

Freckenham Neighbourhood Plan

Parish Council response to Examiner's Clarification Note

August 2024

The Neighbourhood Plan Examiner published a Clarification Note on 6 August 2024. This paper provides the Parish Council's response to the questions raised in the Note.

Policy FRE 3 – Housing Design

The Examiner asks if the second part of the policy necessary as the provision of broadband into new buildings is now controlled by the Building Regulations?

Parish Council response

It is accepted that this matter is now a requirement of the Building Regulations and would not be necessary in a planning policy.

Policy FRE 12 - Dark skies

The Examiner asks whether a 'preference' for dark skies is capable of being implemented through the development management process?

Parish Council response

While the Parish Council favours dark skies, it is acknowledged that a 'preference' would be difficult to implement through the consideration of planning applications. The Examiner's attention is drawn to Policy WTN 10 of the Referendum version of the Worlington Neighbourhood Plan which might be a suitable alternative policy. It is reproduced below:

Policy WTN 10 – Dark skies

Wherever practicable, development proposals should respond positively to the dark sky environment of the parish and avoid the use of streetlights. Any outdoor lighting schemes should have a minimum impact on the environment and wildlife, whilst taking account of highway safety and the security of the development concerned. In addition, outdoor lighting schemes should reduce the consumption of energy by promoting efficient technologies which reduce glare.

Policy FRE 13 - Parking Standards

The Examiner asks whether the third and fourth parts of the policy are necessary as the provision of EV charging points is now controlled by the Building Regulations?

Parish Council response

The Parish Council accepts that the [Building Regulations Approved Document S](#) applies to the types of development referred to in the third and fourth parts of

the policy. As such, the Examiner may rightly conclude that these elements of the policy are not necessary.

Representations

The Examiner asks if the Parish Council wish to comment on any of the representations made to the Plan. In particular he seeks responses to the representations from

- Anglian Water;
- Suffolk County Council; and
- Mr Colin Huggan.

Parish Council’s response to representations

The table below sets out the Parish Council’s response to representations received by West Suffolk Council at the Regulation 16 Submission Consultation stage. The representations from Anglian Water, Suffolk County Council and Mr Colin Huggan are addressed first, followed by all other representations.

Summary Comment	Parish Council response
<p>Anglian Water Anglian Water commented at Regulation 14 consultation stage</p>	
<p>Anglian Water seek an amendment to Policy FRE 7 – Local Green Space (Paddock north of The Street) to exclude land in its ownership. The body states it would “place an unnecessary policy burden which could limit our ability to bring forward investment and any engineering works needed. To ensure that we have the ability to undertake any necessary enhancement of this asset, we respectfully request that this specific area is removed from the proposed local green space.”</p>	<p>The designation does not restrict permitted development rights. Paragraph 107 of the NPPF (December 2023) states that “Policies for managing development within a Local Green Space should be consistent with those for Green Belts.” Paragraph 155 of the NPPF states that engineering operations in the Green Belt are not inappropriate provided they preserve its openness and do not conflict with the purposes of including land within it.</p> <p>The Parish Council remains of the opinion that the inclusion of Anglian Water’s land within the Local Green Space does not inhibit their ability to bring forward investment and any engineering works needed.</p>

