

# **Ufford Neighbourhood Development Plan 2022-2036**

**A report to East Suffolk Council on the Ufford  
Neighbourhood Development Plan**

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## **Executive Summary**

- 1 I was appointed by East Suffolk Council in January 2025 to carry out the independent examination of the Ufford Neighbourhood Development Plan.
- 2 The examination was undertaken by way of written representations. I visited the neighbourhood area on 27 January 2025.
- 3 The Plan includes a variety of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. The Plan includes policies on the location of new development, biodiversity, local green spaces, and important views. It also proposes the allocation of a site for residential development. The Plan has been prepared in short order.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report, I have concluded that the Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

**Andrew Ashcroft**  
**Independent Examiner**  
**20 March 2025**

## **1 Introduction**

- 1.1 This report sets out the findings of the independent examination of the Ufford Neighbourhood Development Plan 2022-2036 ('the Plan').
- 1.2 The Plan was submitted to East Suffolk Council (ESC) by Ufford Parish Council (UPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019, 2021, 2023 and 2024. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine whether the submitted Plan meets the basic conditions and Convention Rights and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises indirectly from my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope and can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted Plan has been designed to be distinctive in general terms, and to be complementary to the existing development plan. It seeks to provide a context in which the neighbourhood area can maintain its character and setting. It proposes a site for residential use.
- 1.6 Within the context set out above, this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome, the Plan would then be used to determine planning applications within the neighbourhood area and will become part of the wider development plan.

## 2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by ESC, with the consent of UPC, to conduct the examination of the Plan and to prepare this report. I am independent of both ESC and UPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. I have 42 years' experience either in various local authorities at either Head of Planning or Service Director level or more recently as an independent examiner. I am a chartered town planner and have significant experience of undertaking neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral System.

### *Examination Outcomes*

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
  - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
  - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

### *Other examination matters*

- 2.6 In examining the Plan, I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
  - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
  - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 I have addressed the matters identified in paragraph 2.6 of this report and am satisfied that they have been met subject to the modifications in this report.

### 3 Procedural Matters

3.1 In undertaking this examination I have considered the following documents:

- the submitted Plan.
- the Basic Conditions Statement.
- the Consultation Statement.
- the Design Guidelines and Codes.
- the ESC SEA/HRA screening reports.
- the Environmental Report (AECOM).
- the Environmental Report (UPC).
- the Housing Needs Assessment.
- the Data Profile 2022.
- the representations made to the Plan.
- UPC's responses to the clarification note.
- the adopted East Suffolk Council - Suffolk Coastal Local Plan (2018-2036).
- the National Planning Policy Framework (December 2023 and December 2024).
- Planning Practice Guidance.
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 27 January 2025. I looked at its overall character and appearance and at those areas affected by policies in the Plan.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I concluded that the Plan could be examined by way of written representations. I was assisted in this process by the comprehensive nature of many of the representations and the detail within the package of submission documents.

#### *The update of the NPPF*

3.4 The NPPF was updated on 12 December 2024. Paragraph 239 of the NPPF 2024 sets out transitional arrangements for plan-making. It comments that the policies in the Framework will apply for the purpose of preparing neighbourhood plans from 12 March 2025 unless a neighbourhood plan proposal has been submitted to the local planning authority under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (as amended) on or before the 12 March 2025.

3.5 On this basis, the examination of the Plan against the basic condition that it should have regard to national policies and advice contained in guidance issued by the Secretary of State is based on the 2023 version of the NPPF. Plainly the Plan was submitted earlier in the year in that context. Where NPPF paragraph numbers are used in this report, they refer to those in the December 2023 version.

3.6 Paragraph 6.2 of this report sets out the full extent of the basic conditions against which a neighbourhood plan is examined.

## 4 Consultation

### *Consultation Process*

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such, the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), UPC prepared a Consultation Statement. It is proportionate to the neighbourhood area and its policies. It is underpinned by more detailed appendices.
- 4.3 Section 2 summarises how UPC consulted on the Plan and engaged with local organisations and statutory bodies. It helpfully breaks the engagement into three key stages. It also provides details on the consultation processes that took place on the pre-submission version of the Plan (March to May 2024).
- 4.4 Appendix 6 of the Statement summarises the comments received on the pre-submission version of the Plan and how it was refined because of this process. The overall package of information helps to describe the way in which the Plan evolved.
- 4.5 I am satisfied that consultation has been an important element of the Plan's production. Advice on the neighbourhood planning process has been made available to the community in a positive and direct way by those responsible for the Plan's preparation. From all the evidence provided to me as part of the examination, I can see that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process. ESC has carried out its own assessment that the consultation process has complied with the requirements of the Regulations.

### *Consultation Responses*

- 4.6 Consultation on the submitted plan was undertaken by ESC. It ended on 15 January 2025. This exercise generated representations from the following organisations:
  - Anglian Water
  - Landex Limited
  - Sport England
  - East Suffolk Council
  - Environment Agency
  - Historic England
  - National Highways
  - Natural England
  - Suffolk County Council
  - Suffolk Wildlife Trust
- 4.7 A representation was also received from a parishioner.

- 4.8 I have taken account of all the representations in preparing this report. Where it is appropriate to do so, I refer to specific representations on a policy-by-policy basis.

## 5 The Neighbourhood Area and the Development Plan Context

### *The Neighbourhood Area*

- 5.1 The neighbourhood area is the parish of Ufford. It is located approximately 2 miles south-west of Wickham Market, 3 miles north-east of Woodbridge and 13 miles north east of Ipswich. Its population in 2021 was 1016 persons. It was designated as a neighbourhood area on 20 April 2022.
- 5.2 As the Plan describes, there are two distinct parts to the village of Ufford. The first is the western part, where development is centred on High Street (which was, until the part of the A12 until the bypass was constructed). The second is the original core of the village based around Lower Street and Church Lane. The two parts of the village are now linked by the ribbon development along School Lane.
- 5.3 The A12 runs through the neighbourhood area to the north of the village in a south-west/north-east alignment. The Ipswich to Lowestoft railway line also runs through the eastern tip of the parish.

