

On 29 Jul 2018, at 22:06, Vincent Pearce <[Vincent.Pearce@babberghmidsuffolk.gov.uk](mailto:Vincent.Pearce@babberghmidsuffolk.gov.uk)> wrote:

Good evening John & Pam

Many apologies for not getting in touch with you sooner with an update on the 'Fressingfield Three' I have been liaising with Lavinia [Cllr Hadingham] and I am certain word is getting round one way or another.

The fact that Mid Suffolk District Council is now, since the recent publication of the Annual Monitoring Report [AMR] 2017 – 2018, able to demonstrate that it has a 5-year housing land supply will be a material consideration in my assessment of the merits of the 'Fressingfield Three'

I say this because within the terms of the NPPF the Council will no longer be required to apply the 'tilted balance' when determining residential development proposals which skewed favour towards granting permission based on the shortfall of housing land.

We are therefore back to a plan-led planning system in so far as the Council can demonstrate that it has an 'up-to-date' Adopted Development Plan.

Now with its Adopted Local Plan of 1998 being the current Local Plan I must accept that we do not have an up-to-date local plan. The Focussed Review Core Strategy is less out of date.

In my view this means that the Council cannot rely on its Local Plan and needs to assess planning applications in the context of Government advice in paragraph 11 of the Revised NPPF [2018] [was paragraph 14 of the previous NPPF]

"For decision takers this means where

...the policies which are most important for determining the application are out-of-date, granting permission unless

- (i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or,
- (ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole"

In terms of my assessment of the merits of the applications judged against all material planning considerations I have yet to receive definitive replies from the highway authority and drainage authority in respect of the detailed questions I raised with them. [details as

previously discussed and shared online]. I believe those answers will be important [but not necessarily decisive] to the overall consideration of the proposals.

I am of course also required to assess the merits of the proposals against Government advice within the Revised NPPF [2018] that relates to sustainable development. I am currently continuing to make those assessments ahead of writing my report.

As yet I am unable to indicate which Development Management Committee the cases will be referred to because I have not yet drafted them.

As and when the position becomes clearer I shall email you again.

Kind regards

Vincent

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