

East Suffolk Council

**Easton
Neighbourhood Plan
2018-2036**

Independent Examiner's Report

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22 March 2024

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Summary

I have been appointed as the independent examiner of the Easton Neighbourhood Development Plan.

The small village of Easton lies in the valley of the River Deben, some eight kilometres south of Framlingham and about four kilometres north of Wickham Market. It has a rich archaeology and history with a Conservation Area, a number of listed buildings including the Grade I listed Church of All Saints and a scheduled monument. There is a serpentine wall forming the boundary to the former Easton Park.

The Plan is presented to an exceptionally high standard containing many photographs which help to give a distinctive local feel to the Plan. The Plan's vision is underpinned by a set of objectives and ten policies. It is wide ranging covering a variety of topics and local aspirations. The policies include a site allocation, Local Green Spaces, views, design and community facilities to name but a few. The Plan is accompanied by a comprehensive set of supporting documents; all are excellent, helpful, to the point, but with a proportionate amount of detail. This is to be commended and has made my task all the easier.

It has been necessary to recommend some modifications. In the main these are intended to ensure the Plan is clear and precise and provides a practical framework for decision-making as required by national policy and guidance. These do not significantly or substantially alter the overall nature of the Plan.

Subject to those modifications, I have concluded that the Plan does meet the basic conditions and all the other requirements I am obliged to examine. I am therefore pleased to recommend to East Suffolk Council that the Easton Neighbourhood Development Plan can go forward to a referendum.

In considering whether the referendum area should be extended beyond the Neighbourhood Plan area I see no reason to alter or extend this area for the purpose of holding a referendum.

Ann Skippers MRTPI
Ann Skippers Planning
22 March 2024



1.0 Introduction

This is the report of the independent examiner into the Easton Neighbourhood Development Plan (the Plan).

The Localism Act 2011 provides a welcome opportunity for communities to shape the future of the places where they live and work and to deliver the sustainable development they need. One way of achieving this is through the production of a neighbourhood plan.

I have been appointed by East Suffolk Council (ESC) with the agreement of the Parish Council, to undertake this independent examination. I have been appointed through the Neighbourhood Planning Independent Examiner Referral Service (NPIERS).

I am independent of the qualifying body and the local authority. I have no interest in any land that may be affected by the Plan. I am a chartered town planner with over thirty years experience in planning and have worked in the public, private and academic sectors and am an experienced examiner of neighbourhood plans. I therefore have the appropriate qualifications and experience to carry out this independent examination.

2.0 The examination process and the role of the independent examiner

Role of the Examiner

The examiner must assess whether a neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended).

The basic conditions¹ are:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood plan
- The making of the neighbourhood plan contributes to the achievement of sustainable development
- The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area
- The making of the neighbourhood plan does not breach, and is otherwise compatible with, retained European Union (EU) obligations²

¹ Set out in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended) and paragraph 11(2) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)

² Substituted by the Environmental Assessments and Miscellaneous Planning (Amendment) (EU Exit) Regulations 2018/1232 which came into force on 31 December 2020

- Prescribed conditions are met in relation to the neighbourhood plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.

Regulations 32 and 33 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out two additional basic conditions to those set out in primary legislation and referred to in the paragraph above. Only one is applicable to neighbourhood plans and was brought into effect on 28 December 2018.³ It states that:

- The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

The examiner is also required to check⁴ whether the neighbourhood plan:

- Has been prepared and submitted for examination by a qualifying body
- Has been prepared for an area that has been properly designated for such plan preparation
- Meets the requirements to i) specify the period to which it has effect; ii) not include provision about excluded development; and iii) not relate to more than one neighbourhood area and that
- Its policies relate to the development and use of land for a designated neighbourhood area.

I must also consider whether the draft neighbourhood plan is compatible with Convention rights.⁵

The examiner must then make one of the following recommendations:

- The neighbourhood plan can proceed to a referendum on the basis it meets all the necessary legal requirements
- The neighbourhood plan can proceed to a referendum subject to modifications or
- The neighbourhood plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the plan can proceed to a referendum with or without modifications, the examiner must also consider whether the referendum area should be extended beyond the neighbourhood plan area to which it relates.

If the plan goes forward to referendum and more than 50% of those voting vote in favour of the plan then it is made by the relevant local authority, in this case ESC. The

³ Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018

⁴ Set out in sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act and paragraph 11(2) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended)

⁵ The combined effect of the Town and Country Planning Act Schedule 4B para 8(6) and para 10 (3)(b) and the Human Rights Act 1998

plan then becomes part of the 'development plan' for the area and a statutory consideration in guiding future development and in the determination of planning applications within the plan area.

Examination Process

It is useful to bear in mind that the examiner's role is limited to testing whether or not the submitted neighbourhood plan meets the basic conditions and other matters set out in paragraph 8 of Schedule 4B to the Town and Country Planning Act 1990 (as amended) and paragraph 11 of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended).⁶

Planning Practice Guidance (PPG) confirms that the examiner is not testing the soundness of a neighbourhood plan or examining other material considerations.⁷

In addition, PPG is clear that neighbourhood plans are not obliged to include policies on all types of development.⁸ Often representations suggest amendments to policies or additional policies or different approaches. Where I find that policies do meet the basic conditions, it is not necessary for me to consider if further amendments or additions are required.

PPG⁹ explains that it is expected that the examination will not include a public hearing. Rather the examiner should reach a view by considering written representations. Where an examiner considers it necessary to ensure adequate examination of an issue or to ensure a person has a fair chance to put a case, then a hearing must be held.¹⁰

I sought clarification on a very few matters from the Parish Council and ESC in writing on 7 February 2024 and my list of questions is attached to this report as Appendix 2. I am very grateful to both Councils who have provided me with comprehensive answers to my questions. The responses received (all publicly available) have enabled me to examine the Plan without the need for a hearing.

Just before the Regulation 16 stage consultation period was due to end, the Government published a revised National Planning Policy Framework (NPPF) on 19 December 2023, with an update on 20 December 2023. It was decided to extend the consultation period to 19 January 2024 to allow an opportunity for any comments to be made on the revised NPPF with regard to the basic conditions.

A representation from the Environment Agency (EA) received at the submission stage was corrected after the closing date by the EA due to an erroneous reference to the River Flynn in the originally submitted response. A representation from Anglian Water was also clarified.

⁶ Paragraph 11(3) of Schedule A2 to the Planning and Compulsory Purchase Act 2004 (as amended) and PPG para 055 ref id 41-055-20180222,

⁷ PPG para 055 ref id 41-055-20180222

⁸ Ibid para 040 ref id 41-040-20160211

⁹ Ibid para 056 ref id 41-056-20180222

¹⁰ Ibid

In 2018, the Neighbourhood Planning Independent Examiner Referral Service (NPIERS) published guidance to service users and examiners. Amongst other matters, the guidance indicates that the qualifying body will normally be given an opportunity to comment upon any representations made by other parties at the Regulation 16 consultation stage should they wish to do so. There is no obligation for a qualifying body to make any comments; it is only if they wish to do so. The Parish Council made comments on the Regulation 16 stage representations and I have taken these into account.

I am very grateful to everyone for ensuring that the examination has run so smoothly and in particular Anthony Taylor at ESC.

I made an unaccompanied site visit to familiarise myself with the Plan area on 3 March 2024.

Modifications and how to read this report

Where modifications are recommended they appear in a bullet point list of **bold text**. Where I have suggested specific changes to the wording of the policies or new wording these appear in ***bold italics*** in the bullet point list of recommendations. Modifications will always appear in a bullet point list.

