

Consultation Statement

Rushmere St Andrew Neighbourhood Plan Regulation 17A Consultation

Publicity period: 11th October to 23rd November 2022

Published January 2023



Consultation undertaken on the Rushmere St Andrew Neighbourhood Plan Regulation 17A Consultation

Background

Rushmere St Andrew Parish Council submitted their Neighbourhood Plan to East Suffolk Council in February 2022.

East Suffolk Council published the Plan and invited representations under Regulation 16 of the Neighbourhood Planning (General) Regulations (as amended) between 11th April and 6th June 2022. The Examination was subsequently held and the independent Examiner issued his report on 22nd August 2022.

The Examiner's report included a number of recommended modifications, including in relation to policy RSA9 'Design Considerations': "In the second part of the policy insert 'in The Street Special Character Area' between 'planning applications' and 'should'."

Following receipt of the Examiner's Report, Rushmere St Andrew Parish Council indicated to East Suffolk Council that Appendix 2 in the Submission Draft Neighbourhood Plan was incorrectly titled, and should apply to the full Neighbourhood Plan area not just The Street Special Character Area. The Council agreed with this view. In the Council's view neither paragraph 8.3 of the Submission Draft Neighbourhood Plan, supporting text to policy RSA9, or the Design Guidelines and Codes (March 2021) indicate that Appendix 2 would apply to any other geography than the whole of Rushmere St Andrew Parish. The Council therefore proposed to reject the Examiner's proposed modification to paragraph 2 of policy RSA9 and to instead correct the title of Appendix 2 from 'The Street Special Character Area' to 'Development Design Checklist'.

Under section 13(1) of Schedule 4B to the Town and Country Planning Act 1990:

"If—

- (a) the local planning authority propose to make a decision which differs from that recommended by the examiner, and
- (b) the reason for the difference is (wholly or partly) as a result of new evidence or a new fact or a different view taken by the authority as to a particular fact,

the authority must notify prescribed persons of their proposed decision (and the reason for it) and invite representations."

Consultation

The District Council's proposal to disagree with one of the Examiner's recommended changes were published for consultation for a period of six weeks between 11th October and 23rd November 2022. This additional focused stage of consultation took place in accordance with regulation 17A of the Neighbourhood Planning (General) Regulations 2012 (as amended).

The consultation comprised the following:

1. A consultation document was prepared that explained the purpose of the consultation and provided guidance about how to respond to the consultation.
2. The Consultation document was published on the East Suffolk Council consultation portal for the duration of the consultation (11th October to 23rd November).
3. The consultation was advertised on the Planning Policy and Rushmere St Andrew Neighbourhood Plan sections of the Council's website, which included links to the consultation portal and the consultation document.
4. Those who had been consulted as part of the submission stage (Regulation 16) consultation were contacted by email or letter informing them of the additional focused stage of consultation. The emails and letters contained links to the Council's consultation portal as well as offers of assistance to those who could not access the document online.

Due to the omission of notifying one consultee, a further period of six weeks was provided for them to respond. They responded on 28th December 2022.

The responses are all summarised and considered in the table overleaf. Full copies are published separately.

Organisation	Document section	Comment	Officer response	Proposed amendments to the Council's proposed action
Rushmere St Andrew Parish Council	Policy RSA9 / Appendix 2.	Supports the proposed deletion in policy RSA9 and the renaming of appendix 2 to Development Design Checklist. The Parish Design Guidelines and Codes and Design Checklist in appendix 2 apply to all of the parish and not just 'The Street Special Character Area.' For example, bullet point 1 in the appendix refers to coalescence which refers to planning applications in the whole parish, not just 'The Street Special Character Area.'	Support noted.	None.
Kesgrave Town Council	Policy RSA9 / Appendix 2.	Supports East Suffolk Council's decision to reject the recommendation.	Support noted.	None.
Historic England	Policy RSA9 / Appendix 2.	Historic England thanks East Suffolk Council for consulting on decision to reject the examiner's modification. We do not have any comments to make and have no objection to the Council's course of action.	Comment noted.	None.
National Highways	Policy RSA9 / Appendix 2.	National Highways has responsibility for the A12 and A14, which are part of the strategic road network. The proposals regarding policy RSA9 and Appendix 2 would not have any impact upon the strategic road network and therefore National Highways has no comment.	Response noted.	None.

Organisation	Document section	Comment	Officer response	Proposed amendments to the Council's proposed action
Natural England	Policy RSA9 / Appendix 2.	Natural England does not have any comments to make about the modification of policy RSA9 and Appendix 2.	Response noted.	None.
Suffolk County Council	Policy RSA9 / Appendix 2.	Suffolk County Council agrees with the proposed amendments as written.	Support noted.	None.
Tuddenham St Martin Parish Council	Policy RSA9 / Appendix 2.	No comments on this consultation.	Response noted.	None.