



# Southwold Neighbourhood Plan Decision Statement

**(The Neighbourhood Planning (General) Regulations 2012 – Regulation 18)**

## **1. Summary**

1.1 Following an independent examination, East Suffolk Council now confirms that the Southwold Neighbourhood Plan will proceed to a Neighbourhood Planning Referendum subject to the modifications set out in section 3.

## **2. Background**

2.1 Southwold Town Council, as the Qualifying Body, successfully applied for Southwold Parish to be designated as a Neighbourhood Area under The Neighbourhood Planning (General) Regulations 2012. The Neighbourhood Area was designated by (former) Waveney District Council on 19<sup>th</sup> May 2014.

2.2 The Southwold Neighbourhood Plan was published by Southwold Town Council for pre-submission consultation (Regulation 14) between 1<sup>st</sup> November and 30<sup>th</sup> December 2019. A second pre-submission consultation (Regulation 14) was held between 2<sup>nd</sup> November 2020 and 5<sup>th</sup> February 2021.

2.3 Following the submission of the Southwold Neighbourhood Plan (submission version) to East Suffolk Council the Plan was publicised and comments invited over a six week period commencing on 28<sup>th</sup> May 2021, closing on 9<sup>th</sup> July 2021.

2.4 East Suffolk Council, with the agreement of Southwold Town Council, appointed an independent examiner, Andrew Ashcroft BA (Hons) M.A. DMS MRTPI to review the Plan and to consider whether it met the Basic Conditions required by legislation and whether it should proceed to Referendum.

2.5 The Examiner's Report received 20<sup>th</sup> October 2021 concluded that subject to modifications identified in the Report, the Southwold Neighbourhood Plan meets the basic conditions.

2.6 The Examiner recommends that subject to the modifications listed in the Report, the Southwold Neighbourhood Plan should proceed to referendum. He further recommends that the referendum area should be the same as the designated neighbourhood area, with there being no substantive evidence to demonstrate otherwise.

2.7 Following receipt of the Examiner's Report, legislation requires that East Suffolk Council consider each of the modifications recommended, the reasons for them, and decide what action to take. This is set out in the table below. Ahead of this consideration, the Examiner's Report and its findings have been subject to discussion between East Suffolk Council and Southwold Town Council.

### **3. Decision and Reasons**

3.1 East Suffolk Council, under powers delegated to the Head of Planning and Coastal Management, have considered each of the modifications recommended and concurs with the reasoning provided by the Examiner in his Report dated 20<sup>th</sup> October 2021. With the Examiner's recommended modifications, East Suffolk Council have decided that the Southwold Neighbourhood Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with the Convention rights and complies with provision made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.

3.2 As a consequence, the submission version of the Southwold Neighbourhood Plan will be modified as recommended for it then to proceed to referendum.

3.3 East Suffolk Council have considered the referendum area as recommended by the Examiner and has decided there is no reason to extend the neighbourhood area for the purposes of referendum. The Referendum area will be the same as the designated Neighbourhood Area for the Southwold Neighbourhood Plan.

3.4 The list of modifications and actions required are set out in the following table. As a consequence of these changes the Southwold Neighbourhood Plan will be re-published and titled the Southwold Neighbourhood Plan (Referendum Version).



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Head of Planning and Coastal Management

Dated: 17/11/2021

Examiner’s recommended modification	Reason for change (summarised)	Action by ESC and STC
<p><u>Policy SWD1</u></p> <p>A. Proposals to redevelop a registered Asset of Community Value within the settlement boundary to part community use and part affordable housing will be supported <b>exceptional circumstances</b> where:</p> <ul style="list-style-type: none"> <li>i. it can be demonstrated that the current and alternative community uses for the whole of the site have been fully explored and that the redevelopment is necessary to enable the retention and continued use of part of the ACV for community use; and</li> <li>ii. if community use is provided on only part of the site, then a Section 106 (or other enforceable) agreement will be required to ensure that this use is for the benefit of the community and is controlled by an eligible voluntary or community body as defined in the Localism Act 2011 (a parish council or voluntary or community body with a local connection); and</li> <li>iii. the change of use of the rest of the site is restricted to permanently affordable housing.</li> </ul> <p>B. The change of use of any part of the site for permanently affordable housing should be delivered by a Community Led Housing Group.</p> <p>C. Cross-subsidy of permanently affordable housing with an element of market housing <i>will be supported</i> <b>may be permitted</b> if it is demonstrated through an independent, community-led housing viability study that market housing is essential to make the mixed</p>	<p>The policy has been modified so that it takes on a more general format which would address the amount of market residential that is required to make the affordable scheme deliverable and that the amount of market residential housing should not exceed the amount of affordable housing.</p>	<p>Agree. Policy amended as recommended.</p>

Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<p>community and affordable housing scheme viable. <del>Any market housing demonstrated as necessary to cross-subsidise affordable housing must be no more than one third of the dwellings.</del> <i>Any market housing demonstrated as necessary to cross-subsidise affordable housing should be no greater than that required to make the affordable scheme deliverable, and, in any event, should not exceed the amount of affordable housing.</i></p> <p><del>D. If all of the criteria set out in A-C above are met (along with the other relevant policies in the NP, Local Plan and National Planning Framework), then a mixed community and affordable housing scheme will be permitted.</del></p>		
<p><u>Policy SWD2</u></p> <p>A. Proposals to redevelop community land or buildings within the settlement boundary will be supported based on a hierarchy of preferred uses. Lower priority uses will only be considered if, following a sustained marketing campaign that meets the requirements of Local Plan Policy WLP 8.22, higher priority schemes do not come forward. In descending order of priority, the preferred uses are:</p> <p>i. Solely community uses; ii. If, and only if, a proposal for solely community use does not come forward during the marketing campaign, then</p>	<p>The policy has been modified so that it takes on a more general format which would address the amount of market residential that is required to make the affordable scheme deliverable and that the amount of market residential housing should not exceed the amount of affordable housing.</p>	<p>Agree. Policy amended as recommended.</p>

Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<p>development of a mix of community use and permanently affordable housing will be permitted.</p> <p>iii. If, and only if, a proposal for uses i- ii does not come forward during the marketing campaign, then development of the whole site for permanently affordable housing will be permitted.</p> <p>iv. If, and only if, a proposal for uses i- iii does not come forward during the marketing campaign, then an affordable housing scheme delivered by a housing association will be permitted.</p> <p>v. If none of the above uses come forward during the marketing campaign, then alternative uses will be permitted.</p> <p>B. The change of use of any part of the site for permanently affordable housing should be delivered by a Community Led Housing Group.</p> <p>C. Cross-subsidy of permanently affordable housing with an element of market housing <i>will be supported</i> <del>may be permitted</del> if it is demonstrated through an independent, community-led housing viability study that market housing is essential to make the mixed community and affordable housing scheme viable. <del>Any market housing demonstrated as necessary to cross-subsidise affordable housing must be no more than one third of the dwellings.</del> <i>Any market housing demonstrated as necessary to cross-subsidise affordable housing should be no greater than that required to make the affordable scheme deliverable, and, in any event, should not exceed the amount of affordable housing.</i></p>		

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<p><del>D. For a scheme to be approved, evidence must be provided that all of the conditions in A-C above have been met and the marketing campaign complies with Local Plan Policy 8.22.</del></p>		
<p><u>Policy SWD3</u></p> <p>A. Proposals to redevelop land in Existing Employment Areas within the settlement boundary will be supported based on a hierarchy of preferred uses. Lower priority uses will only be considered if, following a sustained marketing campaign that meets the requirements of Local Plan Policy WLP 8.12, higher priority schemes do not come forward. In descending order of priority, the preferred uses are:</p> <ul style="list-style-type: none"> <li>i. A solely employment use.</li> <li>ii. If, and only if, a proposal for solely employment use does not come forward during the marketing campaign, then development of a mix of employment and permanently affordable housing will be permitted.</li> <li>iii. If, and only if, a proposal for uses i- ii does not come forward during the marketing campaign, then development of the whole site for a solely permanently affordable housing will be permitted.</li> <li>iv. If, and only if, a proposal for uses i- iii does not come forward during the marketing campaign, then an affordable housing scheme delivered by a housing association will be permitted.</li> </ul>	<p>The policy has been modified so that it takes on a more general format which would address the amount of market residential that is required to make the affordable scheme deliverable and that the amount of market residential housing should not exceed the amount of affordable housing.</p>	<p>Agree. Policy amended as recommended.</p>

Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<p>v. If, and only if, a proposal for uses i- iv does not come forward during the marketing campaign, then alternative uses will be permitted.</p> <p>B. The change of use of any part of the site for permanently affordable housing should be delivered by a Community Led Housing Group.</p> <p>C. Cross-subsidy of permanently affordable housing with an element of market housing <i>will be supported</i> <del>may be permitted</del> if it is demonstrated through an independent, community-led housing viability study that market housing is essential to make the mixed community and affordable housing scheme viable. <del>Any market housing demonstrated as necessary to cross-subsidise affordable housing must be no more than one third of the dwellings.</del> <i>Any market housing demonstrated as necessary to cross-subsidise affordable housing should be no greater than that required to make the affordable scheme deliverable, and, in any event, should not exceed the amount of affordable housing.</i></p> <p><del>D. All applications should demonstrate through a Design and Access Statement that the proposed residential use is compatible with the surrounding employment uses in terms of car parking, access, noise, odour and other amenity concerns.</del></p>		

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<p>E. For a scheme to be approved, evidence must be provided that all of the conditions in A-D above have been met and the marketing campaign complies with Local Plan Policy 8.12.</p>		
<p><u>Delete para. 4.37</u></p> <p><del>It is anticipated that such a policy will reduce the cost of land, which would be a boon to Southwold by making it easier to build affordable housing.36 The windfall sites that will become available for residential development, other than those identified as Development Sites in this Plan, will be mainly redundant community facilities or employment land that are unlikely to accommodate more than 10 dwellings. The overall effect will be beneficial by providing a supply of lower cost land that makes it possible to build more affordable housing whilst delivering other social and economic benefits. In disposing of one of its properties, 5 Strickland Place, Southwold Town Council first had a valuation as an open market freehold property, then decided to impose a restricted, principal residence, covenant. The quoted price fell by 25%.</del></p>	<p>There is no specific evidence to supports the comments in paragraph 4.37 and it doesn't account of the complex way land may become available.</p>	<p>Agree. Paragraph amended as recommended.</p>
<p><u>Policy SDW5</u></p> <p><del>New C3 development for holiday letting (sui generis) or change of an existing C3 use to holiday let will only be permitted where the applicant can demonstrate that all of the following requirements have been met:</del></p>	<p>A third criteria and amendments to the wording are recommended to bring the clarity required by the NPPF.</p>	<p>Agree. Policy amended as recommended.</p>



Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<p><del>a) Sufficient car parking space can be provided within the curtilage of the building in accordance with Policy SWD7 (Parking).</del></p> <p><del>b) Taking into account the cumulative and indirect impacts of the high volume of holiday letting, there are no significant impacts on amenity.</del></p> <p><i>Insofar as planning permission is required, development proposals for new C3 development for holiday letting (sui generis) or for the change of use of an C3 residential house to a holiday let (sui generis) will only be supported where:</i></p> <ul style="list-style-type: none"> <li><i>• car parking can be provided in the curtilage of the building in accordance with Policy SWD7 (Parking);</i></li> <li><i>• the proposed use would not have an unacceptable impact on the amenities of houses in the immediate locality; and</i></li> <li><i>• the wider effect of the proposal would not be unacceptable taking account of the cumulative and indirect impacts of holiday lets in the town.</i></li> </ul>		
<p>Policy SWD6</p> <p><del>In order to create high quality buildings and places that are beautiful and enduring, applications for all development in the Area, including small-scale development, must be informed by the National Design Guide. In order to create high quality buildings and places that are</del></p>	<p>The modifications are to bring the clarity required by the NPPF.</p> <p>The opening element of the policy is amended to focus on outcomes</p>	<p>Agree. Policy amended as recommended.</p>

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<p><i>beautiful and enduring, development proposals should be informed by the National Design Guide as appropriate to their scale, nature and location and respond positively to its principles.</i></p> <p>All planning applications <del>must</del> <i>should</i> demonstrate, either through the Design and Access Statement where this is required or through sufficiently detailed plans and documents, that they have:</p> <p>A. understood and followed the process for creating high quality design set out in the National Design Guide;</p> <p>B. understood and proposed design that is sympathetic to and in keeping with the best of the prevailing local character area;</p> <p>C. maximized the opportunities to improve the quality of design;</p> <p>D. positively addressed the Recurrent Design Issues and area-specific Sensitivities and Susceptibilities identified in the Southwold Character Area Appraisal (SCAA) and reinstated character where the SCAA identifies opportunities for this; and</p> <p>E. where relevant, addressed heritage management issues identified in the Southwold Conservation Area Appraisal.</p>	<p>rather than the process of being informed by the NDG.</p>	

