

BABERGH DISTRICT COUNCIL

FROM: Acting Head of Planning Policy and
Economic Development

REPORT NUMBER **E218**

TO: STRATEGY COMMITTEE

DATE OF MEETING 30 November 2005

**BABERGH LOCAL PLAN (ALTERATION NO. 2) PROPOSED POST INQUIRY
MODIFICATIONS**

1. **SUMMARY**

- 1.1 The Council's emerging Local Plan has been under preparation since 1998 and is now approaching the final stages towards its adoption. Having received the Inspector's report into the Inquiry (held between September 2004 and April 2005) the Council must now consider his report, its recommendations and the Council's responses to those recommendations. At this stage the Council must consider whether to promote a number of changes (Post Inquiry Modifications) that are likely to be the final changes proposed. This report summarises the main recommendations and issues for each part of the Plan and details the actual proposed responses to every recommendation (in Appendix A). The Inspector proposes a number of Post Inquiry Modifications and these are recommended to Members for approval and incorporation into the Local Plan. Members are asked to agree the proposed response to each recommendation and endorse the proposed Modifications for public consultation in early 2006. There are no material or substantive recommendations that officers recommend the Committee and the Council not to accept.

Please note that this report focuses on Proposed Post Inquiry Modifications, that is, further changes now proposed to the Local Plan and not all Inspector's report recommendations.

2. **RECOMMENDATIONS TO COUNCIL**

- 2.1 That the Committee welcomes the Inspector's report and notes that in all the most substantive cases the Inspector endorses the Council's position in its emerging Local Plan.
- 2.2 That the proposed responses to each recommendation attached as Appendix A (Statement of Decisions) be agreed.
- 2.3 That the proposed Post Inquiry Modifications attached as Appendix B be agreed for public consultation (early 2006).

3. **FINANCIAL IMPLICATIONS**

- 3.1 This report raises no financial implications.

4. KEY INFORMATION

Introduction

- 4.1 The Babergh Local Plan (Alteration No. 2) has now reached a very advanced stage of preparation. The greatest hurdle in producing a Plan, the public inquiry, is completed and the Inspector's report received. This means the responsibility now returns to the Council to decide on how it chooses to respond to the Inspector's recommendations. More detail is included on these matters in the ensuing paragraphs 4.2 – 4.4 below but in all important respects, the report is to be welcomed and can be considered as a great endorsement of the Council's approach towards preparing a Development Plan framework for Babergh district to cover the period through to 2016. In terms of process, there is a vital need to steer the Local Plan towards adoption as soon as possible. In this respect, there is effectively a deadline for adoption of 21 July 2006, when the European Strategic Environmental Assessment Directive ('the SEA directive') comes into effect. This would render adoption of the emerging Plan after this deadline date of 21 July 2006 extremely difficult and in all likelihood, it is believed, impossible for practical purposes.
- 4.2 The Plan offers a huge opportunity to the district in a strategic way, as a means of delivery of the Council's key corporate objectives, particularly affordable housing, and a safe clean and sustainable environment. However, there may be instances where individual elements do not accord with the aspirations or preferences of all but there is a strong case for a pragmatic approach, given the need to promote the interests of the whole district over a considerable period of time. Not least of such considerations is the chance to put in place a comprehensive suite of policies for Development Committee to use as a firm basis for controlling and steering the form of developments coming forward in the district. In some cases, this will involve major sites that have a great potential impact on their localities. These policies are now commended to Members.

Background and Procedures

- 4.3 A public local inquiry was held into objections to the Babergh Local Plan Alteration No. 2 between 28 September 2004 and 25 April 2005. This considered objections to each of the 12 chapters of the Local Plan. The Inquiry was presided over by Mr Eric Searle of the Planning Inspectorate.
- 4.4 The Inspector's report provides a recommendation on every issue considered in the Inquiry, that is, all issues where objections were raised and not withdrawn. A complete schedule of all recommendations (in summary form, without the reasoning behind them) is attached as Appendix 1. This has with it the proposed response to each recommendation. At present Inspectors' reports are not binding, that is, the recommendations do not have to be accepted. However, the authority must demonstrate sound (and defensible) reasons where it chooses not to do so. Any decision not to accept an Inspector's recommendation where a material change is involved, is open to challenge; objections can be made to that decision and the Council must consider such objections. It is possible that such objections could open up the possibility of a need for a further Inquiry to hear these objections and it is therefore advised that such decisions have a considerable inherent risk attached to them and should not be taken lightly.
- 4.5 **Members are advised that what is at issue here is whether changes should be made to the Plan as it was at the Revised (2nd Deposit version) stage, as produced in 2003. Any such change must now be advertised and subject to formal public consultation as a Proposed Post Inquiry Modification.**