As a result of some modifications consequential amendments may be required. These can include changing policy numbering, section headings, amending the contents page, renumbering paragraphs or pages, ensuring that supporting appendices and other documents align with the final version of the Plan and so on.

ESC has also drawn attention to one or two typos and other references which should be updated or amended in the interests of accuracy.

I regard these issues as primarily matters of final presentation and do not specifically refer to all such modifications, but have an expectation that a common sense approach will be taken and any such necessary editing will be carried out and the Plan's presentation made consistent.

3.0 Neighbourhood plan preparation

A Consultation Statement has been submitted. It meets the requirements of Regulation 15(2) of the Neighbourhood Planning (General) Regulations 2012.

Work began on the Plan in 2017. A Steering Group consisting of both residents and Parish Councillors was set up. A drop-in event was held in January 2018 to introduce neighbourhood planning and gather initial views. This was swiftly followed by a household questionnaire and housing needs survey in February 2018. The household

questionnaire generated an excellent response rate of over 60%. A drop-in event was held in July 2018 to feedback the results of the questionnaires.

Throughout the preparation of the Plan, there has been a dedicated page on the Parish Council website which was regularly updated including with minutes of the Steering Group meetings and posters and the Parish magazine have helped to keep residents abreast of progress.

Pre-submission (Regulation 14) consultation took place between 4 February – 20 March 2023. The draft Plan was available online and in the Church porch. A drop-in event was held at the start of the consultation.

I consider that the consultation and engagement carried out is satisfactory.

Submission (Regulation 16) consultation was carried out between 10 November 2023 – 19 January 2024. This was an extended consultation period to allow for any comments to be made on the NPPF which was revised on 19 December 2023 and updated on 20 December 2023 during the original submission consultation period.

The Regulation 16 stage resulted in 13 representations. I have considered all of the representations and taken them into account in preparing my report.

4.0 Compliance with matters other than the basic conditions

I now check the various matters set out in section 2.0 of this report.

Qualifying body

Easton Parish Council is the qualifying body able to lead preparation of a neighbourhood plan. This requirement is satisfactorily met.

Plan area

The Plan area is coterminous with the administrative boundary for the Parish. ESC approved the designation of the area on 19 December 2017. The Plan relates to this area and does not relate to more than one neighbourhood area and therefore complies with these requirements. The Plan area is shown on page 5 of the Plan.

Plan period

The Plan period is 2018 – 2036. This is clearly stated in the Plan itself and confirmed in the comprehensive Basic Conditions Statement. The requirement is therefore satisfactorily met.

Excluded development

The Plan does not include policies that relate to any of the categories of excluded development and therefore meets this requirement. This is also helpfully confirmed in the Basic Conditions Statement.

Development and use of land

Policies in neighbourhood plans must relate to the development and use of land. Sometimes neighbourhood plans contain aspirational policies or projects that signal the community's priorities for the future of their local area, but are not related to the development and use of land. If I consider a policy or proposal to fall within this category, I will recommend it be clearly differentiated. This is because wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable.¹¹

5.0 The basic conditions

Regard to national policy and advice

The Government revised the National Planning Policy Framework (NPPF) on 19 December 2023 and updated it on 20 December 2023. This revised NPPF replaces the previous NPPFs published in March 2012, revised in July 2018, updated in February 2019, revised in July 2021 and updated in September 2023.

The NPPF is the main document that sets out the Government's planning policies for England and how these are expected to be applied.

In particular it explains that the application of the presumption in favour of sustainable development will mean that neighbourhood plans should support the delivery of strategic policies in local plans or spatial development strategies and should shape and direct development that is outside of these strategic policies.¹²

Non-strategic policies are more detailed policies for specific areas, neighbourhoods or types of development.¹³ They can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment as well as set out other development management policies.¹⁴

¹¹ PPG para 004 ref id 41-004-20190509

¹² NPPF para 13

¹³ Ibid para 28

¹⁴ Ibid

The NPPF also makes it clear that neighbourhood plans gives communities the power to develop a shared vision for their area.¹⁵ However, neighbourhood plans should not promote less development than that set out in strategic policies or undermine those strategic policies.¹⁶

The NPPF states that all policies should be underpinned by relevant and up to date evidence; evidence should be adequate and proportionate, focused tightly on supporting and justifying policies and take into account relevant market signals.¹⁷

Policies should be clearly written and unambiguous so that it is evident how a decision maker should react to development proposals. They should serve a clear purpose and avoid unnecessary duplication of policies that apply to a particular area including those in the NPPF.¹⁸

On 6 March 2014, the Government published a suite of planning guidance referred to as Planning Practice Guidance (PPG). This is an online resource available at www.gov.uk/government/collections/planning-practice-guidance which is regularly updated. The planning guidance contains a wealth of information relating to neighbourhood planning. I have also had regard to PPG in preparing this report.

PPG indicates that a policy should be clear and unambiguous¹⁹ to enable a decision maker to apply it consistently and with confidence when determining planning applications. The guidance advises that policies should be concise, precise and supported by appropriate evidence, reflecting and responding to both the planning context and the characteristics of the area.²⁰

PPG states there is no 'tick box' list of evidence required, but proportionate, robust evidence should support the choices made and the approach taken.²¹ It continues that the evidence should be drawn upon to explain succinctly the intention and rationale of the policies.²²

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how the Plan's policies correspond to the most up to date NPPF at the time of submission. Consultation has been held as explained in earlier sections of this report to allow interested parties to comment in relation to the current NPPF.

Contribute to the achievement of sustainable development

A qualifying body must demonstrate how the making of a neighbourhood plan would contribute to the achievement of sustainable development.

¹⁵ NPPF para 29

¹⁶ Ibid

¹⁷ Ibid para 31

¹⁸ Ibid para 16

¹⁹ PPG para 041 ref id 41-041-20140306

²⁰ Ibid

²¹ Ibid para 040 ref id 41-040-20160211

²² Ibid

The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.²³ This means that the planning system has three overarching and interdependent objectives which should be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.²⁴ The three overarching objectives are:²⁵

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

The NPPF confirms that planning policies should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account to reflect the character, needs and opportunities of each area.²⁶

Whilst this has formed part of my own assessment, the Basic Conditions Statement sets out how each Plan objective and policy helps to achieve each of the objectives of sustainable development as outlined in the NPPF.

General conformity with the strategic policies in the development plan

The development plan consists of the East Suffolk Council – Suffolk Coastal Local Plan (SCLP) adopted on 23 September 2020.

Whilst this has formed part of my own assessment, the Basic Conditions Statement contains an assessment of how the Plan's policies generally conform to the SCLP.

Where I have not specifically referred to a strategic policy, I have considered all strategic policies in my examination of the Plan.

²³ NPPF para 7

²⁴ Ibid para 8

²⁵ Ibid

²⁶ Ibid para 9

European Union Obligations

A neighbourhood plan must be compatible with retained European Union (EU) obligations. A number of retained EU obligations may be of relevance for these purposes including those obligations in respect of Strategic Environmental Assessment, Environmental Impact Assessment, Habitats, Wild Birds, Waste, Air Quality and Water matters.

With reference to Strategic Environmental Assessment (SEA) requirements, PPG²⁷ confirms that it is the responsibility of the local planning authority, in this case ESC, to ensure that all the regulations appropriate to the nature and scope of the draft neighbourhood plan have been met. It states that it is ESC who must decide whether the draft plan is compatible with relevant retained EU obligations when it takes the decision on whether the plan should proceed to referendum and when it takes the decision on whether or not to make the plan.

