

# Fressingfield Neighbourhood Development Plan (FNDP) 2020



Conclusions from initial high-level  
scoping review undertaken

April/May 2024

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## 1. Scoping Review Summary

- 1.1 An initial high-level scoping review of the existing policies of the Fressingfield Neighbourhood Plan 2018-2036 has been undertaken in order to determine whether the plan requires review and if so which policies in the plan require review/amendment should a formal review of the Fressingfield Neighbourhood Plan be enacted.
- 1.2 Each of the policies have been reviewed against the key Basic Conditions for Neighbourhood Plans as outlined in paragraph 8 (2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended by Schedule 10 of the Localism Act 2011 and the Levelling Up and Regeneration Act 2023 as appropriate).
- 1.3 The key Basic Conditions are :
  - a) Having regard to national policies and advice contained in guidance issued by the Secretary of State
  - b) General conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- 1.4 For the purposes of a), the National Planning Policy Framework December 2023 has been used. For the purposes of b), the Babergh-Mid Suffolk Joint Local Plan Part 1, Adopted in November 2023 has been used.
- 1.5 In addition to reviewing the policies, an assessment as to whether any additional evidence is required to support any review has also been undertaken. Where additional evidence is required, this has been highlighted.
- 1.6 This scoping review also looked at whether any new policies might be required and has therefore looked at policies in other NPs for comparison to see if relevant policy areas are required for the Fressingfield Neighbourhood Area
- 1.7 The detailed assessment of the policies, including some recommendations on potential amendments or changes in scope of the relevant policies is shown in **Appendix A**

- 1.8 The high level scoping-review has concluded that a formal review of the Fressingfield Neighbourhood Plan will be required as progress is made on the Part 2, Babergh-Mid Suffolk Joint Local Plan. It is expected that progress on the Part 2 Plan will be made during 2024, by Mid Suffolk District Council – this began with a Call for Sites between January and February 2024.
- 1.9 A review of the Neighbourhood Plan is unlikely to be completed before March 2025 at which point it will be five years since the Plan was formally made. In order for the Neighbourhood Plan to remain relevant, the following policies should be brought up to date to be compliant with the basic conditions.
- 1.10 These are:
1. FRES1: Housing Provision
  2. FRES2: Housing size, type and tenure
  3. FRES6: Protecting landscape character and natural assets and enhancing village gateways/entrances
  4. FRES9: Fressingfield Vernacular
  5. FRES10: Design
  6. FRES12: Energy efficiency, low carbon technology and renewable energy – Location of new residential development
- 1.11 In addition, the high level scoping of the current policies has identified a number of policies that would benefit from amendment or re-wording in order to bring them up to date or make them more robust, particularly if local circumstances have changed. This could be achieved through a review process. If the Parish Council decides to undertake a formal review of the Neighbourhood Plan it may consider that the wording of other policies may require amendment and that new policies are required to be introduced. It may also consider whether the existing vision and objectives are still fit for purpose.
- 1.12 Any review process will need to include public consultation – the formal stages of (Regulation 14: Pre-Submission Consultation (6 week minimum) and Regulation 16: Submission Consultation (minimum 6 weeks) are the statutory public consultation requirements. However, it would be sensible for any review of the Neighbourhood Plan to include public consultation prior to the production of a revised draft Plan.

- 1.13 An example of the process for the potential review of the Neighbourhood Plan is shown in **Appendix C**
- 1.14 It is appreciated that the timing and timescale of any review will be dependent upon a number of factors which could include changes to the Planning system at a national level, the progress of the Part 2 Joint Local Plan and the availability of funding.

