

Reydon Neighbourhood Development Plan 2019-2036

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

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Executive Summary

- 1 I was appointed by East Suffolk Council in April 2020 to carry out the independent examination of the Reydon Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood plan area on 2 June 2020.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding local character and designating local green spaces. The Plan has successfully identified a range of issues where it can add value to the strategic context already provided by the adopted Local Plan. It has been produced in quick order.
- 4 The Plan has been underpinned by community support and engagement. It is clear that all sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Reydon Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum should be held within the neighbourhood area.

Andrew Ashcroft
Independent Examiner
7 July 2020

1 Introduction

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

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by ESC, with the consent of the Parish Council, to conduct the examination of the Plan and to prepare this report. I am independent of both ESC and the Parish Council. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have over 35 years' experience in various local authorities at either Head of Planning or Service Director level. I am a chartered town planner and have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

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

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood 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. I am satisfied that the submitted Plan complies with the three requirements.

3 Procedural Matters

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

- the submitted Plan;
- the Basic Conditions Statement;
- the Consultation Statement;
- the ESC SEA screening reports;
- the ESC HRA screening report;
- the Parish Council's responses to my Clarification Note;
- the representations made to the Plan;
- the adopted Waveney Local Plan 2014-2036;
- the National Planning Policy Framework (February 2019);
- Planning Practice Guidance (March 2014 and subsequent updates); and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 2 June 2020. I observed social distancing measures in place at that time. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. My visit is covered in more detail in paragraphs 5.9 to 5.16 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted Plan, I was satisfied that the Plan could be examined without the need for a public hearing. I advised ESC of this decision once I had received the Parish Council's responses to the clarification note.

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 the Parish Council has prepared a Consultation Statement. The Statement is extensive in the way it sets out the mechanisms used to engage all concerned in the plan-making process. It includes an assessment of the consultation undertaken during the various stages of Plan production. It also provides specific details about the consultation process that took place on the pre-submission version of the Plan (April to July 2019). Its key strength is the way in which it sets out the key issues in a proportionate way which is then underpinned by more detailed sections in the report (Section 2) and appendices 3 and 4.
- 4.3 The Statement sets out details of the comprehensive range of consultation events that were carried out in relation to the initial stages of the Plan. They included:
- the initial drop-in sessions (March 2018);
 - the discussion of the questionnaire with parishioners (July 2018);
 - the engagement with the School (July 2018);
 - the organisation of a stall at the School fete (July 2018); and
 - the circulation of a questionnaire to every household in the neighbourhood area (September 2018).
- 4.4 The Statement also provides details of the way in which the Parish Council engaged with statutory bodies. It is clear that the process has been proportionate and robust.
- 4.5 The Statement also provides specific details on the comments received as part of the consultation process on the pre-submission version of the Plan. It identifies the principal changes that worked their way through into the submission version. This process helps to describe the evolution of the Plan.
- 4.6 It is clear 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.
- 4.7 From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. ESC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

Representations Received

4.7 Consultation on the submitted Plan was undertaken by ESC for an extended period to take account of Covid:19. It ended on 8 May 2020. This exercise generated comments from a range of organisations as follows:

- East Suffolk Council
- Anglian Water Services Limited
- Blythburgh Parish Council
- Historic England
- Suffolk County Council
- Michael North
- Natural England
- Environment Agency

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area consists of the parish of Reydon. Its population in 2011 was 2582 persons living in 1457 houses. It was designated as a neighbourhood area on 3 December 2018. It is an irregular area located to the north and west of Southwold. The neighbourhood area is predominantly a rural parish. Its eastern part inevitably reflects the character of the coastline. The neighbourhood area is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.
- 5.2 The principal settlement in the neighbourhood area is Reydon. It is arranged around the junction of Lowestoft Road, Wangford Road and Halesworth Road. It includes a range of domestic and commercial properties of different ages. The Saint Felix Day and Boarding School occupies a significant parcel of land to the south of Halesworth Road.
- 5.3 The remainder of the neighbourhood area consists of very attractive rural hinterland. The southern part of the neighbourhood area is defined by the River Blyth which flows to the east into the North Sea. This part of the parish is ecologically-rich. It includes the attractive Hen Reedbeds in its south-western tip.