This will include changes proposed in a number of different ways as follows:

1. Changes proposed by Babergh as Pre Inquiry Changes, namely:
 - Set 1 Hadleigh Town, May 2004
 - Set 2 All other matters July 2004

The status of these PI Changes is not that of formal changes to the Plan. They represented a position to which the Council would wish (or be willing) to move, usually as a concession to objections, rather than those matters being contested through disagreement between the parties involved (the Council and objector(s)) at the Inquiry. These PIC changes were subject to a period of public consultation and objections were accordingly lodged, debated and considered as part of the Inquiry process. The Inspector has reported on whether these PIC changes should be incorporated into the Plan or not. Notwithstanding this, the Town and Country Planning regulations stipulate that where subsequently accepted, PIC changes always have to be incorporated on to the Plan formally after a period of formal public consultation, even where public consultation has already been carried out as above.

2. Changes agreed by the parties involved either before or during the Inquiry (these are usually supported by the Inspector, particularly where these result in withdrawal of objections)
3. Changes recommended otherwise by the Inspector (often as a result of successful objections or for other reasons)

In many cases the Inspector has recommended that no change be made. In these cases no further action is required. In any case where a change is proposed now, that change must be advertised and consulted on. **There are no cases where officers propose not to accept an Inspector's recommendation where that recommendation is of a material nature.**

Proposed Changes and Issues by subject of the Plan

1. Introduction

- 4.6 No changes of real consequence proposed. The only notable revisions proposed are those to the sole Policy LP01 (and supportive text) to reflect the fact that developer contributions, through planning obligations, will be sought by the Council (not required) when appropriate (as a result of the development proposed). Planning obligations are voluntary in nature, to be agreed and cannot be imposed by a local planning authority.

2. Environment

- 4.7 Policy EN20: Waste Management - All Waste. This requires recycling collection sites for new (residential and employment) development. The policy is to be simplified, as considered too complex, too prescriptive and needs to reflect Government planning guidance better. However, whilst simplifying, the changes will not prevent the Council from requiring such provision in appropriate cases. Policy EN21: Waste Management - All Waste. This required new developments to minimise construction waste and re-use building materials wherever possible. Whilst laudable in nature, the policy was considered to be impractical, as it is too difficult to control or enforce through the planning system. For example, the planning process in most cases does not govern building demolition. Policy therefore deleted. Other changes include incorporating maps of Sites of Special Scientific Interest and Local Nature Reserves as Inset Maps for the Plan.

3. Settlement Policy and Housing

- 4.8 This needs to be divided between two parts: policies allocating sites and other policies controlling other developments that may come forward. Land allocations will be dealt with first. The vast majority of 'Omission' sites (those put forward as alternatives by 3rd party objectors) were dismissed. Most of the residential sites proposed at 2nd Deposit stage (by the Council) are to remain in the Plan. The exceptions are as follows:

A. Sites to be deleted now:

HS09P, Maltings Farm, Elmsett: 1.3 hectare former farm site allocated for 10 dwellings. Site deleted mainly because due to the size, characteristics and limited sustainability credentials of Elmsett, it should have no priority for housing allocations. Elmsett also has a recent planning permission for 25 dwellings nearby.

HS09J, Land east of Shawlands Avenue, Great Cornard: 2.7 hectares of undeveloped land allocated for 80 dwellings, plus 6.5 hectares of community woodland and 0.5 hectares of public open space. Site deleted due to its elevated topography and considerable visual impact, poor access arrangements, adverse biodiversity impacts and overall poor performance against the sustainability appraisal.

HS09A(d), Land off New Queens Road, Sudbury: 0.4 hectares of domestic rear gardens allocated for 12 dwellings. This was a very small site proposed for deletion at Pre Inquiry Changes stage and it appeared that the landowners would not release the land involved anyway.