## 2. Key Considerations for Scoping a Neighbourhood Plan Review

- 2.1 The Planning Practice Guidance (PPG) reminds us that a Neighbourhood Plan must set out the period for which it is to have effect and the NP policies remain in force until the plan's policies are replaced. However, NP policies only truly remain in force provided they can be considered to be up to date for the purposes of the National Planning Policy Framework (NPPF).
- 2.2 There is no formal requirement to review or update a Neighbourhood Plan, however in order to keep them up to date and relevant, good practice indicates this should be done at least every 5 years and/or when circumstances change significantly
- 2.3 A 'made' Neighbourhood Plan can be reviewed in part and therefore the Parish Council would not necessarily have to completely review the plan if it did not wish to. It could choose to undertake a partial review and the elements of the plan that are not under review will retain their development plan status. The key consideration in deciding whether a partial or full review is required would be to determine which of the current plan policies/themes requires review and importantly what is likely to trigger such a review.
- 2.4 The Plan period for the Fressingfield Neighbourhood Plan is 2018 to 2036. Paragraph 8.6 of the made Neighbourhood Plan reads as follows:
- “ A formal review process in consultation with the local community and Mid Suffolk District Council should be undertaken at a minimum of every five years to ensure that the Plan is still current and remains a positive planning tool to deliver sustainable growth . In order to determine when a review is necessary the Parish Council will monitor development in Fressingfield along with local and national policy and legislative context. It is understood that the Fressingfield Neighbourhood Plan will require review during its life and that it will be the role of the Parish Council to update the Neighbourhood Plan at the appropriate time.”*
- 2.5 There are a number of key considerations which may trigger a review (in full or in part) for the Fressingfield Neighbourhood Plan – these are:
- The Plan is approaching 5 years since it was made
  - The Strategic Policies for the area (the BMSJLP Part 1) which were adopted in November 2023 have been Examined and Adopted since the Neighbourhood Plan was made. The Local Plan has a Plan period to 2037. The Fressingfield Neighbourhood Plan was examined in the context of the

Adopted Mid Suffolk Core Strategy 2008 and the adopted Mid Suffolk Local Plan 1998.

- Site specific policies for the area in the form of the Babergh -Mid-Suffolk Joint Local Plan Part 2 are in production, with public consultation expected in 2024. The Part 2 Plan will include housing allocations, open space allocations and the settlement hierarchy.
- The National Planning Policy Framework has been reviewed three times since the FNDP was 'made.' i.e. in July 2021, September 2023 and December 2023. There have been shifts in emphasis in relation to housing number calculations, design, renewable energy, community led housing and natural environment.
- The Levelling-up and Regeneration Act 2023 was passed in October 2023 and aims to "speed up the planning system, hold developers to account, cut bureaucracy, and encourage more councils to put in place plans to enable the building of new homes.
- The Environment Act 2021 became law in November 2021. The Act contains legislation that will protect and enhance the environment for future generations by cleaning up the country's air, restore natural habitats, increase biodiversity, reduce waste and make better use of resources. The Act introduces the concept of mandatory Biodiversity Net Gain in respect of new development, which was introduced for all forms of development (except householder development on 1<sup>st</sup> April 2024)
- Introduction of First Homes <https://www.gov.uk/guidance/first-homes#first-homes-in-plan-making-and-decision-making> . Gives powers to Neighbourhood Plans to set discounts for first homes in their area.

2.6 In terms of timescale, based on experience, the preparation of a new Neighbourhood Plan from inception to Submission to the District Council should take between 14-16 months. For a review of a made plan, this is expected to take between 9-12 months depending upon the complexity of issues and the scale of the review. The review should draw on the existing plan evidence base and new evidence would only be required to support new or amended policies.

2.7 A broad indication of process would be:

- a. Determine Scope of Review
- b. Devise new/amended Policy ideas – including public consultation
- c. Drafting new policies and supporting text
- d. Pre-Submission (REG14) Public Consultation – 6 weeks

- e. Production of Submission (REG16) Plan for submission to District Council
- f. This would then be followed by the REG16 Public consultation undertaken by Mid Suffolk,
- g. Examination and then Referendum as required.



## Appendix A: Review of the Fressingfield Neighbourhood Plan Policies 2020

Initial High-Level Scoping Review undertaken in April/May 2024

Neighbourhood Plan Existing Policy	Compliance with Basic Conditions: a) National Planning Policy (NPPF December 2023) b) Local Planning Policy: BMSJLP Part 1 November 2023	General Review Comments	Evidence Base	Review Conclusion
<b>FRES1: Housing provision</b>	<ul style="list-style-type: none"> <li>The Plan period for the NP is to 2036.</li> <li>The Plan period of the BMSJLP Part 1 is 2037.</li> <li>Work on Part 2 of the BMSJLP has begun and a Call for Sites has taken place. It is expected that details of the call for sites will be published in 2024.</li> <li>It is not yet known what the Plan period for the BMSJLP Part</li> </ul>	<ul style="list-style-type: none"> <li>If the Plan period for Part 2 of the BMJLP is to extend beyond 2037 (which would seem likely) then a new figure for Fressingfield up to the end date of that Plan period will be produced by MSDC.</li> <li>MSDC <i>may</i> include</li> </ul>	<ul style="list-style-type: none"> <li>MSDC online system to be reviewed for up-to date evidence of past/recent permissions and pattern of development to identify</li> </ul>	<p>This policy is likely to be superseded or rendered out of date by the Part 2 Local Plan. Therefore the Policy should be reviewed to ensure compliance with basic conditions.</p> <p>Given the relationship with the emerging</p>

