

Saxmundham Neighbourhood Plan 2022-2036

Initial Comments of the Independent Examiner

Prepared by

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1st November 2022

Introductory Remarks

1. As you will be aware, I have been appointed to carry out the examination of the Saxmundham Neighbourhood Plan. I have carried out my initial review of the Plan and the accompanying documents which I have been sent. I visited the town last Friday 28th October 2022. I spent the whole morning in the town and I walked the town centre and visited most of the sites referred to in the plan.
2. My preliminary view is that I should be able to deal with the examination of this Plan by the consideration of the written material only. I do have to reserve the right to call for a public hearing, if I consider that it will assist my examination, but that may only be necessary, if there are issues that emerge from the responses to this note which I feel warrant further exploration.
3. Set out in the following paragraphs are a number of matters that I wish to receive, either clarification or further comments / information from the Town Council or in some cases from East Suffolk Council. Such requests are quite normal during the examination process and the replies will help me prepare my report and come to my conclusions.
4. However, I would at the outset commend the authors of the plan. They have produced a document which is well written and presented and provides an excellent description of the town and its issues to a person like myself who is new to the area.

Regulation 16 Comments

4. I would like to offer the Town Council the opportunity to comment on the representations that were submitted as part of the Regulation 16 consultation. I am not expecting a response in respect of every point, just those that the Town Council feels it needs to respond to. I would particularly highlight the issues raised by the Environment Agency in terms of proposals within Flood Zone 3 and would invite a response regarding the sequential approach.

The Issues Arising from the Garden Neighbourhood being split between two parishes

5. From reading the plan and the two supporting documents, it is very evident that the neighbourhood plan is somewhat conflicted. It recognises that the success of the garden neighbourhood will be dependant upon being masterplanned as a single coherent development, yet the neighbourhood plan is only able to create policy for the area within the Town Council's current jurisdiction.
6. I have noted that the governance review is proposing boundary changes so that the whole of the garden neighbourhood area should fall within Saxmundham Town Council's boundary. That is eminently logical. It would

be helpful if ESC could set out the likely timescales for the implementation of this change. I am sure all would agree that it would have been a lot easier if that had happened before embarking on the neighbourhood plan.

7. I can fully appreciate why AECOM were commissioned to prepare guidelines for the masterplanning of the strategic allocation as a whole. That is only the sensible way to approach the task of planning for a new neighbourhood. However, this does create real difficulties, such as Policy SAX GN1 refers to connections and movement within the Garden Neighbourhood as a whole, and then the footnote at the end notes that it's policies only apply to the parts within the Saxmundham Neighbourhood area. East Suffolk Council has identified other examples.
8. It did strike me that that it would have been possible for the objective of treating the garden neighbourhood area as a single entity, could have been realised, if the designated neighbourhood area had expanded into that part of Benhall parish, which was to be included as a garden neighbourhood, with Benhall Parish Council's consent. Such arrangements are specifically allowed under the neighbourhood planning legislation and I have seen other neighbourhood plans covering more than one parish where it makes logical sense in terms of the proper planning of an area. Was that option considered by the Town Council?
9. Whilst that may have been an option that should have been considered, with the benefit of hindsight, one possible alternative solution to overcome the consequences of the split of the strategic allocation falling between the two parishes, could be for East Suffolk Council to either adopt the parts of the AECOM study that deals with the garden neighbourhood, covering both parishes, as its own Supplementary Planning Document, expanding on its Local Plan allocation.
10. Alternatively, it could allow the neighbourhood plan to deal with the Saxmundham element and then adopt, as SPD, that part of the guidelines that are situated in Benhall parish. Do the Town Council or East Suffolk Council have a view on the practicality of that arrangement as a suggestion? Similarly, are there any elements of the masterplan guidelines that East Suffolk Council does not agree with? Such an approach could also allow additional public consultation which the Council appears to be saying is lacking? Can the Town Council confirm whether the 2 accompanying documents were subject to the Regulation 14 consultation alongside the Pre Submission Version of the plan, and if it wasn't, why not if they are being referred to within the neighbourhood plan policy?
11. It does seem somewhat perverse situation, to be presenting policy and guidance for the whole of the new neighbourhood, yet because of current boundary issues, the neighbourhood plan can only present policy to the northern section of the new neighbourhood.

