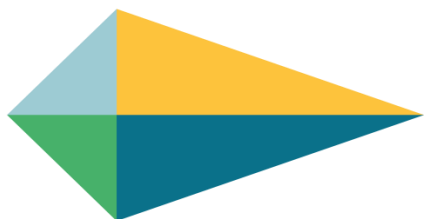


Responses to Otley Neighbourhood Plan

Regulation 16 Publicising a Neighbourhood Plan

Publicity period: 26 February to 9 April 2025

April 2025



EASTSUFFOLK
COUNCIL

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What is the purpose of this document?

Otley Parish Council submitted their Neighbourhood Plan to East Suffolk Council ahead of it being submitted for independent examination.

East Suffolk Council publicised the Plan and invited representations to be forwarded to the examiner for consideration alongside the Plan.

This document contains all representations received during the publicity period of 26 February to 9 April 2025.

East Suffolk Council

The preparation of the neighbourhood development plan for Otley is supported, and it is considered that, overall, it is a well-presented plan that complements the strategy and policies contained in the Suffolk Coastal Local Plan (2020).

The Council has had good liaison with the Neighbourhood Plan group and submitted comments during the preparation of the Plan, including in response to the Regulation 14 consultation. It is noted that some of the changes suggested as part of the Regulation 14 consultation response have been made, as set out in the Consultation Statement but some have not. Whilst the Council does not have any 'basic conditions' objections to the submission Neighbourhood Plan, there are a number of comments on the Submission Neighbourhood Plan, which are set out below:

Main comments

Section/Policy	Comments
OHNP1 (Ecology and Biodiversity)	<p>e) It does not appear that a viability assessment has been carried out regarding the 20% BNG expectation. Without such an assessment it cannot be concluded that the policy expectation would not adversely impact Local Plan policy including the deliverability of the SCLP12.58 allocation. Paragraph 006 Reference 74-006-20240214 of the PPG states that where a Plan goes beyond 10% it needs to be justified/evidenced and consider the impact on viability for development.</p> <p>c) Also, it would be beneficial if the 5 priority habitats stated within the policy are clarified to mean in accordance with the Otley Neighbourhood Plan Landscape and Wildlife Evaluation (2019)</p> <p>Last sentence: states that where clearing has taken place prior to an application it will be resisted. Whilst it's important that ecological and biodiversity land value of land prior to clearing is accounted for, an application should not be resisted in all instances particularly where the ecological and biodiversity value was low, or the application shows gains in this area.</p>
ONHP2 (Landscape and Amenity)	The policy states that, 'New development must'. The 'must' should be replaced by 'should'.
ONHP4 (Local Green Space)	All Local Green Space should be robustly justified (often utilising a separate evidence document) against the criteria outlined in

	<p>paragraph 107 of the NPPF and we can see additional justification has been added to the regulation 16 version of the plan since the regulation 14 version was published. However, East Suffolk Council would still question whether sufficient justification has been given for designating Millers Way Grass Verge (d) as a local green space as it is less clear compared to other listed Local Green Spaces within the plan what is demonstrably special to a local community and what is the particular local significance for this land.</p>
ONHP5 (Sustainable Construction)	<p>Criterion b) requires that all new dwellings and workplaces include proposals for on-site renewable energy. It is our understanding that building regs currently requires this in most, but not all cases. Where a neighbourhood plan policy goes above the building regs requirements a viability assessment should be carried out. This would ensure that it does not unacceptably affect the viability of the Local Plan policy including the deliverability of the SCLP12.58 allocation. Perhaps this could be resolved if the word 'Shall' is softened.</p> <p>c) For clarity the supporting text should provide an explanation on what an Energy Impact Assessment includes. We would question whether it bears relation to the Energy Statements found within the East Suffolk Local Validation Check List.</p> <p>The aim of an energy statement is to demonstrate how the proposed development would be sustainably constructed in a manner that ensures energy efficiency of the scheme and also comply with relevant planning policy relating to such matters. It bears some similarity with the Energy Impact Assessment which the policy states should demonstrate how energy reduction or efficiency measures are incorporated into the design.</p>
ONHP6 (Green Gaps)	<p>This policy is considered to present no issues of general conformity. This view is based on the interpretation of the policy that coalescence means to join rather than encroach. As such the policy allows for development in the identified green gaps so long as the green gaps are not entirely lost. If the policy were interpreted to restrict all development in the green gaps this would be a general conformity issue as it would override the SCLP exception site policies (SCLP5.4 and 5.11). The green gaps policy</p>

