

Responses to Southwold Neighbourhood Plan

Regulation 16 Publicising a Neighbourhood Plan

Publicity period: 28 May to 9 July 2021

Published August 2021



Responses

Suffolk County Council	2
East Suffolk Council	5
Historic England	6
Natural England	7
Anne Jones.....	8
Catherine Wiltshire	9
Peter Cronin.....	10
Philip O'Hear.....	11
Police & Crime Commissioner	12
Artisan Planning & Property Services	14
Walberswick Parish Council.....	18

What is the purpose of this document?

Southwold Parish Council submitted their Neighbourhood Plan to East Suffolk Council ahead of it being submitted for independent examination.

East Suffolk Council publicised the Plan and invited representations to be forwarded to the examiner for consideration alongside the Plan.

This document contains all representations received during the publicity period of 28th May to 9th July 2021.

Suffolk County Council

Thank you for consulting Suffolk County Council (SCC) on the Submission Consultation version of the Southwold Neighbourhood Plan.

SCC welcome the changes made to the plan in response to comments made at the Reg. 14 pre-submission consultation stage.

As this is the submission draft of the Plan the County Council response will focus on matters related to the Basic Conditions the plan needs to meet to proceed to referendum. These are set out in paragraph 8(2) Schedule 4B to the Town and Country Planning Act. The basic conditions are:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
- b) the making of the neighbourhood plan contributes to the achievement of sustainable development.
- c) the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- d) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

The following comments are suggested to correct errors or to improve clarity to the plan.

Housing Allocations and Development Sites

The plan indicates that there is a need for housing for young people, and particularly for affordable and market rental properties, due to the extensive level of holiday lets and high prices causing a lack of available properties for permanent residence.

The neighbourhood plan does not make any reference to the number of housing that is to be provided in Southwold and Reydon as set out in the adopted Waveney Local Plan (a total of 387 dwellings over the plan period of 2014-2036, 220 of which is allocated in Policy WLP6.1). This would provide helpful context.

Planning policies should be “clearly written and unambiguous”, in accordance with paragraph 16, part d), of the NPPF. The following suggestions will help to make the neighbourhood plan clearer.

During the Reg14 consultation, SCC suggested that it would be helpful for each of the sites to be set out in their own policies, and clearly state the usage of the site. If the site is for housing, the number dwellings proposed at each site should be clearly stated in policy. We previously stated that without clarity, this potentially risks site proposals coming forward that were not intended by the Town Council.

Section 10 Development Sites highlights four sites in Southwold for development, three for residential/employment/community use, and one for a visitor centre. It would be helpful if Policy SWD16 were to clearly indicate the size of the sites, and set out approximately how much housing and the type is proposed for each site. It is not clear in the plan what the Police Station Site will be used for, as the term 'appropriate for alternative community uses that could be subsidised by permanently affordable housing' is somewhat ambiguous. It would be helpful to provide clarity as to what is proposed or desired for this site, for example; a playground, a shop, a community hall, allotments, etc. It is suggested that Policy SWD16 should also include the site Millennium Fields, and state clearly that it is proposed for a visitor centre and year-round car parking.

Therefore, SCC would suggest that Policy SWD16 part b) is expanded as follows, to ensure clarity to the reader:

- i. Police Station site, Blyth Road: [size of site] allocated for community usage of [explain what community use], subsidised by affordable housing.
- ii. Fire Station site, Station Road: [size of site] allocated for approximately 10 affordable dwellings, and [X] market price dwellings.
- iii. Station Road Courtyard, Blyth Road: [size of site] allocated for small-scale retail usage and two flats. Granted planning permission in 2019.
- iv. Millennium Field, Mights Road: [size of site] allocated for a visitor centre and car park.

It is also suggested that Policy SWD16 state the requirement for cycle storage and encouragement of sustainable and active travel. This would help the neighbourhood plan meet paragraph 104 part d), and paragraph 110 part a) of the NPPF, to ensure priority to pedestrians and cyclists as part of a development. The following text is a suggestion of what could be included in Policy SWD16:

"Development proposals that incorporate measures for to encourage sustainable travel, such as walking and cycling, will be strongly supported. Secure cycle storage should be provided as part of the development, in accordance with Suffolk Guidance for Parking 2019."¹

Flooding

In Policy SWD14 Minimising the Impact of Flooding, it is suggested that part A should include flooding from coastal sources, as mentioned in para 8.34 that sea flooding is a potential source of flooding for the town.