Development Plan Context

- 5.4 The development plan covering the neighbourhood plan area is the Waveney Local Plan 2014 – 2036. The Local Plan sets out a vision, objectives, a spatial strategy and overarching planning policies that guide new development in the Plan period. It was adopted in March 2019.
- 5.5 The Local Plan includes a comprehensive range of policies. Reydon is addressed alongside Southwold in Section 6 of the Plan. Policy WLP6.1 allocates a parcel of land for residential purposes to the west of Copperwheat Avenue in Reydon. The Local Plan comments that Reydon has limited scope to expand as it is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty.
- 5.6 The following more general policies in the Local Plan have been particularly important in influencing and underpinning the various policies in the submitted Plan:

Policy WLP1.2	Settlement Boundaries
Policy WLP8.7	Small scale residential development in the countryside
Policy WLP8.23	Protection of Open Space
Policy WLP8.29	Design
Policy WLP8.32	Housing Density and Design
Policy WLP8.35	Landscape Character
Policy WLP8.37	Historic Environment

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

Unaccompanied Visit

- 5.9 I visited the neighbourhood area on 2 June 2020.
- 5.10 I drove into Reydon via the A12 from the north and west and then along the Wangford Road. This gave me an initial impression of the setting and the character of the neighbourhood area. It also highlighted its connection to the strategic road system.
- 5.11 I looked initially at the proposed local green spaces at Reydon Wood and St Margaret's Church. I saw the way in which the Church was a dominant feature in the local landscape. I also saw the scale and nature of the proposed local green space around the church.
- 5.12 I then drove into the village and looked at the other proposed local green spaces. I saw that they were well-maintained and functioned as attractive elements of the local environment. I saw the way in which the Jubilee Green proposed local green space related to the adjacent modern housing development and the surgery/pharmacy. The wider development is an attractive addition to residential and community facilities in the village.
- 5.13 I took time to walk around the village. I saw the varying nature and age of the various buildings. This context helped me to understand more fully the nature of Policy RNP10 in the Plan. In particular I saw the almshouses in Covert Road, Reydon Cottage on Wangford Road and The Randolph Hotel.
- 5.14 I walked along Easton Lane in the north east of the neighbourhood area so that I could understand the relationship of the village to the coastline to the east
- 5.15 I also looked carefully at the Common Marshes as proposed to be a local green space.
- 5.16 I finished my visit by driving along the A1095 in the west of the neighbourhood area. I saw the Adnams Brewery distribution centre and the Hen Reedbeds. This part of the visit highlighted the importance of Reydon to its wider hinterland and the relative proximity of the neighbourhood area to Southwold 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 considerably in the preparation of this section of the report. It is a well-presented and informative document. It is also proportionate to the Plan itself.
- 6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - contribute to the achievement of sustainable development;
 - be in general conformity with the strategic policies of the development plan in the area;
 - be compatible with European Union (EU) and European Convention on Human Rights (ECHR) obligations; and
 - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).
- 6.3 I assess the Plan against the basic conditions under the following headings.
- National Planning Policies and Guidance*
- 6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in February 2019. This approach is reflected in the submitted Basic Conditions Statement.
- 6.5 The NPPF sets out a range of core land-use planning principles to underpin both plan-making and decision-taking. The following are of particular relevance to the Reydon Neighbourhood Plan:
- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Waveney Local Plan 2014-2036
 - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
 - taking account of the different roles and characters of different areas;
 - always seeking to secure high quality design and good standards of amenity for all future occupants of land and buildings; and
 - conserving heritage assets in a manner appropriate to their significance.
- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

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

- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the plan area within the context of its size. In particular it includes a series of policies that seek to safeguard the quality and nature of its landscape setting and proposes the designation of local green spaces. The Basic Conditions Statement maps the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning Practice Guidance in March 2014. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. The majority of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social and environmental. It is clear that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes a policy for affordable housing (Policy RNP3). In the social role, it includes policies on tenure mix (Policy RNP1), principal residence restrictions (Policy RNP4) and for local green spaces (Policy RNP7). In the environmental dimension the Plan positively seeks to protect its natural, built and historic environment. It has specific policies on the countryside (Policy RNP5) and on design (Policy RNP10). The Parish Council has undertaken its own very impressive assessment of this matter in the submitted Basic Conditions Statement.

General conformity with the strategic policies in the development plan

- 6.12 I have already commented in detail on the development plan context in East Suffolk in paragraphs 5.4 to 5.8 of this report.

- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

European Legislation and Habitat Regulations

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement ESC undertook a screening exercise (April 2019) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The exercise was updated in February 2020. The report is thorough and well-constructed. As a result of this process it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.
- 6.16 ESC has produced a separate Habitats Regulations Assessment (HRA) of the Plan in December 2019. It concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such Appropriate Assessment is not required.
- 6.17 The HRA report is very thorough and comprehensive. It took appropriate account of an extensive range of protected sites as follows:

- Alde-Ore & Butley Estuaries SAC
- The Broads SAC
- Benacre to Easton Bavents Lagoons SAC
- Minsmere to Walberswick Heaths and Marshes SAC
- Dews Ponds SAC
- Alde-Ore Estuary SPA
- Benacre to Easton Bavents SPA
- Broadland SPA
- Outer Thames Estuary SPA
- Minsmere-Walberswick SPA
- Sandlings SPA
- Alde-Ore Estuary Ramsar
- Broadland Ramsar
- Minsmere-Walberswick Ramsar

It provides assurance to all concerned that the submitted Plan takes appropriate account of important ecological and biodiversity matters.

- 6.18 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the

various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of European obligations.

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

Summary

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

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. In particular, it makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and the Parish Council have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (41-004-20170728) which indicates that neighbourhood plans must address the development and use of land. It does however include a series of well-developed non-land use parish Actions.
- 7.5 I have addressed the policies in the order that they appear in the submitted plan. Where necessary I have identified the inter-relationships between the policies. It addresses the parish Actions after the policies
- 7.6 For clarity this section of the report comments on all policies whether or not I have recommended modifications in order to ensure that the Plan meets the basic conditions.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

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

- 7.8 These introductory parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in a professional way. It makes a very effective use of well-selected photographs and maps. A very clear distinction is made between its policies and the supporting text.
- 7.9 The Purpose (Section 1) comments about the development of the Plan. It also provides background information on neighbourhood planning in general and the way in which the submitted Plan will complement the wider development plan.
- 7.10 The Vision (Section 2) comments about the broader ambitions of the Plan and how it is arranged around a series of Key Themes. It also explains the distinction between the policies and the non-land use parish Actions.
- 7.11 The Context (Section 3) comments about the evidence gathered and used in the preparation of the Plan. It provides comprehensive information on the following matters:

- the history of Reydon;

- its population profile;
- its housing stock;
- its working profile; and
- its community assets.

This analysis provides a very helpful context to several of the policies in the Plan.

- 7.12 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy RNP 1: Tenure Mix of Affordable Housing

- 7.13 This policy provides specific guidance on the tenure mix of affordable housing. The first part requires that at least 50% of affordable housing should be for affordable rent and the remainder for shared ownership housing. The second part of the policy comments about the way in which the policy would be applied in general, and the importance of viability in particular.
- 7.14 I sought advice from the Parish Council about the selection of the 50% requirement for affordable rented accommodation. I was advised that:

'(it) selected 50% figure to align with the minimum requirement for affordable rented accommodation in the Local Plan (Policy WLP8.2). Proposed Policy RNP 1 is thus a variation of WLP8.2. (The) thinking was also informed by the progress of the development of affordable housing on the boundary of the settlement where the initial public consultation showed greater interest in Shared Ownership than the split of 75/25% used by the RSL (Orbit Housing). In the event, it seems that the shared ownership dwellings have not all been occupied very quickly so it may be that this interest did not materialise in uptake. The RNP policy is flexible beyond the 50% of affordable rented accommodation required by WLP8.2 so that the actual proportion can be agreed by the local Housing Authority and the appointed registered social landlord to reflect evidence of need'

- 7.15 On the basis of this clarification and the wider evidence available in Section 4 of the Plan I am satisfied that the first part of the policy is appropriate to the neighbourhood area and is evidence-based.
- 7.16 The second part of the policy comments about process related matters rather than setting out policy. The Parish Council agreed with this view in its response to the clarification note. On this basis I recommend that it is deleted from the policy and relocated into the supporting text.

Delete the second part of the policy,

Reposition the deleted second part of the policy to the end of paragraph 4.8 of the Plan.