### *Development Plan Context*

- 5.4 The development plan for the parish is the East Suffolk Council - Suffolk Coastal Local Plan (2018-2036) and the Suffolk Minerals and Waste Local Plan.
- 5.5 The Local Plan includes a comprehensive range of policies. Policy SCLP 3.2 establishes a settlement hierarchy within which Ufford is identified as one of a series of Small Villages. Paragraph 3.47 of the Plan advises that large villages and small villages are, in principle, suitable places to accommodate new housing. It also comments that consideration has been given to other factors in determining whether a settlement is a suitable location for additional housing growth, including infrastructure capacity, the existence of suitable sites and consultation responses.
- 5.6 Policy SCLP3.3 establishes settlement boundaries for a range of settlements including Ufford.
- 5.7 Table 3.5 of the Local Plan sets out the strategic requirement for new housing development on a parish-by-parish basis. Whilst the requirement for Ufford is 44 homes, the table identifies that completions and commitments have already accounted for this level of development.
- 5.8 The Plan has been prepared within this wider context and has relied on up-to-date information. It also seeks to give a local dimension to the relevant policies in the Local Plan. This is best practice, The approach taken is helpfully captured in the Basic Conditions Statement.

*Visit to the neighbourhood area*

- 5.9 I visited the neighbourhood area on 27 January 2025. I approached it from the A12 from Ipswich. This helped me to understand its position in the wider landscape and its accessibility to the highway network.
- 5.10 I looked initially at the proposed housing allocation at the former Crown Nursery. I saw its relationship to the modern residential development at Nursery Lane (to the west) and to the wider street scene of High Street (to the west).
- 5.11 I looked at the proposed Local Green Spaces (LGSs) throughout the visit. I saw their differing sizes and uses. I saw the importance of the Recreation Ground (LGS8), Parklands Wood and Redlands Glade (LGS9), and Crisp's Meadow (LGS12) in the village.
- 5.12 I looked carefully at the historic core of the village around Church Lane and Lower Street. I saw the importance of St Mary's Church and the White Lion PH.
- 5.13 I continued along Lower Street to the River Deben. This highlighted the importance of this nature feature in the character and appearance of the parish.
- 5.14 I left the neighbourhood area on Yarmouth Road and then drove to Wickham Market. This part of the visit helped me to understand the relationship between the neighbourhood area and other settlements in this part of East Suffolk.

## 6 The Neighbourhood Plan and the Basic Conditions

- 6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement has helped in the preparation of this section of the report. It is an informative and well-presented document.
- 6.2 As part of this process, I must consider whether the submitted Plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. To comply with the basic conditions, the Plan must:
- have regard to national policies and advice contained in guidance issued by the Secretary of State;
  - contribute to the achievement of sustainable development;
  - be in general conformity with the strategic policies of the development plan in the area;
  - not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023;
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.

I assess the Plan against the basic conditions under the following headings:

### *National Planning Policies and Guidance*

- 6.3 For the purposes of this examination, the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework December 2023 (NPPF).
- 6.4 The NPPF sets out a range of land-use planning principles to underpin both plan-making and decision-taking. The following are particularly relevant to the Ufford Neighbourhood Development Plan:
- a plan-led system - in this case the relationship between the neighbourhood plan and the East Suffolk Council - Suffolk Coastal Local Plan;
  - building a strong, competitive economy;
  - recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
  - taking account of the different roles and characters of different areas;
  - highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
  - conserving heritage assets in a manner appropriate to their significance.
- 6.5 Neighbourhood plans sit within this wider context both generally and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic

needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.

- 6.6 In addition to the NPPF I have also taken account of other elements of national planning policy, including Planning Practice Guidance and the recent ministerial statements.
- 6.7 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance subject to the recommended modifications in this report. It sets out a positive vision for the future of the neighbourhood area. It includes a series of policies on development and environmental matters, proposes a series of local green spaces, and allocates the former Crown Nursery site for residential development.
- 6.8 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This was reinforced with the publication of Planning practice guidance. Paragraph ID: 41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. The Guidance also advises that policies should also be concise, precise, and supported by appropriate evidence.
- 6.9 As submitted, the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

#### *Contributing to sustainable development*

- 6.10 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension, the Plan includes policies on new housing (Policy UFF1), business development (Policy UFF15), and on the former Crown Nursery site (Policy UFF16). In the social role, it includes policies on housing mix (Policy UFF3), local green spaces (Policy UFF5), and on community facilities (Policy UFF14). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It has policies on design (Policy UFF1), landscape character (Policy UFF6), and on important views (Policy UFF7). This assessment overlaps with the details on this matter in the submitted Basic Conditions Statement.

#### *General conformity with the strategic policies in the development plan*

- 6.11 I have already commented in detail on the development plan context in East Suffolk in paragraphs 5.4 to 5.8 of this report.

- 6.12 I consider that the submitted Plan delivers a local dimension to this strategic context and supplements the detail already included in the adopted development plan. Subject to the recommended modifications in this report, I am satisfied that the submitted Plan is in general conformity with the strategic policies in the development plan.