	<p>should not restrict sustainable development that would be otherwise acceptable in the Local Plan.</p> <p>The map aims to show what the neighbourhood plan considers distinct settlements across the parish, with the policy covering all gaps between them. We would suggest reversing the policy to define and plot the important gaps (as opposed to the settlements) and to provide a clear evidenced rationale to why these gaps are important and why the ‘openness’ of the landscape is needed.</p>
ONHP7 (Design Quality)	<p>All responses to a planning application are carefully considered during the determination of an application so it is unclear what criterion F is practically achieving. The decision maker can only consider planning matters when determining an application and it is unclear whether the parish council would introduce non-planning matters at this stage.</p> <p>Criterion C should be amended to refer to overlooking that is significantly detrimental to the amenity of neighbouring properties as opposed to all overlooking.</p> <p>Final paragraph – It would be useful for the supporting text to detail the type of evidence required to meet this requirement. This final paragraph is adding additional requirements for the applicant, but it’s not clear how this can be evidenced and assessed.</p>
ONHP8 (Site and Plot Boundaries (Wildlife Corridors and Green Boundaries))	<p>We consider that evidence would be important to underpin a requirement for hedging between residential properties.</p> <p>As a minor note from the opening line of the policy there may be a contradiction between preserving the verdant nature of the village and the perception of openness as significant hedge planting can have an enclosing effect.</p> <p>It is unclear whether this policy requirement applies to the Local Plan allocation in addition to the requirements of policy ONHP11. If this policy applies to the allocation, it is important that the policy should enhance the allocation and not reduce its deliverability. Whilst we do not believe the requirements will jeopardise the allocation delivery no assessment of the delivery implications of the policy requirements on allocation SCLP12.58 has been carried out by the Parish Council so it’s not possible to</p>

	<p>fully make this judgement. Consideration should be given to whether this policy should apply to the Local Plan allocation which is covered by its own policy (ONHP11) anyway.</p>
ONHP10 (Housing Mix)	<p>Criterion C) It would be useful to have guidance as to how 'fair' proportion can be determined.</p> <p>Criterion f) first homes could now be removed due to recent changes to the NPPF.</p>
4.6.3.1 (Housing Types)	<p>Consider adding reference to policy SCLP5.8: Housing Mix within this section of the plan. SCLP5.8 sets out the approach to housing mix based on the identified need within the Strategic Housing Market Assessment, or latest equivalent whilst also considering site size, characteristics and location.</p>
4.6.4.3	<p>This text came from ESC as a rough guidance to densities and was not robustly calculated. It was not provided with the understanding it would be directly used in the Neighbourhood Plan. Accordingly, we would recommend that caveats are included that states that these figures were indicative only and should be seen as context to the Neighbourhood area rather than informing new development. Particular reference can be given to the allocated site which is not expected to come forward with the same densities as the sites quoted.</p>
4.6.4.4	<p>This paragraph is not needed as it is repeating what is set out in Policy SCLP12.58. Additionally, this section is within the supporting text, however it reads as policy requirement.</p>
ONHP11 (Land Adjacent to Swiss Cottage Farm)	<p>Criterion h) The policy restricts new dwellings to no more than 2 storey and this is consistent with the character of the village detailed within the Neighbourhood Plan, but could 2.5 storey dwellings be acceptable where the massing and scale of the dwelling is not significantly different from a 2 storey building?</p> <p>Criterion I) It is likely that the Swiss Cottage development will be at a higher density than many nearby sites, but higher density developments can be acceptable provided they are well designed. There is a concern that the text under 4.6.4.3 which was not robustly evidenced and was provided for context could be used as a reason to refuse otherwise acceptable schemes.</p>