Opportunity Zones

12. Can the Town Council explain what the difference is, in terms of plan and policy making, between a designated Opportunity Zone and making an allocation for development within that same area?
13. I also agree with the latest comments of the East Suffolk Council that these areas should have a clear, rather than a blurred, boundary as it is important for a property owner to know whether their property lies within or outside these areas. Could revised plans be prepared showing a red line boundary?

Mapping

14. Figure 4 only shows the polygon but no base map, so is somewhat meaningless. It is the same on the online version. Can this be reviewed?

Policy SAX 4

15. As the LPA has highlighted in its Reg 16 comments, this policy is more restricted than the Local Plan provisions covering the loss of community facilities. Are there any local circumstances which suggest that a stricter approach is justified than currently is covering the town via the Local Plan?

Policy SAX 8

16. Does the Town Council have a dimension in mind, that is the minimum size of a garage which will accommodate and provide easy access to and from a range of modern vehicles?
17. Do electric bikes need a different type of charger than access to a wall socket. Are they meant to be charged indoors to get best results?

Policy SAX 9

18. Can the Town Council clarify whether proposals need to meet all the criteria or just one, within the policy?
19. If the windfall development takes place within the settlement boundary, under what circumstances would the conditions described in c), apply?
20. Would the Town Council like to comment on how this policy adds a further dimension to existing Local Plan policy which established the settlement boundary?

Policy SAX 10

21. In the absence of a Housing Needs Assessment, could the Town Council suggest where an applicant or decision maker would look for up to date evidence of local housing needs?

Policy SAX 12

22. Can the Town Council confirm whether it is the whole of the Layers which are of historical interest or just the areas closest to the town? Was the Layers considered as a possible local green space, in view of its importance to the community based on its historical significance, or was it rejected for being an

extensive area of land? It would be helpful for my understanding to know what acreage the Layers covers.

Policy SAX 13

23. It appears that the Viewpoint 6, to and from Clay Hill Road, lies outside of the plan area as it is in the adjoining parish? Therefore, possible development in the foreground of the view, would not be capable of being protected by the policy in this neighbourhood plan.
24. Can the location of Green Gateway B at the northern entrance to the town be shown on Figure 23?

Policy SAX15

25. Does the protection of the community garden at the former Fromus Centre duplicate its protection as a Local Green Space?
26. Can the Town Council explain the difference between a community garden and an allotment?

Policy SAX 16

27. Can the Town Council confirm whether the landowners of the Layers have agreed to the designation of the land as a SANG? Is it expected that the agricultural use of the land will cease?

Policy SAX GN 1

28. As written, it appears that the aspirations as set out in the policy relates to all the neighbourhood not just those within the Saxmundham parish. Should the limitations as to its coverage be included in the initial part of the policy rather than as a footnote at the end of the policy?

Policy SAX GN3

29. Whilst this policy will only apply to the section of the new neighbourhood within the Town Council's jurisdiction, the supporting text in 12.4 refers to the local centre being situated within Benhall parish. That is another example of the less than satisfactory position that the plan is trying to reconcile.

Concluding Remarks

30. I am sending this note direct to Saxmundham Town Council, as well as East Suffolk Council. I would request that the two parties' response to my questions should be sent to me by 5 pm on **18th November 2022** and also copied to the other party.

31. I would also request that copies of this note and the respective responses are placed on the Neighbourhood Plan's and also East Suffolk Council's website.

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Independent Examiner to the Saxmundham Neighbourhood Plan.

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