Policy RNP 2: Development Next to Educational Establishments

- 7.17 This policy comments that any development other than householder development adjacent to the site of an existing educational establishment should not compromise the ability of that establishment to expand to an appropriate size in the future. The supporting text draws attention to the development of land west of Copperwheat Avenue and other permitted proposals and their associated pressure on education provision in the parish.
- 7.18 In its response to the clarification note the Parish Council identified that the policy seeks to reflect the ambition of the Local Education Authority to be able to expand Reydon Primary School to meet the demand for school places created by the permitted developments at St Felix and Copperwheat Avenue.
- 7.19 In these circumstances I recommend that the policy is reconfigured so that it offers support to the potential expansion of the Primary School. I also recommend that the policy is modified so that the element of the policy about compromising the ability for educational establishments to expand is shifted specifically to the Primary School. I recommend consequential modifications to the supporting text. The recommended modification also provides a degree of flexibility in the event that a school expansion is required for broader education issues (such as a change in school catchment areas) rather than directly related to new residential development.
- 7.20 I also recommend that elements of the second paragraph of the submitted policy are repositioned into the supporting text. This reflects their role as providing process advice on how the policy would be applied.

Replace the policy with:

‘Proposals for the expansion and/or reconfiguration of the Reydon Primary School, Jermyns Road will be supported.

Any development other than householder development adjacent to the School should not compromise its ability to expand to an appropriate size to cater for required educational provision and/or facilities within the Plan period. Any such development will only be supported where it is satisfactorily demonstrated that there is no need for the Primary School to expand on to the site concerned’

In paragraph 4.17 replace ‘the village’s educational establishments’ with ‘Reydon Primary School’

At the end of paragraph 4.17 add: ‘Policy RNP2 provides a policy context for this approach. In relation to the second part of the policy the process of demonstrating the need or otherwise for the Primary School to expand on to the site concerned should include appropriate engagement with the Local Education Authority’

Policy RNP 3: Affordable Housing on the Boundary of the Settlement

- 7.21 This policy offers support for the development of affordable housing on the edge of the settlement where such development cannot be accommodated within the settlement

itself. The approach to this issue and relevant information is set out in Section 4 of the Plan.

- 7.22 The policy has several related parts. The first supports such development where there are no available, suitable and viable sites within the settlement. This is supported by size and location criteria. The second sets out more detailed policy comments about the mix of housing and design issues.
- 7.23 I recommend that the structure of the policy is modified so that its various elements become detailed criteria within the main policy. This includes the approach towards the lack of available sites in the settlement itself. As captured within the submitted policy this matter is not expressed as robustly or clearly as it should be for a development plan policy.
- 7.24 I also recommend that the supporting text comments about the relationship between this policy and Policy RNP5 (Maintaining Protection of the Countryside Around the Village). By definition proposals for affordable housing adjacent to the settlement boundary of Reydon will be in the Area of Outstanding Natural Beauty.

Replace the policy with:

‘Proposals for affordable housing adjacent to the Settlement Boundary of Reydon as defined on the Settlement Boundary Policy Map (Map 2) will be supported subject to the following criteria:

- **no suitable and viable site is available for such development within the settlement;**
- **the development would bring forward up to 25 dwellings;**
- **the development would incorporate a range of dwelling types and mix of affordable rented and shared ownership accommodation appropriate to the identified need; and**
- **the location, scale and design standard of the scheme would retain or enhance the character and setting of the village, and the natural beauty and special qualities of the Area of Outstanding Natural Beauty’**

At the end of paragraph 4.19 add:

‘Policy RNP3 needs to be read in association with Policy RNP5 (Maintaining Protection of the Countryside Around the Village). Whilst they address different issues proposals for affordable housing adjacent to the settlement boundary of Reydon will be in the Area of Outstanding Natural Beauty. The various criteria in Policy RNP3 have been designed to ensure that any such housing proposals will only be supported where no suitable and viable site is available for such development within Reydon. In addition, the location, scale and design standard of any such scheme would need retain or enhance the character and setting of the village in general, and the natural beauty and special character of the Area of Outstanding Natural Beauty in particular’

Policy RNP 4: Principal Residency Requirement

- 7.25 This is an important policy in the Plan. It specifies that any new open market housing, excluding replacement dwellings, should be associated with a restriction to ensure its occupancy as a principal residence. The approach to this issue and relevant information is set out in Section 4 of the Plan. In particular it takes account of evidence in paragraph 4.1 of the Plan that 25% of homes in the parish are used as second homes. The figure runs in parallel with the number of second homes in Southwold which is adjacent to Reydon. On the basis of the information I am satisfied that the policy is appropriate to the circumstances, distinctive to the neighbourhood area and is evidence-based.
- 7.26 As submitted the policy includes an initial element of supporting text. Whilst this helps to explain the policy itself, it is not policy. As such I recommend that it is deleted. The issue is already adequately contained within the supporting text of the Plan. Otherwise the policy meets the basic conditions. It will be a major component in achieving sustainable development in the parish.