Strategic Environmental Assessment and Habitats Regulations Assessment

The provisions of the Environmental Assessment of Plans and Programmes Regulations 2004 (the 'SEA Regulations') concerning the assessment of the effects of certain plans and programmes on the environment are relevant. The purpose of the SEA Regulations, which transposed into domestic law Directive 2001/42/EC ('SEA Directive'), are to provide a high level of protection of the environment by incorporating environmental considerations into the process of preparing plans and programmes.

The provisions of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'), which transposed into domestic law Directive 92/43/EEC (the 'Habitats Directive'), are also of relevance to this examination.

Regulation 63 of the Habitats Regulations requires a Habitats Regulations Assessment (HRA) to be undertaken to determine whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. The HRA assessment determines whether the Plan is likely to have significant effects on a European site considering the potential effects both of the Plan itself and in combination with other plans or projects. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the Plan for that European Site, in view of the Site's conservation objectives, must be carried out.

A Screening Opinion dated September 2021 has been prepared by ESC. This concluded that the Plan required SEA given the site allocation and the alteration to the settlement boundary to incorporate the proposed site allocation. Consultation with the statutory bodies was undertaken. All three statutory bodies concurred that a SEA would be needed.

²⁷ PPG para 031 ref id 11-031-20150209

An Environmental Report (ER) dated August 2022 and prepared by AECOM has therefore been prepared. The ER confirms that a Scoping Report was prepared and sent to the statutory consultees. The ER was based on the pre-submission version of the Plan. The ER was published alongside the submission version of the Plan. Once made, the Plan will be monitored by ESC.

The ER is a comprehensive document that deals with the issues appropriately for the content and level of detail in the Plan. This in line with PPG advice that confirms the SEA does not have 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 Plan.²⁸ In my view, it has been prepared in accordance with Regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004. Therefore I consider that retained EU obligations in respect of SEA have been satisfied.

Turning now to HRA, a Habitats Regulations Assessment dated September 2021 has been prepared by ESC.

A number of European sites fall within 20km of the Plan area and have been assessed. The higher tier SCLP provides an indicative minimum housing figure of 20 to the Plan area for the period 2018 – 2036. The Plan provides for some 44 dwellings through a combination of existing commitments, windfalls and a proposed site allocation for around 12 units. The SCLP was subject to AA with mitigation measures being incorporated into the SCLP including the Recreational disturbance Avoidance and Mitigation Strategy (RAMS).

The document identifies that Policy ETN1, and Policy ETN2, the site allocation, require AA as having a potential likely significant effect on protected habitats sites as a result of increased recreational disturbance. The HRA concludes that the RAMS will provide adequate mitigation. It states “the Easton Neighbourhood Plan will not lead to any adverse effects on protected Habitat sites”.²⁹

A consultation response from Natural England states “...we concur with the assessment conclusions providing that all mitigation measures are appropriately secured in any associated planning permissions given”.³⁰

On 28 December 2018, the basic condition prescribed in Regulation 32 and Schedule 2 (Habitats) of the Neighbourhood Planning (General) Regulations 2012 (as amended) was substituted by a new basic condition brought into force by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

Given the distance from, the nature and characteristics of the European sites concerned and the nature and contents of this Plan, I consider that the requisite requirements have been met and that the prescribed basic condition is complied with.

²⁸ PPG para 030 ref id 11-030-20150209

²⁹ HRA September 2021 para 7.3

³⁰ Letter from Natural England of 24 September 2021

Conclusion on retained EU obligations

National guidance establishes that the ultimate responsibility for determining whether a plan meets retained EU obligations lies with the local planning authority.³¹ In undertaking work on SEA and HRA, ESC has considered the compatibility of the Plan in regard to retained EU obligations and does not raise any concerns in this regard. ESC will no doubt also review this again in reaching a view on whether the Plan can proceed to referendum following receipt of my report.

European Convention on Human Rights (ECHR)

The Basic Conditions Statement contains a statement in relation to human rights and equalities.³² Having regard to the Basic Conditions Statement, there is nothing in the Plan that leads me to conclude there is any breach or incompatibility with Convention rights.

6.0 Detailed comments on the Plan and its policies

In this section I consider the Plan and its policies against the basic conditions. Where modifications are recommended they appear in **bold text**. As a reminder, where I suggest specific changes to the wording of the policies or new wording these appear in ***bold italics***.

The Plan is presented to an exceptionally high standard and contains 10 policies. There is a foreword which sets the scene and a helpful contents page at the start of the Plan.

1. Introduction

This is a helpful introduction to the Plan that sets out basic information about the Plan and how it has evolved. This is a very clear and well-written section that offers a good explanation of the work carried out and the next stages. Some natural updating will be needed as the Plan progresses towards the next stages.

2. The Plan

This short section explains the Plan is based around four themes of housing; natural environment; historic environment and design; and infrastructure and services.

³¹ PPG para 031 ref id 11-031-20150209

³² Basic Conditions Statement page 22

3. About Easton and 4. Easton today

As well as setting out the most interesting history and rich archaeology of the Parish, these well written and presented sections contain much information about the Plan area.

ESC point out that the definition of ancient woodland in paragraph 4.6 could usefully be changed to the definition found in the NPPF. I agree that this would help with consistency.

ESC explain that paragraph 4.7 is not correct. I invited the Parish Council to consider this and provide some revised wording which was helpfully put forward.

- **Change the definition of ancient woodland in paragraph 4.6 on page 21 of the Plan to “*An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).*”**
- **Revise paragraph 4.7 to read:**

“Within the parish there are a number of *landscape character types, which include Valley Meadowlands, Rolling Estate Claylands, and Ancient Estate Claylands. Reference to these can be found in the Suffolk County Landscape Character Assessment and Suffolk Coastal Landscape Character Assessment.*”
- **Add reference and link to the Suffolk County Landscape Character Assessment to the footnote at the end of page 22**

5. Planning Policy Context

This section usefully explains the policy context for the Plan.

Reference is made to the NPPF. The Government revised the NPPF in December 2023 after this Plan was submitted to ESC. As a result of the revised NPPF, references to the NPPF should be updated throughout the Plan. This is largely a factual exercise and the final wording should be agreed between the Parish Council and ESC. This modification applies throughout the document and is not repeated elsewhere.

- **Update references to the NPPF throughout the Plan as necessary [including paragraphs 5.2, 8.19, 8.23, 8.24, 8.25 and 8.26]**

6. Vision and Objectives

The vision for the area is:

“Our vision for Easton is to have a thriving and vibrant community, accepting organic growth to its housing and population, whilst keeping its rural and historic character, its valued green spaces, natural environment, safe roads, and avoidance of light pollution for its natural dark skies.

This vision will be upheld by

- Ensuring that housing growth and population is organic and respects the environment and infrastructure to ensure that there is sustainable growth for the population.
- Address the lack of affordable properties for young people and families and to aspire to making available smaller 1–3-bedroom dwellings to buy or rent.
- Ensuring that the village remains a vibrant and friendly community and that existing facilities and services are protected and opportunities for new facilities are taken.
- Respecting the strong rural and historic character of the village, and to be mindful of the important views which should be respected and preserved where possible.
- Protection of Local Green Spaces and the natural environment.”

The vision is supported by 10 objectives across the four themes. All are articulated well, relate to the development and use of land and will help to deliver the vision to which they are clearly linked.

To assist with syntax, consideration could be given to making the second bullet point of the vision active to accord with the other actions, for example “addressing” rather than “address”, but this is not a recommendation I need to make given my role.

Two Policies Maps are then included on pages 31 and 32 of the Plan. Both are very useful. However, some amendments to the Policies Maps in the interests of accuracy or clarity are made throughout this report.

