

# Halesworth Neighbourhood Plan

## **Decision Statement**

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

Date of Publication: 16th December 2022

### 1. Summary

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

### 2. Background

- 2.1 Halesworth Town Council, as the Qualifying Body, successfully applied for Halesworth Town to be designated as a Neighbourhood Area under The Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Area was designated by (former) Waveney District Council on 31<sup>st</sup> May 2018.
- 2.2 The Halesworth Neighbourhood Plan was published by Halesworth Town Council for pre-submission consultation (Regulation 14) between 5<sup>th</sup> November 2021 and 17<sup>th</sup> December 2021.
- 2.3 Following the submission of the Halesworth Neighbourhood Plan (submission version) to East Suffolk Council the Plan was publicised and comments invited over a six-week period which closed on 3<sup>rd</sup> August 2022.
- 2.4 East Suffolk Council, with the agreement of Halesworth Town Council, appointed an independent examiner, Andrew Ashcroft 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 17<sup>th</sup> November 2022 concluded that subject to modifications identified in the Report, the Halesworth Neighbourhood Plan meets the basic conditions.

- 2.6 The Examiner recommends that subject to the modifications listed in the Report, the Halesworth 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 Halesworth Town.
- 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 Halesworth Town 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 17th November 2022.
- 3.2 With the Examiner's recommended modifications East Suffolk Council has decided that the Halesworth 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 Halesworth Neighbourhood Plan will be modified as recommended for it then to proceed to referendum.
- 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 Halesworth 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 Halesworth Neighbourhood Plan will be republished and titled the Halesworth Neighbourhood Plan (Referendum Version).