Delete 'Due to.... (as second or holiday homes)'

Policy RNP 5: Maintaining Protection of the Countryside Around the Village

- 7.27 This policy addresses the countryside in the Parish. The neighbourhood area is within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB). The policy has been designed to reflect the community's views on most valued parts of the countryside. As a result of this process the Plan has identified Reydon Wood, The Hen Reedbeds, Pottersbridge Marshes, Reydon Smere, Smere Marshes, Reydon Common Marsh, the St Felix County Wildlife Site and the Riverside Grazing Meadows and Marshes as the most valuable areas of the surrounding countryside. Many of these areas comprise or include sites which have formal designations as natural areas of special importance. I recommend that the supporting text highlights that these designations will continue to operate in their own right throughout the Plan period.
- 7.28 In general terms I am satisfied that the approach taken in the Plan is appropriate and distinctive to the parish. In particular it reflects the localism agenda and has allowed the local community to identify areas of the countryside which are worthy of specific control. Nevertheless, as submitted the policy does not have the clarity required by the NPPF. In particular the relationship between the identified areas of countryside and the remainder of the neighbourhood area are unclear. In addition, there are inconsistencies between the submitted policy and the supporting text. I recommend modifications to remedy these matters. The recommended modifications re-order the policy so that the general approach to the countryside precedes that for the most valued parts of the countryside. They also ensure a consistency of approach within the wider AONB to the appropriate policy in the adopted Local Plan.
- 7.29 I also recommend that the supporting text comments about the relationship between this policy and Policy RNP3 (Affordable Housing on the Boundary of the Settlement). By definition proposals for affordable housing adjacent to the settlement boundary of

Reydon will be in the Area of Outstanding Natural Beauty. Policy RNP3 identifies circumstances where affordable housing would be supported on the edge of the settlement boundary.

Replace the policy with:

‘Development outside the settlement boundary should protect and where possible enhance the natural beauty and special qualities of the Suffolk Coast and Heaths Area of Outstanding Natural Beauty in accordance with Policy WLP 8.35 of the adopted Waveney Local Plan.

The following areas (as shown on the Policy Map RNP Map 3) are identified as the most-valued parts of the countryside in the neighbourhood area:

- **Reydon Wood;**
- **The Hen Reedbeds;**
- **Pottersbridge Marshes;**
- **Reydon Smere;**
- **Smere Marshes;**
- **Reydon Common Marsh;**
- **St Felix County Wildlife Site; and**
- **Riverside Grazing Meadows and Marshes.**

Within the most-valued parts of the countryside identified above, proposals for development will not be supported unless:

- **the development is needed to preserve their character and integrity;**
- **a demonstrable need for the development to take place in the location has been satisfactorily evidenced;**
- **there are no suitable and available alternative sites outside of these areas; and**
- **the impact on the landscape is mitigated through sensitive design and a detailed landscaping scheme’**

Delete the final sentence of paragraph 5.1

In paragraph 5.3 replace ‘We, therefore.....its views’ with ‘As part of the plan-making process the Parish Council sought the community’s views’

In the first sentence of paragraph 5.4 delete ‘on which development should never be permitted’. Thereafter insert the following additional sentence between the penultimate and final sentences of the paragraph: ‘These designations will continue to operate in their own right throughout the Plan period’

In paragraph 5.5 replace ‘they agreed strongly’ with ‘the community commented’

At the end of paragraph 5.6 add: ‘Within this context Policy RNP3 (Affordable Housing on the Boundary of the Settlement) identifies circumstances where such development will be supported on the edge of the settlement boundary, and therefore within the countryside’

Policy RNP 6: Improving Public Rights of Way and access to the Countryside from new Developments

- 7.30 This policy requires that new developments should protect existing rights of way and broader access to the countryside. It also requires that any new or extended routes should be planned to avoid disturbance to protected habitats.
- 7.31 I recommend a detailed modification to the second sentence so that the policy uses appropriate policy language. Otherwise it meets the basic conditions.