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<p><del>Applications that fail to demonstrate A – E above will be refused.</del>  <i>Development proposals which do not demonstrate their compliance with the design principles A – E above will not be supported.</i></p>		
<p><u>Para. 5.23</u></p> <p>For each area, the SCAA highlights sensitivities and susceptibilities. All applications will be expected to demonstrate how they are responding positively to sensitivities and susceptibilities and how they are taking opportunities to avoid and correct previous mistakes by, for example, reinstating original boundary treatments, window styles and other detailing, or restoring and improving garden space. Sensitivities and susceptibilities are based on the field work undertaken for the SCAA, which identified the recurrent design issues discussed below. <i>This approach is consistent with the design-led approach as captured in national planning policy. The Neighbourhood Plan sets out the Town Council's approach towards a clear design vision and expectations for development sites. This will ensure that applicants have as much certainty as possible about what is likely to be acceptable.</i></p>	<p>The supporting text is expanded to address the updated NPPF.</p>	<p>Agree. Paragraph amended as recommended.</p>
<p>Update the reference to NPPF paragraph numbers in Section 5 of the Plan</p>	<p>The supporting text is to address the updated NPPF.</p>	<p>Reference to the NPPF in para. 5.5 amended as required-</p> <p>The National Planning Policy Framework requires local</p>

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		planning authorities to give great weight to conserving landscape and scenic beauty in the AONB (Paragraph <del>115</del> 176).
<p><u>Policy SWD7</u></p> <p>A. Development proposals that create a demand for vehicle parking should meet the requirements of the Suffolk Highways Guidance 2019. Alternative levels of provision will only be supported if the application demonstrates a clear local benefit such as enabling the provision of affordable housing, community and employment space, and is of a high quality design that preserves and enhances bio-diversity.</p> <p>B. <del>Applications</del> <i>Development proposals</i> which include new on-site residential parking provision will be supported provided the scheme:</p> <ul style="list-style-type: none"> <li>• does not result in a car-dominated street scape; and</li> <li>• preserves and enhance biodiversity; and</li> <li>• does not create an open frontage in areas where enclosed front boundaries prevail; and</li> <li>• preserves a good quality of garden amenity space for existing and future occupants of the site; and</li> <li>• <del>uses permeable surfacing, where possible. Where this is not possible, it should be demonstrated how surface water will be</del></li> </ul>	The changes are to ensure the policy meets the basic conditions.	Agree. Policy amended as recommended.

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<p><del>drained on-site</del> uses permeable surfacing, where practicable. Where this cannot be achieved, proposals should demonstrate how surface water will be drained on-site in a sustainable fashion.</p> <p>C. The use of on-street parking in order to satisfy the requirements of the Suffolk Highways Guidance 2019 <del>will be expected to</del> <i>should</i>:</p> <ul style="list-style-type: none"> <li>• be well integrated into the layout and street scene, ensuring safety and avoiding obstruction for all users, in particular pedestrians and cyclists; and</li> <li>• <del>applications within areas of parking stress (as shown on the policies map) must demonstrate that there are spare on-street parking spaces within peak demand periods to accommodate the additional demand.</del> <i>should demonstrate that there are available on-street parking spaces within peak demand periods to accommodate the additional demand in areas of parking stress (as shown on the policies map).</i></li> </ul> <p>D. Development that results in the loss of existing off-street or on-street parking <del>will be required to</del> <i>should</i> provide the same number of new parking spaces in the Parking Zone in which the proposed development is located.</p> <p>E. In determining applications that include parking provision, great weight will be given to achieving high quality design that respects the</p>		

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<p>character and feel of Southwold, and to preserving and enhancing biodiversity.</p>		
<p><u>Policy SWD8</u></p> <p><del>In order to retain the vitality and character of Southwold's retail offer, development will be expected to retain the profile of predominantly small shop units in the town. In the Primary and Secondary Shopping Frontages, proposals to materially increase the size of an existing retail unit will only be supported if the existing smaller shop unit is demonstrated not to be commercially viable. This should be done by undertaking a comprehensive marketing campaign of at least 12 months in accordance with Appendix 4 of the Waveney Local Plan (marketing requirements).</del></p> <p><i>In the Primary and Secondary Shopping Frontages, development proposals to increase the size of an existing retail unit by more than 40% of its existing floorspace will only be supported where it can be demonstrated that they are essential to ensure the continued effective trading of the existing operator.</i></p>	<p>The change is to assist existing businesses that need to grow. The policy wording is changed from requiring the existing smaller shop units to demonstrate they are commercially unviable to continue at its current size, to policy wording that requires the existing occupier to demonstrate that any extension of the existing floorspace is needed for effective trading.</p>	<p>Agree. Policy amended as recommended.</p>
<p><u>Policy SWD9</u></p>	<p>The change to the policy structure is to bring the clarity required by the NPPF.</p>	<p>Agree. Policy amended as recommended.</p>