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	<p>2 will be. However paragraph 22 of the NPPF 2023, indicates that strategic policies should look ahead over a minimum 15 year period from adoption. Therefore it is likely that the Plan period for Part 2 will extend beyond 2037.</p> <ul style="list-style-type: none"> <li>The indicative housing figure for Fressingfield to 2037 as presented to the Local Plan Inquiry in 2021 by Mid Suffolk, is 56. The figure is a 'commitments figure' i.e. planning permissions/ completions and dwellings under construction already account for that figure.</li> <li>This remains the indicative figure for Fressingfield in the absence of any new figure from</li> </ul>	<p>new allocations in Part 2 of the BMSJLP which will deliver that number of houses.</p> <ul style="list-style-type: none"> <li>This <i>could</i> include new allocations in Fressingfield</li> <li>A question for the Parish Council is whether there is a preference for any new housing in the parish to be identified in the Local Plan Part 2 or in a reviewed Neighbourhood Plan, produced with a plan period that matches the</li> </ul>	<p>housing commitment from 2018 to date.</p> <ul style="list-style-type: none"> <li>The housing calculations and methodology of MSDC in calculating parish housing requirements together with the criteria used for determining the settlement hierarchy will</li> </ul>	<p>Part 2 Local Plan, the review timetable should seek to shadow the timetable for the JLP Part 2 until there is more certainty around the housing requirement figure for the parish and the settlement hierarchy. If s decision is made that future housing growth should be addressed by the NP rather than the LP then this policy would need to contain any specific allocations</p>

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	<p>MSDC which would be included in the Part 2 Plan.</p> <ul style="list-style-type: none"> <li>• Para 71 of the NPPF states that NP groups should give particular consideration to the opportunities for allocating small and medium sized sites (of a size consistent with para 70a) suitable for housing in their area.</li> <li>• Fressingfield was identified as a 'hinterland village' in the Submission Version (November 2020) of the BMSJLP.</li> <li>• There is no adopted settlement hierarchy in the Part 1 BMSJLP, this will be included in the Part 2 Local Plan.</li> <li>• Where Fressingfield is located within any new proposed settlement hierarchy may</li> </ul>	<p>expected Plan period of the Local Plan Part 2.</p> <ul style="list-style-type: none"> <li>• This may not be able to be answered until the Plan period of the Part 2 Local Plan is determined by MSDC.</li> <li>• This policy will require some review in the light of the emerging Local Plan Part 2.</li> </ul>	<p>need to be known to enable this policy to be reviewed.</p> <ul style="list-style-type: none"> <li>• If a reviewed NP is to make allocations for new housing these will need to be subject to full site specific assessments.</li> </ul>	

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	influence any new housing requirement figure for the parish			
<b>FRES2: Housing size, type and tenure</b>	<ul style="list-style-type: none"> <li>• NPPF encourages NPs to look at their mix of housing and tailor it to their needs to create a mixed and balanced community.</li> <li>• More emphasis now on particular types of housing to meet specific needs and different forms of affordable housing.</li> <li>• First Homes – introduction of these gives Neighbourhood Plan Groups some opportunities to influence the delivery of these in their area. <a href="https://www.gov.uk/guidance/first-homes#first-homes-in-plan-">https://www.gov.uk/guidance/first-homes#first-homes-in-plan-</a></li> </ul>	Policy would benefit from some more localised specific mix for Fressingfield. Current policy is based on a community preference expressed through consultation.	Would benefit from a Housing Needs Assessment to provide some additional evidence to underpin the housing mix in the policy and to provide evidence for a First Homes discount level.	This policy will require review to ensure it is still fit for purpose and compliant with local policy in the Local Plan. It could be appropriately underpinned by up to date evidence on Housing Needs.

