

Playford Neighbourhood Development Plan 2023-2036

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

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Executive Summary

- 1 I was appointed by East Suffolk Council in January 2024 to carry out the independent examination of the Playford Neighbourhood Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 30 January 2024.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. The Plan includes policies on Clusters in the Countryside, design, and the natural environment.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
4 March 2024

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Playford Neighbourhood Development Plan 2023-2036 ('the Plan').
- 1.2 The Plan was submitted to East Suffolk Council (ESC) by Playford Parish Council (PPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021 and 2023. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises indirectly from my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and setting.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by ESC, with the consent of PPC, to conduct the examination of the Plan and to prepare this report. I am independent of both ESC and PPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. I have 41 years' experience either in various local authorities at either Head of Planning or Service Director level or since 2016 as an independent examiner. I am a chartered town planner and have significant experience of undertaking neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

Examination Outcomes

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

Other examination matters

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met subject to the modifications in this report.

3 Procedural Matters

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

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Consultation Statement Addendum.
- the Playford Design Guidance and Codes.
- the Fynn Valley Landscape Value Appraisal.
- the Playford Mere Landscape and Wildlife Evaluation.
- the Assessment of Important Views.
- the SEA/HRA screening reports (August 2023).
- the representations made to the Plan.
- PPC's responses to the clarification note.
- the adopted Suffolk Coastal Local Plan (2018-2036).
- the Housing in Clusters and Small-Scale Residential Development in the Countryside Supplementary Planning Document (November 2022).
- the National Planning Policy Framework (December 2023).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 30 January 2024. I looked at its overall character and appearance and at those areas affected by policies in the Plan.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan could be examined by way of written representations. I was assisted in this process by the comprehensive nature of many of the representations and the detail within the package of submission documents.

3.4 The NPPF was updated in December 2023 after the Plan had been submitted. Plainly this was outside PPC's control. For clarity, I have assessed the Plan against the December 2023 version of the NPPF for the way in which it has regard to national policy.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), PPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. Section 3 summarises the approach which PPC took on consultation and engagement. It advises that the content of the Plan has been generated and led by the community and shaped by results of surveys, drop-in events and externally sourced evidence reports as appropriate and proportionate to the content of the Plan and the matters it addresses.
- 4.3 Section 4 provides specific details on the consultation processes that took place on the pre-submission version of the Plan (March to May 2023).
- 4.4 Appendices 5 and 6 of the Statement and the Consultation Statement Addendum summarises the comments received on the pre-submission version and provides the details of the ways in which the Plan was refined because of this process. This helps to describe the way in which the Plan evolved.
- 4.5 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. ESC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Consultation Responses

- 4.6 Consultation on the submitted plan was undertaken by ESC. It ended on 19 January 2024. This exercise generated representations from the following organisations:
- Anglian Water
 - East Suffolk Council
 - Environment Agency
 - Historic England
 - Kesgrave Town Council
 - Ministry of Defence
 - National Gas
 - National Grid
 - National Highways
 - Natural England

- Suffolk County Council
- Suffolk Wildlife Trust

4.8 A representation was also received from a parishioner

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

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood

- 5.1 The neighbourhood area is the parish of Playford. Its population in 2021 was 253 persons living in 95 households. It was designated as a neighbourhood area on 28 June 2017.
- 5.2 Playford is a small village situated on the north side of the River Fynn in East Suffolk. It is approximately halfway between Ipswich to the west and Woodbridge to the east. The Ipswich – Woodbridge railway line runs in an east to west direction through the heart of the parish. The village itself lies to the north of the railway line. The southern boundary of the parish adjoins Kesgrave. The parish is predominantly in agricultural use.
- 5.3 The village is attractively arranged around a matrix of roads bounded to the west by Butts Road, to the south by Hill Farm Road and to the east by Church Road. St Mary's Church is located on higher ground to the immediate north-east of Church Road.