Philip Ridley BSc(Hons) MRTPI

Head of Planning and Coastal Management

Dated: 14/12/2022

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
POLICY HAL.ENV1: LOCAL GREEN SPACES  A. The following sites, as shown on Figures 4.1 and 4.2 and on the Policies Map, are designated as a Local Green Spaces  • Millennium Green - Blyth Meadow  • Millennium Green - Two Acres  • Millennium Green - Birds Folly  • Millennium Green - Folly Meadow  • Millennium Green - Chestnut Meadow  • Millennium Green - Angel Meadow  • Millennium Green - Lester's Piece  • Millennium Green - Arthur's Wood  • Millennium Green - Community Orchard  • Millennium Green - The Scrub Triangle  • Millennium Green - Southwold to Halesworth Railway  • The Town Park  B. Development proposals within the designated local green spaces will only be supported in very special circumstances.	The Millennium Green is broken down into its discrete elements with their individual characteristics and maintenance regimes to meet the test in paragraph 102 of the NPPF.	Agree. Policy amended as recommended.
Revise Figure 4.2 to identify the component parts of the wider Green to show the discrete elements of Millennium Green.	The Millennium Green is broken down into its discrete elements with their individual characteristics and maintenance regimes to meet the test in paragraph 102 of the NPPF.	Agree. Figure amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
Paragraph 4.5:  Two Twelve spaces are considered to fulfil all of the criteria of the NPPF:  Millennium Green - Blyth Meadow Millennium Green - Two Acres Millennium Green - Birds Folly Millennium Green - Folly Meadow Millennium Green - Chestnut Meadow Millennium Green - Angel Meadow Millennium Green - Lester's Piece Millennium Green - Arthur's Wood Millennium Green - Community Orchard Millennium Green - The Scrub Triangle Millennium Green - Southwold to Halesworth Railway The Town Park Policy ENV1 follows the matter-of-fact approach in the NPPF. If development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by East Suffolk Council. It will be able to make an informed judgement on the extent to which the proposal	The Millennium Green is broken down into its discrete elements with their individual characteristics and maintenance regimes to meet the test in paragraph 102 of the NPPF.	Agree. Paragraph amended as recommended.
concerned demonstrates the 'very special circumstances' required by the policy.		
POLICY HAL.ENV2: PROTECTION OF OPEN SPACES  The green spaces at Princes Green, Aldergrove Close and Rectory Green, as shown in Figures 4.4-4.6 and on the Policies Map, are designated open spaces. Any proposals for development of these spaces will only be permitted	Modification recommended to remove any potential uncertainty about the way in which the policy would be applied.	Agree. Policy amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
in exceptional circumstances and must meet the requirements of Local Plan Policy WLP8.23 (Protection of Open Space).  The green spaces at Princes Green, Aldergrove Close and Rectory Green, as shown in Figures 4.4-4.6 and on the Policies Map, are designated open spaces.		
Any proposals for development of these spaces will be assessed against the requirements of Local Plan Policy WLP8.23 (Protection of Open Space).		
POLICY HAL.ENV4: VERGES  A. Existing green verges along roadways should be retained and should only be removed if it is clearly demonstrated to be part of necessary highway improvements, including for walking and cycling. Any such improvements should maximise incorporate opportunities for planting around the existing verges wherever practicable.  B. Major development (as defined in the NPPF) must should maximise the provision of green verges along main roadways and must should demonstrate that these are designed so that vehicles are not able to use them for parking or be degraded by day-to-day activity.  C. On roadways outside of main routes, the design of roadways and verges to maximise biodiversity value will be supported. This could include enabling the planting of street trees or wildflower meadows or the creation of community gardens.  D. Proposals to enhance the biodiversity value of verges will be strongly supported.	Modifications to bring the clarity required by the NPPF.	Agree. Policy amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
POLICY HAL.ENV5: HERITAGE TREES Halesworth's heritage trees are shown in Figure 4.8 and on the Policies Map. Proposals for development of land on or immediately adjacent to a heritage tree are encouraged to should preserve the tree and avoid damage to its root structure.	Modifications recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently.	Agree. Policy amended as recommended.
POLICY HAL.HSG1: PROVISION OF LARGER LARGE FAMILY HOUSING In meeting the requirements of Waveney Local Plan Policy WLP8.1 (Housing mix), development must provide a mix of larger properties (3-bed properties or larger) and, in particular, must provide at least 15% as 4-bed properties. In meeting the requirements of Waveney Local Plan Policy WLP8.1 (Housing mix), development proposals should provide a mix of larger properties (3-bed properties or larger) and, in particular, should provide at least 15% as 4-bed properties.	A series of modifications recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently.	Agree. Policy amended as recommended.
Paragraph 5.11:  Policy WLP8.1 of the Local Plan requires that Aat least 35% of new houses must be 1- or 2-bed, meaning that up to 65% of provision can be of the larger house sizes sought in Halesworth.	Modifications recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently.	Agree. Paragraph amended as recommended.
POLICY HAL.HSG2: SMALL HOUSING SITES  Proposals for small housing sites (10 dwellings or less) within the settlement boundary that demonstrate how they will actively address the objectives of the Neighbourhood Plan will be strongly supported. In particular these objectives include:  a. Retaining or providing employment (as part of a mixed use development).  b. Provision of biodiversity rich space.	Modifications recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently.	Agree. Policy amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
c. Enhancing the conservation area.  Development proposals for small housing sites (10 dwellings or less) within the settlement boundary that demonstrate how they will actively address the objectives of the Neighbourhood Plan will be strongly supported. In particular development proposals should:  a. Retain or provide employment where they are mixed use developments;  b. Provide biodiversity-rich space as appropriate to their scale, nature, and location; and  c. Where appropriate, preserve or enhance the Conservation Area.		
POLICY HAL.HSG3: LOW ENERGY AND ENERGY EFFICIENT HOUSING DESIGN Residential developments of less than 10 dwellings must should be accompanied by a Sustainability Statement that demonstrates where possible that the following measures have been incorporated:  a. Measures to actively minimise/improve energy efficiency relating to the heating, cooling, lighting and waste management of the buildings.  b. Sustainable design and construction measures including, where feasible, ground/air source heat pumps, solar panels and grey/rainwater harvesting solutions.	Modifications recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently.	Agree. Policy amended as recommended.
POLICY HAL.ED1: SMALL-SCALE COMMERCIAL WORKSPACES AND EMPLOYMENT AREAS  A. Within the settlement boundary of Halesworth the provision of small scale offices/workspaces on flexible terms that would encourage the creation and growth of start-up and micro-businesses is supported. Where necessary, such provision can be made as part of a mix of uses. Such a mix of uses can include	Recommended modifications to part A so the policy provides the clarity required by the NPPF.  Recommended modifications to part B to simplify the format.	Agree. Policy amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
residential but only where this is necessary to make the overall scheme viable		
and only where the residential floorspace is less than 25% of the overall total	Recommended modification to	
floorspace delivered. Proposals involving residential use must demonstrate	delete reference to flexible	
that they will minimise the impact of employment use on residential amenity	business as the way a business	
without restricting the ability of the occupiers of the employment premises to	leases businesses premises is a	
carry out their business activities. Within the settlement boundary of	commercial matter rather than a	
Halesworth development proposals for small-scale offices/workspaces	land use planning matter.	
designed for the creation and growth of start-up and micro-businesses will be		
supported.	Recommended modifications to	
	part D so the policy provides the	
Where relevant, such provision will be supported where they arise as part of a	clarity required by the NPPF.	
mix of uses. Such a mix of uses which includes residential uses will only be		
supported where this is necessary to make the overall scheme viable and		
where the residential floorspace is less than 25% of the overall total floorspace		
delivered. Proposals involving residential use should demonstrate that they		
will both minimise the impact of employment use on residential amenity and		
not hinder the ability of the occupiers of the employment premises to carry		
out business activities.		
B. The provision of 'move-on' employment space to serve the needs of existing		
and growing businesses in Halesworth is encouraged on existing employment		
sites, where this is likely to support the floorspace needs of growing micro and		
SME businesses. The provision of employment space to serve the needs of		
existing and growing businesses in Halesworth on existing employment sites		
will be supported.		
C. The following locations shown on the Policies Map are identified as Small		
Scale Employment Areas:		