7. Housing policies

Policy ETN1 – Housing Development

This policy sets out the overall strategy for new development.

At East Suffolk Council level, Policy SCLP3.1 outlines the strategy for growth across the District. This includes supporting housing, infrastructure and the protection and enhancement of the natural, built and historic environments. The policy seeks to enhance sustainable and inclusive communities through appropriate growth in rural areas.

In Policy SCLP3.2, Easton is defined as a Small Village. Within the Small Villages employment and housing development is expected.

Policy SCLP12.34 sets out a strategy for the rural areas. Its aim is to support and enhance the vitality of rural communities and enhance the visitor experience whilst protecting and enhancing the landscape, and the natural, built and historic environment.

The SCLP provides an indicative minimum housing number of 20 dwellings for Easton as confirmed by Policy SCLP12.1 which specifically refers to neighbourhood plans. The expectation is that neighbourhood plans will meet their requirement consistent with the LP strategy and the settlement hierarchy. Allocations in the SCLP exceed the District's total dwelling requirement for the period 2018 – 2036; the same time period as for this Plan. Other policies in the SCLP are expected to support windfall development above historic levels.³³

The Plan defines a settlement boundary for Easton based on Policy SCLP3.3, but extends it, taking account of the need for additional housing growth which is identified through a later site allocation policy. This is in line with Policy SCLP3.3 which explains that neighbourhood plans can make minor adjustments to settlement boundaries and allocate land for residential, employment and town centre development as long as the overall strategy is not undermined.

Within the settlement boundary, new development is acceptable in principle. Policy SCLP5.2 sets out this should be a small group of dwellings appropriate to the village or infill development. Outside the settlement boundary, the Plan explains that only development which meets national or Local Plan policies will be permitted.

Policy ETN1 supports the development of around 44 dwellings over the Plan period via commitments, the allocation of a site subject of Policy ETN2 and windfall and infill sites. The Plan therefore seeks to meet its housing requirement and there is nothing to

³³ SCLP page 54

suggest the requirement could not be exceeded. Should there be any doubt that this combination will not deliver the housing requirement, I note that ESC has indicated this is not an issue of general conformity with the SCLP as Policy SCLP12.1 indicates that any non delivery of housing growth identified for neighbourhood plans can be addressed through a future Local Plan review.

From my site visit, I am concerned that infilling may well harm the character and appearance of this historic village. This part of the policy then needs to be implemented with great care and a modification is made to address this.

Criterion 4. of the policy particularly supports two and three bedroomed homes which are adaptable and accessible. Support for these sized units is reflected in the SCLP. However, there are two other issues here; the first is whether this fourth criteria forms part of the growth strategy or whether it is separate. From my reading, I consider it to be separate and not in addition to the other three ways of delivering the identified growth. This has been confirmed by the Parish Council in response to a query and a modification is therefore made in the interests of clarity.

Secondly, the policy refers to the M4(2) standard of Part M of the Building Regulations. Whilst it is appropriate and welcome, in my view, for the Plan to encourage such development, reference to a building regulation within the policy is not appropriate. I note that Policy SCLP5.8 requires developments of 10 or more dwellings to have 50% of all dwellings meet M4(2). A modification is therefore made to remove the reference.

The second part of the policy deals with conversions of redundant agricultural buildings where planning permission is needed setting out three criteria aimed at delivering high quality and appropriate development outside the settlement boundary.

Policy SCLP5.5 deals with conversions of rural buildings for housing. Policy ETN1 adds more detail. One issue is that Policy SCLP5.5 deals with all rural buildings not just agricultural buildings. Although Policy SCLP5.5 is not a strategic policy, this wider applicability also reflects the stance towards diversification in the NPPF.³⁴

Reference is also made within this part of the policy to a draft Rural Development Supplementary Planning Document (SPD). Whilst this reference is welcome, I have some reservations that a draft document is referred to within the policy and recommend this be referenced in the supporting text.

ESC has also recommended that this part of the policy dealing with conversions be split into a separate policy. I see merit in this suggestion in the interests of clarity and note the Parish Council does not object. A suggestion for the newly separated policy and its supporting text has most helpfully been put forward by the Parish Council.

Modifications are therefore recommended to separate the policy and to address the other points referred to above.

³⁴ NPPF para 88

Finally, a box of relevant SCLP policies which forms part of the supporting text on page 36 of the Plan is modified for clarity and completeness.

With these modifications, the policy will meet the basic conditions by having regard to national policy, being in general conformity with Policies SCLP3.1, SCLP3.2, SCLP3.3, SCLP5.2, SCLP12.1 and SCLP12.34 and contribute to the achievement of sustainable development.

- **Revise criterion 3. of the policy to read: “Small ‘windfall’ sites and *appropriate infill plots* within and outside the Settlement Boundary that come forward during the plan period that satisfy ENP, Local Plan and National planning policies.”**
- **Change the presentation of the policy so that point 4. of the policy is not numbered and is presented as a separate paragraph**
- **Delete the words ...”(meaning built to optional M4(2) standards)”...in [existing] point 4. of the policy**
- **Make the second part of the policy which deals with conversions into a separate policy titled Policy *ETN2 Conversion of Rural Buildings to Dwellings* which reads:**

“Where planning permission is required, proposals for the conversion of redundant or disused *agricultural or other rural* buildings outside the settlement boundary (figure 24) into dwellings will be supported where:

- 1. the building is structurally sound and capable of conversion without the need for extension, significant alteration or reconstruction; *the submission should set out full details of all the works proposed and the conversion specifications and must be based on a detailed Structural Survey; and***
- 2. the proposal is a high-quality design and the method of conversion retains *or enhances* the character and historic interest of the building; *a heritage statement should be provided with any planning application related to converting historic barns or outbuildings; and***
- 3. the proposal would lead to an enhancement to the immediate setting of the building, and the creation of a residential curtilage and any associated domestic paraphernalia would not have a harmful effect on the character of the site or setting of the building, any wider group of buildings, or the surrounding area.”**

- **Add two new paragraphs of supporting text for the new Policy ETN2 which read:**

“The emerging East Suffolk Council ‘Rural Development Supplementary Planning Document’ SPD provides planning guidance that addresses issues associated with barn conversions in the countryside.

The East Suffolk Council – Suffolk Coastal Local Plan policy SCLP5.5: ‘Conversions of Buildings in the Countryside for Housing’ relates to the conversion of agricultural buildings to dwellings and is listed under ‘Relevant Suffolk Coastal Local Plan policies.’

- **Change the reference to “Policy SCLP5.5” in the policy box on page 36 of the Plan to “Policy SCLP5.3”**
- **Add a reference to the policy box on page 36 that reads: “Policy SCLP5.5: Conversions of Buildings in the Countryside for Housing”**

Policy ETN2 – Land south-west of Wickham Market Road

The Plan explains that 23 sites were assessed by AECOM in 2018. The sites were identified through the SHLAA, the SCLP Issues and Options stage or through the Plan’s Household Survey. The assessment found that three sites were potentially suitable for allocation with one being potentially suitable for mixed use.

Two sites were taken forward, but one had a number of constraints. Therefore the site at land south-west of Wickham Market Road is proposed as an allocation for approximately 12 dwellings.

I consider the site is well related to the settlement boundary and could be developed for a small group of dwellings appropriate to the size, location and character of the village and the site’s partial boundary with the Conservation Area (CA). The site is prominent as the land is undulating and elevated and therefore its topography is important in this edge of village location.

