete the second bullet point. Modify the third bullet point to read "include the provision of a separate access from Boulge Road as shown on Map 5 and any off-site highway improvements necessary to make the proposal acceptable in planning terms" and modify Map 5 to clearly show the location of the proposed access. Delete the 4th bullet point. Modify the fifth bullet point to read "Include landscaping to provide a visual screen between the employment site and existing and proposed residential development and ensure..."</p>	<p>The policy is effectively linked with Policy BDP15 which provides for the redevelopment of the existing business area for residential development as it is intended to facilitate the relocation of the businesses on the existing site.</p> <p>There is no clear indication in the submitted documentation of where this access would be. I have been informed that it is intended that it would be from the entrance to the field on Boulge Road to the west of the Old Smithy. The proposed access point should be shown on the map.</p> <p>The policy should refer to the possible need for measures to mitigate any adverse effects on road safety.</p> <p>The location of the allocation should be shown clearly in association with the Policy. There is an inconsistency in the extent of the site between Maps 3 and 5. The two maps should be made consistent, using the boundary on Map 5 to minimise any harmful effect on The Old Smithy.</p>	<p>Agree. Policy and map amended as recommended.</p>

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	<p>The policy suggests seven criteria for the development of this area of land for employment purposes. These criteria are introduced as relating to proposals for individual businesses but should relate to the site as a whole.</p> <p>The second criterion limits the site to micro-businesses of up to 9 employees. It is common on a site for small businesses for one or two businesses to grow significantly while others move on or close. In many cases this could take place without the need for planning permission and it would be unreasonable and impossible to enforce the movement of businesses elsewhere when they exceed 9 employees.</p> <p>The third criterion should refer to the location to be shown on the map.</p> <p>The fourth criterion requires conformity with all the other policies in the Plan. All policies of the Plan are capable of being applied to any proposal where they are relevant, and this criterion is therefore not necessary.</p>	

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	<p>The fifth criterion relates to the impact of the development on adjoining properties. While it would clearly affect the outlook from existing properties the loss of a private view is not a planning consideration and living conditions at the neighbouring properties could be protected by screening which would ensure there is adequate physical and visual separation between residential and employment uses. Policy BDP 15 refers to this in relation to the development of the existing employment site for housing. However, this does not address the need for the site to be shielded from existing residential property on Boulge Road, and the need for the screening arises from the proposed development of this site for employment purposes, not the housing development.</p>	
<p><u>Policy BDP 11: Transport Considerations in New Development</u> In Policy BDP 11, after "...accompanied by information" insert ", appropriate to their scale,"</p>	<p>Most of the development envisaged in Bredfield is likely to be small in scale and is therefore unlikely to have significant transport implications. It would be unduly onerous to place all the obligations of Policy BDP 11 on developments involving a single dwelling.</p>	<p>Agree. Policy amended as recommended.</p>
<p><u>Policy BDP 13: Location of Development</u></p>	<p>The definition of the Settlement Boundary is only meaningful if it is clear how it will be</p>	<p>Agree. Policy and map amended as recommended.</p>

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<p>Renumber Map 3 on page 36 as Map 6 and locate it as near as possible to Policy BDP 13</p> <p>Modify Policy BDP13 to read: "The settlement boundary is extended to incorporate the areas shown on Map 6 which are allocated for development in Policies BDP9 and 15. In Paragraph 8.5.2, after the first sentence replace the remaining text with "The settlement boundary is used to define the boundary between the settlement and the countryside for policy purposes. and policies SP19, SP27, SP29, DM1, DM3 and DM7 of the Suffolk Coastal Local Plan are all relevant in this regard. Subject to any changes in the examination stage these will be superseded by the policies of the emerging replacement Suffolk Coastal Local Plan and in particular policy SCLP.3.3, which provides for neighbourhood plans to make minor modification to settlement boundaries and allocate additional land for residential and employment development providing that the adjustments and allocations do not undermine the overall strategy and distribution set out in the Local Plan."</p>	<p>used in the determination of planning applications. Policies SP19, SP27, SP29, DM1, DM3 and DM7 of the SCLP all use settlement boundaries in defining the appropriate location for different types of development. It is not necessary to replicate these policies in the BNP, but without cross reference to them in the supporting text, the effect of the policy is not explicit.</p>	
<p><u>Policy BDP 14: Scale of Development</u> Delete Policy BDP 14</p>	<p>There is no specific justification for the use of the figure of 10. The specific provisions of Policies BDP.15 relating to the allocated sites and BDP.16 relating to development more</p>	<p>Agree. Policy deleted as recommended.</p>

