

Saxmundham Neighbourhood Plan 2022 - 2036

Post Hearing Note

Prepared by

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1. On Friday 27th January 2023, I held a public hearing at the Fromus Centre into the Saxmundham Neighbourhood Plan. Most of the session was spent on the issue of whether the neighbourhood plan was an appropriate vehicle for establishing masterplan principles for the South Saxmundham Garden Neighbourhood, on the basis that much of the land allocated for the strategic allocation, is currently outside of the Saxmundham Neighbourhood Area as designated by East Suffolk Council on 29th August 2017.
2. During the hearing and in previous correspondence, I expressed my view that the plan as submitted does not meet the legal requirements as set out in Section 38A of the Planning and Compulsory Purchase Act 2004 which defines a neighbourhood development plan as a plan which set policy for the use and development of land within the whole or part of a particular neighbourhood area. That is reinforced in Section 61F under the heading of Authorisation to act in relation to neighbourhood areas. The plan area currently extends up to the parish boundary.
3. At the hearing I identified that some parts of Chapter 12 of the neighbourhood plan dealing with the Garden Neighbourhood are setting out the key characteristics and expectations for the new garden neighbourhood 's masterplanning of the whole allocation site, some of which currently lies in Benhall parish. Actually that approach is consistent with the expectations of the Local Plan Policy SCLP 12.29, which establishes that the new development should be delivered "through a masterplan approach, brought forward through landowner collaboration and community engagement".
4. The key issue in this examination is that the neighbourhood plan can only prepare planning policy for those parts within Saxmundham Town Council's jurisdiction. In my preliminary remarks, I described the situation as being analogous to Benhall Parish Council preparing a neighbourhood plan which sought to set planning policy and expectations within the Town Council' s part of the garden neighbourhood.
5. I acknowledge that the Town Council does now appreciate the difficulties that the current boundary imposes, in terms of its ability to establish its expectations for the whole new neighbourhood.
6. As I explained at the hearing, once the Town Council boundary is changed, come 1st April, to bring the whole SSGN under Saxmundham Town Council's boundary, then the Town Council will be in a position to apply for a modification to the neighbourhood area, to incorporate the additional land into a revised neighbourhood area. That change in neighbourhood area will then allow the Town Council to put forward a modification to the neighbourhood plan (assuming the remainder of the neighbourhood plan as submitted, passes referendum and is made)

which deals with setting the principles that the developer is expected to follow when masterplanning of the site.

7. During the discussions prior to the mid-morning break, the District Council representative, clarified that the developers own masterplanning of the allocation site had been placed on hold, until the position regarding the neighbourhood plan had been resolved. However Mr Woolnough made clear that he expected that a full community engagement exercise to inform the masterplanning process could be initiated in the coming months, which he expected would be based on the East Suffolk's requirements which are set out in the Council's Statement of Community Involvement- a process which would not just fully involve the Town Council and the community, but also various key statutory consultees such as the Highway Authority and the lead flood authority.
8. It would help me understand how that work is to proceed , as a potential alternative to a neighbourhood planning based approach, if the District Council could set out in a paragraph, how it intends to move this forward so I can accurately reflect that within the report. Such a statement may also give some reassurance to the Town Council as to its involvement, which could influence whether it still feels the need to prepare a modification to the plan following the sequence of events which I have described above.
9. As I said at the hearing, I will not be able to recommend the inclusion of the 3 SSGN policies put forward in the neighbourhood plan, namely SAXGN1, 2 and 3. Mr Smith on behalf of the Town Council raised the question as to whether some residual key issues, that were important to the Town Council, particularly in terms of the integration of the development with existing and new pedestrian and cycleway routes, could be retained somehow within the plan.
10. I did offer the opportunity of the Town Council to submit to me any potential modifications to other generic development management policies, that it would like me to consider making through my recommendations, which followed on from the deletion of the three policies. For example we did discuss whether it would be possible to incorporate into the principles of Policy SAX 6, the linkages set out in Figure 26, to which the District Council indicated it did not have any concerns about. Similarly could public rights of way aspirations be incorporated in to the public rights of way policy.
11. The hearing then turned its attention to the contents of the 2 AECOM documents – the Design Guidelines and Codes for the Garden Neighbourhood Site and the Neighbourhood Plan Area and the Concept Masterplan for the High Street and Garden Neighbourhood. With the proposed deletion of the policies related to the garden neighbourhood, it would be inappropriate to continue to promote both the design policies for

the garden neighbourhood site in addition to what is described as the concept masterplan. I therefore invited the Town Council and AECOM to submit revised documents, removing specific reference to the design and masterplanning of the new garden neighbourhood.

12. However, I acknowledged that much of the advice in the Design Guidelines, would be appropriate general design guidance for any residential development in the town, not just the design of the garden neighbourhood. I also considered that the weight to be afforded to this document could be strengthened from being, what was described as an evidence document, to actually be an appendix to the neighbourhood plan, as recommended in paragraphs 127 and 128 of the NPPF and that reference to them could be incorporated into Policy SAX1 General Design Principle by reference to it as design guidance, which applicants will be expected to have regard to.
13. In a similar vein, the Concept Masterplan document could usefully be retained, but without the element dealing with the garden neighbourhood, just in terms of the proposals for the High Street. Again the District Council indicated that it had no objections to those proposals and again the weight to these proposals could be enhanced by referencing the masterplan in Policy SAXTC1.
14. I hope the above paragraphs cover all the matters that we discussed and provided guidance to both the District Council and the Town Council on what I am expecting following our discussions at the hearing. I stress these submissions are to constitute possible modifications to the plan policies that I am being recommended to make, which flow from my conclusions on the garden neighbourhood policies. At this stage it is not possible for a Qualifying Body to revise the plan itself.
15. I am not setting any specific deadlines as to when the materials are to be submitted to me (via the District Council), but in the meantime, I will continue to draft my report which covers the wide range of matters which were not discussed at the hearing. I appreciate that the parties would like me to report early, so as to allow a possible referendum to coincide with the local elections in May.
16. Can I ask that a copy of this note and the subsequent responses are placed in the respective neighbourhood plan websites in the interest of transparency.
17. On a final note can I thank everyone for the way that the hearing was conducted last Friday. I appreciated both the hospitality shown and the spirit of cooperation and good humour.

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Examiner to the Saxmundham Neighbourhood Plan