*Strategic Environmental Assessment*

- 6.13 The Neighbourhood Plan (General) (Amendment) Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.14 In order to comply with this requirement, a Strategic Environmental Assessment (SEA) Screening Opinion was produced by ESC in January 2024. Following consultation, the SEA Screening Report was updated in April 2024 to include the responses received from the Environment Agency, Natural England, and Historic England. Those responses agreed with the conclusions of the report that the submitted Plan is screened in for the requirement for SEA to be undertaken.
- 6.15 In this context, UPC commissioned AECOM to undertake the required work. The Scoping Report was produced in April 2024 and circulated to the three environmental consultees during May and June 2024. Following receipt of their comments on the scope of the report, the Environmental Report was finalised in September 2024.
- 6.16 Section 4 of the Environmental Report comments about reasonable alternatives to good effect. It addresses growth scenarios for the parish and site options. Paragraphs 4.3.22-4.3.24 of the Report comment about the preferred approach of the Plan to allocate the former Crown Nursery site for residential development (including a percentage of affordable homes). It advises that the preferred approach has been informed by the various surveys and evidence base documents prepared to support the Plan, responses from community consultation events, and the SEA findings.
- 6.17 The Environmental Report makes the following conclusions:

*‘Overall, no significant negative effects are considered likely in implementation of the UNP.*

*Significant positive effects are expected in relation to the Community Wellbeing and Transportation theme, through the delivery of local housing in affordable tenures, the safeguarding of existing community services, facilities, and employment areas, and by designating Local Green Spaces. It is recognised that the Design Guidelines and Codes which have been established for the neighbourhood area will also help to shape the way new development is brought forward during the plan period.*

*Mixed effects are anticipated for the Landscape theme. Whilst high quality development is encouraged through the site allocation and design policies, impacts will be dependent on the extent to which the design of the scheme appropriately respects the relationship between the built and natural environment. Nonetheless, it is recognised that impacts are most likely to be positive in light of the policy provisions within the UNP.*

*Minor positive effects are considered most likely in relation to Climate Change (Including Flood Risk) by encouraging sustainable transport methods, protecting the neighbourhood area's regulatory ecosystem services and the implementation of a sustainable drainage scheme on the new site allocation.*

*Moderate positive effects are considered most likely in relation to the biodiversity theme, due to the safeguarding of woodland south of the allocation site and designation of green/blue corridors and LGS. In light of the conclusions from the HRA, it is anticipated that there would be no adverse effects to the integrity of European designated sites, either alone or in-combination with other plans and projects, associated with the policies and proposals within the UNP. However, as the proposed site allocation seeks to deliver 20-25 new homes and is within an SSSI IRZ for residential development, further consultation with Natural England might be required to Prepared For: Ufford Neighbourhood Plan Steering Group AECOM Strategic Environmental Assessment (SEA) for the Ufford Neighbourhood Plan Environmental Report to accompany the submission version of the Neighbourhood Plan determine whether the applications will have any significant impacts to the integrity of nationally designated sites in proximity to Ufford.*

*Minor negative effects are predicted in relation to the following SEA themes - Historic Environment, due to the potential presence of non-designated monuments near to the proposed site allocation; and Air, Land, Soil, and Water Resources due to the loss of Grade 3 (potentially BMV) agricultural land.'*

#### *Habitats Regulations Assessment*

- 6.18 ESC also prepared a Habitats Regulations Assessment (HRA) of the Plan. It addresses the potential impact of the Plan's policies on the extensive range of protected sites listed in its Table 1. The Assessment helpfully relates the submitted Plan to the work undertaken on the Local Plan and to the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). It makes the following conclusions:

*'The Ufford Neighbourhood Plan will provide policies which will be used for determining planning applications alongside the Local Plan. It includes policies with locally specific criteria to be used for the determination of planning applications within the Ufford Neighbourhood Plan area, and proposes to allocate one site for residential development of 24 dwellings (UFF17: Former Crown Nursery Site) and directs the location and scale of residential development on other sites within the Neighbourhood Plan Area (UFF2: New Housing).*

*The Neighbourhood Plan is being prepared to be in general conformity with the relevant policies in the East Suffolk Council – Suffolk Coastal Local Plan (adopted September 2020).*

*Policies UFF2: New Housing and UFF17: Former Crown Nursery Site were identified as having potential Likely Significant Effects on Habitat Sites as the result of increased recreational disturbance. As a result, both policies were subject to further consideration through appropriate assessment.*

*The impact of increased recreation arising from housing growth has already been recognised in Local Plan HRA work. This has led to collaborative working between the four Suffolk local planning authorities that lie within 13km of the coastal and heathland Habitat Sites. Taking a strategic approach to the Habitat Site mitigation has resulted in the development of the Suffolk Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The Strategy sets out a tariff-based approach to mitigating the additional recreation pressure risks associated with new residential development. The RAMS sets out an integrated suite of avoidance and mitigation measures that are supported by comprehensive evidence and experience gained from other Habitat Site mitigation strategies.*

*As confirmed by the conclusions of the Suffolk Coastal Local Plan HRA, The Suffolk Coast RAMS is considered to provide adequate measures to mitigate any impacts arising from planned housing growth.*

*Any residential development coming forward as the result of policies included in the Ufford Neighbourhood Plan will be subject to the RAMS tariff as per Policy SCLP10.1 Biodiversity and Geodiversity of the East Suffolk Council – Suffolk Coastal Local Plan (Adopted September 2020). It is therefore concluded that the draft Ufford Neighbourhood Plan will not lead to any adverse effects on protected Habitat Sites.'*

- 6.19 Having reviewed the information provided to me as part of the examination, I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. None of the statutory consultees have raised any concerns on this matter. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with the relevant regulations.

#### *Human Rights*

- 6.20 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. There has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. On this basis, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

#### *Summary*

- 6.21 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

## 7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that the various policies have the necessary precision to meet the basic conditions.
- 7.2 The recommendations focus on the policies in the Plan given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and UPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (ID:41-004-20190509) which indicates that neighbourhood plans should address the development and use of land.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. The Actions are considered briefly thereafter.
- 7.6 For clarity, this section of the report comments on each of the policies in the Plan.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

### *The initial parts of the Plan (Parts 1-4)*

- 7.8 The Plan is well-organised and presented. It has been prepared with much attention to detail and local pride. It makes an appropriate distinction between the policies and their supporting text. The overall format of the Plan, and the associated use of colour, maps and excellent photographs results in a very attractive and legible document. If the Plan is made, it will sit comfortably as part of the overall development plan.
- 7.9 The initial elements of the Plan set the scene for the policies. They are proportionate to the neighbourhood area and to the subsequent policies.
- 7.10 The Introduction comments on the national agenda for neighbourhood plans and the way in which the submitted Plan has been prepared. The process chart (Figure 2) is very helpful. It also defines the neighbourhood area (Figure 3) and identifies the Plan period (in paragraph 1.2). Finally, it comments about the national and local planning policy context within which the Plan has been prepared. In the round it is a first-class introduction for a neighbourhood plan.
- 7.11 Section 2 provides information about the neighbourhood area. The interesting and comprehensive details help to set the scene for the eventual policies.