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	<a href="#">making-and-decision-making</a>			
<b>FRES3: Infrastructure</b>	<ul style="list-style-type: none"> <li>• Little change in the emphasis on infrastructure in the revised NPPFs</li> <li>• Policy is broadly consistent with BMSJLP Part 1 Policy LP30</li> </ul>	A reviewed policy would be unlikely to achieve more above and beyond the existing policy wording.	None specifically identified	No express need for review identified.
<b>FRES4: Community facilities</b>	<ul style="list-style-type: none"> <li>• Little change in the emphasis on infrastructure in the revised NPPFs</li> <li>• First part of the policy has been partly superseded by Policy LP28 of the BMSJLP Part 1, which requires a 6 month instead of 12 month marketing period.</li> </ul>	<ul style="list-style-type: none"> <li>• First part of the policy has been superseded by the new Local Plan policies.</li> <li>• Second part of the policy remains a relevant policy</li> <li>• If any new facilities have been forthcoming since the Neighbourhood Plan was made, then a simple factual update to the final</li> </ul>	None specifically identified	No express need for review identified, although if reviewed ensuring the policy is aligned with the Local Plan policies would be required.

Neighbourhood Plan Existing Policy	Compliance with Basic Conditions: a) National Planning Policy (NPPF December 2023) b) Local Planning Policy: BMSJLP Part 1 November 2023	General Review Comments	Evidence Base	Review Conclusion
		paragraph could be made.		
<b>FRES5: Fressingfield Hub</b>	<ul style="list-style-type: none"> <li>Policy is very site specific and therefore unlikely to have been affected by NPPF and Local Plan changes.</li> </ul>	Unless circumstances have changed significantly there would seem to be no overriding need to review this policy.	None required	No express need for review identified unless circumstances change
<b>FRES6: Protecting landscape character and natural assets and enhancing village gateways/entrances</b>	<ul style="list-style-type: none"> <li>The policy as written is compliant with national and local policy in relation to landscape, views and entrances</li> <li>There is very little in the policy about biodiversity and this is an area that has moved on significantly since 2020 particularly in relation to Biodiversity Net Gain. This area is not entirely up to date in the Part 1 BMSJLP and therefore a policy gap does currently exist.</li> </ul>	The policy is still compliant in areas of landscape, views and entrances however the issue of Biodiversity Net Gain is not covered here. A policy gap exists at neighbourhood level. This could be achieved by reviewing this policy or by the creation of an additional new policy	Neighbourhood Plans are increasingly commissioning work on the environmental assets of their parish in order to protect key features and identify areas for biodiversity net gain and	There is currently a local policy gap in respect of biodiversity . Policy could be split into two separate policies with the new policy focusing on biodiversity.

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		focussing on biodiversity only	ecological corridors. A specific environmental report to provide evidence to support a new biodiversity policy would be required	
<b>FRES7: Local Green Spaces</b>	<ul style="list-style-type: none"> <li>The policy as written is compliant with national and local policy.</li> </ul>	Unless there are new potentially compliant areas of green space which have come forward since the Neighbourhood Plan was adopted this policy is unlikely to require review	Local Green Space Assessments against the NPPF criteria will be required to support any new candidates. (See Appendix C of Neighbourhood	Policy only requires review if new compliant candidates are identified.

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			Plan)	
FRES8: Non Designated Heritage Assets	<ul style="list-style-type: none"> <li>• Clear and robust policy with very little changing nationally since it was written and is NPPF compliant</li> </ul>	Unless there are new potential candidates that have been identified, this policy is unlikely to require review.	Assessments would be required for any new candidates. (See Appendix D of Neighbourhood Plan)	Policy only requires review if new compliant candidates are identified.
FRES9: Fressingfield Vernacular	<ul style="list-style-type: none"> <li>• The policy is compliant with national and local policy and there would seem little value in immediately reviewing it in isolation as very little would be likely to change.</li> <li>• The NPPF has a significant emphasis on Design Codes which it did not have prior to 2021, however this policy easily provides the appropriate amount of guidance</li> </ul>	<ul style="list-style-type: none"> <li>• A reviewed policy would be unlikely to achieve more above and beyond the existing policy wording</li> <li>• If the policy were to be reviewed it could be merged with FRES10 to provide a comprehensive Design Code style</li> </ul>	If the policy were to be reviewed the preparation of a Design Code may be a useful addition to the evidence	This policy could be combined with FRES10 and underpinned with a specific Neighbourhood Area Design Code



