

Saxmundham Neighbourhood Plan 2022 - 2036

Notice of Public Hearing

Prepared by

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16th December 2022

The Need for a Public Hearing

1. Following my Initial Comments document, which I sent out on 1st November 2022, I have now received responses from both the Town Council and East Suffolk Council.
2. Based on the information provided I have concluded that I need to call for a public hearing. This will provide me with an opportunity to receive oral evidence on a limited number of questions which I have set out at the end of this Note. Whilst it is usual for most neighbourhood plan examinations to be conducted via written submissions, the legislation does allow for the holding of a public hearing.

Issues to be Covered at The Hearing

3. The hearing will focus on the proposals that relate to the proposed Saxmundham Garden Neighbourhood and look at whether the limitations arising from the fact that the neighbourhood plan area only covers part of the urban extension is consistent with the overall aspirations that the new housing development should be masterplanned as a whole. I need to explore whether the neighbourhood plan which only covers part of the proposed development is the most appropriate mechanism for establishing the parameters through which the new neighbourhood should be planned, especially as proposed boundary changes will bring the whole development under the jurisdiction of Saxmundham Town Council in the next few months.

Arrangements for the Hearing

4. Having liaised with both East Suffolk Council and the Town Council, I can confirm that the hearing will commence at **9.30am** on **Friday 27th January 2023** in The Hall of the Fromus Centre, Street Farm Road, Saxmundham, Suffolk, IP17 1AL.
5. The hearing is open to the public to attend; however, the conduct of a neighbourhood plan hearings is set out in Schedule 4B to the Town and Country Planning Act 1990 and that specifies the parties who can participate. The legislation specifically provides for oral representations at the hearing to be made by the Qualifying Body, namely Saxmundham Town Council and the Local Planning Authority, East Suffolk Council.
6. Part of the discussions will inevitably relate to the 2 documents that have been produced by AECOM and whilst I cannot formally request their attendance, as they are consultants to the Town Council, their presence at the hearing may be beneficial

if our debate lead us to discussions on possible changes to the two documents, which might address concerns of the East Suffolk planners.

7. It is not my intention to invite representations from other parties to the hearing. I am conscious that the site landowners did not submit representations at the Regulation 16 stage.
8. I have no objections if any party wishes to film or record any part of the proceeding or to use social media. However, to be clear, members of the public will not be allowed to take part in the proceedings.
9. It is for the me, as the Examiner, to decide how the hearing is to be conducted. In particular, I will decide the nature and extent of any follow up questions, and the amount of time for oral representations. The principle to be applied, is that questioning will be done by myself, except where I feel that questioning by other parties should be allowed to ensure the adequate examination of a particular issue, or to ensure that a party has a fair chance to put their case.
10. We will take a short break during the morning session. I will have an adjournment for lunch at a suitable moment in the proceedings, if I consider that we will need to reconvene in the afternoon.

Agenda

11. The agenda will be as follows:
 - a. **Opening remarks-** by myself as Examiner
 - b. **Opening statement** by Saxmundham Town Council – I would like to offer the opportunity to the Town Council to introduce and set out its overall approach to the neighbourhood plan. I would suggest that 10 minutes should be sufficient.
 - c. **Discussion based on my individual questions:** These will look at the questions which I have attached to this note. It may be that the order that the matters are covered will change depending upon how the discussion evolves.
 - d. **Examiners Closing Remarks**

Site visits

12. I have already carried out an unaccompanied site visit to Saxmundham at the end of October. I did not actually venture onto the site of the garden neighbourhood, although I was able

to appreciate its location in relation to the surrounding development and the school as well as from the A12. Unless anything arises up at the hearing that dictate otherwise, I do not consider that it is necessary for me to arrange an accompanied site visit.

Publicity

13. Please can this note be placed on the appropriate district and town council websites. I would also ask the Town Council, as the Qualifying Body, to give publicity to the hearing, within the town, for example, by placing posters on town council notice boards or through press releases or social media, advertising that the hearing will be taking place and that the public can attend (but not participate in the proceedings).

John Slater BA (Hons), DMS, MRTPI, FRGS

John Slater Planning Ltd

Independent Examiner to the Saxmundham Neighbourhood Plan

16th December 2022

Questions to be Discussed at the Hearing

1. Does the fact that the neighbourhood plan only covers that part of the new garden neighbourhood falling within the Town Council's current boundary, prevent the proper masterplanning of the new development, as proposed by Policy SCLP 12- 29? Does the neighbourhood plan actually seek to establish planning policy for that part of the SSGN which presently falls within Benhall Parish, notwithstanding that the neighbourhood plan recognises that its policy only applies to the northern part of the strategic allocation? Does this meet the legal requirements, not just the basic conditions but also the requirements that neighbourhood plans can only set out policies for the development and use of land within their neighbourhood area? Does East Suffolk Council consider that guiding the masterplanning of the allocation site is actually a strategic policy matter that should not be dealt with by a neighbourhood plan?
2. What changes would be required to the AECOM documents that would then enable them to be supported by East Suffolk Council and, as the strategic allocation site is required to be masterplanned as a whole, would it be possible for amended versions of the two documents to be acceptable and adoptable to the LPA? Is the underlying concern, one of process of how they were prepared and who was consulted or what is actually being proposed in the documents that is the issue for the LPA and can it be specific as to what would need to change?
3. Alternatively, would there be merit in detaching those parts of the neighbourhood plan dealing with the SSGN, and upon the implementation of the boundary changes, declare a new neighbourhood area encompassing the extra land at the SSGN, so that the neighbourhood plan process could establish the community's principles and priorities for the whole development area? Are there other ways of reaching an acceptable mechanism to secure the comprehensive masterplanning of the strategic allocation site - perhaps being prepared by the LPA as a Supplementary Planning Document or a Design Guide, in consultation with the Town Council?
4. To what extent does the AECOM guidance duplicate guidance contained in the National Design Guide and the National Model Design Codes or is it setting out local requirements which are site specific and are community priorities?

5. Does Policy SCLP 12- 29's expectations, that the masterplan "should be brought forward through landowner collaboration and community involvement", rule out the preparation of such guidance for that masterplanning process being initiated by the Town Council on behalf of the local community? In asking that question I have noted the comment from the Town Council that the landowners have chosen not to engage with the current proposals being advanced by the neighbourhood plan. Does ESC have any reservations that the Town Council's approach could affect or undermine the delivery of the strategic allocation?