HS09A(e), Land off Brooklands Road, Brantham: 0.6 hectares of domestic rear gardens allocated for 18 dwellings. Other details as HS09A(d) above.

Total dwellings on deleted sites: 135

B. Sites to be included now:

Omission site rep. 1522, Land east of Carsons Drive, Great Cornard: 4.4 hectares of arable land to be allocated for 170 dwellings, plus open space and woodland planting (and highways improvements). Reasons include the substantial overall site area (the minority of which is to be developed) allowing for a comprehensive approach to development and a satisfactory form of layout. Thorough landscape assessment already conducted and showing the area well assimilated with the built up area edge, rather than the open countryside beyond, and accordingly a logical extension of Great Cornard. Overall, a substitute for the Shawlands Avenue site and inherently more suitable for development than that site.

NB: No proposal to revise BUAB for Sudbury / Great Cornard at this time.

Omission site rep. 1226, Land off Crownfield Road, Glemsford: 1.8 hectares of disused arable land to be allocated for 45-60 dwellings (exact figure can be determined at planning application stage according to suitability of site design, layout and further consideration of all relevant constraints). Reasons include the considerable size and sustainability credentials of Glemsford, allied to its local housing needs and limited recent residential development. As the text on affordable housing at paragraph 4.11 below shows, Glemsford cannot qualify for the rural areas affordable housing provision policy, by virtue of its size. Therefore, this allocation could prove critical in delivering new affordable housing provision for the village.

Total dwellings on proposed replacement sites: 215-230 (plus some allowance likely for Brantham)

4.9 A number of changes are proposed to other chapter 3 policies. Firstly, the Inspector envisages an overall under-supply of housing likely to be delivered in Babergh over the Plan period against our established Structure Plan housing allocation figure. This he has dealt with through the above substitutions of site allocations, plus some allowance for housing development likely to come forward within any comprehensive redevelopment proposals for the industrial land owned by Wardle Storey and ICI Imagedata at Cattawade, Brantham that may be realised. The quantum of this will need to be determined and fully justified through further research and analysis. In a related vein, the phasing of housing sites for release over the Plan period (to 2016) is to be scrapped. This is because the Structure Plan housing completions targets are unlikely to be exceeded. A further consideration is that the Chilton development, the largest single source of housing, has to be expected to take a very considerable time to deliver 'on the ground'.

4.10 In terms of policy governing the scale of development to be considered acceptable in villages, the policies are to be simplified from the previous 3 tiers of villages approach ('larger villages', 'sustainable villages' and basically unsustainable villages). It is proposed to retain a distinction between these but make allowance for when larger sites come forward that are capable of taking more than 5 dwellings in the larger / sustainable villages. The actual categorisation of each village needs to be reviewed more rigorously and comprehensively and this cannot be completed yet but will be done before the Council meeting on 13 December. This work is intended to make these policies easier to understand and apply and deal with a previous deficiency, that of how to address larger sites, particularly brownfield sites, when these come forward for development within larger villages.

4.11 The next issue is that of built up area boundaries – 'BUABs'. A considerable number of changes was proposed by objectors but mostly not supported by the Inspector. Where these are to be made it is generally to include existing developed sites to reflect the built area better or to clear up some of the more blatant anomalies. Three of the changes proposed are relatively inconsequential in nature and extent, whilst two completely new BUABs are also proposed. BUAB changes are proposed for the following villages and towns:

- Windsor Green, Cockfield (entirely new BUAB);
- Rodbridge Hill, Long Melford (small extension for Long Melford BUAB plus entirely new BUAB for detached developed area at Rodbridge Hill south of Long Melford village);
- Monks Eleigh (small extension);
- Newton (small extension);
- Whitestreet Green, Polstead (small extension);
- Shimpling Street, Shimpling (small extension);
- Glemsford (extension) – see new allocated site referred to under paragraph 4.6 above

4.12 Many changes were also sought affecting Areas of Visual and / or Recreational Amenity – 'AVRAs'. These are sites usually within the built up area of a town or village with a value / importance for their visual quality and / or recreational role. Changes are now proposed as follows:

- Assington (The Street) delete
- Bildeston (21 High Street) delete
- Boxford (Boxford Lane) delete
- Glemsford (Post Office Lane) delete
- Hitcham (Syers Farm) delete
- Holton St Mary (Old Post Office Cottage) delete
- Newton (2 sites: Hills Barn and land opp. Saracen's Head PH) delete

In addition, the deletion of all AVRA's outside of BUABs, of which there are many, are proposed for deletion. This will confine AVRA's to only those within BUABs. This is because these areas are already covered by the various policies protecting all areas of open countryside. Planning guidance advises that it is inappropriate and unnecessary to 'stack up' numerous different designations on top of one another. These open countryside areas, for example, may already fall within the two Areas of Outstanding Natural Beauty or one of Babergh's numerous Special Landscape Areas. Plans of all BUAB Modification are being produced at present and will be available by the time of the Strategy Committee meeting.