7.12 Section 3 comments about the way in which the Plan has been prepared. It identifies four key stages of consultation and engagement. The details in this section overlap with the information in the submitted Consultation Statement.

7.13 Section 4 comments on the Plan's Vision and Objectives. The Vision is:

*'Ufford parish will maintain its distinctive and separate identity, protecting the spaces between us and the neighbouring villages to prevent coalescence. There will be a range of housing types and tenures to suit all ages, supported by good rural village amenities. Development will be environmentally, economically, and socially sustainable. It will be well designed and fit within the character of the parish. Green spaces, the natural environment and local heritage will be protected. Ufford will continue to be an attractive village that meets the needs of its community.'*

7.14 Section 4 also explains the relationship between the Vision, the objectives, and the resulting policies. This is helpfully shown in Figure 20.

7.15 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

#### UFF1: Design

7.16 This is an important policy in the Plan. It seeks to ensure that new development should reflect the parish's local distinctiveness and character and seek to enhance its quality.

7.17 The policy comments that development proposals must demonstrate how they meet the guidance for the relevant character area as contained within the Ufford Design Guidelines and Codes. It also comments that development proposals for new housing development should accord with a series of criteria.

7.18 In the round this is an excellent policy which is underpinned by the Design Guidelines and Codes. The criteria are locally-distinctive. The supporting text provides a well-rounded context to the policy and its relationship with national and local policies. It is an excellent local response to Section 12 of the NPPF.

7.19 ESC comment that the criteria list is long, which may make it more difficult for schemes to be designed in accordance with the policy as a whole and might undermine interpretation of its key messages. It also comments that there is also no major need to have a long design policy as the submitted Plan is supported by the Design Guidelines and Codes document and a significant amount of the policy's content could potentially be replaced with a cross reference to the relevant part(s) of that document.

7.20 I have considered these comments carefully. As ESC acknowledge, they relate to the length and presentation of the policy rather than being a basic conditions issue. On the balance of the evidence, I am satisfied that the form, length, and content of the policy is appropriate and meets the basic conditions. UPC has approached this important matter in a very comprehensive and distinctive fashion.

7.21 ESC also raise a series of detailed matters on the policy. Based on its comments, I recommend the following modifications:

- a correction of an error in footnote 4;
- the replacement of criterion f) to ensure an appropriate relationship between new houses and open spaces, and to ensure that the height and design of fences and walls makes an appropriate and sensitive distinction between public and private space; and
- revisions to criterion o) so that it can be applied where appropriate and practicable and to clarify the way in which trees should be incorporated in any public open spaces or green areas to generate environmental and wildlife benefits.

7.22 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In footnote 4 replace 'principle' with 'principal'**

**Replace criterion f) with: 'Where appropriate and practicable, orientate buildings towards public spaces and ensure that the height and design of fences and walls makes an appropriate and sensitive distinction between public and private spaces.'**

**At the beginning of criterion o) add 'Where appropriate and practicable,'**

**Replace the final sentence of criterion o) with: 'Trees should also be incorporated in any public open spaces or green areas to generate environmental and wildlife benefits.'**

UFF2: New housing

7.23 This is another important policy. It acknowledges that development will continue to take place in Ufford and that over the Plan period this will comprise the allocation identified in the Plan (Policy UFF16) together with some infill/windfall development inside the settlement boundary, and some limited development outside of the boundary. The policy advises that development outside of the settlement boundary will need to be compliant with specific national and local policies regarding exceptions.

7.24 The policy has three key elements which provide a spatial strategy for the parish as follows:

- the focus for new development in Ufford, (including affordable housing) will be within the adopted settlement boundary of the main built-up part of the village where it can best integrate with existing development and benefit from proximity to the existing community facilities, and on the specific allocation identified under Policy UFF16;
- within the settlement boundary, proposals for small windfall and infill sites consisting of individual dwellings or small groups of dwellings will only be supported where they are well related to the existing built-up area and where their development would enhance its form, character, and setting; and
- outside the defined settlement boundary, proposals for new housing development (excluding any site-specific allocations) including the conversion of existing buildings, such as barns and farm buildings, brownfield sites and

replacement dwellings will only be permitted where they are in accordance with national and district level policies.

- 7.25 ESC comments that there are significant overlaps between the policy and the relevant policies in the Local Plan. In its response to the clarification note, UPC advised that:

*‘the policy sets out the local emphasis on locating new housing development close to the existing facilities in the parish and ensuring that new development enhances the form, character, and setting of the built up area which is more locally distinctive and goes beyond both national and local policies e.g. specificity about the prevailing building line and avoiding the development of garden land.’*

- 7.26 I have considered this issue very carefully. On the one hand, there is a clear overlap between the submitted policy and the relevant policies in the Local Plan. However, on the other hand, the policy includes elements which are locally distinctive. On the balance of the evidence, I am satisfied that the policy meets the basic conditions. It avoids the potential explanation that the Plan would have to make about the interplay between the policies in the Local Plan and those in the submitted Plan about the location for new housing development in the parish. In addition, its final part comments about maintaining distinct gaps between built development in the parish.
- 7.27 Within this broader context I recommend that the final part of the policy is recast so that it more clearly comments about the distinct gaps between the built-up elements of Ufford. This will bring the clarity required by the NPPF. I also recommend that the supporting text is expanded to comment about the findings of the Settlement Sensitivity Assessment (Suffolk Coastal) produced in July 2018.
- 7.28 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each the three dimensions of sustainable development.