Development Plan Context

- 5.4 The development plan for the parish is the Suffolk Coastal Local Plan (2018-2036) and the Suffolk Minerals and Waste Local Plan.
- 5.5 The Local Plan includes a comprehensive range of policies. Policy SCP 3.2 establishes a settlement hierarchy within which Playford is identified as a Countryside settlement type. Within such communities, the Local Plan advises that new developments will come forward through neighbourhood plans and windfall sites in accordance with other policies in the Plan.
- 5.6 Policy SCP5.4 comments about the way in which development proposals will be considered in Clusters in the Countryside.
- 5.7 Policy SCP12.1 comments about the interplay between the Local Plan and emerging neighbourhood plans. In the case of Playford, the policy reinforces the requirements for countryside settlements as set out in the settlement hierarchy.
- 5.8 The Plan has been prepared within this wider context and has relied on up to date information. It also seeks to give a local dimension to the relevant policies in the Local Plan. This is best practice, The approach taken is helpfully captured in the Basic Conditions Statement.

Visit to the neighbourhood area

- 5.9 I visited the neighbourhood area on 30 January 2024. I approached it from the A12 to the east. This helped me to understand its position in the wider landscape and its accessibility to the strategic road network.

- 5.10 I looked initially at the proposed Area of Greater Landscape Value and Sensitivity. The role and purpose of the policy was self-evident. I saw that the River Fynn valley forms a very attractive setting for the village.
- 5.11 I then looked carefully at the proposed Brook Lane Cluster. I saw the nature of the houses in the Cluster and its relationship with the main village.
- 5.12 I then walked around Playford. I saw the variety of houses mainly in large plots and the topography which rises to the north and east up to St Mary's Church. In doing so, I saw the central location of the Village Hall, its car park, and the associated play area.
- 5.13 I then walked to the Church up the interesting pedestrian access from Church Road. I saw the impressive Thomas Clarkson monument.
- 5.14 I then walked back to the Village Hall along Hill Farm Road. This gave me another opportunity to look at the proposed Area of Greater Landscape Value and Sensitivity to the south.
- 5.15 I left the neighbourhood area on the Playford Road and drove into Ipswich. This part of the visit helped me to understand the relationship between the neighbourhood area and other settlements to the south

6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) obligations and European Convention on Human Rights (ECHR); and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

National Planning Policies and Guidance

- 6.3 For the purposes of this examination, the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Playford Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and Suffolk Coastal Local Plan;
 - building a strong, competitive economy;
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy, including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies on development and environmental matters.
- 6.8 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance. Paragraph ID: 41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. The Guidance also advises that policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted, the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. The submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes a policy to define two clusters in the countryside (Policy PFD1). In the social role, it includes a policy on community facilities (Policy PFD8). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on landscape (Policy PFD2), important views (Policy PFD3) and on design (Policy PFD6). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.11 I have already commented in detail on the development plan context in East Suffolk in paragraphs 5.4 to 5.8 of this report.
- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

Strategic Environmental Assessment

- 6.13 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, ESC undertook a screening exercise in August 2023 on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is thorough and well-constructed. It concludes that the Plan is unlikely to have a significant effect on the environment and therefore does not require a Strategic Environment Assessment.

Habitats Regulations Assessment

- 6.15 ESC also prepared a Habitats Regulations Assessment (HRA) of the Plan at the same time. The Assessment addresses the potential impact of the Plan's policies on an extensive range of protected sites listed in its Appendix 3. The Assessment concludes that the neighbourhood plan will not give rise to likely significant effects on these protected sites, either alone or in combination with other plans or projects, and that Appropriate Assessment is not required.
- 6.16 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns on this matter. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this the relevant regulations.

Human Rights

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

Summary

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

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and PPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land. It also includes a series of Community Actions.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. The Actions are considered briefly thereafter.
- 7.6 For clarity, this section of the report comments on each of the policies in the Plan.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The initial parts of the Plan (Parts 1-4)

- 7.8 The Plan is well-organised and presented. It has been prepared with much attention to detail and local pride. It makes an appropriate distinction between the policies and their supporting text. The overall format of the Plan, and the associated use of colour, map and excellent photographs results in a very attractive and legible document. If the Plan is made, it will sit comfortably as part of the overall development plan.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and the subsequent policies.
- 7.10 Section 1 comments on the national agenda for neighbourhood plans and the way in which the submitted Plan has been prepared. It also defines the neighbourhood area (Map 1). Whilst the Plan period is shown on the front cover of the Plan, I recommend that it is referenced in this part of the Plan so that it meets the prescribed conditions (as set out in paragraph 2.6 of this report).