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	<p>widely provide the means to control the scale and character of development and the definition of the settlement boundary will maintain the separation between the two main clusters of development.</p>	
<p><u>Policy BDP 15 Sites for Development</u> Renumber Map 4 as Map 7 and insert it as near as possible to Policy BDP.15: After "land identified" insert "on Maps 5 and 7" In the section referring to site 459 amend the first line to read "Land to the east of Woodbridge Road, where outline planning permission has been granted for up to 10 dwellings" and delete the first criterion. Modify the second criterion to read "The principle of housing development for approximately 10 dwellings on this site is accepted even if the existing permission is not implemented. In the section relating to site 694, replace "a maximum of" with "approximately". Delete the second bullet point. In paragraph 8.5.5: replace the existing text relating to site 459 with: "Site 459: Outline planning permission was granted on appeal on site 459 for up to 10 dwellings, (Application Ref DC/16/3624/OUT). This is a shallow site on the east site of Woodbridge</p>	<p>There should be a reference to the relevant maps within the policy.</p> <p>There is insufficient information provided within the supporting text to justify the criteria which the policy sets out for the proposed development in relation to each site. While the site assessment and representations of consultees (particularly in relation to site 534) do contain extensive information which is relevant to the criteria, at least some information should be contained in the supporting text.</p> <p>There is reference to a maximum of 10 dwellings on the site. Much will depend on the form and character of the development rather than the precise number of dwellings. Site 459 has outline permission for up to 10 dwellings; this is expressed as a criterion in the policy but is simply a fact. The policy makes it clear that even if the existing proposal is not implemented, the principle of</p>	<p>Agree. Policy amended as recommended.</p>

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<p>Road opposite Glebe Road. It forms a natural extension to the southern cluster of development in Bredfield and the principle of development on this site is accepted even if the existing outline permission is not implemented.”</p> <p>Replace the existing text relating to site 534 with: “Site 534: this site is centrally placed in the village just north of the village hall and playing field. It is well located in relation to village services and facilities and relates well to the existing built-up area. To the north of the site lies Tudor Cottage which is a listed building and ESC have pointed out the that the development needs to avoid harm to its setting. A substantial hedge with trees separates the two sites and development which is set back from the road, not intrusive in views of the building and respects the generally spacious character of the village will be necessary. Suitable landscaping and access from the southern end of the site will also be required.”</p> <p>Replace the text relating to site 694 with “Site 694: this site at the southern end of the village is known as The Forge and is currently in business use. Most of it lies within the settlement boundary and it would naturally fit in with the cluster of development along</p>	<p>residential development on the site is accepted. The extension of the settlement boundary to include the site has this effect, but it is appropriate to restate it.</p> <p>Reference to the requirement for screening should be applied to the proposed employment site (policy BD.9) rather than proposed housing development as, it is the employment development that will give rise to it and the screening will also be necessary to mitigate the impact of the employment development on existing residential development.</p>	

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<p>Woodbridge Road. It would therefore not be intrusive in the countryside or result in the loss of agricultural land. The development would depend on the relocation of the existing businesses to the area of land to the west of the site which is proposed for employment use in Policy BDP.9. The development of that site will be required to provide effective screening from the existing and proposed housing. There may be a need for any contamination on the site as a result of the existing industrial uses to be removed. The decision to allocate this site was made after the regulation 14 consultation, when the final draft of the emerging SCLP indicated that the number of dwellings required during the plan period is likely to be higher than was envisaged."</p>		
<p><u>Policy BDP 17: Conversion of Redundant Buildings</u> In Policy BDP 17: at the end of the last bullet point add: "and where necessary any contamination is removed or effectively treated."</p>	<p>The final criteria refers to the need to check whether there is any risk of contamination from a previous use. However, it does not say what should happen where there is such a risk. It could be interpreted as saying that development should not take place where there is such a risk. That would not be consistent with the presumption in favour of sustainable development as providing any contamination that is found is removed or</p>	<p>Agree. Policy amended as recommended.</p>

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
	suitably treated any objection would be overcome.	