Affordable Housing

- 4.13 Babergh has used a two-tier approach to this matter, with one policy chiefly covering urban areas and one policy covering rural areas. The threshold population point dividing the two is a population of 3,000. Thus Babergh's urban areas are defined as: Sudbury & Great Cornard; Hadleigh, Pinewood; Long Melford and Glemsford, with all other areas defined as rural. Policy HS08 applies to sites of 15+ dwellings or of 0.5 hectares in area (usually within urban areas) and includes the great majority of proposed housing allocations, plus larger 'windfall' sites that emerge in urban or rural areas. However, in practice, few sites of this size come forward in the rural areas. This is to be changed by adding a stipulation that it applies to residential development proposals *within a settlement* and deleting its minimum provision level of 20%. It will accordingly require provision in a negotiable range from 0 – 35%. The requirement to negotiate this prior to submission of an application would also be removed. Overall, with some reservations, these changes are considered as reasonable and support for the upper limit of 35% should be welcomed.
- 4.14 The rural areas policy HS08a specifically applied to developments of 3+ dwellings or sites of 0.1+ hectares and the Inspector has recommended that this be substituted by removing reference to the site thresholds, whilst it will similarly require provision in a negotiable range from 0 – 35%. Overall, this is considered reasonable. However, no mention was made of the policy's provision for agreeing the payment of commuted sums for affordable housing provision off-site. This is considered important and is being queried with the Inspector. Officers will advise Members accordingly when this has been clarified.
- 4.15 Policy HS17 sought to prevent extensions to small dwellings to keep them within the district's relatively limited stock of small, usually more affordable dwellings. However, this is proposed for deletion (although part of the Inspector's reasoning is difficult to understand) with the reasoning that such extensions may be the only means for occupiers to afford to meet their changing accommodation needs. In view of implementation problems experienced recently and this recommendation, a pragmatic but reluctant decision to accept appears advisable. In a related vein, Policy HS18 required a minimum of 20% of new dwellings on sites to be small, that is, one or two bedroom dwellings. The Inspector recommends that this effectively be deleted to instead require just an unspecified percentage of such dwellings. This percentage would be for negotiation on a site-by-site basis, according to prevailing local housing needs. The rationale for this is understandable but it is considered to be an important concession. However, it is a point that could be expected to attract considerable opposition if the recommendation is rejected. Provided a robust and up-to-date evidence base is maintained on housing types / sizes needs, it is considered that this concession need not be too damaging. PPG3 Housing also provides a basis on which to require an appropriate housing mix and this is also in line with the Government's 'Sustainable Communities' agenda.

Chapter 4: Economy and Employment

- 4.16 Like the previous chapter, this divides clearly between site specific and more general policy issues. Again, site specifics will be dealt with first. Policy EM02a, covering the former IFF site, near Long Melford, is to be deleted in line with the approach already established through the Braintree Local Plan Inquiry (the majority of the site falling within Braintree district). The site is to have no specific policy or allocation at all, in recognition of its extremely complex development constraints and limited realistic redevelopment potential. This is not considered problematic, as other policies should be adequate to deal with planning for the future of this site.
- 4.17 The Wardle Storey / ICI Imagedata industrial site is addressed by Policy EM02e. The proposal (as agreed with the site's owners) is to treat it as a 'special policy area', recognising that considerable feasibility analysis work will be required to establish a suitable future for the site. At this site employment uses (retention of existing plus new uses) are to be prioritised, although the overall site's future is likely to involve an element of residential development. However, this is not to be a residential-led scheme, as sought by its owners. This overall position was agreed with the objectors before the end of the Public Inquiry.
- 4.18 In terms of non site-specific policies, a vital policy is EM15 dealing with retention of employment sites. This is to be retained but its requirement for financial payments to compensate for loss of employment sites (possibly allowing for establishment of alternative employment space elsewhere) is to be deleted. This is because the link between the site(s) lost and the form / location of alternative compensatory provision (wherever that may be) is considered too tenuous and the extent of the 'financial burden' unknown. This was to be addressed specifically through a supplementary planning document and for such reasons, this recommendation is considered as unfortunate for the Council. Loss of employment land is a major problem for Babergh, so accepting this recommendation, albeit reluctantly, raises a question of how the Council can address this problem in a different way. However, the Council's proposed policy was very innovative and ventured into an untried and untested approach in planning policy terms. Accordingly, it is not very surprising when Inspectors do not give support for such approaches, since they identify doubts about how they would work in day-today practice. However, officers will work together with Economic Development interests to address this matter.