An Easton Conceptual Development Approach to Allocated Site document has been prepared by AECOM. This document discusses the site and sets out development options for the site including a preferred option 3. I personally found this supporting document to be quite confusing, as it appears to contain photographs of other sites which were considered but are now not taken forward and muddles the preferred option. However, the Parish Council has confirmed that option 3 is preferred. In addition, the document is useful in that it demonstrates the site is developable.

ESC has raised concerns about the site’s proximity to an employment use on the northern site boundary. ESC suggests the site boundary is extended and query the preferred approach set out in the AECOM document.

At my visit, I saw the site and its proximity to the employment site. Although I understand that the welding business has now relocated, presumably the premises could be used for other employment uses. The juxtaposition of different uses can be problematic, especially in relation to living conditions and amenity. This is reflected in the NPPF which states that new development should be integrated effectively and

existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established; this is the so called agent of change principle where the new user should provide any necessary mitigation before the development is completed.³⁵

In this case, I can see no reason why the site cannot be satisfactorily developed for housing or that there is any need to extend the boundary. Indeed given the nature and character of this historic village, I consider this location is appropriate for development and this is reinforced by the recent nearby development in Skylark Rise on the opposite side of the road. Nevertheless I recognise the importance of different uses operating side by side satisfactorily.

Suffolk County Council Archaeological Service has advised that there is potential for medieval and prehistoric remains on the site. A new criterion is therefore recommended.

Finally, there are some unnecessary references to other policies.

Taking all these issues, I recommend that the policy be revised to reflect the characteristics of the preferred site option alongside other issues with sufficient flexibility to ensure the deliverability of the site as it would seem appropriate that a design-led solution to the site is sought. I consider that, with these modifications, Policy ETN2 will meet the basic conditions by having regard to national policy, being in general conformity with Policy SCLP5.10 and contributes to the achievement of sustainable development.

- **Amend [existing] Policy ETN2 to read:**

“A site of 1 hectare, as identified on the policies maps (figures 22 and 23), is allocated for approximately 12 dwellings, of which 1 in 3 shall be Affordable Housing dwellings.

The development should *have regard to the* Easton Conceptual Development Approach to Allocated Site document *including the preferred approach*.

Any scheme should incorporate the following:

- 1. Public open space *including* along the frontage of the site in order to *ensure there is a satisfactory visual relationship between any new development, the landscape setting of the site and nearby designated heritage assets;***
- 2. An equipped play *area;***
- 3. A mix of dwellings, in accordance with Policy SCLP5.8 of the Local Plan, unless it can be demonstrated through up-to-date evidence, that there is a need for a different mix;**
- 4. *High quality design appropriate to the local landscape and the site’s natural features and topography;***

³⁵ NPPF para 193

5. A footway link and provision for a safe pedestrian crossing between the site and the village primary school and the wider public rights of way network;
6. Screen planting, using native species, along the south-western and south-eastern boundary in order to minimise any visual impact of the development across the Deben valley and to Letheringham Mill *taking account of the topography of the site*;
7. Sustainable Drainage Systems (SUDS) including, as appropriate, rainwater and stormwater harvesting and recycling; and other natural drainage systems where easily accessible maintenance can be achieved. All drainage systems should deliver bio-diversity, amenity, quality and quantity benefits and be designed to the latest Lead Local Flood Authority guidance.

The site is within the safeguarding area for an Anglian Water site (AW54 - Easton Stw (Suffolk) Anglian Water). In this area, Suffolk Minerals and Waste Local Plan 2020 Policy MP10: Minerals Consultation and Safeguarding Areas will apply. Early engagement with Anglian Water to ensure that there is adequate capacity, or capacity can be made available in the wastewater network.

Proposals that improve the efficiency of heating, cooling and lighting of buildings by maximising daylight and passive solar gain through the orientation of buildings *are encouraged*.

Proposals for street-lighting on the development will not generally be supported due to the potential for a detrimental impact on the setting of the site within the wider landscape. Low level lighting for footways may be suitable where it can be demonstrated that it would not have a detrimental impact on the landscape setting of the site.

Proposals should have regard to the presence of the adjoining business use adjoining the northern boundary of the site and *must* include appropriate measures to mitigate the existing *and potential* operational impacts of that business use on occupiers of the *residential* development *in line with the agent of change principle and to ensure satisfactory living conditions can be achieved without detriment to the operation of the pre-existing business use*.

There is potential for medieval and prehistoric remains on the site. Accordingly, appropriate archaeological investigation should take place in accordance with the advice of Suffolk County Council Archaeological Service."

8. Natural Environment policies

Policy ETN3 – Dark Skies

The NPPF indicates that policies should ensure new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.³⁶ In so doing, the NPPF refers to limiting the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.³⁷

This policy seeks to ensure that this aim of the NPPF is realised and also reflects Policy SCLP10.4 which refers to the protection and enhancement of dark skies indicating exterior lighting should be appropriate in relation to intrinsic darkness.

The policy therefore meets the basic conditions particularly having regard to the NPPF, is in general conformity with Policy SCLP10.4 in particular and will help to achieve sustainable development.

The supporting text at paragraph 8.2 refers to the “Suffolk Coastal Landscape Character Appraisal” which should be the “Suffolk Landscape Character Assessment”.

The supporting text at paragraph 8.2 refers to the “Easton Character Appraisal”. Elsewhere in the Plan, reference is made to a “Village Character Appraisal”. The document is titled “Village Character Assessment”. To avoid confusion, a modification is made to amend references to the Easton or Village Character Appraisal to the Village Character Appraisal. This modification applies throughout the document and is not repeated elsewhere unless the reference appears in a policy.

ESC suggests that paragraph 8.5 be moved into the list of bullet points at paragraph 8.4. A modification is made in the interests of clarity.

A correction is made to the title of a policy referred to in paragraph 8.6 and a policy reference in paragraph 8.10.

- **Amend the reference to the “Suffolk Coastal Landscape Character Appraisal” in paragraph 8.2 to “Suffolk *Landscape Character Assessment*”.**
- **Amend any references in the Plan which refer to the “Village Character Appraisal” or the “Easton Character Appraisal” to refer to the “*Village Character Assessment*” [paragraphs 8.2; 8.12; 9.14]**

³⁶ NPPF para 191

³⁷ Ibid

- **Move paragraph 8.5 on page 45 to become part of the bullet point list of paragraph 8.4**
- **Change the policy title of SCLP11.8 from “Historic Parks and Gardens” in paragraph 8.6 to “Parks and Gardens of Historic or Landscape Interest”**
- **Correct the reference to “ENP3” in paragraph 8.10 to “ETN3”**

Policy ETN4 – Protection of Landscape Character and Important Views

The NPPF requires the planning system to contribute to and enhance the natural and local environment, including protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.³⁸ I consider that the identification of views is integral to conserving local landscape and built environment character and is important in conserving local distinction.

Policy SCLP10.4 refers to landscape character and includes reference to significant views.

The Plan explains that 16 important views have been identified through the Village Character Assessment. Some are also identified in the CA Appraisal document. Each of the important views selected are described in the Plan with a photograph of each viewpoint and identified on the Policies Maps.

From my site visit, I consider that all the views have been appropriately identified.

The policy wording refers to the protection and seeks enhancement of, the important views, landscape character, heritage and rural character. It seeks to ensure that any new development does not have a detrimental impact on the views. It does not prevent development per se. It states that a Landscape Visual Impact Assessment may be required to demonstrate any impacts.

ESC point out that only the supporting text refers to key features whereas the policy is worded differently. In order to remove any doubt, a modification is made to insert the words “key features” into the policy as such features are listed within the Plan itself.