¹ <https://www.suffolk.gov.uk/assets/planning-waste-and-environment/planning-and-development-advice/Suffolk-Guidance-for-Parking-2019-Adopted-by-SCC.pdf>

Maps

If Map 15.2 is the Policies Map, then it should be clearly labelled as such. The phrase "the Policy Map" is mentioned three times throughout the plan, but it is not currently clear which map is being referred to.

Policy SWD7 part C states "(as shown on the policies map)", however it suggested that it should be rephrased to be "*as shown in figure 6.2 Southwold parking zones*"

General

Figure 2.2 (Population decline 1981 - 2016) on page 11 is a blank graph, with no data and no labels or key.

If there is anything that I have raised that you would like to discuss, please use my contact information at the top of this letter.

East Suffolk Council

Southwold Neighbourhood Plan Regulation 16 Submission

The Neighbourhood Plan is a well written with very good content. We have a few comments to make as set out below.

Minor Points

Figure 2.2 on page 11 data is missing from the chart.

In para. 4.16, Local Plan policies 8.22 and 8.12 should be referred to as WLP8.22 and WLP8.12.

Para. 4.17 refers to “WDP8.22 and WDP8.1.2. I believe you mean Local Plan policies “WLP8.22 and WLP8.12.”

SWD9

Use Class B1 is revoked. Class E would be the equivalent new use class and the policy should use this. Potentially the policy could restrict/support particular elements of class E, if that is what the neighbourhood plan intends. The Examiner could clarify this with Southwold Town Council.

SWD11

It won't be possible for all developments to deliver net gains for biodiversity. This would include most signs and fences/walls, and many extensions and porches. The policy wording should be amended to reflect this. The policy could exclude advertisement and householder applications, or say 'All development proposals should where feasible...'.

Glossary

CIL – this description is not completely accurate. The first sentence could say: 'Some new development is potentially liable for the levy, which funds the building of infrastructure.'

Local plan – this should clarify that Waveney District Council has now become East Suffolk Council.

Heritage Comments

The contents of Policy SDW 6 satisfactorily addresses issues of design as well as the surrounding (historic) environment.

On a more minor note, I would recommend changing the sub-title 'History of Southwold' on page 7, as the section appears to deal more with local context rather than history.

On an even more minor note, it might would be useful to specify on the contents page (3) that sections 13 to 15 are appendices. This is of course assuming that they are, which I gather as they follow the glossary.

Please note that these comments are given at an Officer level without prejudice to any future decisions that the Council may make.

Historic England

Dear East Suffolk Planning Policy Team

Ref: Southwold Neighbourhood Plan Regulation 16 Consultation

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

We welcome the production of this neighbourhood plan and are pleased to note the inclusion of a robust approach to high quality design, including consideration of Southwold's historic environment and character throughout. Overall, we consider the plan meets the Basic Conditions with respect to the historic environment.

We do not consider it necessary for Historic England to provide further detailed comments at this time. We would refer you to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into your neighbourhood plan, which can be found here: <https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

I would be grateful if you would notify me if and when the Neighbourhood Plan is made by the district council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed NP, where we consider these would have an adverse effect on the historic environment.

Please do contact me, either via email or the number above, if you have any queries

Natural England

Dear Sir or Madam

Regulation 16 Publication for the Southwold Neighbourhood Plan

Thank you for your consultation, which was received by Natural England on 28 July 2021

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this Regulation 16 neighbourhood plan.

For any further consultations on your plan, please contact:
consultations@naturalengland.org.uk.

Anne Jones

I am not surprised that as usual no consideration is given by local authorities to the people that live at and depend on Easton Bavents for livelihoods - property owners at Easton Bavents are expected to loose everything just so Southwold can prosper and have a nice beach!. This paragraph should not be included in the Southwold local plan - the land north of the pier car park and the sea wall is not within the Southwold town/parish boundary and so is not part of the remit for this plan.

Catherine Wiltshire

I fully support the draft neighbourhood plan. I particularly support the proposed housing policies which will ensure that new housing in Southwold is occupied by permanent residents of the community

Peter Cronin

POLICY SWD5 - HOLIDAY LETTING

*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:*

- a) *Sufficient car parking space can be provided within the curtilage of the building in accordance with Policy SWD7 (Parking).*

This is unreasonable as most C3 properties in Southwold do not have car parking spaces '*provided within the curtilage of the building*', so these home owners are already using on street parking. Part a) does not take this into account and will in effect mean that on street parking isn't available to properties if they are changed from C3 use to holiday.

Southwold Neighbourhood Plan Proposal 2020-2039 - POLICY SWD7 and POLICY SWD12

POLICY SWD5 Holiday Letting - *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: a) Sufficient car parking space can be provided within the curtilage of the building in accordance with Policy SWD7 (Parking).* This is unreasonable as most C3 properties in Southwold do not have car parking spaces '*provided within the curtilage of the building*', so these home owners are already using on street parking. Part a) does not take this into account and will in effect mean that on street parking isn't available to properties if they are changed from C3 use to holiday.