	<p>Appendix F – the plan states a 7-metre buffer strip which is very prescriptive, and it is unclear why 7 meters is needed. Having large ‘buffer’ areas removes developable land within the allocation so needs a clear rationale.</p> <p>Any criterion within the Neighbourhood Plan should seek to enhance the existing policy and should not jeopardise its delivery otherwise it comes into conflict with the Local Plan. It is our view that most of the criterion does do this, but we would question the elements above. It is understood from the annual Statement of Housing Land Supply that the site is unlikely to come forward in the next 5 years, but it is still important to engage positively with the policy and where appropriate engage with the landowner. From the consultation statement it is not clear what the extent of the engagement with this landowner is.</p>
ONHP12 (Business and Commercial)	Suggest deleting the words ‘of small scale’.
ONHP13 (Transport and Traffic)	<p>For the avoidance of doubt, ESC is of the view that this policy is in general conformity with the SCLP, and in particular with policy SCLP7.1. While criterion c) is a strong requirement, it is consistent with SCLP7.1g) “Development will be supported where... it... does not reduce road safety”.</p> <p>However, the language may be inconsistent with NPPF (severe highway impacts)</p>
OHNP14 (Provision for Car Parking)	<p>The principle of setting different parking requirements to those set out in the Suffolk Guidance for Parking is accepted, so long as the requirements are appropriately evidenced and do not stray too far from the Suffolk requirements.</p> <p>To ensure the policy remains up to date for as long as possible, it is recommended that criterion i) be amended to correctly refer to the Suffolk Guidance for Parking (2023), and ensure any subsequent versions of the Suffolk Guidance for Parking (2023) are referenced. Criterion i) could read:</p> <p>“Except as specified in policy ONHP14 points (a) to (h) the provisions of the Suffolk <u>Guidance for Parking Standards</u> (2023), <u>and any subsequent versions</u>, shall be deemed to be incorporated in Policy ONHP14.”</p>

Other comments

Section/Policy	Comments
1.1.1 & 1.4.3	Remove the 'The' at the start of the paragraph.
1.3.2	Add 'The' at the start of the paragraph.
1.7.4.1	Amend text as follows: 'Comments F following <u>the</u> recommended consultation guidance concluded that a further...'
1.9	Amend subheading 'Habitats <u>Regulations</u> Assessment' and amend 1.9.1 to say Habitats <u>s</u>
Figures	The figure number associated with images and plans do not appear in consecutive numerical order.
4.4.4	We suggest removing the capital letters for 'Very Special Circumstances'.
Policy ONHP14 Provision for Car Parking	The policy title could remove the word 'car' as it also covers cycle parking.
Appendix C	Appendix C helpfully sets out photos of each identified important view. In order to demonstrate the importance of each view the key features of each view must be set out somewhere in the Plan. The explanation of the key features of each important view would perhaps most logically be located in Appendix C.

Environment Agency

Thank you for consulting us on the Otley Neighbourhood Plan Regulation 16 consultation.

For the purposes of neighbourhood planning, we have assessed those authorities who have “up to date” local plans (plans adopted within the previous 5 years) as being of lower risk, and those authorities who have older plans (adopted more than 5 years ago) as being at greater risk. We aim to reduce flood risk and protect and enhance the water environment, and with consideration to the key environmental constraints within our remit, we have then tailored our approach to reviewing each neighbourhood plan accordingly.

A key principle of the planning system is to promote sustainable development. Sustainable development meets our needs for housing, employment and recreation while protecting the environment. It ensures that the right development, is built in the right place at the right time. To assist in the preparation of any document towards achieving sustainable development we have identified the key environmental issues within our remit that are relevant to this area and provide guidance on any actions you need to undertake. We also provide hyperlinks to where you can obtain further information and advice to help support your neighbourhood plan.

Environmental Constraints

We have identified that the Neighbourhood Plan Area will be affected by the following environmental constraints:

Water Quality

Large scale development either allocated or windfall over the plan period may impact on the available permit discharge head room. Applicants/Developers should ensure that there is sufficient available headroom by contacting the Sewerage Undertaker (AWS).

Flood Risk

Based on a review of environmental constraints for which we are a statutory consultee, we find that there are areas of fluvial flood risk and watercourses within the neighbourhood plan area along the River Lark and ancillary water courses.

On the basis that future development is steered away from the sensitive aspects of the environment highlighted, we do not consider there to be potential significant environmental effects relating to these environmental constraints. Nevertheless, we recommend the inclusion of relevant policies to cover the management of flood risk. Allocation of any sites and any windfall development delivered through the Plan period should follow the

sequential approach. [National Planning Policy Framework](#) (NPPF) paragraph 172 sets this out.

Water Resources

Being in one of the driest areas of the country, our environment has come under significant pressure from potable water demand. New developments should make a significant contribution towards reducing water demand and mitigate against the risk of deterioration to our rivers, groundwater and habitats from groundwater abstraction. We recommend you check the capacity of available water supplies with the water company, in line with the emerging 2024 Water Resources Management Plan which is due to be published in 2023. The Local Planning Authorities Water Cycle Study and Local Plan may indicate constraints in water supply and provide recommendations for phasing of development to tie in with new alternative strategic supplies.