In the second sentence replace ‘must’ with ‘should’

Policy RNP 7: Local Green Spaces

- 7.32 This policy proposes the designation of a series of local green spaces (LGSs). They are shown on RNP Map 4. The proposed LGSs fall into two broad categories – those on the edge of the village and those in the countryside.
- 7.33 The supporting text comments about the national tests in the NPPF for the designation of LGSs. It also indicates that the proposed LGSs came forward as a result of public consultation and engagement.
- 7.34 I sought the Parish Council’s comments about the added value of the designation of the LGSs outside the settlement boundary given their location in the AONB. This approach reflects national policy in Planning Practice Guidance 37-011-20140306 to the extent that qualifying bodies should assess whether any additional local benefit would be gained by designation as Local Green Space in such circumstances. In its response the Parish Council commented that:
- ‘(the designation of) Local Green Spaces reinforces the importance of these sites to the local community. The Neighbourhood Plan area was expanded, after the required consultation and with the agreement of the Local Planning Authority, to include the whole of Reydon Wood and the Hen Reedbeds to seek to secure LGS designation for these sites. For local people, these, along with Reydon Common Marsh, are key community assets as well as sites of national significance’.*
- 7.35 In addition the Parish Council undertook an assessment of the extent to which each of the proposed LGSs meets the three criteria set out in paragraph 100 of the NPPF for such designation.
- 7.36 In this assessment the Parish Council provided updated commentary on proposed LGSs 5 (Reydon Woods), 6 (Hen Reedbeds) and 8 (Common Marshes). In relation to proposed LGS 5 and 6 the owner of the sites (Suffolk Wildlife Trust) has recently advised the Parish Council that it does not agree to their proposed designation given the existing protections that exist. The Parish Council therefore propose to delete these sites from the list in Policy RNP7 and to amend RNP Map 4. In relation to proposed LGS 8 the landowner has commented that such a designation would not be compatible with its role as part of a working farm. The Parish Council also therefore proposes to

delete this site from the list in Policy RNP7 and to amend RNP Map 4. I recommend accordingly in the case of all three proposed LGSs.

- 7.37 On the basis of all the information available to me, including my own observations when I visited the neighbourhood area, I conclude that the following proposed LGSs comfortably comply with the three tests in the NPPF and therefore meets the basic conditions:

LGS1 Reydon Corner

LGS2 Recreation Ground

LGS3 Playing Fields

LGS4 Jubilee Green

LGS7 Reydon Church

- 7.38 In addition, I am satisfied that the proposed designations as listed in paragraph 7.37 of this report accord with the more general elements of paragraph 99 of the NPPF. Firstly, I am satisfied that they are consistent with the local planning of sustainable development. Their designation does not otherwise prevent sustainable development coming forward in the neighbourhood area and no such development has been promoted or suggested. Secondly, I am satisfied that the LGSs are capable of enduring beyond the end of the Plan period. Indeed, they are an established element of the local environment and have existed in their current format for many years. In addition, no evidence was brought forward during the examination that would suggest that the local green spaces would not endure beyond the end of the Plan period.
- 7.39 Whilst the policy lists the parcels of land proposed to be designated as LGS it does not comment about the implications of such designation. I recommend a modification to remedy this matter. The additional element of the policy follows the approach as set out in paragraph 101 of the NPPF.

Delete proposed LGSs 5 (Reydon Woods), 6 (Hen Reedbeds) and 8 (Common Marshes) from the policy.

**Insert the following as a separate paragraph at the end of the policy:
‘Proposals for development within the designated local green spaces will only be supported in very special circumstances’**

Remove LGSs 5 Reydon Wood, 6 Hen Reedbeds and 8 Common Marshes from RNP Map 4.

*At the end of paragraph 6.5 add:
‘Policy RNP7 sets out a policy basis to safeguard the local green spaces throughout the Plan period. It follows the approach as set out in paragraph 101 of the NPPF where development will only be supported in very special circumstances’*

Policy RNP 8: Safe Access to and from New Developments

- 7.40 This policy requires that new developments provide safe access to and from the highway network.
- 7.41 As submitted the policy largely repeats national and local policies on this matter. I raised the matter with the Parish Council. It responded as follows:

'(the) policy is important as part of the Plan, even though it can be argued that it only restates national and local policies. (Earlier) consultation showed that safe access is a key issue for our community and there are major concerns about the access arrangements proposed for the permitted developments at St Felix and Copperwheat Avenue. (The parish Council) want the Plan to add the voice of the community to these requirements so that it is harder for them to be overlooked and there is a context for local people to give voice to their concerns when development proposals are brought forward'

- 7.42 In these circumstances I recommend that the policy is reconfigured both to address these specific concerns, and to add value to existing national and local policies.