Chapter 5: Shopping

- 4.19 No significant modifications proposed.

Chapter 6: Countryside and Rural Economy

- 4.20 Text explaining the status and policy approach towards Areas of Outstanding Natural Beauty has been revised substantially to update it and bring it in line with legislation and local AONB strategies. Similarly, the policy on Special Landscape Areas has been revised and simplified considerably. These changes will clarify the planning policy requirements upon new development in SLAs and tie them in with the landscape character appraisal work being carried out to help address these areas. Policy CR08 (Trees, Woodlands and Hedgerows) is to be deleted as it is unnecessary and does not comply with national planning policy guidance (PPS12). Its deletion will not prevent the Council from serving Tree Preservation Orders. Policy CR20 (Agricultural Buildings) is to be deleted, as it duplicates other policies. Policies protecting general village facilities (such as shops, post offices, schools, doctors' surgeries) and that specifically protecting public houses are to be combined but their requirements are to be retained.

Chapter 7: The Built Environment & Conservation

- 4.21 The Inspector recommends the deletion of Policies CN13, CN16, CN17, CN18, CN20, and CN22, since these policies would not form the basis of a determination on the grant of either planning permission or listed building consent. They are instead merely statements of Babergh's intent, contrary to guidance on policy making in PPG12 and PPS12. Additions to the supporting text are recommended.
- 4.22 As mentioned previously, the deletion of all Areas of Visual or Recreational Amenity outside of the Built Up Area Boundaries is recommended, as these areas are already protected by virtue of being located in open countryside, where there are strong policies for the protection of the countryside. AVRAs are covered by a policy (EN04), which has been moved into this chapter. In most cases the changes to the Second Deposit Draft of the Plan suggested in the Pre-Inquiry Changes have been recommended.

Chapter 8: Recreation and Tourism

- 4.23 Policy RE03 and its supporting text dealing with protection of playing fields have been updated and amended to reflect legislative changes and Sport England's policy approach. The general objective to retain them wherever possible remains. Policy addressing large-scale recreational developments (RE09) has been revised to accord with policy governing development affecting town centres (PPS6), which is a necessary and useful improvement. Policy on water-based recreation (RE17) is to be deleted as too detailed, too specific and therefore unnecessary. Policy on tourist attractions (RE28) is also to be deleted as it was too vague and not helpful.

Chapter 9: Transport

- 4.24 In the Transport chapter, whilst a minor policy on lorry parking (Sudbury and Hadleigh) is to be deleted as it is duplicated elsewhere, the only other significant change is that of new supporting text expressing the District Council's support for a Sudbury western bypass and that the route for this will be protected (this safeguarded route also remains shown on the Proposals Map).

Chapter 10: Sudbury Town

- 4.25 No changes of consequence (chapter thinned by significant deletion of unnecessary supporting text giving detail of traffic management measures. As intentions of local works to conduct, this detail is superfluous).

Chapter 11: Hadleigh Town

- 4.26 There is really just one issue in this chapter and that is, of course, provision of a supermarket for Hadleigh. There is a need to be absolutely clear on this matter and it is stressed that in this report, officers do not intend to repeat or revisit all the great volume of previous comments on this issue.
- 4.27 On this the Inspector supports the Council's position in proposing a site for a new supermarket on the Brett works site. As a starting point, his reasoning refers to the previous Inspector's / Secretary of State's deliberations and decisions. In such respects, the Inspector found no reason to diverge in any fundamental way from those previous findings. Further, no material changes in circumstances since then have been identified. As one example, national planning policy guidance has been revised with a new PPS6 issued in 2004 on Town Centres. This re-affirms the 'Town Centres first' message clearly from the central Government level. Accordingly, the Brett works site is considered greatly preferable to the alternative site adjacent to the existing 'Buyright' store, off Aldham Mill Hill. The report recommends inclusion of most of the Council's Pre Inquiry Changes (issued May 2004).