Summary Comment	Parish Council response
<p>Suffolk County Council – Archaeology</p>	
<p>Suffolk County Council commented at Regulation 14 consultation stage and included comments from the Archaeological Service</p>	
<p>Chapter 7 – Built Environment and Design The service suggests amending the chapter title to “Built and Historic Environment and Design”</p>	<p>Such a change is not considered necessary</p>
<p>Suffolk County Council – Public Rights of Way</p>	
<p>Suffolk County Council commented at Regulation 14 consultation stage and included comments from the Public Rights of Way unit</p>	
<p>Policy FRE 16 – Public Rights of Way The Public Rights of Way unit supports the policy in principle but is concerned that “the current wording of this policy could caveat improvements to the PROW network, as not all improvements will actively increase biodiversity.”</p> <p>The Public Rights of Way unit suggests that reference to bridleways could be removed as they are public rights of way.</p> <p>An amended policy is put forward.</p> <p>The Public Rights of Way unit suggests that reference could be made to Suffolk County Council’s Green Access Strategy.</p> <p>The Plan could be further developed by including the development of promotional material.</p> <p>The Plan could state that all new housing developments should have, where reasonably possible, new footpath and/or bridleway connections created, linking to the existing right of way network surrounding the village.</p> <p>The Plan could state connection routes to neighbouring communities, by alternative modes other than a motor vehicle [sic]</p>	<p>The Examiner might like to refer to Policy WTN 14 of the Referendum Version of the Worlington Neighbourhood Plan. It has a policy that better reflects aspiration of achieving biodiversity improvements where practicable.</p> <p>The Parish Council agrees that bridleways do not need to be referenced in this policy.</p> <p>This is not considered necessary.</p> <p>This is not considered necessary.</p> <p>Such a requirement would be unlikely to meet the tests of reasonable planning conditions.</p> <p>This is not considered necessary.</p>
<p>Mr Colin Huggan (represented by Parker Planning Services)</p>	
<p>Mr Huggan did not comment at Regulation 14 consultation stage</p>	
<p>The response relates to the omission of the site known as land at Millfield, Freckenham as an</p>	<p>Noted.</p>

Summary Comment	Parish Council response
<p>allocation and/or inclusion within the settlement boundary of Freckenham and the site selection process for the settlement of Freckenham in more general terms and in respect of both the emerging Freckenham Neighbourhood Plan (NP) and WSLP.</p> <p>The response focuses on whether the “neighbourhood planning group and the LPA” have constructively and transparently worked together. Parker Planning Services stage that there was confusion as to who would be taking the lead on site selection work and ultimately the allocation of sites and in which document. Their client was unclear as to which consultation they should be responding to and for what reason(s). They consider that this confusion can only have (potentially) prejudiced both the Local Plan and Neighbourhood Plan consultation processes.</p>	<p>Paragraph 5.20 of the Pre-Submission Draft Neighbourhood Plan was clear in stating that “the Neighbourhood Plan does not allocate any sites for development, deferring this decision to the Local Plan.”</p> <p>Paragraph 5.20 of the Submission Draft Plan is also quite clear in stating “Strategic Policy SP11 of the Draft Local Plan sets out the minimum housing requirement for neighbourhood areas and, for Freckenham, this is ten dwellings. The Draft Local Plan also allocates a site to meet these requirements. As such, there is no requirement for the Neighbourhood Plan to allocate any sites for housing development.” As such, there is no confusion.</p> <p>It is also noted that a similar representation has been made in response to West Suffolk Council’s Regulation 19 consultation on the Draft Local Plan.</p>
<p>Mr Simon Cook Mr Cook commented at Regulation 14 consultation stage</p>	
<p>Vision and Objectives Mr Cook states that the aims of the vision are just aspirational and at best may be used by authorities such as West Suffolk Council or Government Planning Inspectors as guide for future development, regeneration and conservation to inform planning application decisions.</p>	<p>The Vision provides the context for the planning policies in the Plan. Only those policies can be used in the determination of planning applications.</p>

Summary Comment	Parish Council response
<p data-bbox="204 235 976 405">Future Development Locations Mr Cook states that the views of parishioners have been largely ignored as the Parish Council has “conceded that the District and County councils will choose their own sites”.</p> <p data-bbox="204 1832 943 2002">Mr Cook further states that the wording and effectiveness of the chapter is likely to be of little value and that there is no stipulation that development locations must not be at risk of flooding.</p>	<p data-bbox="1002 235 1461 477">It is not the role of the County Council to allocate sites for development. The District Council, in preparing a Local Plan, has a role of identifying sufficient sites to meet its identified housing needs..</p> <p data-bbox="1002 517 1469 1756">The Pre-Submission Draft Neighbourhood Plan (October 2023) noted, in paragraphs 5.16 to 5.18, that there was conflict in the Preferred Options Local Plan and residents’ preferred housing sites. The draft Neighbourhood Plan explained the additional work that had been carried out to engage residents and see their views on the Local Plan preferred site. It further noted that, following focused consultation, the Parish Council objected to the Local Plan preferred site and put forward a site to West Suffolk Council south of Mildenhall Road which has been preferred by the majority of residents that took part in the focused consultation. The District Council, in publishing their draft Local Plan, identified a site at Fordham Road for housing. The status of the Local Plan is reflected in the submitted Neighbourhood Plan and the Parish Council considered that additionally identifying the preferred site at Mildenhall Road would only result in two housing sites being developed.</p> <p data-bbox="1002 1832 1461 2002">The Parish Council refers the Examiner to Policy FRE 11 - Flooding and Sustainable Drainage which addresses this matter.</p>