POLICY SWD12 - Loss of Private Garden Space - Following the COVID-19 pandemic this Proposal should be reviewed. The way people are now working has changed significantly meaning that many people are now able to work from home. This means more consideration should be given to POLICY SWD12 for typical Southwold properties where there is not enough space within the property for a home office and where there may be a need for an extension or home office in the garden. Although private garden space is hugely important for Southwold, Policy SWD12 looks draconian and inflexible in allowing for changes in the way people live and work. **OVERALL COMMENTS** - There is a focus on stopping things from happening rather than looking for opportunities to make things happen and how Southwold can make the most of an exciting and vibrant future. How about improving Southwold's infrastructure. There is no mention of better public transport, more footpaths and cycleways, tech hubs and better Wi-Fi all things that are vital to attracting the right people. There is so much opportunity here but we need to embrace it.

Philip O'Hear

I am writing as Chair of the Planning Committee of Reydon PC.

Our PC has considered the Draft Southwold Neighbourhood Plan and recognises that it seeks to address many of the key issues faced by the town and its community. In many ways it seeks to address the very similar issues faced by our Parish and, in particular, to try to ensure our combined community remains sustainable.

Reydon PC strongly supports the proposed policies in the plan and believes they will, if adopted, make a positive difference to the future of the town's built environment and to the well-being of its community. In particular, we endorse the proposed housing policies which seek to ensure that future development of housing is available to permanent residents in the community.

Police & Crime Commissioner

The Police and Crime Commissioner for Suffolk raised objection to the above policies in the Regulation 14 consultation and is disappointed that the minor changes made have failed to materially address the points which were made at that time. Therefore, NPS Property Consultants Ltd have been requested to reinforce the objection previously raised so that changes to the policies can be made.

Draft policy SWD1 remains too restrictive and prescriptive and will fail to deliver the aspirations to increase affordable housing provision in the town. Furthermore, in relation to the police station site, it will diminish the opportunity for re investment of a capital receipt to enhance police resources and improvements. In section 3.1, the Neighbourhood Plan outlines as its second key challenge ‘the limited number of residential properties that are affordable to local residents and those who work in Southwold and the local area’, highlighting the importance of this consideration.

Furthermore, in section 3.3 it highlights ‘the importance of increasing the number and diversity of its full time resident population by ... building more affordable housing’. The emerging Neighbourhood Plan policies should offer the opportunity for an element of flexibility to the Waveney Local Plan (most notably policy WLP8.22), based on the justified local need to increase affordable housing provision in Southwold. In principle, the direction of travel of emerging Neighbourhood Plan policy remains welcomed as it offers an element of flexibility into WLP (policy WLP8.22), to address the local challenge of increasing affordable housing provision and stock in the town. However, the housing policy suggested in policy SWD1 is excessively restrictive, seeking affordable housing through CLH path. Whilst CLH schemes can come forward, the draft policy places too great an emphasis on this path, which can prove slow and more difficult to deliver (with the risk of delaying much needed provision) and equal weight should be given to Registered Provider delivered schemes (including those needing cross subsidy). Without this, the Neighbourhood Plan risks sterilising a number of sites within the town (as this severely limits any potential receipt which would deter many owners from sale, especially where this would limit funds to invest in other community focussed initiatives or projects). The emerging policy does not tackle a fundamental dilemma as if delivery of affordable housing is the priority above outright protection of Asset of Community Value (ACV), draft policy SWD1 has so many caveats / restrictions that it will only frustrate any progress. As outlined above, draft policy SWD 1 may prove counterproductive as it may discourage sites becoming surplus and ready for renewal, leaving unsightly spaces in the town that detract from the character and appearance of the town (and in the case of the police station site, may impact adversely on the setting of the Conservation Area).

Therefore as affordable housing delivery is the driver for a locally based policy to meet the unique issues / special circumstances that exist in Southwold (as detailed in the emerging Neighbourhood Plan), policy SWD1 should be deleted and draft policy SWD2 provisions

should apply to sites designated as ACV. Furthermore, equal weight should be given to affordable housing delivered through the CLH path or Registered Providers and a greater degree of flexibility should be offered to allow an element of market housing to accompany any mainly affordable housing focussed development.