At the end of paragraph 1.1 add: 'The Plan period is 2023 to 2036'

- 7.11 Section 2 provides information about the neighbourhood area. It provides interesting and comprehensive details which help to set the scene for the eventual policies.

- 7.12 Section 3 comments about the national and the local planning policy contexts which have underpinned the development of the Plan
- 7.13 Section 4 comments on the Plan's Vision.
- 7.14 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy PFD1 - Playford's Clusters

- 7.15 The context to this policy is that the Suffolk Coastal Local Plan provides some support for development within clusters in Playford. The submitted Plan has chosen to amplify this approach by identifying the extent of clusters in the parish.
- 7.16 The Plan proposes two clusters:
- the Village Centre Cluster: The area around Butts Road, Church Lane, St Marys Drive and Hill Farm Road; and
 - the Brook Lane Cluster: A separate but smaller cluster of eight dwellings exists on Brook Lane
- 7.17 The policy comments that within the defined areas, proposals for new dwellings will be supported where they are in accordance with Policy SCLP5.4 of the Local Plan and the "Housing in Clusters and Small-Scale Residential Development in the Countryside" Supplementary Planning Document.
- 7.18 I have also considered the details of the Housing in Clusters and Small-Scale Residential Development in the Countryside Supplementary Planning Document November 2022 (SPD) on this matter. It provides helpful information about the way development proposals in Clusters should be developed and the way in which planning applications will be determined. The SPD advises that it is a material consideration when determining planning applications. Paragraph 5.4 of the submitted Plan helpfully comments about the SPD.
- 7.19 ESC raise a series of comments on the policy which can be summarised as follows:
- while the Council acknowledges the intention of Policy PFD1 it still has reservations on this policy as SCLP5.4 does not include a policy window for neighbourhood plans to identify 'Clusters' in their areas. While this is also not explicitly prohibited by the policy, it was not the intention of the policy.
 - the wording of the policy makes it appear that there are no other potential 'Clusters' in the Neighbourhood Area. Again, (Policy) SCLP5.4 was not designed for this to be done and the decision for whether an area could be classed as a 'Cluster' ultimately lies with East Suffolk officers.
 - the Council has previously recommended that paragraph 5.7 be reworded to explain that the 'Housing in Clusters and Residential Development in the Countryside' SPD provides guidance on how 'Clusters' are defined and how a judgement needs to be taken on a case-by-case basis.

- there is a potential inconsistency between the Plan defining clusters and the supporting text (which advises that there is little potential for new development within the defined areas).

7.20 In its response to the clarification note on this matter PPC commented that:

- ‘the Neighbourhood Plan policy does not contradict the Local Plan but, in preparing the Neighbourhood Plan, the Parish Council wished to provide more certainty by defining the clusters in the Neighbourhood Area that meet the criteria set out in the Local Plan and the SPD.
- the SPD defines the characteristics of a Cluster and provides diagrams to illustrate examples of what would or would not constitute a Cluster. Further, paragraph 3.10 of the SPD states “A ‘Settlement in the Countryside’ must be located entirely outside of the Settlement Boundaries established by policy WLP1.2, or through a Neighbourhood Plan, to be considered to be entirely within the Countryside.” The SPD therefore suggests that a Neighbourhood Plan can define a Settlement Boundary and, by default and given the guidance, it is considered that the boundaries of a Cluster can also be defined in a Neighbourhood Plan.
- having had regard to the Local Plan Policy and the SPD, the Parish Council is satisfied that the Neighbourhood Plan is able to define Clusters and remain in general conformity with the strategic policies of the development plan, and that those in the Neighbourhood Area that meet the Local Plan definition are identified.’

7.21 I have considered this matter very carefully. On the balance of the evidence, I am satisfied both that the definition of two Clusters in the parish and the wording of the policy itself meet the basic conditions. On the first issue, I have concluded that Policy SCP5.4 of the Local Plan is silent on the way in which a Cluster will be defined. Plainly that policy has been designed as a tool to assist in the delivery of the development management process. Within this context, I am satisfied that it is entirely reasonable for a qualifying body (here PPC) to define a Cluster to be included in a neighbourhood plan. Plainly this process is underpinned by community engagement and consultation. I am also satisfied that such an approach is in general conformity with the strategic policies in the development plan. The policy approach taken comfortably relates to the way in which Playford features in the overall settlement hierarchy for this part of East Suffolk.