**Replace the final part of the policy with: ‘The local distinctiveness and separate identity of Ufford will be maintained. Development proposals which would erode the distinct gaps between the built-up elements of Ufford, and between Ufford and other adjacent settlements resulting in the coalescence of built development will not be supported.’**

*At the end of paragraph 6.25 add: ‘The final part of the policy comments about the importance of maintaining the distinct gaps between built-up development in the parish. This approach reflects the findings of the Settlement Sensitivity Assessment (Suffolk Coastal) produced in July 2018.’*

UFF3: Housing mix

- 7.29 This policy comments about housing mix. It advises that the approach taken is based on consultation, carried out with residents and the findings of the Housing Needs Assessment. The policy seeks to prioritise smaller dwellings whilst recognising that some larger dwellings may be required to maintain a balance of housing available in the parish.

7.30 The policy has three key elements as follows:

- proposals should provide for and contribute to a mix of housing that meets local needs in accordance with the most up to date evidence on local housing needs both now and in the future (as per the AECOM Ufford HNA or successor document) and enables the creation of a mixed and balanced community.
- proposals for new housing over the plan period, should prioritise smaller dwellings although it is recognised that some larger dwellings e.g. 4- bedroom may be required to maintain a balance of dwellings available.
- new development should principally comprise 1-bedroom, 2-bedroom, and 3-bedroom dwellings, with a slight emphasis towards 2- bedroom dwellings, however variety will be sought to attract both newly forming households on lower budgets and older households looking to downsize.

7.31 In general terms, the policy takes an appropriate approach to this matter and is based on recent evidence about housing need. In this broad context I recommend the following modifications to bring the clarity required by the NPPF, to acknowledge that commercial viability may not always allow the type of affordable housing as specified in the policy, and to allow ESC to apply the policy through the development management process:

- the deletion of the unnecessary reference to the parish in the first part of the policy;
- the deletion of the second part of the policy which is addressed in greater detail in the third part;
- the modification of the wording used in the third part of the policy so that it more closely relates to housing need; and
- the inclusion of a reference to commercial viability in the fifth part of the policy.

7.32 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each the three dimensions of sustainable development.

**In the first part of the policy delete 'in the parish'**

**Delete the second part of the policy**

**In the third part of the policy replace 'attract both' with 'to meet the needs both of'**

**In the fifth part of the policy replace: 'Where affordable housing is proposed, it should be delivered as follows:' with 'Where it is commercially-viable to do so, affordable housing should be delivered as follows:'**

UFF4: Rural and Community-Led exception sites

7.33 The policy expresses support for small scale affordable housing schemes outside of the settlement boundary.

7.34 I am satisfied that the Site Selection element of the policy is locally-distinctive. I sought advice from UPC about the extent to which the remainder of the policy brings any

added parish-based value above the content of national and local planning policies. In its response to the clarification note, UPC commented that:

*'it is acknowledged that the 'principle' section of the policy contains similar criteria to those in Policy SCLP5.1, although UFF4 presents this in relation to community led housing as well as rural exceptions sites which SCLP5.1 does not.'*

- 7.35 I have considered this issue very carefully. On the one hand, there is a clear overlap between the submitted policy and the policies in the Local Plan. However, on the other hand, the policy includes elements which are locally distinctive. On the balance of the evidence, I am satisfied that the policy meets the basic conditions. It avoids the potential explanation that the Plan would have to make about the interplay between the policies in the Local Plan and those in the submitted Plan about the way in which rural and community-led housing exception sites can come forward. Within this broader context, I recommend a detailed modification to the wording used in criterion c) to bring the clarity required
- 7.36 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each the three dimensions of sustainable development.

**Replace criterion c) with: 'The housing remains in affordable tenure in perpetuity.'**

#### UFF5: Local Green Spaces

- 7.37 This policy proposes a package of local green spaces (LGSs). It is underpinned by the details in Appendix B which assessed the proposed LGSs against the criteria for such designations in the NPPF.
- 7.38 I looked at the proposed LGSs carefully during the visit. I saw their varied sizes and functions.
- 7.39 On the basis of all the available information, I am satisfied that the proposed LGSs meet the various criteria in paragraphs 105 and 106 of the NPPF. As the Plan advises, consultation with owners of the proposed LGSs was carried out in January 2024 prior to the publication of the pre-submission draft plan in addition to the consultation on that version of the Plan.
- 7.40 The policy itself takes the matter-of-fact approach of paragraph 107 of the NPPF. On this basis, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

#### UFF6: Landscape character

- 7.41 The policy identifies the special character of The Water Meadows and the contribution they make to the landscape setting of Ufford. It is underpinned by the extensive supporting text and the Suffolk Landscape Character Assessment 2018 and the Suffolk Coastal Landscape Character Assessment 2018 (a joint project between the County Council and the Suffolk Districts). In the round it is a well-prepared and a very distinctive policy.

- 7.42 In this broader context I recommend that the second and third parts of the policy are combined and recast to bring the clarity required by the NPPF. This includes clarity that the detailed elements of the policy apply to the Water Meadows. The reconfigured policy also makes a clear distinction between proposals which will and will not be supported.
- 7.43 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the second and third parts of the policy with:**

**‘The area of land located along the River Deben valley (and identified on Figure 24) known locally as The Water Meadows is identified as specifically contributing to the landscape setting of the settlement. Development proposals should protect and conserve the landscape quality of the River Deben valley, taking into account the natural environment and the historic dimension of the landscape as a whole. Where development is otherwise acceptable, landscape improvements should be included as an integral part of the development proposal wherever practicable.**

**Development proposals in the River Deben valley which would have a significant adverse impact on the qualities of the landscape that make it special will not be supported.’**