- 4.28 Competing detailed proposals were put forward and assessed for the means of access. On this matter the Inspector recommends an access onto Bridge Street, which would need to cross the allotments and the existing Babergh DC car park. The storage building Bridge House, considered as having no inherent merit, would need to be demolished to accommodate this route. This option is favoured by the highways authority.
- 4.29 Perhaps the one remaining issue to consider is that of the Inspector's recommendation to incorporate a new bullet point in the policy referring to the likely need for a Compulsory Purchase Order to secure this means of access. This could prove a highly contentious point and has been considered further by Babergh officers. Two main options are open to the Council at this point: either to accept or reject *this part of* the recommendation but officers recommend that it is accepted.
- 4.30 On the CPO issue the Inspector reasons that: 'In this case because of the requirement for an access off Bridge Street, from the evidence before the Inquiry a CPO would at this stage seem to be so likely that it should be stated in the policy to give certainty to those reading the Plan' and concludes: that the relevant policy be modified by 'adding a further bullet point referring to the likely need for a Compulsory Purchase Order'. Officers propose a form of wording as follows:
- if a negotiated agreement cannot be reached to secure the necessary means of access for the proposed supermarket, the Council will consider the use of Compulsory Purchase Order powers

Note: The detailed wording of this proposed Modification is not included on the attached schedules at Appendices A and B. These will need to be amended and the change minuted if this recommendation is agreed.

- 4.31 From the Council's overall point of view, however, it is recommended strongly that the Council maintains its position on the Hadleigh supermarket issue, with an allocation for the Brett works site.

Chapter 12: The Chilton Mixed Use Development

- 4.32 Finally, the most strategic issue and the largest in terms of land area involved is the Chilton development. The Inspector supports the Council on this proposal, as the best option available among competing proposals. Thus the *principle* of the Chilton development can now finally be considered as established. There is no need to revisit this principle, although details will undoubtedly evolve through further work and consultation.
- 4.33 This proposal has been developed over a considerable period of years through the mainstream Local Plan process and through a parallel, detailed masterplanning process, which has involved extensive public participation and has served to refine and develop the proposals. However, few changes of real consequence are now proposed by the Inspector and most of these stem from the Council's Pre Inquiry Changes issued in July 2004. Many of these changes were made to reflect changes and developments arising through the masterplanning process. The detail of these changes is set out in the accompanying schedules forming Appendix B: Proposed Post Inquiry Modifications.

4.34 Details to change include the relocation of the waste transfer station / household waste and recycling facility to the large, main, employment area and an increase in the area given over to leisure and recreation facilities. Details of the land allocated for a neighbourhood centre and community facilities have been revised. In relation to the community woodland, the planting of this is to be phased in line with that of the developments it is to support. The Council supported this approach by the time of the Inquiry and the very important woodland element of the development is evolving as part of the masterplanning work. In view of the evolving masterplan work, which will undoubtedly evolve further as consultations progress and further detailed work is carried out, the Inspector recommends that the detailed masterplan is deleted from the Plan as an inset map. This is to be replaced with a simple outline form of Plan showing the overall development area boundary and the proposed means of access. This change is considered appropriate and helpful.

4.35 Finally, given the considerations under paragraphs 4.29 – 30 above, consistency of approach suggests that given problems identified regarding the land required for the primary means of access to serve the Chilton development, the same approach should be taken. In both cases, the use of these powers by the Council is not specifically authorised or precluded by whether it includes a reference to using a CPO in these policies. However, the Inspector's recommendation cited above and the need to provide certainty to Plan users suggest that his approach is appropriate. Accordingly, the following modification to Policy CP01 is now proposed:

- if a negotiated agreement cannot be reached to secure the necessary means of access for the Chilton development, the Council will consider the use of Compulsory Purchase Order powers

Note: The detailed wording of this proposed Modification is not included on the attached schedules at Appendices A and B. These will need to be amended and the change minuted if this recommendation is agreed.