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
a. Miles Ward Court		
b. Station Yard		
D. Within the Small Scale Employment Areas identified in clause C, proposals involving the loss of existing office, research and development or light industrial employment premises will only be permitted supported where all of the following criteria have been met:  1. marketing evidence is provided which demonstrates the premises have been marketed for a sustained period of 12 months in accordance with the requirements set out in Appendix 4 of the Waveney Local Plan; and 2. the proposed use is compatible with the surrounding uses in terms of car parking, access, noise, odour and other amenity concerns.		
Paragraph 6.6:	Modifications recommended to the supporting text to achieve	Agree. Paragraph amended as recommended.
For a town such as Halesworth, economic growth is expected to come from	the clarity required by the NPPF	
micro-businesses, start-ups and SMEs. Over the last few years there has been	and to ensure the policy can be	
local growth in these types of businesses, particularly start-ups and micro-	applied consistently.	
businesses. Estate agents reported that the Covid-19 pandemic has resulted in		
an increasing number of people moving into Halesworth, seeking properties		
that would allow them to continue working from home or to work flexibly.		
With train services providing relatively easy access to London and the major		
towns on the route, this makes such an approach more feasible. Flexible networking/shared workspaces are needed to support this changed		
employment pattern. Policy ED/1 sets out to address these important matters		
in supporting the development of small-scale offices and workshops. Whilst		
commercial lease arrangements are not directly land use matters the Town		

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Council would encourage developers to offer flexible arrangement to		
companies to help to stimulate the local economy and promote new and		
growing businesses.		
Paragraph 6.7:  At the end of the paragraph insert: This matter is addressed in Part B of Policy HAL.ED1. For the purpose of the policy existing employment sites are defined as the employment sites identified in Policy WLP8.12 of the Local Plan and the Small-Scale Employment Areas identified in Part C of Policy HAL.ED1.	Modifications recommended to the supporting text to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently.	Agree. Paragraph amended as recommended.
POLICY HAL.ED2: TOURISM AND CREATIVE INDUSTRIES  A. Within the settlement boundary, proposals to improve and enhance the tourism offer and the creative industries sector in Halesworth are encouraged will be supported. In particular, proposals to deliver studio/workshop/gallery space will be strongly supported.  B. Proposals for hotel accommodation should be located within Halesworth town centre. Only if it can be demonstrated that no other suitable sites are available within the town centre should alternative locations be proposed within the settlement boundary. Proposals for hotel accommodation within Halesworth town centre will be supported. Where it can be demonstrated	Modifications recommended to provide the clarity required by the NPPF by recasting the policy so it sets out the sequential approach as proposed by Halesworth Town Council in their clarification note.	Agree. Policy amended as recommended.
that no suitable sites are available within the town centre, proposals for hotel accommodation within the settlement boundary will be supported.  POLICY HAL.ED3: MAJOR DEVELOPMENT OPPORTUNITIES  A. Within the settlement boundary of Halesworth, major development proposals (as defined in the NPPF) on sites not allocated in the Waveney Local Plan for residential or employment uses will be supported where they deliver a mix of the uses identified below:	Modification recommended to the policy so that its purpose and application is clear.	Agree. Policy amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
1. small scale commercial workshops and workspaces, with associated		
meeting space		
2. community uses		
3. housing, included live-work units and/or supported housing		
4. education uses		
5. tourism activities		
6. studio/workshop/gallery space		
7. cultural and creative activities		
Proposals should seek to ensure that no particular use dominates the scheme		
mix such that it is likely to limit the potential for the other uses in the mix to		
prosper by virtue of their limited scale.		
B. Where a major development proposal is within or adjacent to the town centre boundary of Halesworth, as shown on the Policies Map, the proposal should demonstrate how it has considered incorporating the following:		
1. Public open space		
2. Improved pedestrian linkages into the Primary Shopping Area		
B. Major development proposals within or adjacent to the town centre		
boundary of Halesworth, as shown on the Policies Map, should demonstrate		
the way in which they have incorporated public open space and improved		
pedestrian linkages into the Primary Shopping Area into their overall designs		
and layouts.		
C. Proposals should seek to ensure that no particular use dominates the		
scheme mix such that it is likely to limit the potential for the other uses in the		
mix to prosper by virtue of their limited scale.		