UFF7: Important views

- 7.44 The policy identifies fifteen important public views that it is considered should be protected from development that would have an adverse impact upon the identified view. A justification for the identified views is included in the supporting text. The policy comments that development proposals within or that would affect an important public local view should take account of the view concerned and developments which would have a significant adverse impact on the landscape or character of the view concerned will not be supported.
- 7.45 ESC comments that the proposed important views appear to be appropriate and justified. I looked at a selection of the views during the visit and agree with ESC. They help to define the character and appearance of the parish.
- 7.46 In this wider context, I recommend that the policy itself is recast so that its two related components are separated. In the first component I recommend that the wording comments that development proposals within or which would affect an important public local view should respond positively to the view concerned rather than more simply taking account of the view. This will bring the clarity required by the NPPF and identify how a development proposal should address its relationship with an identified view.
- 7.47 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy element with:**

**‘Development proposals within or which would affect an important public local view should respond positively to the view concerned.**

**Developments proposals which would have a significant adverse impact on the landscape or the character of an identified important view will not be supported.’**

UFF8: Biodiversity/nature conservation

- 7.48 The policy provides support for biodiversity net gain in new developments in accordance including the creation of new habitats, the repair and connection of existing networks, together with encouragement for tree planting and for the inclusion of wildlife friendly measures in new developments. The resulting policy is extensive.
- 7.49 In general terms the policy takes a positive approach to this important matter and has regard to Section 15 of the NPPF.
- 7.50 I recommend that the first and second parts are combined given that the second naturally flows from the first. I also recommend that the submitted first part of the policy is slightly expanded so that it sets out a general requirement for development proposals, rather than measures which should be avoided. I also recommend a series of revisions and modifications to the supporting text as suggested by ESC and as agreed by UPC.
- 7.51 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development

**Replace the first and second parts of the policy with:**

**‘Development proposals should respond positively to the natural environment of the parish and avoid the loss of, or substantial harm to, biodiversity habitats including, but not limited to, important trees, ponds, hedgerows, blocks of woodlands, meadows, and other semi natural habitats. Where such losses or harm are unavoidable, adequate mitigation measures or, as a last resort, compensation measures will be sought. If suitable mitigation or compensation measures cannot be provided, the development proposal will not be supported.’**

*Update paragraph 7.21 to include an additional County Wildlife (Rowanwood Cottage Marsh CWS, site 141).*

*In paragraph 7.22 add to the Deben Estuary SSSI that is also a Special Protection Area and a Ramsar site.*

*In paragraph 7.28 replace ‘crested new with ‘great crested newt’*

UFF9: Ecological corridors

- 7.52 The Plan advises that the policy provides an additional local dimension to planning policy by identifying specific ecological corridors which can be enhanced for biodiversity.

- 7.53 The Plan's approach is underpinned by the Environmental Report. In addition, the supporting text advises that the River Deben valley has shaped the distinct linear development pattern of Ufford and the high-quality natural habitats where woodland coexists with water, permeates the fringes of the settlement and influences much of the character further into the built-up area. It also advises that an established ecological network of arable fields and woodland and the varied topography of the area provides an excellent variety in the natural landscape.
- 7.54 In general terms, the policy takes a very positive approach to ecological corridors and has regard to Section 15 of the NPPF. In this overall context, I recommend that the final section of the policy is incorporated into the opening element so that the effect of the policy is clearer. I also recommend that the policy's requirement that development proposals should retain, protect and where practicable enhance the identified ecological corridors should be applied as appropriate to their scale, nature, and location. This acknowledges that many minor and domestic proposals would be unlikely to impact directly or indirectly on the identified ecological corridors.
- 7.55 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the policy with:**

**The Plan identifies priority ecological corridors within the parish (as shown on Figure 27) as follows:**

- **Blue Corridor (includes the swathe of Water Meadows alongside the River Deben and Byng Brook); and**
- **Green corridors.**

**As appropriate to their scale, nature, and location, development proposals should retain, protect and where practicable enhance the identified ecological corridors.**

**Opportunities should be taken to reconnect the ecological network including:**

- **linear features such as the river and streams and their associated habitats; hedgerows, mature trees, and ditch networks; and**
- **links between ponds, meadows and woodlands should be created and enhanced.'**

UFF10: Historic environment

- 7.56 This is a comprehensive policy on the historic environment. It covers designated heritage assets such as listed buildings and the Conservation Area, and outlines the approach to assessing the impact of applications on designated heritage assets.
- 7.57 In general terms the policy takes a very positive approach to this matter and has regard to Section 16 of the NPPF. The supporting text helpfully comments about the scale and significance of the historic environment in the parish.

- 7.58 The final elements of the policy are a combination of commentary and supporting text. I recommend that they are deleted from the policy and that the supporting text (on the presence of local monuments during construction) is repositioned into the supporting text.
- 7.59 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Delete the elements of the policy after point 6.**

*At the end of paragraph 7.40 add: 'Where the presence of local monuments is discovered during the construction of a development proposal, a precautionary approach should be adopted with a preference for preservation in-situ in the first instance unless this cannot be achieved in line with relevant Local Plan policies.'*

**UFF11: Non-designated Heritage Assets**

- 7.60 The policy identifies fifteen non-designated heritage assets. The Plan advises that each proposed asset has been assessed against relevant Historic England guidance.
- 7.61 The policy comments that development proposals affecting the identified non-designated heritage assets will be judged having regard to the scale of any harm or loss to their significance which may include its setting and relationship to its immediate surroundings and the contribution it makes to the character of the local area.
- 7.62 I looked at the proposed assets during the visit. I am satisfied that UPC has properly identified the assets to be included in the policy. In addition, the policy element has regard to paragraph 209 of the NPPF. As such, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**UFF12: Dark skies**