7.22 On the second point, the policy in the submitted Plan simply restates the approach taken in the Local Plan. In this context, the specific definition of the Clusters brings added value to the existing Local Plan policy. The policy approach taken neither seeks to restrict nor to increase the level of development which could come forward in the identified clusters in the existing context provides by Policy SCP5.4 of the Local Plan.

7.23 Nevertheless, within this broader context, I recommend that the paragraphs 5.7 and 5.8 are modified so that they will have a more neutral content and refer to the SPD on this matter. As ESC comment, as submitted there is a potential conflict between the

supporting nature of the policy and the likely scope for new development in the clusters in this part of the supporting text.

- 7.24 ESC also comment about the precise boundaries for the two Clusters and the way in which they have been drawn on Maps 5 and 6. I have considered these issues carefully. On the balance of the evidence, I am satisfied that the way in which the Clusters have been identified and drawn on the two maps is entirely appropriate. On the first matter, a degree of local judgement is required and the approach taken has not generated any objections from parishioners or landowners.
- 7.25 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In both paragraphs 5.7 and 5.8 replace the final sentence with: 'Development proposals within the defined Cluster will be considered against the contents of Policy SCLP5.4 of the Suffolk Coastal Local Plan and the Housing in Clusters and Small-Scale Residential Development in the Countryside Supplementary Planning Document (November 2022).'

Policy PFD2 - Area of Greater Landscape Value and Sensitivity

- 7.26 Paragraph 6.1 of the Plan sets out the context for the policy. It advises that the built-up area of Playford nestles on the valley side of the River Fynn, concealed within views from the higher plateaux, by the narrow and relatively steep valley sides, and by considerable mature tree cover. It also comments that the distinctive topography is a defining characteristic of the village's setting and the approach from the north is particularly distinctive, as Butts Road descends quite abruptly through a tunnel of trees to the valley bottom. The Plan also advises that land use in the lower parts of the valley is pastoral, with a mosaic of other habitats including ancient woodland, wet Alder Carr and open water managed for wildlife. Arable land is generally only found on the upper valley sides and plateaux where better drained land and simpler topography makes modern farming possible.
- 7.27 The policy proposes the identification of an Area of Greater Landscape Value and Sensitivity. It is underpinned by the Fynn Valley Landscape Value Appraisal (2022). The Appraisal recommended that a landscape and visual assessment should be considered a requirement for any development proposed within this area. The Plan also advises that it should also be noted that development outside this area could still have adverse effects on the AGLVS and appropriate appraisal is recommended on adjoining land where adverse impacts on landscape character, visual amenity, skylines or on the sense of tranquillity could result.
- 7.28 On this basis Policy PFD2 designates an Area of Greater Landscape Value and Sensitivity. The policy comments that proposals within this area, or that could have an impact on it, will be required to demonstrate how they have considered and addressed the potential impact of the development on the qualities of the designated area.
- 7.29 I looked carefully at the proposed Area of Greater Landscape Value and Sensitivity. I saw its unspoilt nature. It was clear during the visit that the valley of the Fynn River was an important factor in the character and appearance of the parish

- 7.30 In the round PPC has taken a first-class approach to this matter. I recommend a modification to the wording of the policy so that it better relates to the role and purpose of a neighbourhood plan. Otherwise, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace ‘permitted’ with ‘supported’

Policy PFD3 - Protection of Important Views

- 7.31 The context to the policy is that the nature of the landscape in the parish is such that there are opportunities for extensive views into and out of the built-up area of the village from publicly accessible points. The most significant are identified in the Plan. The approach taken is underpinned by the Assessment of Important Views.
- 7.32 The policy identifies important views from public vantage points, either within the built-up area or into or out of the surrounding countryside. It comments that any proposed development should not have a detrimental visual impact on the key landscape and built development features of those views as identified in the Neighbourhood Plan Assessment of Important Views
- 7.33 I looked at some of the views during the visit. It was clear that they had been carefully selected. In most cases, they reflect the close relationship between the village and the surrounding countryside.
- 7.34 In the round, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Policy PFD4 - Protection of Trees, Hedgerows, and other Natural Features