With these modifications, the policy will meet the basic conditions by having regard to national policy and guidance in recognising the intrinsic character and beauty of the countryside and promoting and reinforcing local distinctiveness, adding a local layer to Policy SCLP10.4 in particular and helping to achieve sustainable development.

Paragraph 8.12 refers to the Policies Maps, but includes the wrong Figure numbers. A modification is made in the interests of accuracy.

³⁸ NPPF para 180

- **Amend point 2. of the policy to read: “will ensure that there is no detriment impact on the *key features of the* important views identified on the policies maps (figures 22 and 23). A Landscape Visual Impact Assessment may be required to demonstrate that developments will not have a detrimental impact on *the key features of these views.*”**
- **Change references to “...(Figures 22 and 21)...” in paragraph 8.12 on page 49 of the Plan to “...(figures 22 and 23)...”**

Policy ETN5 - Recreational disturbance Avoidance and Mitigation

The Parish is located within the Suffolk Coastal Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Zone of Influence (ZOI). The RAMS has been produced by a number of Suffolk local authorities and a RAMS Supplementary Planning Document was adopted by ESC in May 2021.

The RAMS has been undertaken to address the impact of increased recreational disturbance arising from new housing on Habitats sites and requires mitigation. The mitigation is a combination of a financial contribution to fund a warden and visitor management scheme and green infrastructure on housing sites to encourage people to stay local thereby reducing the pressure on the European site.

The policy meets the basic conditions in that it seeks to address any impact from new housing, is in general conformity with Policy SCLP10.1 (which refers to the RAMS) in particular and will help to achieve sustainable development.

There are two references to correct in paragraphs 8.13 and 8.15.

- **Change the words “...residential disturbance...” in paragraph 8.13 on page 53 of the Plan to “...recreational disturbance...”**
- **Change the reference to “...(Suffolk RAMS)...” in paragraph 8.15 to “...Suffolk Coast RAMS)...”**

Policy ETN6 – Biodiversity and Habitats

The NPPF³⁹ is clear that planning policies should contribute to and enhance the natural and local environment including through minimising impacts on biodiversity and providing net gains. It continues⁴⁰ that “if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less

³⁹ NPPF para 180

⁴⁰ Ibid para 186

harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”.

Policy ETN6 seeks to protect features of biodiversity value making reference to the Village Character Assessment and the East Suffolk Environmental Guidance Note (2020), prepared by ESC in response to the climate change emergency that was declared by the Council in July 2019. Policy ETN6 refers to biodiversity net gain. It seeks to ensure that trees, hedgerows and other natural features are protected or mitigated if loss or harm is unavoidable.

The policy reflects the NPPF which is clear that if significant harm to biodiversity results and cannot be mitigated or compensated, permission should be refused. However, the policy refers to substantial whereas the NPPF uses the word “significant”. A modification is made to the wording to ensure the policy has regard to the NPPF.

Lastly, it seeks to ensure that hedgerows are not lost through the creation of new access points.

Reference is made to the Easton Character Appraisal which should be changed to reflect the title of the document concerned in the interests of consistency.

With these modifications, the policy will meet the basic conditions by having regard to national policy and guidance, adding a local layer to, and being in general conformity with, the relevant strategic policies, in particular Policy SCLP10.1 and helping to achieve sustainable development.

- **Substitute the word “substantial” in the second paragraph of the policy with “significant”**
- **Amend the reference in the policy to the “Easton Character Appraisal” to “Village Character Assessment”**

Policy ETN7 – Local Green Spaces

The Plan proposes five areas as Local Green Space (LGS). They are shown on the Policies Maps and more detailed boundaries are shown in the Plan alongside a description and photograph of each proposed LGS. The information in the Plan is also an appraisal of each proposed green space.

The NPPF explains that LGSs are green areas of particular importance to local communities.⁴¹ The designation of LGSs should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services.⁴² It is only possible to designate LGSs when a plan is prepared

⁴¹ NPPF para 105

⁴² Ibid

or updated and LGSs should be capable of enduring beyond the end of the plan period.⁴³

The NPPF sets out three criteria for green spaces.⁴⁴ These are that the green space should be in reasonably close proximity to the community it serves, be demonstrably special to the local community and hold a particular local significance and be local in character and not be an extensive tract of land. Further guidance about LGSs is given in PPG.

I saw the proposed areas on my site visit.

1. Village Green is formed of two spaces located in the centre of the village and hosts the village sign. It is used for events. It falls within the Conservation Area (CA). It is valued for its historical significance and as a village focal point.
2. Highway Verges, The Street consists of two highway verges on the northwestern side of The Street within the CA. The verges are considered to be part of the village's setting and important to its character. Whilst I note there is objection from Suffolk County Council, I consider they are distinctive.
3. Informal Green Space and signpost, Pound Corner consists of two wide highway verges on opposite sides of the road at Pound Corner. The spaces are at the heart of the village within the CA. Both areas are distinctive. They are an important part of the setting for the listed serpentine wall and one area includes a finger post sign.
4. Easton closed cemetery green space around All Saints Church forms part of the curtilage of the Grade I listed Church. It falls within the CA. It is particularly valued for its historical significance.
5. Easton Parish Council private open cemetery is a self-contained rectangular spaced area particularly valued by the community for its historical significance and as a private burial ground. It is publicly accessible and adjoins the cricket ground. It is a peaceful space.

In my view, all of the proposed LGSs meet the criteria in the NPPF satisfactorily. The proposed LGSs are demonstrably important to the local community, are capable of enduring beyond the Plan period, meet the criteria in paragraph 106 of the NPPF and their designation is consistent with the local planning of sustainable development and investment in sufficient homes, jobs and other essential services given other policies in the development plan and this Plan.

However, early consultation with the correct owner of the Easton closed cemetery space around All Saints Church has not been carried out in line with PPG advice.⁴⁵

⁴³ NPPF para 105

⁴⁴ Ibid para 106

⁴⁵ PPG para 019 ref id 37-019-20140306

Despite the open opportunity to make representations during public consultation periods, for this reason alone, the proposed designation should be deleted.

I have also considered whether there is any additional benefit to be gained by the designation for spaces falling within the CA. I consider that there is additional local benefit to be gained by identifying those areas of particular importance to the community and that these designations serve different purposes.

Turning now to the wording of the policy, it simply designates the LGSs. The supporting text to the policy indicates that development in the LGSs will be consistent with national policy for Green Belts. This has regard to the NPPF which is clear that policies for managing development within a Local Green Space should be consistent with those for Green Belts.⁴⁶

With the modification to delete the Easton closed cemetery from the policy, the policy will meet the basic conditions.

The reference to this policy on the Policies Map, Figure 23, should be updated from “Policy ETN6” to “ETN7”.

- **Delete LGS 4 the Easton closed cemetery green space around All Saints Church from the policy; consequential amendments will be needed to the supporting text and Maps**
- **Change policy reference from “(Policy ETN6)” to “(Policy ETN7)” on Figure 23**

9. Historic Environment and Design policies

Policy ETN8 – Non-designated Heritage Assets

The NPPF explains that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance.⁴⁷ In relation to non-designated heritage assets, the NPPF is clear that the effect of any development on its significance should be taken into account and that a balanced judgment will be needed having regard to the scale of any harm or loss and the significance of the heritage asset.⁴⁸

Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes which have heritage significance, but do not meet the criteria for designated heritage assets. PPG advises there are various ways that such assets can be identified including through neighbourhood planning.⁴⁹

⁴⁶ NPPF para 107

⁴⁷ Ibid para 195

⁴⁸ Ibid para 209

⁴⁹ PPG para 040 ref id 18a-040-20190723

However where assets are identified, PPG advises that it is important decisions to identify them are based on sound evidence.⁵⁰ There should be clear and up to date information accessible to the public which includes information on the criteria used to select assets and information about their location.⁵¹

In this case, an Appraisal of Non-Designated Heritage Assets has been produced to support the identification of the assets. The list has been compiled based on Historic England's published guidance as well as criteria in the SCLP and therefore uses a range of criteria. It has taken a logical and consistent approach. The Appraisal supports the designation of these locally important buildings and structures.