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<p><del>Development proposals to provide start-up and grow-on B1 Class business space on flexible terms will be supported. This could be through:</del></p> <p><del>A. conversion of existing buildings across the Neighbourhood Plan area;</del></p> <p><del>or</del></p> <p><del>B. provision of new buildings within the settlement boundary of Southwold town, and in particular on the Station Yard development site in Policy SWD15.</del></p> <p><i>Development proposals to provide start-up and/or grow-on business space (Class E) will be supported through the conversion of existing buildings or the provision of new buildings within the settlement boundary, and on the Station Yard development site in particular.</i></p>	<p>The comments regarding flexibility have been removed as this cannot be controlled within the planning system.</p> <p>The change from Class B1 to Class E reflects new the Use Class Order for business uses.</p>	
<p><u>Para. 7.18</u></p> <p>For people without adequate space for a home office, and for start-up and growing businesses, the ability to access workspace on flexible terms (including affordable rents) is one of the most important factors in deciding where to locate a business. <i>Whilst the matter of flexible terms is not a land use matter, the promotion of business premises with such arrangements would be particularly welcomed.</i></p>	<p>The comments regarding flexibility have been clarified in the supporting text so this cannot be controlled within the planning system.</p>	<p>Agree. Paragraph amended as recommended.</p>

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<p><u>Para. 7.19</u></p> <p>Having additional <del>B1</del> E business space available in the town creates the potential to attract incomers, encourages new start-ups by people living in the area, and retains businesses within the town that are out-growing their space. Accordingly, opportunities to develop business spaces of various sizes, including meeting rooms, should be encouraged.</p>	<p>The change from Class B1 to Class E reflects new the Use Class Order for business uses.</p>	<p>Agree. Paragraph amended as recommended.</p>
<p><u>Para. 7.20</u></p> <p>Ideally, <del>B1</del> E space would be created through new-build provision as part of a larger new development which could potentially cross-subsidise the provision of start-up units and space at attractive rents. This could potentially be achieved in Station Yard, one of four development sites identified in Section 10.</p>	<p>The change from Class B1 to Class E reflects new the Use Class Order for business uses.</p>	<p>Agree. Paragraph amended as recommended.</p>
<p><u>Policy SWD10</u></p> <p>The Local Plan's Existing Employment Area is extended as shown in the map in section 15.2 to include employment areas:</p> <ul style="list-style-type: none"> <li>i. The complex of Adnams plc employment space on Church Street, Victoria Street, Cumberland Road and East Green;</li> <li>ii. The Southwold Business Centre, off St Edmund's Road</li> </ul>	<p>The wording has been amended to bring the clarity required by the NPPF.</p>	<p>Agree. Policy amended as recommended.</p>



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<p><del>Development is expected to meet the requirements of Waveney Local Plan Policy 8.12 (Existing Employment Areas)</del> <i>Development proposals in the two areas should comply with the requirements of Waveney Local Plan Policy 8.12 (Existing Employment Areas).</i></p>		
<p><u>Policy SWD11</u></p> <p><del>All development proposals should incorporate features which provide net gains to biodiversity. Examples of such features could include:</del></p> <ul style="list-style-type: none"> <li><del>• bird boxes</del></li> <li><del>• bat boxes</del></li> <li><del>• nectar rich planting schemes for pollinators</del></li> <li><del>• native trees and shrubs</del></li> <li><del>• hedgehog runs</del></li> <li><del>• crevices and plantings between paving stones</del></li> </ul> <p><i>As appropriate to their scale, nature and location development proposals should incorporate features which provide net gains to biodiversity</i></p>	<p>The existing policy would have a universal effect. The modification is so the policy can be applied in a proportionate way.</p>	<p>Agree. Policy amended as recommended.</p>
<p><u>Para. 8.16</u></p> <p>At the local scale, the design of individual buildings and of green and open spaces, will help to ensure that many of the species that are in Southwold can not only survive but thrive. This is crucially in line with the national planning guidance for achieving net biodiversity gain</p>	<p>Examples of biodiversity net gain have been removed from the policy wording and repositioned in the supporting text.</p>	<p>Agree. Paragraph amended as recommended.</p>