- 7.63 The policy seeks to limit the impact of lighting from new development on dark skies. I noted the dark skies environment of the parish during the visit.
- 7.64 I am satisfied that the policy taken a positive approach to this matter and has regard to Sections 8 and 12 of the NPPF. Within this broad context I recommend the following package of modifications to bring the clarity required by the NPPF and to allow ESC to be able to apply its details through the development management process:
- the simplification of the opening element and the removal of the reference to a preference which would be difficult to apply through a land use planning policy;
  - the repositioning of some of the deleted policy into the supporting text;
  - a recasting of the final sentence of the third part of the policy. This acknowledges that the proposed use of 'avoided' has little weight in the development management process; and
  - a simplification of the opening element of the final part of the policy.
- 7.65 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Replace the first part of the policy with: ‘Wherever practicable, new residential developments should not include streetlights.’**

**Replace the final sentence of the third part of the policy with: ‘Lighting schemes which will cause unacceptable disturbance or risk to wildlife will not be supported.’**

**Replace the first sentence of the final part of the policy with: ‘Where appropriate, development proposals should include an external lighting scheme that demonstrates how the scheme addresses both energy and environmental concerns without comprising safety.’**

*At the end of paragraph 7.49 add: ‘The BCT guidance note ‘08/23 Bats and Artificial Lighting at Night’ provides more specific nature-based sensitive lighting guidance.’*

UFF13: Access and connections

7.66 The policy has a series of ambitions as follows:

- to seek to improve the health and wellbeing of residents through the provision of safe and attractive pedestrian and cycle routes;
- to protect existing public rights of way unless they are to be unavoidably lost and requires alternatives where this occurs;
- to set out the criteria for enhancing rights of way; and
- to add a local dimension by identifying a specific route in the parish which would contribute to improved connectivity.

7.67 The policy sets out a very positive and non-prescriptive approach to this important matter and has regard to Sections 8, 9 and 10 of the NPPF.

7.68 ESC suggest that the policy establishes a cross-reference to the Healthy Environments SPD’s guidance on active travel infrastructure. Such an approach would help to provide a broader context for the policy. However, it is not needed to ensure that the Plan meets the basic conditions.

7.69 I recommend two detailed modifications to the policy to bring the clarity required by the NPPF and, in the fourth part of the policy, so that it is based on evidence of an effect on a public right of way rather than a likely impact. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**In the second part of the policy replace ‘Development’ with ‘Development proposals’**

**In the fourth part of the policy replace ‘Development which is likely to’ with ‘Development proposals which would’**

UFF14: Community facilities

7.70 The policy seeks to retain existing community facilities and provides support for new facilities identified through public consultation.

- 7.71 I saw the importance of the community facilities (as shown on Figure 32) during the visit.
- 7.72 The policy offers support to proposals for the development of new community facilities and the extension of existing facilities. It also advises that proposals which would result in the loss of a community facility will not be supported except where an improved or equivalent facility can be located elsewhere in the parish in an equally convenient, safe, and accessible location or where there is no reasonable prospect of continued viable use.
- 7.73 The policy takes a positive approach to this matter and has regard to Section 8 of the NPPF. Within this context I recommend that the order of the elements of the policy is reversed so that it has a positive approach.
- 7.74 I also recommend that the opening element of the third part of the policy (as submitted) is modified to bring the clarity required by the NPPF. This acknowledges that 'encouragement' has little if any weight in a land use planning policy. Finally, I recommend that the unnecessary use of 'potential' in the first part of the policy (as submitted) is deleted.
- 7.75 Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

**Reposition the first part of the policy so that it becomes the third part.**

**In the first part of the policy (as submitted) delete 'potential'**

**In the third part of the policy (as submitted) replace the opening element with: 'Proposals which would provide enhanced or new facilities, and which satisfy an identified need such as the matters listed below will be supported:'**

UFF15: New and existing business

- 7.76 This policy encourages the creation of new businesses and the expansion of existing businesses subject to criteria governing impacts. In general terms it takes a positive approach to these matters and has regard to Section 6 of the NPPF.
- 7.77 Within this context, I recommend that the first section of the policy is recast so that it properly comments about the development management process (and the determination of development proposals) rather than offering more general support for the establishment of new businesses. The focus of the policy remains unchanged.
- 7.78 ESC suggests that the element of the policy on home working is repositioned into Policy UFF1. Whilst this would be an option, it is not a basic conditions matter. In addition, there is merit in having important elements of the Plan on economic development in the same policy.
- 7.79 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

**Replace the opening element of the policy with:**

**‘Development proposals for new small-scale business premises, particularly those which would involve the reuse of redundant or unused historic or farm buildings and buildings to accommodate new business or agricultural uses, will be supported where they do not have a significant adverse impact on the character or landscape of the area, the amenity of residents (in terms of lighting, noise, odour, dust), or result in an unacceptable increase in traffic generation.’**

UFF16: Former Crown Nursery

- 7.80 The Plan makes a specific allocation at the former Crown Nursery site for residential use, allotments, and community open space. The policy sets out the criteria that the development of the site would need to meet.
- 7.81 The proposed allocation site is approximately 5ha with a developable area of 2.8 ha. The wider site includes areas of woodland, green space, and orchard. The policy proposes a mixture of 1, 2, 3 and 4 bedroomed homes including some bungalows, of which approximately eight affordable dwellings will be provided, together with the eight allotments identified in the household survey at the standard allotment plot specification. The policy also comments that land (including the former orchard) would be conveyed to UPC who will maintain it for community and biodiversity benefit, public access, open space, and recreational uses. The policy is supported by a series of distinctive environmental criteria.
- 7.82 The Plan helpfully comments that part of the site has an extant planning permission for commercial development. It also advises that given local feelings towards the site, captured in both the consultation on the planning application and in the Household Survey (where a preference for residential as opposed to commercial development on the site was expressed) the promotion of the site for housing through the Plan ‘Landowner Engagement’ exercise was seen as a positive option.
- 7.83 Landex comments about the policy and the proposed development as follows:
- ‘Landex continues to support the allocation of this land for the residential development prescribed within the policy UFF16 subject to being able to produce a viable, well-designed development. We confirm that the land shown within the proposed allocation, is available and is capable of delivering the allocation albeit that there will be a need for flexibility in the detailed design of the submitted scheme and its constituent elements together with a pragmatic, common sense approach and understanding to the delivery of the associated, proposed public areas. The company intends to continue its ongoing work with the Parish Council and the Neighbourhood Plan delivery team.’*
- 7.84 ESC make a series of detailed comments on the policy as follows:
- criterion (a) should simply state that a third of the housing should be affordable housing, consistent with the requirement in Policy SCLP5.10 – the figure of ‘8’ is overly prescriptive when the number of dwellings set out in the policy is 20-25 dwellings;