- 7.35 This is a wide-ranging policy on the natural environment of the parish. It introduces the concept of biodiversity (BNG) and highlights cross-parish initiatives.
- 7.36 It comments generally about the relationship between development proposals and the natural environment, mitigation, and the ways in which BNG could be delivered in the parish.
- 7.37 The Suffolk Wildlife Trust (SWT) suggest that the scope of the policy is broadened. I have considered those suggestions very carefully together with PPC’s responses to the clarification note. On the balance of the evidence, I am satisfied that the policy addresses the natural environment of the parish in a measured way. I have also taken account of the limited nature of my role as examiner (and as described in paragraph 1.4 of this report). In this context I am satisfied that the incorporation of SWT’s suggestions into the Plan is not necessary to ensure that the Plan meets the basic conditions.
- 7.38 In general terms, the policy takes a positive approach to these matters and has regard to Section 15 of the NPPF. Within this overall context, I recommend that the initial part of the policy is expanded so that it includes positive guidance to developers about how

proposals should address the natural environment. This will provide a wider balance and focus to this part of the policy.

- 7.39 I also recommend the deletion of an unnecessary word in the first part of the policy and a comma in the final part of the policy. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the opening paragraph of the policy replace ‘Development proposals should avoid...’ with ‘Development proposals should respond positively to the natural environment of the parish and avoid....’

In the first part of the policy replace ‘harm to and trees’ with ‘harm to trees’

In the final paragraph delete the unnecessary comma after ‘widened’

Policy PFD5 -Non-Designated Heritage Assets

- 7.40 The preparation of the Plan has provided an opportunity to identify whether there are buildings or features across the parish that might have special qualities or historic association and make a “positive contribution” to the character of the area in which they sit. PPC advises that ESC has published criteria against which potential candidates for such a list can be assessed.
- 7.41 Eleven properties have been identified by PPC as meeting the ESC criteria for designation. The details are set out in the Appraisal of Non-Designated Heritage Assets (Appendix 1). The policy comments that proposals for any works to a Non-Designated Heritage Asset will be assessed in accordance with Policy SCLP11.6 of the adopted Local Plan
- 7.42 I looked at the properties concerned. The reasons for their selection are self-evident.
- 7.43 I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Policy PFD6 -Design Considerations

- 7.44 This is an important policy in the Plan. It is underpinned by the Design Guidance and Codes (another submission document) and the Development Checklist (Appendix 2 of the Plan).
- 7.45 The policy advises that development proposals must reflect the local characteristics and circumstances in the Neighbourhood Plan Area as identified in the Playford Design Guidelines and Codes, and create and contribute to a high quality, safe and sustainable environment. It also comments that, in addition to having regard to the National Model Design Code, all planning applications should demonstrate how they satisfy the requirements of the Development Design Principles as appropriate to the proposal. Finally, the policy includes a series of locally-distinctive criteria.

- 7.46 In the round, the policy is an excellent local response to Section 12 of the NPPF. It has been designed to be applied in a proportionate way and the specific criteria are locally distinctive.
- 7.47 Within this broader context I recommend two modifications to the policy. The first affects the wording in the first part of the policy. It will ensure that it is more appropriate to a neighbourhood plan (and consistent with the wording used elsewhere in the policy). The second is the deletion of criteria h (the provision of Broadband) and i (EV charging facilities) Parts R and S of the Building Regulations now address these matters at a national level. In recommending the second modification, I have taken account of PPC's response to the clarification note.
- 7.48 I also correct grammatical and typographic errors in the supporting text.
- 7.49 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace 'must' with 'should'

Delete criteria h and i

Replace the third sentence of paragraph 8.5 with: 'The Guidance advises that it provides a structure that can be used for the content of local design policies, guides, and codes. It also comments that it addresses issues that are important for design codes where these are applied to large scale development on single or multiple sites.'