New development should as a minimum meet the highest levels of water efficiency standards, as per the policies in the adopted Local Plan. In most cases development will be expected to achieve 110 litres per person per day as set out in the Building Regulations &c. (Amendment) Regulations 2015. However, a higher standard of water efficiency (e.g. 85 l/p/d) should be considered, looking at all options including rainwater harvesting and greywater systems. Using the water efficiency calculator in Part G of the Building Regulations enables you to calculate the devices and fittings required to ensure a home is built to the right specifications to meet the 110 l/p/d requirement. We recommend all new non-residential development of 1000sqm gross floor area or more should meet the BREEAM 'excellent' standards for water consumption.

Developments that require their own abstraction where it will exceed 20 cubic metres per day from a surface water source (river, stream) or from underground strata (via borehole or well) will require an abstraction licence under the terms of the Water Resources Act 1991. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights. The relevant abstraction licencing strategy for your area provides information on water availability and licencing policy at Abstraction licencing strategies (CAMS process) - GOV.UK (www.gov.uk).

Source Protection Zones

Your plan includes areas which are located on Source Protection Zone 3. These should be considered within your plan if growth or development is proposed here. The relevance of the designation and the potential implication upon development proposals should be considered with reference to our Groundwater Protection guidance:

<https://www.gov.uk/government/collections/groundwater-protection>

Biodiversity Net Gain

We encourage you to seek ways in which your neighbourhood plan can improve the local environment. Identifying sites for the delivery of Biodiversity Net Gain could lead to habitat improvements in your area. [Biodiversity Net Gain](#) is a system that delivers habitat improvements on any local sites including [Local Wildlife Sites](#) to ensure that there is no loss of habitats from new development. Identifying areas that could benefit from management for conservation within your area could enable habitat to be created closer to development sites in your plan area, providing local ecological enhancement.

Informatives

We encourage you to seek ways in which your neighbourhood plan can improve the local environment. For your information, together with Natural England, Historic England and Forestry Commission, we have published joint guidance on neighbourhood planning, which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at: [How to consider the environment in Neighbourhood plans - Locality Neighbourhood Planning](#)

Historic England

Thank you for inviting Historic England to comment on the Regulation 16 Submission version of this Neighbourhood Plan.

Having reviewed the plan and relevant documentation we do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here:

<https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

We would be grateful if you would notify us on eastplanningpolicy@historicengland.org.uk [<mailto:eastplanningpolicy@historicengland.org.uk>](mailto:eastplanningpolicy@historicengland.org.uk) if and when the Neighbourhood Plan is made by the council. To avoid any doubt, this letter does not reflect our obligation to provide further advice on or, potentially, object to specific proposals which may subsequently arise as a result of the proposed plan, where we consider these would have an adverse effect on the historic environment.

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan and to the following information.

Natural England does not hold information on the location of significant populations of protected species, so is unable to advise whether this plan is likely to affect protected species to such an extent as to require a Strategic Environmental Assessment. Further information on protected species and development is included in [Natural England's Standing Advice on protected species](#) .

Furthermore, Natural England does not routinely maintain locally specific data on all environmental assets. The plan may have environmental impacts on priority species and/or habitats, local wildlife sites, soils and best and most versatile agricultural land, or on local landscape character that may be sufficient to warrant a Strategic Environmental Assessment. Information on ancient woodland, ancient and veteran trees is set out in Natural England/Forestry Commission [standing advice](#).

We therefore recommend that advice is sought from your ecological, landscape and soils advisers, local record centre, recording society or wildlife body on the local soils, best and most versatile agricultural land, landscape, geodiversity and biodiversity receptors that may be affected by the plan before determining whether a Strategic Environmental Assessment is necessary.

Natural England reserves the right to provide further advice on the environmental assessment of the plan. This includes any third party appeal against any screening decision you may make. If a Strategic Environmental Assessment is required, Natural England must be consulted at the scoping and environmental report stages.

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](http://magic.defra.gov.uk/)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, [National Parks \(England\)](#), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available from [the Association of Local Environmental Records Centres](#) .

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)². Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)³.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park or Area of Outstanding Natural Beauty** (AONB), the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

¹ <http://magic.defra.gov.uk/>

² <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

³ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)⁴ website and also from the [LandIS website](#)⁵, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](#)⁶ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)⁷ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁸), such as Sites of Special Scientific Interest or [Ancient woodland](#)⁹. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

⁴ <http://magic.defra.gov.uk/>

⁵ <http://www.landis.org.uk/index.cfm>

⁶ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁷ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

⁸ <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

⁹ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹⁰) or protected species. To help you do this, Natural England has produced advice [here](#)¹¹ to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see [Guide to assessing development proposals on agricultural land](#)¹².