- an explanation for the figure of “approximate” eight allotments is included in the policy, along with an indication of who would be expected to manage the allotments, plus likely eligibility criteria;
- specific issues tree and hedge survey requirement in the policy; and
- some minor wording changes to paragraph 11.26 to minimise any potential for confusion about the relationship between the site and the adjacent woodland areas

7.85 I raised a series of questions on the development of the site, including the number of houses to be delivered and the number of allotments to be provided. In response UPC advised that:

*‘(it) has some concerns over the use of the word ‘approximate’ and how much flexibility would be given by (ESC) in applying this. This nervousness comes from the experience of the Framlingham Neighbourhood Plan, specifically Policy FRAM25: Land off Victoria Mill Road. (An) increase (in the yield of the site) would not be appropriate for Ufford and significantly change the character of the area. The (Steering Group) understand the need for some flexibility for site layouts, however the uncertainty over whether ‘approximately 25 homes’ could mean 30, 35 or 40 homes is a major concern. The (Steering Group) would support ‘up to 25 dwellings’ if that was helpful*

*The 8 (allotments) was the level of interest in the Household Survey and is also (when taking standard allotment measurements) the number that could be achieved on the area of land at the north and east of the site. It is also a number which (UPC) feel they can realistically manage.’*

7.86 I looked at the site carefully during the visit. I saw its relationship to Nursery Lane to the north and to The Avenue to the south. In the round, I am satisfied that the policy proposes an appropriate package of development for this previously-developed site. Its development will assist in boosting the supply of housing land in parish and it has been carefully promoted by UPC, the landowner, and the community. In this context, the promotion of the policy is a major achievement for the local delivery of new housing-led development through the neighbourhood plan process.

7.87 The policy appropriately comments for the need for a masterplan to inform the development of the site. This will be particularly important given the range of uses proposed as part of the overall development. I am satisfied that the number of allotments has been informed by local comments and the capacity of UPC to manage such a new community facility.

7.88 Based on all the available evidence I recommend the following series of modifications to bring the clarity required by the NPPF:

- a revision to criterion a) so that it comments about the delivery of up to 25 homes (of which a third would be affordable dwellings);
- a detailed revision to the wording used in criterion e);
- detailed revisions to criterion f) to require the submission of an ecological impact assessment and a refinement of the approach to the potential loss of trees; and

- revisions to criterion i) and to the relevant supporting text to clarify the relationship between the built development and the adjacent wooded area.

7.89 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development

**Replace criterion a) with: ‘The delivery of up to 25 homes (of which a third should be affordable dwellings).’**

**In criterion e) replace ‘will’ with ‘should’**

**Replace criterion f) with: ‘An ecological impact assessment and an independent survey of all existing trees and hedges on the site will be required. Trees and hedges on site should be retained, unless specific justification is given for their removal and compensatory provision in the tree survey.’**

**Replace criterion i) with: ‘Woodland areas in the site including existing pond are conveyed to Ufford Parish Council via a Management Agreement.’**

*In the final sentence of paragraph 11.26 replace ‘Land outside of the allocated site,’ with ‘Land outside the developable area,’*

Implementation

7.90 Section 12 of the Plan comments about the way in which it will be implemented. It acknowledges that UPC will need to work closely with the owners of the former Crown Nursery to enable the development to proceed and to ensure that any ongoing monitoring or other requirements are fulfilled.

7.91 Paragraph 12.6 comments that a formal review process in consultation with the local community and ESC will be undertaken to ensure that the Plan remains up-to-date and remains a positive planning tool to deliver sustainable growth. It also advises that ESC and UPC will monitor development along with the local and national policy and legislative context to determine when a review is necessary. This is best practice.

Other Matters - General

7.92 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. Similarly, changes may be necessary to paragraph numbers in the Plan or to accommodate other administrative matters such as factual errors which have been acknowledged by UPC. It will be appropriate for ESC and UPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

*Modification of general text (where necessary) to achieve consistency with the modified policies and to accommodate any administrative and technical changes.*

### Other Matters – Specific

- 7.93 ESC has made a series of helpful comments on the Plan. I have addressed them on a policy-by-policy basis where they are required to ensure that the Plan meets the basic conditions.
- 7.94 ESC suggest a series of revisions and additions to the general elements of the Plan. I have considered the various issues very carefully together with UPC's responses to the suggestions. To bring the clarity required by the NPPF, I recommend that the Plan is modified to address the following map related points as raised by ESC:
- *Paragraphs 1.6 and 1.9;*
  - *Section 2;*
  - *Section 4; and*
  - *Paragraph 5.6*

## 8 Summary and Conclusions

### *Summary*

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2036. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community to safeguard the character and setting of the neighbourhood area.
- 8.2 Following the independent examination of the Plan, I have concluded that the Ufford Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

### *Conclusion*

- 8.3 On the basis of the findings in this report, I recommend to East Suffolk Council that, subject to the incorporation of the modifications set out in this report, the Ufford Neighbourhood Development Plan should proceed to referendum.

### *Other Matters*

- 8.4 I am required to consider whether the referendum area should be extended beyond the neighbourhood area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by East Suffolk Council on 20 April 2022.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth manner. The responses from Ufford Parish Council to the clarification note were both detailed and informative and East Suffolk Council managed the overall process in a very efficient way.

**Andrew Ashcroft**  
**Independent Examiner**  
**20 March 2025**