Replace the policy with:

'New developments should demonstrate the way in which they can be safely accommodated within the capacity of the local highways network. Where necessary new developments should incorporate more than one point of access. Developments that would cause an unacceptable impact on the capacity and/or the safety of the local highway network will not be supported'

Policy RNP 9: Safe Walking and Cycling Routes

- 7.43 This policy requires that new development should include provision for safe cycling and walking routes on site and to and from the development (including pedestrian crossings of main roads where appropriate). It also requires that new development should contribute to improved walking and cycling access to key places in the village.
- 7.44 In general terms I am satisfied that the policy takes an appropriate approach to this matter. It takes account of the broader sustainability of the parish and its accessibility to Southwold. As submitted, it would apply to all development. In this context it would be inappropriate for minor and householder development to be caught by the policy. I recommend accordingly. I also recommend a detailed modification to the wording used in the policy. It acknowledges that the approach may not necessarily be practicable in all circumstances.

Replace 'feasible' with 'practicable'

After 'developments' add 'other than householder proposals'

Policy RNP 10: Reydon Neighbourhood Design Principles

- 7.45 This policy sets out key principles to ensure that the design of new development is both high quality in general, and distinctive to the parish in particular. The policy requires that new development takes account of five design principles. The principles are as follows:
- the character and setting of the village;
 - energy efficiency;
 - relating to Suffolk countryside styles;
 - tree and hedge planting; and
 - incorporation of measures to enhance biodiversity.
- 7.46 The policy strikes an appropriate balance. On the one hand it sets out important distinctive design features. On the other hand, it does so in a non-prescriptive fashion. Nevertheless, I recommend that the initial part of the policy is modified so that it requires that developments comply with the criteria where they are directly relevant to the development proposed.
- 7.47 I also recommend a series of detailed modifications to the various criteria to bring the clarity required by the NPPF. Otherwise it meets the basic conditions and will contribute significantly to high quality development in the Plan period.

**Replace the opening part of the policy with:
‘New development should take account of the following design principles as appropriate to their scale and use:’**

In a replace ‘must’ with ‘should’

In b replace ‘local’ with ‘Local Plan’

In the penultimate sentence of e replace ‘still’ with ‘be designed to’

Actions

- 7.48 The Plan includes a series of Actions. They are non-land use issues which have naturally been developed as part of the plan-making process. Paragraph 2.4 of the Plan makes a clear distinction between the land use policies and the series of Actions. The Actions are included with the relevant policies within each Key Issue (chapter) of the Plan.
- 7.49 Planning Practice Guidance offers support to the inclusion of such Actions in neighbourhood plans. Nevertheless, it comments that they should be in a separate part of the wider plan. I have considered this matter very carefully. On balance I am satisfied that the Actions are appropriately positioned in the Plan. I have come to this conclusion for two principal reasons. The first is that they are shown in a very different

fashion from the policies. The second is that many of the actions directly or indirectly complement the policies.

- 7.50 In general terms I am satisfied that the Actions are distinctive and appropriate to the neighbourhood area. The following proposed Actions in particular have an ability to contribute towards the delivery of sustainable development and associated improvements in the parish:

Action 4: Registration of Community Assets

Action 5: Support and Protection for Property at Risk from Flooding or Erosion

Action 6: Blyth Estuary Strategy

Other matters

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

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

- 7.52 ESC highlights that the Plan makes reference to East Suffolk District Council rather than East Suffolk Council. I recommend that the various references in the Plan to ESC are modified accordingly.

Throughout the Plan (as necessary) replace 'East Suffolk District Council' with 'East Suffolk Council'

- 7.53 I also recommend a technical modification to the Glossary

In the Glossary NPPF Section replace the second sentence with: 'As its name suggests it provides national planning policy'

8 Summary and Conclusions

Summary

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

Conclusion

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

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as originally approved by Waveney District Council on 3 December 2018.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
7 July 2020