4.36 The Chilton development is commended to Members, in order to ensure a quality development, in the right location, that is the best overall option to deliver mixed proposals to meet the needs of Babergh district.

Consultation

4.37 Following the Council meeting on 13 December, the next step will be to embark on formal public consultation (for a 6 week period) on the proposed modifications, as required by the relevant Town and Country Planning regulations. It is stressed, however, that the vast majority of changes proposed herein have already been consulted upon, with objection received and considered through the Local Plan Inquiry. Further, the Inspector's recommendations address the changes proposed and the representations made on them. Repeating all the previous objections raised in the earlier consultation exercise is now clearly pointless.

4.38 As for the way forward, it is considered that informal consultation with Parish and Town Councils most affected by new changes should be prioritised. Therefore, Great Cornard and Glemsford should come to the fore, as they are affected by new housing allocation proposals. The Chilton and Sudbury (and Great Cornard) areas will, in any case, be consulted further as the Chilton development proposals are progressed and refined. The need for general consultation with Parish and Town Councils will be considered during December and January, in advance of formal consultation on the Modifications, as mentioned above.

- 4.39 Informal consultation with Babergh Members is welcomed and invited in the period before and following this Strategy Committee meeting. The Inspector's report is to be placed on the Council's website for easy and free access after he has given clearance for his report to be made publicly available. Hard copies of the report will be placed in the Members' room for use on a reference basis, at reception in the Babergh headquarters and in local libraries. The Strategy Committee papers are being sent to all Babergh Members.

Conclusions

- 4.40 Whilst this main report summarises the main recommendations, Members are reminded that the actual Inspector's report recommendations can be obtained by reference to Appendix A (Schedules of Decisions) by each chapter of the Plan. However, this report deals primarily with proposed modifications at this point, as it is the Council's duty to consider now in order to move the Plan forwards. The Inspector's report can be considered as very positive for the Council and for Babergh. Its recommendations are a strong endorsement of the Council's proposed Plan in all the key policy areas and it has the great benefit of introducing greater certainty for all involved in the process. The need to have in place an adopted Local Plan to guide planning in Babergh for the period to 2016 is paramount and Members are recommended to welcome the Inspector's report and to provide a clear basis on which to progress the Local Plan towards adoption.

Note:

Due to the extremely limited time between receipt of the final Inspector's report and the need to prepare Strategy Committee papers for printing and despatch, it has not yet been possible to clear up 2 matters arising through the Inspector's report recommendations. These are both matters in Chapter 3: Settlement Policy and Housing. These 2 issues are as follows:

- Proposed new policy to allocate a hotel and country park off The Strand / Bourne Hill / A14, Wherstead.

This is currently a gap in Appendices A and B, listed under Policy HS09T, Inspector's report recommendation at section 3.95 of his report. This is scheduled as proposed modification 3/55.

This is a recommendation that officers propose to accept but will require Members' decision on whether to accept the recommendation.

- Details of Table to update dealing with residential commitments. This falls under paragraph 3.51 of the Local Plan and section 3.70 of the Inspector's report. This will form proposed modification 3/41.

This information is technical in nature, purely factual and will not require any decision on it.

Officers are currently working to research these 2 matters further and to be in a position to propose a way forward on both. This work will be completed soon and papers to form Strategy Committee report addenda will be available towards the end of the week commencing 21 November 2005.

5. **APPENDICES**

- (A) Statement of Decisions on the Inspector's report recommendations (by Local Plan chapter)
- (B) Schedule of all Proposed Post Inquiry Modifications (by Local Plan chapter)

6. **BACKGROUND PAPERS REFERRED TO:**

1. Babergh Local Plan (Alteration No.2) 1st Deposit Draft 2001 and 2nd Deposit Draft 2003
2. Babergh Local Plan (Alteration No.2) Pre Inquiry Changes (Set 1) Chapter 11 – Hadleigh Town May 2004
3. Babergh Local Plan (Alteration No.2) Pre Inquiry Changes (Set 2) July 2004
4. Babergh Local Plan (Alteration No.2) 2nd Deposit Inspector's report (2005)
5. PPG12 – Development Plans 1999 / PPS12 - Local Development Frameworks 2004
6. PPG3 – Housing 2000
7. PPS6 - Planning for Town Centres 2004

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