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<p>Spatial Strategy Mr Cook questions having a neighbourhood plan when it simply follows the Local Plan and ignores areas “such as between Mildenhall Road and Elms Road and off Church Lane, when these areas could sustain development with less impact on existing properties/residents.”</p> <p>Policy FRE2 – Housing Allocation Mr Cook states that there are development sites that would be excluded because residents cannot walk safely to facilities in the village centre. He states that the Parish Council and other bodies resolve these issues first in order for FRE2 to be acceptable and non-biased.</p> <p>He further states that the views of parishioners have been largely ignored as the Parish Council has “conceded that the District and County councils will choose their own sites”.</p> <p>Policy FRE 4 - Low Energy and Energy Efficient Housing Design Mr Cook states that the policy does not implicitly mention insulation when it should or take into considerations properties that are unsuitable for ground/air source heat pumps.</p> <p>Policy FRE 8 - Freckenham Conservation Area Mr Cook states that the conservation area should include the field to the south of White House Farm.</p> <p>Policy FRE 13 - Parking Standards Mr Cook states that the policy should simply stipulate 2 parking spaces per bedroom per dwelling.</p> <p>Community Aspiration 3 – Traffic Calming and Speed Reduction Measures Mr Cook states that the aspiration needs to be more specific and changed to include 20mph limits and average speed cameras, especially between Mildenhall road and Fordham Road.</p> <p>Glossary Mr Cook asks what a “building of local importance” is and what the implications are for residents and owners.</p>	<p>Available and suitable sites between Mildenhall Road and Elms Road and off Church Lane were submitted when a “call for sites” was made.</p> <p>Policy FRE2 requires the provision of safe pedestrian crossing points and footways that will enable occupants to access village facilities on foot.</p> <p>This matter is addressed above.</p> <p>Dwelling insulation standards is addressed in the Building Regulations.</p> <p>Neighbourhood Plans cannot extend Conservation Areas as these are designated under separate legislation.</p> <p>Such a standard cannot be justified and is not supported by evidence.</p> <p>It is not necessary to be more specific as the measures are reliant on the County Highways Department to fund and implement.</p> <p>The Freckenham Conservation Area Appraisal, referred to in the Neighbourhood Plan, defines these as buildings that positively contribute to the</p>

Summary Comment	Parish Council response
Policies Map and Village Centre Inset Map Mr Cooks states that the conservation area should include the field to the south of White House Farm.	character of the conservation area.
Environment Agency	
The Environment Agency commented at Regulation 14 consultation stage	
The Environment Agency has no further detailed comments	No further comment
National Gas Transmission	
National Gas Transmission were consulted but did not comment at Regulation 14 consultation stage	
National Gas Transmission has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.	No further comment
Red Lodge Parish Council	
Red Lodge Parish Council were consulted but did not comment at Regulation 14 consultation stage	
Red Lodge Parish Council have no comment.	No further comment
Suffolk Wildlife Trust	
Suffolk Wildlife Trust (SWT) were consulted but did not comment at Regulation 14 consultation stage	
<p>Section 3 – Planning Policy Context Suggest that the NPPF section could refer to paragraph 185 of the Framework regarding biodiversity.</p> <p>Policy FRE6: Biodiversity and Habitats SWT support the replacement of hedgerows using native species where new accesses are created.</p> <p>SWT state that features such as swift and boxes, or hedgehog connectivity, is not included in the Biodiversity Net Gain calculator.</p> <p>SWT state that the restoration of ecological networks should focus on providing landscape connectivity using natural and semi-natural habitats, connecting/ buffering/ or making bigger existing designated sites, priority habitats, or wildlife corridors such as the River Kennet.</p>	<p>This level of detail, at the exclusion of other matters covered by the NPPF, is not considered necessary.</p> <p>Noted</p> <p>Noted</p> <p>Noted</p>