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
POLICY HAL.DH1: DESIGN  A. Development should demonstrate high quality design and layout which respects the local character of Halesworth identified in the Halesworth Design Guide. This includes the development of public buildings.  B. In delivering high quality design, development proposals must-should demonstrate the appropriate use of design, layout, materials and features.  As appropriate to the scale, nature and location of the development proposals concerned Ithe following principles should be considered as part of design proposals:  1. Development should integrate with and enhance the form of its existing surroundings, with all connections including road patterns ensuring permeability for cyclists and pedestrians.  2. A range of densities, house types (where appropriate) and plot layouts should be used.  3. Building lines in the town centre should be preserved. Elsewhere, boundary treatments such as low walls, railings or hedgerows should be used to define the plot boundaries.  4. Building heights and rooflines should provide diversity of frontage, scale and form, with building heights that reflect the prevailing height of surrounding buildings unless it can be demonstrated that a taller building could complement or enhance the local character.  5. Provision of roof and building materials that reflect the local Suffolk palette. The choice of materials is expected to minimise the carbon footprint of development.  6. Parking to support residential uses should be provided within the development and should include a proportion of well-designed on-	Modifications recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently. The second part of the policy is worded so it can be applied in a proportionate fashion. The third part of the policy is moved to the supporting text.	Agree. Policy amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
street parking provisions, in accordance with Suffolk County Council parking standards.		
C. All major residential development proposals should include a proportionate statement and illustrations demonstrating how the principles and guidance in the Halesworth Design Guide have been addressed.		
Paragraph 8.6:  The incorporation of traditional local features together with simple but well-established architectural principles of form, scale and detail along with sympathetic materials, varied roofscapes and layouts will help create a more varied and interesting environment. Policy HAL.DH1 sets out the Plan's approach to this matter. All major residential development proposals should include a proportionate statement and illustrations demonstrating how the principles and guidance in the Halesworth Design Guide have been addressed.	Modification recommended to achieve the clarity required by the NPPF and to ensure the policy and supporting text can be applied consistently.	Agree. Paragraph amended as recommended.
POLICY HAL.DH2: VIEWS AND GATEWAYS INTO AND OUT OF HALESWORTH TOWN  A. As appropriate to their scale, nature and location Development proposals should preserve the views of St Mary's Church tower, Halesworth, as shown on the Policies Map and in Figure 8.1.  B. Development Development proposals adjacent to the gateways into Halesworth town in Chediston Street and Walpole Road must should demonstrate how they contribute to creating a gradual transition from rural countryside to urban settlement (and vice versa). Development	Modification recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently. The first part is modified to the policy can be applied on a proportionate basis.	Agree. Policy amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
<u>Development proposals</u> must <u>should</u> avoid creating an overly dense feel and appropriate planting or other natural boundary treatments should be used to mitigate the impact of development and retain the open feel. This should include the use of trees to line the gateway routes.		
POLICY HAL.TM1: KEY MOVEMENT ROUTES  A. Development which proposes to Development proposals which would improve cycling and walking in the Neighbourhood Plan area will be supported. In particular, provision of segregated cycle and pedestrian routes will be strongly supported. Such routes should also ensure that access by disabled users, the blind and deaf and users of mobility scooters is secured.  B. To ensure that residents can access public transport facilities, schools, leisure and other important facilities serving Halesworth, all new developments where feasible—where practicable development proposals should ensure safe and continuous pedestrian routes that connect to the Key Movement Routes shown on the Policies Map.  C. Proposals to enhance the identified Key Movement Routes are strongly encouraged will be supported.  D. Development must Development proposals should not have an unacceptable impact on the safety and accessibility of Key Movement Routes. Developments will be expected to Development proposals should provide a strategy to mitigate the impact of additional traffic movements on the safety and flow of pedestrian and cycle access on the identified Key Movement Routes.	Modification recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently. The modification to part D takes into account Halesworth Town Council's response in their clarification note.	Agree. Policy amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
POLICY HAL.TM2: CYCLE PARKING  A. Proposals Development proposals to provide new bicycle parking in Halesworth will be supported. Proposals Development proposals must should be located in a well-used, visible location for security and must should be designed to avoid obstructing the movement of pedestrians and mobility-impaired users. Such provision should ideally be designed to support parking by cargo bikes and other non-standard bikes. Where practicable such provision should be designed to support parking by cargo bikes and other non-standard bikes.  B. In particular, commercial and tourist development proposals are encouraged to should maximise the provision of secure cycle parking for workers and customers wherever practicable.	Modifications recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently.	Agree. Policy amended as recommended.
POLICY HAL.TM3: RESIDENTIAL ELECTRIC CAR CHARGING  Proposals for new residential properties with off-street parking should provide at least one charging point for electric vehicles. For properties of 3 or more bedrooms, the provision of more than one electric charging point is encouraged. Proposals for new residential properties with off-street parking should provide charging points for electric vehicles to the most up to date published national standards.	Modifications recommended to simplify the wording and draw attention to the important matters in the policy.	Agree. Policy amended as recommended.
POLICY HAL.TC1: ENHANCING HALESWORTH TOWN CENTRE Proposals which enhance the quality and accessibility (specifically for pedestrians and disabled users) of the public realm in Halesworth Town Centre will be supported. In particular, any proposals are encouraged to In particular such proposals should reflect the principles that informed the public realm and	Modification recommended to achieve the clarity required by the NPPF and to ensure the policy can be applied consistently.	Agree. Policy amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC
movement solutions and projects identified in Section 10 of this Neighbourhood Plan		