The policy seeks to retain and protect a number of assets which are referenced in the policy wording. Many are buildings, but signs and a stone wall are also included.

The policy refers to Policy SCLP11.6 in relation to how development proposals affecting a non-designated heritage asset will be assessed. Policy SCLP11.6 is detailed and reflects the language in the NPPF in how such assets will be considered in relation to planning applications where harm may be caused.

In response to a query, the Parish Council has helpfully suggested renaming the three "20"s to 20a, b and c. This will help with clarity and identifying the three heritage signposts.

No 21, the stone wall, The Street Car Park has been missed off the Map. As it is clear that this is included within the policy, I do not consider any unfairness will arise if this omission is rectified.

The policy will meet the basic conditions by having regard to the NPPF, adding local detail to, and is in general conformity with Policies SCLP11.3 and SCLP11.6 in particular (although I note Policy SCLP11.6 is not a strategic policy) and helping to achieve sustainable development.

Reference to Policy SCLP5 in the policy box before the policy should be to Policy SCLP11.5.

- **Split the three heritage signposts into 20a, 20b and 20c on the Policies Maps**
- **Identify No 21, Stone wall, The Street, car park and adjacent land on the Policies Maps**
- **Change the reference to "Policy SCLP5" in the policy box on page 70 of the Plan to "Policy SCLP11.5"**

⁵⁰ PPG para 040 ref id 18a-040-20190723

⁵¹ Ibid

Policy ETN9 – Design Considerations

The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.⁵²

It continues that neighbourhood plans can play an important role in identifying the special qualities of an area and explaining how this should be reflected in development.⁵³ It refers to design guides and codes to help provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design.⁵⁴

It continues that planning policies should ensure developments function well and add to the overall quality of the area, are visually attractive, are sympathetic to local character and history whilst not preventing change or innovation, establish or maintain a strong sense of place, optimise site potential and create places that are safe, inclusive and accessible.⁵⁵

Policy ETN9 is a long policy with numerous and varied criteria covering a wide range of issues. In essence, the policy seeks to deliver locally distinctive development of a high quality that protects, reflects and enhances local character.

In support of the policy, a Design Guide has been produced by AECOM. Paragraph 9.13 of the supporting text indicates that this was produced before the National Model Design Code came into being, but the version submitted is dated September 2023. Therefore this paragraph needs some amendment. At my request, the Parish Council has helpfully provided some revised wording. The Character Appraisal also feeds into this work as does the CA Appraisal and both are referenced in the policy.

The policy cross-references the Development Design Principles in Appendix 2 of the Plan which is taken from the Design Guide.

The Design Guide could be referenced in the policy in addition to the Development Design Checklist; this will make the policy more robust. A modification is therefore recommended.

A reference is made to Important Open Areas in criterion 2. The Parish Council has confirmed this should be a reference to Local Green Spaces.

Criterion 4 refers to the Suffolk Guidance for Parking (2019) which I understand has now, with the passage of time, been superceded by revisions in October 2023. The policy refers to any successor documents which future proofs it, but a modification is

⁵² NPPF para 131

⁵³ Ibid para 132

⁵⁴ Ibid para 133

⁵⁵ Ibid para 135

made so that the policy is as up to date as possible.

Criteria 11, 12 and 14 require some reworking to help with syntax. Criterion 11 is also changed to reflect a comment from SCC in their representation and accepted by the Parish Council. Criterion 12 is also changed to reflect the encouragement the Plan can give to such developments. Criterion 13 is deleted as all proposals will have regard to Policy ENP3 and there is no need to repeat it.

With these modifications, the policy will meet the basic conditions by supporting locally distinctive development of a high quality having regard to the NPPF, leading on from, and being in general conformity with Policies SCLP7.1, SCLP7.2, SCLP9.6 and SCLP11.1 and achieving sustainable development.

- **Amend paragraph two of the policy to read: “Planning applications should demonstrate how they *have taken the Design Guide into account and how they* satisfy the requirements of the Easton Development Design Principles in Appendix 2 of the Neighbourhood Plan, as appropriate to the proposal.”**
- **Replace “...Important Open Areas...” in criterion 2. With “...*Local Green Spaces...*”**
- **Update the reference to “Suffolk Guidance for Parking (2019)” in criterion 4. to “Suffolk Guidance for Parking (2023)”**
- **Change criterion 11. to read: “ *Safe walking and cycling routes are included and should ensure they are safe for residents of all ages and those that have mobility issues or are otherwise vulnerable.*”**
- **Change criterion 12. to read: “*Designs include measures that encourage renewable energy for heating and cooling as well as electricity and improve efficiency.*”**
- **Delete criterion 13.**
- **Change criterion 14. to read: “*Development does not adversely affect the character of, or result in the loss of, existing or proposed rights of way unless alternative provision or diversions can be arranged which are at least as attractive, safe and convenient for public use.*”**
- **Amend the two references in the policy to the “Neighbourhood Plan Character Appraisal” to “*Village Character Assessment*”**
- **Revise paragraph 9.13 on page 73 of the Plan to read:**

“The Easton Design Guide guidelines reflects the National Model Design Code published in July 2021. Aspects of development design particular to Easton are contained within the Design Guide, the principles are reproduced in Appendix

2 of the Neighbourhood Plan. It is expected that, as appropriate to the development proposal, planning applications should demonstrate how they satisfy the principles.”

This section of the Plan also contains a section on flooding. SCC has asked for some revisions to paragraph 9.18 and also to paragraph 10.15 in the next section of the Plan. I note the Parish Council has no objection to these suggested changes and in the interests of clarity, modifications are recommended to address the points raised by SCC.

- **Delete the words “...SCC Highways responses are that the problems are not considered a priority...” from the last sentence of paragraph 9.18 on page 77 of the Plan**
- **Add the words “of the community” after “Addressing this is a high priority...” in the last sentence of paragraph 10.15 on page 86 of the Plan.**

10. Infrastructure and Services policies

Policy ETN10 – Village Services and Facilities

To support a prosperous rural economy, the NPPF expects planning policies to enable the retention and development of accessible local services and community facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.⁵⁶ It also states that policies should guard against the unnecessary loss of valued facilities and services as part of its drive to promote healthy and safe communities, particularly where this would reduce the community’s ability to meet day to day needs.⁵⁷

This policy supports the enhancement of a number of facilities and services referenced in the policy. These include the pub, the primary school and the village car park.

Paragraph 10.4 in the Plan refers to Policy SCLP8.1 which in turn refers to community facilities and assets and contains criteria which apply in the assessment of planning applications to change the use of such facilities. Paragraph 10.4 cross-references to a list of services and facilities in paragraph 9.1 of the Plan (which I think should be 10.1).

Policy ETN10 reiterates that the loss of those services and facilities referred to in the policy will be determined in accordance with Policy SCLP8.1. Policy SCLP8.2 refers to open space and recreational facilities and allows the loss of open spaces in exceptional circumstances. Given the nature of the range of services and facilities specified in Policy ETN10, I consider Policy SCLP8.2 should also be referred to in the policy.