With regard to the police station site in the town (which is designated as an ACV), the adopted Local Plan policy (Waveney LP policy WLP8.22) may limit alternative use, including affordable housing (unless sufficiently strong material considerations justify otherwise). However, any significant capital receipt secured from the sale of the site will be reinvested to fund initiatives and projects to limit crime and anti-social behaviour and promote community safety. This will deliver a strong community benefits and in revised emerging Neighbourhood Plan policy, such community benefit should be recognised as an important factor in assessing alternative use / housing re-provision on the police station site.

Finally, Police and Crime Commissioner for Suffolk has asked me to request they continue to be notified at all stage of the Neighbourhood Plan making process (including whether East Suffolk Council accepts the Examiners' future recommendation).

Artisan Planning & Property Services

Dear Southwold Neighbourhood Plan Team

Southwold Neighbourhood Plan Final (Pre Submission) Draft. Regulation 14 Consultation Section 4 - Housing

We have the following comments to make on behalf of Mr D. and Mrs V. Fletcher who own property in the town.

Our comments are focussed and concentrated entirely on a single draft policy in the document, SWD4 although we do understand how it is meant to fit and to complement the other housing policies in the Plan.

SWD 4 Principal Residence Requirement

We do not support this policy as drafted and submit these comments as an **OBJECTION**.

Whilst completely understanding its laudable intention its impact on viability has not been taken into account or thoroughly assessed, particularly in the light of ongoing research and the policy experience of other parts of the country where similar policies have now been in place for several years.. This is evident from the wording of the Council's own Consultation Draft where possible outcomes of the impact of this policy have not been fully considered, e.g. para 4.38.

The imposition of planning policy has two main objectives a) to minimise any potentially negative impact and to optimise possible benefits. In order to achieve these objectives, the potential costs and benefits of the imposition needs to be considered before policy responses are formulated and applied.

The problem of second homes/holiday letting and their positive and negative impacts on the local housing market and local economy is not a new phenomenon. Its impact on coastal (in particular) holiday/tourist destinations is also widely recognised without necessarily coming to any conclusions and the adoption of planning policy that is widely applicable across the country.

There is a need for due consideration and assessment of courses of action in other areas (taxation, local or national for example) which may have a better outcome as a means of intervention rather than any particular, blunt planning policy.

If planning policy is the selected control medium as it appears to be in the Southwold Neighbourhood Plan, then there is a need to justify the logic of intervention by setting out what the policy objectives are, to substantiate that with proper, well researched evidence and to provide some assessment of the likely outcome/impact and effect on the market, not just for housing but on the viability and sustainability of the town's economy which is so

obviously fundamentally based on tourism which includes second home ownership and holiday letting.

The justification for the principle residence policy is not well founded. If the primary objective is to deliver more affordable housing for locals as seems to be the case, there is a better way of doing that than by the imposition of the suggested policy which will have unintended side effects and impact.

Perhaps the only way that the supply of more affordable housing can be increased is through the specific provision of it through land allocation and granting specific planning permissions for that purpose. If Southwold is so physically constrained in the way it is suggested in the Neighbourhood Plan then the search should be extended to neighbouring parishes in the same functional cluster where there is land available for that purpose e.g. nearby Reydon.

The primary objective of Policy SWD4 is that it "***will reduce the cost of land by making it easier to build affordable housing***". That is not a well-founded or evidenced conclusion/objective to reach/adopt in a local market for land (Southwold) where most if not all such developable land and premises are secondary assets.

Landowners in such instances, more often than not, have no need to sell and thus the land/buildings which are in short supply any way in the town, are not likely to come forward for development unless there is a meaningful incentive for them to do so. A significant number of landowners within this category of landowners need to be incentivised to enter the development theatre and Policy SWD4 will impact adversely on that prospect. (National Planning Practice Guidance Paragraph: 013 Reference ID: 10-013-2019050)

This landowner premium or incentive is an underlying principle of any viability assessment which permeates planning and any policy relating to it. Paras 57 and 67 of the National Planning Policy Framework recognise that land being brought forward for development should be economically viable as one of the criteria for assessment as to their suitability. Policies are one thing but the deliverability of sites should be the key objective for plan making. (National Planning Practice Guidance) and this specific policy will work against deliverability. In other words, the Policy will have the opposite impact and result to that intended.

The primary effect and impact of Policy SWD4 will be that local housebuilding as small as it is, will slump because of the impact on local viability. As other policies of the plan recognise, delivering affordable housing for locals is an ongoing problem and this is borne out by the experience of other similar towns which have adopted a form of the principal residence policy e.g. St Ives, Cornwall and other Cornish Towns and Villages. (Report in The Economist July 2019 including extracts below).

"Meanwhile, second-home buyers in St Ives seem to be shifting their attention to existing buildings, which are not covered by the policy. Data from Hamptons International, a property firm, suggest that in St Ives second-homers form a larger share of transactions than before the policy came into force. Excluding new-builds, prices have continued to climb.