#### **Council's further modifications**

Under section 12(6)(a) of Schedule 4B of the Town and Country Planning Act 1990, the Council considers that the following modifications are also needed in order that the Plan meets the basic conditions or for the correction of errors.

Further Actions	Reason for change	Action by ESC
Paragraph 3.4: The protection of twotwelve Local Green Spaces	To reflect the change in number	Agree. Text amended as
	of Local Green Spaces.	recommended.
New paragraph 4.8 added -	The Millennium Green is broken	Text amended as
The Millennium Green consists of eleven distinct parts, each with its own	down into its discrete elements	recommended.
unique features that contribute towards the overall area. These are shown on	with their individual	
Figure 4.2.	characteristics and maintenance	
	regimes to meet the test in	
	paragraph 102 of the NPPF. The	
	new text supports the changes to	
	figure 4.2.	
In Policy HAL.ENV1: Local Green Spaces the 'Millennium Green – Southwold	The Millennium Green is broken	Agree. Policy amended as
to Halesworth Railway' is to be referred to as 'Millennium Green – Southwold	down into its discrete elements	recommended.
to Halesworth Railway and Rail's End'	with their individual	
<b>,</b>	characteristics and maintenance	
	regimes to meet the test in	
	paragraph 102 of the NPPF. The	
	named is the local term preferred	
	by the Neighbourhood Plan	
	Group.	

In paragraph 4.5 the 'Millennium Green – Southwold to Halesworth Railway'	The Millennium Green is broken	Agree. Text amended as
is to be referred to as 'Millennium Green – Southwold to Halesworth Railway	down into its discrete elements	recommended.
and Rail's End'	with their individual	
	characteristics and maintenance	
	regimes to meet the test in	
	paragraph 102 of the NPPF. The	
	named is the local term preferred	
	by the Neighbourhood Plan	
	Group.	