

Needham Market Town Council

Planning Committee

Minutes of meeting on Monday 8th January 2024

At 7.00pm in the Green Room

Attendees:- Cllrs. O'Shea, in the chair, Lea, Annis, Cave, Ost, J. Reardon, A. Reardon and District Councillor Lawrence. One member of the public.

1. Apologies for absence. Cllrs Stansfield (hospital Appt.) and Phillips (Jury service)
2. To receive and approve minutes of last meeting, Approved.
3. Any declarations of Pecuniary or Non-Pecuniary Interests by Councillors. None.
Cllr Annis for Minerals application (SCC)
4. To approve any dispensations in declared under Item 3. None of the above.
5. To consider Applications for Planning Permission

New Applications available at time of the agenda.

There were no new applications before the committee.

DC/23/05188, Minna Cottage, Crown Street, Needham Market, had a response date of 13th Dec. A reply of no comment was returned following on-line discussion with Cllrs.

b. New Tree Preservation Orders. None

c. Any applications in hand but not listed within the planning schedule

DC-22-05165 Cllr O'Shea raised concerns regarding the redevelopment of 129 High Street, noting that new external signage had been installed and believing approval for Listed Building Consent should have been granted prior to carrying out this work. He also voiced concern that the renovation works should be carried out strictly in accordance with the approvals granted. This building is within the conservation area and a listed building, in a very prominent part of the town and the rich heritage of Needham Market High Street.

Other concerns were raised about the signage, 'Needham Dental' when the town is Needham Market and the spelling of 'center' not centre.

It was decided to ask the Clerk to raise our concerns with the BMSDC planning dept.

(Councillor Lawrence has subsequently referred the matter to MSDC Planning Enforcement team.)

MS/2342/15/VOC1 – SCC Application Gallows Hill Quarry, Baylham. An application to extend the working life of the quarry off Gallows Hill from SCC Minerals dept was discussed but since nobody on the committee had been able to see the application on-line, it was felt that the committee couldn't comment. It was assumed that as the existing extraction permission finished in 2021 and the restitution of the landscape by 2024 was unlikely to be met, hence the application. No comment.

6. Items from the Town Clerk.

7. Babergh and Mid Suffolk Call for Sites 2024

It was agreed that this matter should be referred to the next Full Council Meeting on 17th January.

There was discussion relating to flooding within the town and it was suggested that no new sites should be considered until SCC improves the current state of flooding prevention, not expected for some 10 years. The Chair believed that this could not be included within the Call For Sites issue but it was left that this should also be referred to in the Full Council Meeting.

8. The meeting continued with an overview of the Review of the Neighbourhood Plan.

Cllr Ost referred to the outline provided by our clerk as to how and under what circumstances the review would take place. See **Checklist** document below. There was further discussion including member of the public, Graham Oxenham, representing the NM Society. It was suggested by Cllr Lawrence that we carefully consider the Planning Inspectors comments and findings from the Barking Road Appeal enquiry and note that the recommendations made by the inspector relating to the Neighbourhood Plan be considered when further discussions for future development in the town are undertaken. There was also discussion as to whether the AECOM development plan should be mentioned in the Neighbourhood plan at all. There were concerns that should there be untimely amendments to Planning Legislation there was a distinct possibility that, without adequate traffic movement considerations by way of possible additional roads, the town may become seriously affected by excessive traffic.

The Planning Committee meeting closed at 8.15pm.

Checklist: reviewing plans - summary of factors to consider

Effectiveness: Consideration of the effectiveness of the existing plan may be assessed through monitoring of planning decisions. Where a neighbourhood plan is not having the

desired effect, then this may indicate a need for redrafting of policies or introduction of additional policies.

National Legislation and Policy: There tends to be frequent amendments to planning legislation and national policy and guidance. These should be monitored, as stated previously. Such changes may have a positive or negative impact on the policies of the neighbourhood plan. National policy may be a 'material consideration' that may justify a departure from certain neighbourhood plan policies.

Local Policy: As with changes to national policy, changes to local policy through revision of the local plan or strategic plan may have an impact on certain neighbourhood plan policies. Where local plan and neighbourhood plan policies differ on non-strategic matters, the later plan carries more weight. So, the impact of adoption of local plan documents after the making of a neighbourhood plan would need to be considered carefully.

Local Circumstances and Evidence: Changing local circumstances could include economic, social or environmental changes. New evidence should be taken into account to identify and assess the impact of local changes.

Local opinion: Continuing community and stakeholder engagement may highlight local issues or concerns that may influence a decision on whether or not to revise the neighbourhood plan.

What is involved in revising the neighbourhood plan?

To prepare for revision of the neighbourhood plan, the following steps should be taken:

- Engage with the community and stakeholders to publicise the proposed revision and invite feedback on what is required.
- Update the evidence base for the neighbourhood plan, identifying the most recent data and evidence available.

Preparing to amend a neighbourhood plan.

Updating the neighbourhood plan document will involve the following steps:

- Update the sections of the plan describing community and stakeholder engagement to recognise that undertaken to revise the plan.
- Update the evidence section of the plan to reflect the most recent data and update all references to national and local policy, if necessary.
- Review the policies and revise them as necessary, including their supporting rationale and evidence.

Consider the need for site allocations (existing allocations survive) and/or Local Green Space designations.

- Undertake an overall edit of the plan to ensure it reflects current circumstances.

Amending a neighbourhood plan document.

Statutory process - options

Where a neighbourhood plan is proposed to be revised, there are certain options in terms of statutory process, depending on the extent of that revision.

Minor (non-material) updates that would not materially affect policies may be made by the LPA, with consent from the neighbourhood planning group. In these circumstances, there is no need to repeat Regulation 14 consultation, examination and the referendum. Similar provisions exist for correcting errors in a plan, though this will probably have been done already, as part of the examination process.

If a group wish to make modifications that do materially affect the policies in the neighbourhood plan, the plan would need to go through the later stages of the statutory process, from pre-submission consultation (Regulation 14) onwards, although a referendum may not be required (this is explained later in this section).

If updates are proposed by a group that would materially affect policies, there are certain additional requirements. These are:

- at the Regulation 14 consultation stage (pre-submission) the group must state whether it believes that the modifications are so significant or substantial as to change the nature of the plan, giving reasons;
- when sending the plan to the independent examiner, the LPA must state whether it believes that the modifications are so significant or substantial as to change the nature of the plan, giving reasons. A copy of the original plan must also be submitted to the independent examiner;
- the examiner will then decide whether the modifications proposed change the nature of the plan and the group must decide whether to proceed with the examination.

A referendum is not required if an examiner decides that the modifications are not so significant or substantial as to change the nature of the plan and would meet the basic conditions (with modifications if necessary). In this circumstance, an LPA must make the plan within 5 weeks of receiving the examiner's report (or as agreed with the group).

However, if the examiner finds that proposed modifications do change the nature of the plan, the LPA would need to publicise and consider the examiner's report in the same way as for a new neighbourhood plan and a referendum would be required.