Policy PFD7 - Artificial Lighting

- 7.50 This policy seeks to safeguard the dark skies environment of the parish. It advises that while ensuring that new developments are secure in terms of occupier and highway safety, dark skies are to be preferred over streetlights. It then comments that any future outdoor lighting systems should have a minimum impact on the environment by being downward focussed and motion sensitive, not extend past the property boundary, and minimise light pollution and adverse effects on wildlife.
- 7.51 In general terms, the policy takes a very positive approach to this matter. I saw the significance of the dark skies environment of the parish. However, as submitted, the policy's commentary about a preference for dark skies will be difficult to implement through the development management process. As such I recommend a modification to remedy this matter. I also recommend a consequential modification to the supporting text. Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the first sentence of the policy with: 'Wherever practicable, development proposals should respond positively to the dark sky environment of the parish and avoid the use of streetlights.'

At the end of paragraph 8.14 add: 'Policy PFD7 addresses this matter. The Parish Council recognises that the dark skies environment needs to be balanced with the safety of individual properties and the wider highways network.'

Policy PFD8 - Parish Services and Facilities

- 7.52 The context to this policy is that the village currently has very little in the way of services and facilities, reflected by its countryside settlement designation in the adopted Local Plan. The Plan advises that the Village Hall and adjoining play park are the only formal facilities in the village centre and that a bottle and clothes recycling bank is also located in the Village Hall car park. The Plan also comments that it is unlikely that additional services, such as a village shop, will be forthcoming in the current economic climate.
- 7.53 The policy has two parts. The first identifies three facilities to be protected in accordance with Policy SCLP8.1 of the Local Plan. The second comments that proposals for the enhancement of the existing services and facilities will generally be supported subject to there being no unacceptable impact on the natural and historic environment, infrastructure, and the amenity of residents.
- 7.54 Both of the components of the policy are appropriate. The identification of three facilities to which the Local Plan policy will apply is a very pragmatic way of addressing the safeguarding of the facilities concerned.
- 7.55 In this broader context, I recommend that their order of the policy is reversed so that it has a more positive focus. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Reverse the order of the two parts of the policy.

Policy PFD9 - Public Rights of Way

- 7.56 This policy seeks to celebrate the footpath network in the parish and to support opportunities for its improvement.
- 7.57 The policy advises that development proposals which improve and extend the existing network of public rights of way will be supported. It also comments that, as appropriate to their scale, nature and location, such development proposals should take account of the existing value of the right of way concerned as a biodiversity corridor and where practicable incorporate measures to enhance biodiversity as part of the proposal.
- 7.58 The policy takes a positive approach to this matter. It has been worded to be applied in a proportionate way. I am satisfied that it meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Community Actions

- 7.59 The Plan includes a series of Community Actions. They have arisen naturally as the Plan was prepared. I am satisfied that they are both appropriate and locally-distinctive.
- 7.60 The Actions are incorporated in the main part of the Plan (with the land use policies) rather than being set out in a separate part of the Plan in accordance with national policy. However, on balance, I am satisfied that the approach in the Plan is appropriate. I have reached this view for three related reasons. The first is that they add value to

the land use policies on a topic-by-topic basis. The second is that they are distinguished from the land use policies using colour. The third is that the Plan properly comments about their distinction from the policies in paragraph 1.4 of the Plan.

7.61 The following Actions are particularly noteworthy:

- Wildlife Corridors (CA1)
- Public Rights of Way (CA2)
- Public Transport (CA6)

Other Matters - General

7.62 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters. It will be appropriate for ESC and PPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

7.63 I also recommend that, where necessary, the Plan is revised to reflect the updated NPPF of December 2023 and its paragraph numbers.

Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.

Update the Plan to take account of the December 2023 version of the NPPF.

Other Matters – Specific

7.64 ESC has made a series of helpful comments on the Plan. I have included them in the recommended modifications on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.

7.65 ESC suggest a series of revisions and additions to the general elements of the Plan. I have considered the various issues very carefully. I have recommended modifications to address the various points raised where they are necessary to ensure that the Plan meets the basic conditions.

Paragraph 7.5 – clarify that the ‘Heritage Team’ is the ‘ESC Heritage Team’

Paragraph 8.12 – remove the brackets associated with SuDs in the third sentence.

8 Summary and Conclusions

Summary

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

Conclusion

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

Other Matters

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by East Suffolk Council on 28 June 2017.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. The responses from the Parish Council to the clarification note were both detailed and informative and East Suffolk Council managed the overall process in a very efficient manner.

Andrew Ashcroft
Independent Examiner
4 March 2024