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<p>through all new development (NPPF, 2019). <del>Some examples are included in Policy SWD11.</del> <i>Examples of such features could include bird boxes, bat boxes, nectar rich planting schemes for pollinators, native trees and shrubs, hedgehog runs and crevices and plantings between paving stones.</i></p>		
<p><u>Policy SWD12</u></p> <p><del>On the basis of the harm most types of garden development are considered to cause to character, there is a presumption against development in gardens which are identified in the Southwold Conservation Area Appraisal or Southwold Character Area Appraisal as making a positive contribution to the character of the area. Proposals for development other than ancillary structures in these gardens must clearly demonstrate how, through their design, layout and use of materials, they retain or enhance the character of the garden space.</del></p> <p><del>For all other proposals, development (except permitted development) in gardens and courtyards will only be permitted where the application demonstrates that:</del></p> <p><i>Development proposals in gardens and courtyards will only be supported where the following criteria are satisfied:</i></p>	<p>The modifications to the first part of the policy simplify the policy text.</p> <p>The modifications to the last part of the policy are so it specifies what will be acceptable rather than to attempt to design a policy which prevents other things happening.</p>	<p>Agree. Policy amended as recommended.</p>

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<p>A. The size of the remaining garden is generally consistent with the predominant pattern of garden spaces in the surrounding character area; and</p> <p>B. The scale, design and siting of the proposal will not detract from the visual amenity of the streetscape; and</p> <p>C. Where vegetation is removed, detailed landscaping plans are provided for the re-greening of the site with replacement vegetation that promotes wildlife habitat.</p> <p><del>Where garden structures with living space ancillary to the main residence (such as a game room, office/studio/study, or garden room) are proposed, a Planning Obligation or Planning Condition will be imposed to prevent their use for holiday letting unless they meet the following requirements:</del></p> <p><del>a) Sufficient car parking space can be provided within the curtilage of the building in accordance with Policy SWD7 (Parking);</del></p> <p><del>b) Taking into account the cumulative and indirect impacts of the high volume of holiday letting, there are no significant impacts on amenity and community services.</del></p> <p><i>In addition, proposals for development in gardens which are identified in the Southwold Conservation Area Appraisal or Southwold Character</i></p>		

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<p><i>Area Appraisal as making a positive contribution to the character of the area should demonstrate the way in which they retain or enhance the character of the garden space through their design, layout and use of materials. Development proposals which would have an unacceptable impact on the character of such garden spaces will not be supported.</i></p> <p><i>Insofar as planning permission is required, proposals for garden structures with associated living space will be supported where they comply with the following criteria</i></p> <ul style="list-style-type: none"> <li><i>• they are ancillary to the main residence;</i></li> <li><i>• car parking can be provided within the curtilage of the building in accordance with Policy SWD7 (Parking); and</i></li> <li><i>• they would not have an unacceptable impact on residential amenity or the operation of community services</i></li> </ul>		
<p><u>Para. 8.21</u></p> <p><del>The chief threat to gardens in Southwold comes from cumulative small scale in-fill development that has successively enlarged the footprints of original structures, resulting in the erosion of significant amounts of garden space. The chief impact of the erosion of garden space is seen in the Conservation Area but increasingly applications for the Town Farm character area are reducing garden space. A more recent trend is applications for permanent garden infill structures purportedly for</del></p>	<p>Paragraph 8.21 has been expanded so it properly draws attention to permitted development rights.</p>	<p>Agree. Paragraph amended as recommended.</p>

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<p><del>ancillary uses (studios, game rooms, granny annexes), which are subsequently converted to holiday lets. Robust enforcement is required to prevent the undermining of planning policies and decisions.</del></p> <p><i>The chief threat to gardens in Southwold comes from cumulative small scale in-fill development (either extensions or stand-alone structures) that has successively enlarged the footprints of original structures, resulting in the erosion of significant amounts of garden space. Some extensions and structures in gardens are permitted development and as such do not need planning permission. The major impact of the erosion of garden space is seen in the Conservation Area but increasingly planning applications for the Town Farm character area are reducing garden space. A more recent trend is applications for permanent garden infill structures purportedly for ancillary uses (office/studios, game rooms, granny annexes), which are subsequently converted to holiday lets. Robust enforcement will be required to prevent the undermining of planning policies and decisions.</i></p>		
<p><u>Policy SWD13</u></p> <p>The following areas, as shown on the maps in Section 15.5 – 15.8, are designated as Local Green Spaces:</p> <ul style="list-style-type: none"> <li>• South Green</li> <li>• Gun Hill</li> <li>• Bartholomew Green</li> </ul>	<p>The policy has been changed to take into account the matter-of-fact approach in the NPPF and the recent case in the Court of Appeal on the designation of local green spaces and the policy relationship with</p>	<p>Agree. Policy amended as recommended.</p>

Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<ul style="list-style-type: none"> <li>• St Edmund's Green</li> <li>• North Green</li> <li>• Barnaby Green</li> <li>• North Parade Green</li> <li>• East Green</li> <li>• St James's Green</li> <li>• East Cliff Green</li> </ul> <p><del>Proposals for built development on these Local Green Spaces will not be permitted unless the proposal is of a limited nature and is clearly demonstrated to be an ancillary use that it is required solely to enhance the role and function of an identified Local Green Space.</del></p> <p><i>Development proposals within the designated local green spaces will only be supported in very special circumstances.</i></p>	<p>areas designated as Green Belts (2020 EWCA Civ 1259).</p>	
<p><u>Para. 8.31</u></p> <p>The Waveney Open Space Needs Assessment also recommended that:</p> <p><i>'Providing ancillary facilities such as seating and planting on passive amenity spaces could assist with creating walking routes to destinations such as the village centre, beach or the playing field that could encourage people to be more active.'</i></p> <p>Therefore any ancillary provision which helps to improve the more active enjoyment of these spaces will be permitted. However, these</p>	<p>Proposals to be assessed on a case-by-case basis by East Suffolk Council who will be able to make an informed judgement. The supporting text has been expanded to clarify this.</p>	<p>Agree. Paragraph amended as recommended.</p>

Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<p>must be generally ancillary uses, for example, signage, litter provision or benches and tables. The connectivity between the green spaces should also be improved through the use of features to encourage wildlife, including native planting, scrub, trees, hedgerows and ponds.</p> <p>The Public Greens that are designated as Local Green Spaces, shown below, are show in sections 15.3 – 15.6.</p> <p><i>Policy SWD 13 follows the matter-of-fact approach in the NPPF. In the event that development proposals come forward on the local green spaces within the Plan period, they can be assessed on a case-by-case basis by East Suffolk Council. In particular it will be able to make an informed judgement on the extent to which the proposal concerned demonstrates the 'very special circumstances' required by the policy.</i></p>		
<p><u>Policy SWD14</u></p> <p><del>Development proposals will be required to:</del> <i>As appropriate to their scale, nature and location development proposals should:</i></p> <p>A. Mitigate flooding from all sources (fluvial and pluvial)</p> <p>B. Provide appropriate Sustainable Drainage Systems (SuDS) which minimise discharge rates unless it can be shown to be inappropriate. SuDS should be well integrated into a</p>	<p>The first part of the policy has been changed so the criteria would apply as relevant to the scale, nature and location of development within the neighbourhood area.</p> <p>The last part of the policy has been changed so that it has the clarity required by the NPPF.</p>	<p>Agree. Policy amended as recommended.</p>

Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<p>development and provide multifunctional benefits, such as landscaping, open space and biodiversity gains; and</p> <p>C. Provide for rainwater harvesting where practicable.</p> <p><del>Development will not be permitted in flood attenuation areas where that development would reduce the ability of these areas to alleviate flooding.</del> <i>Development proposals in flood attenuation areas which would reduce the ability of the area concerned to alleviate flooding will not be supported.</i></p>		
<p><u>Policy SWD15</u></p> <p>Proposals that would result in the loss of a community facility and no suitable re-provision for the same or an alternative community use elsewhere in the <del>Neighbourhood Plan area will only be permitted in the following exceptional circumstances</del> <i>neighbourhood area will only be supported where:</i></p> <p>A. All the requirements of Waveney Local Plan Policy WLP8.22 (Built Community Services and Facilities) are met; and</p> <p>B. It can clearly be demonstrated that all reasonable efforts have been made to engage with bodies that may have an</p>	<p>The policy has been amended as there is no need to identify the criteria in the policy as exceptional circumstances.</p>	<p>Agree. Policy amended as recommended.</p>



Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<p>interest in taking on the running and operation of the facility for its existing or an alternative community purpose.</p>		
<p><u>Policy SWD16</u></p> <p><del>A. Proposals to redevelop sites within the settlement boundary of Southwold for a mix of uses will be supported where that mix includes one or more of the following uses: Proposals for the redevelopment of sites within the settlement boundary of Southwold will be supported where they incorporate a mix of uses includes one or more of the following uses</del></p> <p>i. Residential units that address local housing needs, in line with Policies SWD1-3 (Affordable Housing);</p> <p>ii. Small-scale employment space, especially B1 business space suitable for solo working, micro and small businesses, and small scale retail units; and</p> <p>iii. Community space where there is a demonstrable need for such provision.</p> <p><del>B. In particular, the uses set out in Paragraphs A will be required on the following sites shown on the Policies Map, unless such provision would render development demonstrably unviable or there is a proven lack of need for the use: In particular, some or all of the uses set out in Part A above should be incorporated within the development of the following</del></p>	<p>The policy has been changed so that it has the clarity required by the NPPF.</p>	<p>Agree. Policy amended as recommended.</p>

Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<p><i>sites (and as shown on Policies Map 15.2), unless such provision would make the development of the site unviable or there is a proven lack of need for the uses in Part A of the policy.</i></p> <ul style="list-style-type: none"> <li>i. Former Police Station site, Blyth Road</li> <li>ii. Former Fire Station site, Station Road</li> <li>iii. Station Road Courtyard, Blyth Road</li> </ul> <p>C. The design concepts for the sites specified in B i- <del>iv</del> <i>iii</i>, and any other site in the Front of Town Area shown on the Policies Map 15.4, should be informed by the Ingleton Wood Design Framework set out in Section 14.</p> <p>D. <del>Planning applications for development</del> <i>Development proposals</i> in the Front of Town Area should include an assessment of the direct and cumulative impacts of the proposed scheme on pedestrian and cycle movements and traffic congestion, and identify and address <del>any infrastructure requirements</del> <i>any necessary mitigation works</i>.</p>		
Populate the data/information in Figure 2.2	The change corrects an error in the neighbourhood plan.	Agree. Data on figure 2.2 amended as recommended.
In paragraph 4.16 replace 'policies 8.22 and 8.12' with 'WLP8.22 and WLP8.12'.	The change corrects a typo in the neighbourhood plan.	Agree. Paragraph amended as recommended.
In paragraph 4.17 replace 'WDP8.1.2' with 'WLP8.12'.	The change corrects a typo in the neighbourhood plan.	Agree. Paragraph amended as recommended.

Examiner's recommended modification	Reason for change (summarised)	Action by ESC and STC
<p><u>Glossary</u></p> <p><b>Community Infrastructure Levy (CIL)</b> - <del>New development which creates net additional floor space of 100 square metres or more is potentially liable for the levy, which funds the building of infrastructure.</del> <i>Some new development is potentially liable for the levy, which funds the building of infrastructure.</i> In the former Waveney District, it is currently chargeable on residential (excluding affordable housing), supermarkets and holiday lets. An East Suffolk CIL review is due to take place.</p>	<p>The change clarifies the application and use of the levy.</p>	<p>Agree. Glossary amended as recommended.</p>
<p><u>Glossary</u></p> <p><b>Local Plan</b> - the planning policy document <del>prepared by Waveney District Council</del> <i>prepared by the former Waveney District Council</i>, covering Southwold parish. This addresses strategic planning matters and the Southwold Neighbourhood Plan, as required by the National Planning Policy Framework, must be in general conformity with the Local Plan. <i>The local planning authority is now East Suffolk Council.</i></p>	<p>The changes clarify the status the Local Planning Authority.</p>	<p>Agree. Glossary amended as recommended.</p>
<p>On Map 15.2:</p> <ul style="list-style-type: none"> <li>highlight Policies SWD10 and SWD 16 for the Employment Areas and Development Sites keys respectively; and</li> <li>identify the settlement boundary to correspond to that shown in the adopted Local Plan.</li> </ul>	<p>The changes correct a numbering error in the neighbourhood plan and clarify the settlement boundary.</p>	<p>Agree. Map 15.2 amended as recommended.</p>



### Council’s further modifications

Under section 12(6)(a) of Schedule 4B of the Town and Country Planning Act 1990, the Council considers that the following modifications are also needed in order that the Plan meets the basic conditions or for the correction of errors.

Policy/Supporting text	Reason for change	Action by ESC
<p><u>SWD3</u></p> <p><del>E</del> <del>D</del>. For a scheme to be approved, evidence must be provided that all of the conditions in A-<del>D</del> C above have been met and the marketing campaign complies with Local Plan Policy 8.12.</p>	<p>Update the numbering/lettering following the examiners recommendation to delete point D of policy SWD3.</p>	<p>Neighbourhood Plan Group agreed. Policy amended as recommended.</p>