That represents a windfall to locals who already own their homes—and may eventually persuade even more of them to cash in and move out". Within that report extract above, lies the second impact and unintended consequence of a 'principal residence' policy. Second Home buyers simply switch to existing stock which is unfettered by the Policy and over which there is no control. The consequent price increase the existing unfettered housing stock will surely flow and be redirected to this sector of the local market making such property even more unaffordable for those the plan seeks to provide for.

So, whilst the price of new build housing may be affected and reduced, there is bound to be a rebalance and local existing stock prices to increase and that's certainly been the St Ives experience according to this report.

By making speculative building less viable there will be a knock-on effect on the supply of new housing and the affordable housing it funds. Furthermore, restricting demand for new housing will merely shift the demand for second homes to the existing stock, increase prices and therefore make the affordability crisis even worse.

Believe it or not there are those land and property owners with assets in the Town who want to provide housing for rent via conventional assured shorthold tenancies rather than to offer property as a holiday let and my client is typical in this regard. Policy SWD4 would disincentivise those would be landlords and remove completely, a layer of rental property which is in acutely short supply in the town. If the policy wording of SWD4 could be extended to exclude properties from the principle private residence clause which are used for rent for no less than 6 months in any 12 month period then my clients objective of providing property for rent will have been overcome. That would be a pragmatic solution.

There is also scant evidence in the Southwold Plan used to support the policy imposition particularly in reference to social well-being and local business viability. For example reference is made in the Plan to the evidence based afforded by Suffolk Health and Well Being Strategy but there is nothing tying its conclusions to the specifics of Southwold to provide conclusive evidence that the claimed social isolation and consequent contribution to preventable disease is relevant to Southwold to the extent that it provides sound justification for the imposition of this policy nor how such a policy will provide the remedy. The policy response of SWD4 is disproportionate and not founded on direct evidence.

Similarly the impact of second homes on local businesses is evidenced by a single reference to 'in depth interviews with business owners" and account taken of their 'deep concerns' without quantifying the evidence...was it 1 or 2 or 75% of those running businesses of all kinds in Southwold?

The wording of Policy SWD4 may also be inadequate for the purpose as there are no details as to what a resident will have to do to prove compliance?

Neither the policy wording of SWD4 nor the supporting text provides for any review mechanism and there is no definition as to what threshold has to be reached or triggered before such a review would be required.

Thank you for the opportunity to comment and we would welcome the opportunity for further discussion with the NPT.

Walberswick Parish Council

1 General

The introduction of the Southwold Neighbourhood Plan makes clear that the SNP's proposed aims are restricted to the concerns and extent of the Parish of Southwold itself. The PAG therefore had no comments on these generally, however, there are several detailed points worth making.

2 Details

As is also made clear in a diagram included in the SNP, (see below) the Parish of Southwold extends south of the River Blyth to include a part of the Village of Walberswick.

The fact raises several issues.

1 Section 2.2 of the SNP mentions Reydon, but does not specifically mention Walberswick. Since, as the plan shows, there is a close abutment with the village a reference to it is warranted. Further there needs to be clarity within the SNP whether the policies cover all areas within the SNP boundary, or just "the town" as is frequently referenced.

2 Section 3.4 refers to the protection of the natural environment and landscape, and while this landscape is covered by other policies and designations, such as AONB, this section of the SNP is relevant to the parts of Walberswick within the boundary. The same is true of section 5.4 (landscape) and section 8.0 (natural environment). The sections relating to design will presumably also be relevant to those structures in the Walberswick Quay / car park area that fall within the boundary. Again this should be covered in the SNP.

3 The SNP confirms that the areas of Walberswick fall within Character Area 7 (CA7) although there seems to be no assessment of inclusion / exclusion.

4 The SNP has implications on area of Walberswick, the river bank and marshes are covered by the document, and the WPC should be aware of this.

Finally and importantly, until recently the part of Southwold Parish which lies south of the river fell within Waveney DC, whereas at that same time Walberswick Parish itself was within Suffolk Coastal DC.

Historically WDC and SCDC had diverse policies, which resulted in the fact that the conditions prevailing in the Southwold Conservation Area (for instance including Article 4 agreements) and those prevailing in the Walberswick Conservation Area (which has no Article 4 Agreement) are different. This situation does bring up an anomaly, in that now both fall within East Suffolk DC.

Since the Neighbourhood Plan Examiners would not concern themselves with this issue, it is not appropriate to bring up this anomaly at this stage. However the WPC might consider it a matter worth pursuing in the future.