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		policy.		
<b>FRES10: Design</b>	<ul style="list-style-type: none"> <li>• Policy covers design considerations well.</li> <li>• It is largely still NPPF and local policy compliant.</li> <li>• It would benefit from some more specificity and is not underpinned by a Design Code which would help to make it more up to date and NPPF compliant.</li> </ul>	<ul style="list-style-type: none"> <li>• If the policy were to be reviewed it could be merged with FRES9 to provide a comprehensive Design Code style policy.</li> </ul>	If the policy were to be reviewed the preparation of a Design Code would be a useful addition to the evidence to make the policy more robust	This policy could be combined with FRES9 and underpinned with a specific Neighbourhood Area Design Code
<b>FRES11: Localised flooding and pollution</b>	<ul style="list-style-type: none"> <li>• The policy is still largely NPPF and local policy compliant however a review of policy wording could make it more robust</li> </ul>	Depending on whether local circumstances have changed the policy could use more robust and up to date wording and include new areas of floodrisk if	A review of up to date flood mapping and incidents would be required.	Review dependent on whether local circumstances have changed.

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Neighbourhood Plan Existing Policy	Compliance with Basic Conditions: a) National Planning Policy (NPPF December 2023) b) Local Planning Policy: BMSJLP Part 1 November 2023	General Review Comments	Evidence Base	Review Conclusion
		these are identified.		
<b>FRES12: Energy efficiency, low carbon technology and renewable energy</b>	<ul style="list-style-type: none"> <li>National policy on this areas has moved on significantly with the introduction/amendment of Net Zero Targets and changes in technology.</li> <li>NPPF 2023, provides support for retrofitting of environmental measures to existing buildings.</li> <li>Ministerial Statements have been revised to enable application of new environmental standards to residential properties where these can be justified by local evidence</li> </ul>	Policy could be brought up to date and much more substantive	Public consultation and localised evidence would be required to justify any change in environmental standards	This policy area has moved on since the Neighbourhood Plan was made and therefore could be brought more up to date.
FRES13: New and existing business	<ul style="list-style-type: none"> <li>Policy is NPPF and local policy compliant.</li> </ul>	No strong need to review this policy identified, unless circumstances have changed significantly	None specifically identified	Review dependent on whether local circumstances have changed.

Neighbourhood Plan Existing Policy	Compliance with Basic Conditions: a) National Planning Policy (NPPF December 2023) b) Local Planning Policy: BMSJLP Part 1 November 2023	General Review Comments	Evidence Base	Review Conclusion
FRES14: Enhancement and redevelopment opportunities	<ul style="list-style-type: none"> <li>Policy is NPPF and Local policy compliant.</li> <li>Policy is locally specific</li> </ul>	Unless there is a specific change of local circumstances there is no strong need to review this policy.	None specifically identified	Review dependent on whether local circumstances have changed.
FRES15: Transport and Highway Safety	<ul style="list-style-type: none"> <li>Policy is broadly NPPF and Local policy compliant.</li> <li>Paragraph 115 of the NPPF 2023, is more robust than the policy and would better meet the original intention of the policy</li> <li>More recent Neighbourhood Plan policies have also sought to protect existing rights of way from the impacts of development and have included more robust wording about highway safety and traffic generation</li> </ul>	Depending on whether local circumstances have changed the policy could use more robust wording and include references to protection of existing rights of way and more robust wording about highway safety and traffic generation in line with latest NPPF.	Could consider a specific transport assessment unless that data already exists.	Review dependent on whether local circumstances have changed.

Conclusion: Review Policies FRES1, 2, 6, 9, 10 and 12

**Appendix B: Potential new policies:** Additional Policy Areas now commonly found in Neighbourhood Plans:

Policy Area	Commentary
Design Code	As mentioned above, design policies are now generally better underpinned by the production of a parish specific design code which can be an appendix to the Neighbourhood Plan
Biodiversity/Net	A common Neighbourhood Plan policy area since the introduction of the Environment

Gain/Nature Recovery	Act 2021. Often underpinned by a specific Environmental Assessment of the parish
Dark Skies	A common Neighbourhood Plan policy area using data from CPRE. Not covered in detail in either NPPF or Local Plan policy – a definite policy gap.
Community-led housing	The NPPF revisions have placed greater emphasis on community led housing developments as a way of delivering affordable housing for local people. Such a policy would need to be underpinned by a Housing Needs Assessment

**Vision and objectives** – these could be reviewed/ refreshed to ensure they are generally felt to still be a relevant representation of the parish.

## Appendix C: Example review process