⁵⁶ NPPF para 88

⁵⁷ Ibid para 97

Furthermore, the Village Green is referred to in the policy, but not in paragraph 10.1. The Village Green is proposed for designation as a LGS. The criteria in Policy SCLP8.1 would allow a change of use and, however unlikely, there is a conflict between the inclusion of the Village Green in this policy and its designation as a LGS. A modification to remove it from the policy is made.

There is an anomaly in the way one of the facilities is referred to and a modification is made in the interests of clarity.

With these modifications, the policy will have regard to national policy, be in general conformity with Policies SCLP8.1 and SCLP8.2 and will help to achieve sustainable development.

There is also a further correction to paragraph 10.10 of the supporting text and other changes to the supporting text in the interests of completeness.

- **Change the reference to “...paragraph 9.1” in paragraph 10.4 on page 81 of the Plan to “...paragraph 10.1”**
- **Change the wording in the policy from “...in accordance with Policy SCLP8.1...” to “in accordance with *Policies SCLP8.1 and SCLP8.2...*”**
- **Delete “The Village Green” from the policy**
- **Amend “The informal meadow including play equipment” in paragraph 10.1 on page 80 to “*The Playing Field including play equipment*”**
- **Change the reference to the “East Neighbourhood Plan” in paragraph 10.10 on page 83 to the “*Easton Neighbourhood Plan*”**
- **Amend paragraph 10.17 on page 86 of the Plan to include references to the Special Protection Areas, Special Areas of Conservation and Ramsar sites**
- **Update paragraph 10.18 on page 86 to include reference to the most recent CIL rates**
- **Change the last sentence of paragraph 10.18 to read: “The Parish Council currently receives 15 per cent of the Levy for relevant developments which will increase to 25 per cent *for developments which are granted planning permission after the Neighbourhood Plan is made and the development commenced.*”**

This section also includes information and discussion on highways, public rights of way and infrastructure capacity amongst other topics. Whilst speed limits cannot be controlled through neighbourhood plans, concern over speeding and the provision of infrastructure including through the protection of existing pedestrian and cycle routes

and the creation of new ones for example could form part of a future priorities list for the Parish Council if desired.

11. Implementation and monitoring

This is a short section which explains about the Community Infrastructure Levy and the use of the Plan including the potential for review at a future date.

In line with a recommended modification on the last section of the Plan, a modification is made in the interests of clarity to paragraph 11.3 of the supporting text.

- **Change the second sentence of paragraph 11.3 on page 88 of the Plan to read: “Once the Neighbourhood Plan is *made*, Easton Parish Council will benefit from 25 per cent of the levy revenues arising from development that takes place in Easton *once that development has commenced.*”**

Appendices and Glossary

There are three appendices. Appendix 1 recognises those involved in the production of the Plan. Appendix 2 contains the Development Design Principles referred to in Policy ETN9. Appendix 3 is a list of evidence documents.

The Development Design Principles in Appendix 2 are taken from the Design Guide. The updated version of the Design Guide is dated September 2023. The appendix should be updated accordingly. A consequential amendment to the page number references is also needed.

A helpful glossary is also included at the end of the Plan.

- **Change the date in Appendix 2 of “...April 2019...” to “*September 2023*”**
- **Change the page references in Appendix 2 from “...pages 20 onwards...” to “...pages 17 – 25.”**

7.0 Conclusions and recommendations

I am satisfied that the Easton Neighbourhood Development Plan, subject to the modifications I have recommended, meets the basic conditions and the other statutory requirements outlined earlier in this report.

I am therefore pleased to recommend to East Suffolk Council that, subject to the modifications proposed in this report, the Easton Neighbourhood Development Plan can proceed to a referendum.

Following on from that, I am required to consider whether the referendum area should be extended beyond the Neighbourhood Plan area. I see no reason to alter or extend the Plan area for the purpose of holding a referendum and no representations have been made that would lead me to reach a different conclusion.

I therefore consider that the Easton Neighbourhood Development Plan should proceed to a referendum based on the Easton Neighbourhood Plan area as approved by East Suffolk Council on 19 December 2017.

Ann Skippers MRTPI
Ann Skippers Planning
22 March 2023

Appendix 1 List of key documents specific to this examination

Easton Neighbourhood Plan 2018 – 2036 Submission DRAFT October 2023

Basic Conditions Statement October 2023

Consultation Statement October 2023

Strategic Environmental Assessment Screening Opinion Draft Easton Neighbourhood Plan September 2021 (ESC)

SEA Environmental Report August 2022 (AECOM)

Habitats Regulations Assessment of the Draft Easton Neighbourhood Plan September 2021 (ESC)

Design Guide September 2023 (AECOM)

Site Assessment Final Report October 2018 (AECOM)

Conceptual Development Approach to Allocated Site Final Report September 2023 (AECOM)

Appraisal of Non-Designated Heritage Assets February 2023

Village Character Assessment March 2021

Easton Conservation Area Appraisal December 2014

Suffolk Coastal Local Plan adopted 23 September 2020

End of list

Appendix 2 Questions of clarification from the examiner

Easton Neighbourhood Plan Examination

Questions of clarification from the Examiner to the Parish Council and ESC

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

1. ESC, in their representation, indicates that paragraph 4.7 on page 23 of the Plan would benefit from amendment. I invite the Steering Group to provide wording for a revised paragraph that would address this concern.
2. Please could the Parish Council confirm whether the fourth criterion of Policy ETN1 is separate and additional to the other three criteria and forms part of the growth strategy i.e. two and three bedroomed homes will be supported in addition to commitments, the proposed site allocation, windfall sites and infill development across the Plan area?
3. ESC suggest, and, noting the Parish Council have no objections, I agree, that the second part of Policy ETN1 be split and formed into a separate policy. Please could the Parish Council provide some suggested supporting text be provided for the policy, taking account of ESC's comments on the reference to the draft Rural Development Supplementary Planning Document in their representation?
4. Is it the intention of the Plan to amend the settlement boundary to include the proposed site allocation in Policy ETN2?
5. In relation to the Easton Conceptual Development Approach to Allocated Site document which has been prepared by AECOM two queries arise. 1. Are some of the photographs included within the AECOM document of sites other than the site proposed for allocation or perhaps they are labelled incorrectly? If so, please could you advise me of the page numbers in the document? 2. Is it Option 2 or 3 that is preferred as there seems to be some confusion in the document?
6. With regard to Policy ETN4, please could the Parish Council check and confirm that all the important views/viewpoints have been transposed accurately on the Policies Maps? If any changes are needed, please specify them.
7. ESC state that ESC has been incorrectly identified as the owner of a proposed Local Green Space, the Eaton closed cemetery green space around All Saints Church. Please could the Parish Council confirm whether or not the correct owner has been consulted regarding the proposed designation?

8. With regard to Policy ETN8, please could the Parish Council check and confirm that all the proposed Non-designated Heritage Assets are a) shown and b) shown accurately on the Policies Maps? In addition, there seems to be three “20”s; is that right? If any changes are needed, please specify them.
9. In relation to Policy ETN9, paragraph 9.13 of the supporting text indicates that this was produced before the National Model Design Code came into being, but the version of the Design Guide submitted is dated September 2023. Therefore I think this paragraph needs to be updated. If this is the case, please could the Parish Council provide the revised wording?
10. Reference is made in Policy ETN9 to “Important Open Areas” and indicates they are identified on the Policies Maps. I assume this is now a redundant phrase, but please advise.

Thank you very much for your help on these matters.

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

Please remember to only send me information that is already within the public domain.

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

With many thanks,

Ann Skippers
Independent Examiner
7 February 2024