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment and should provide net gains for biodiversity in line with the [National Planning Policy Framework](#). If you are setting out policies on new development or proposing sites for development, you should follow the biodiversity mitigation hierarchy and seek to ensure impacts on habitats are avoided or minimised before considering opportunities for biodiversity enhancement. You may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development and how these could contribute to biodiversity net gain and wider environmental goals.

Opportunities for environmental enhancement might include:

- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to reduce impacts on wildlife.
- Adding a green roof to new buildings.

¹⁰ <https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england>

¹¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹² <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>

- Providing a new footpath through the new development to link into existing rights of way.

Site allocations should be supported by a baseline assessment of biodiversity value. The statutory [Biodiversity Metric](#) may be used to understand the number of biodiversity units present on allocated sites. For small development allocations the [Small Sites Metric](#) may be used. This is a simplified version of the statutory [Biodiversity Metric](#) and is designed for use where certain criteria are met. Further information on biodiversity net gain including [planning practice guidance](#) can be found [here](#)

You may also want to consider enhancing your local area in other ways, for example by:

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision. Natural England's [Green Infrastructure Framework](#) sets out further information on green infrastructure standards and principles
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance](#)¹³).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks or on verges, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside the statutory [Biodiversity Metric](#) and is available as a beta test version.

¹³ <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

P Sweet

Policy ONHP1 - Support 20% BNG requirement and reconnecting the ecological network.

Figure 4-1 and Appendix C - Please include significant views of Otley Church i) from the B1078 Ashbocking Road looking north-east, and ii) from Viewpoint 2, looking west.

Policy ONHP3 - Protection of the setting of the church needs to be strengthened - 'will not be permitted' instead of 'will be discouraged'.

Policy ONHP10 - Support the sentiment but concerned as to how 'fair' proportions will be interpreted and agreed. Could it say instead, reflective of the village's current demographic profile and/or identified needs?

Policy ONHP13 - All development should demonstrate no negative impact on road safety, not just major ones. Emphasis is needed on design of streets and access to prioritise use by and the safety of children, pedestrians and cyclists.

Policy ONHP14 - concerned about the message that raised parking standards sends about sustainable transport and compatibility with roads and streets which prioritise walking and cycling. Perhaps these could be advisory with the County standards (which set out minimum provision) still the baseline? There is no mention of requiring travel plans for larger developments, nor of designing car parking in such a way that it does not dominate the development visually. Would prefer a stronger emphasis on walking, cycling, and public transport as the first consideration, please.

General point - all new development should aim to create a genuine sense of place and distinctiveness for Otley - good design that creates a memorable and attractive place.

Suffolk County Council

Thank you for consulting Suffolk County Council (SCC) on the Submission Consultation version of the Otley Neighbourhood Plan.

SCC welcome the changes made to the plan in response to comments made at the Reg. 14 pre- submission consultation stage.

As this is the submission draft of the Plan the County Council response will focus on matters related to the Basic Conditions the plan needs to meet to proceed to referendum. These are set out in paragraph 8(2) Schedule 4B to the Town and Country Planning Act. The basic conditions are:

- a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
- b) the making of the neighbourhood plan contributes to the achievement of sustainable development.
- c) the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)
- d) the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations.

Where amendments to the plan are suggested added text will be in *italics* and deleted text will be in ~~strikethrough~~.

Natural Environment

Policy ONHP1 – Ecology and Biodiversity

Whilst not strictly a Basic Conditions matter, within SCC's response to the pre-submission (Regulation 14) consultation stage, it was suggested to replace the second word 'to' with *'which'*. To this the Parish responded that "Policy ONHP1 has been revised". SCC queries why the submission version of the plan does not include this amendment that the Parish agreed to include.

Policy ONHP4 - Local Green Space

Within SCC's response to the pre-submission (Regulation 14) consultation stage concern was raised about the inclusion of verges into Local Green Space designations and SCC did not consider that the evidence provided is strong enough to justify this. As listed in paragraph 4.4.3 and Policy ONHP4, this is regarding:

- c) The wide verge at the junction of Chapel Road and Church / Helmingham Road and extending along east side of Church Road; and

d) The grass verges and landscaping areas at the entrance to Millers Way at the junction with Church/Helmingham Road

It is understood that the Parish council wishes to keep these designations to protect the setting of the War Memorial and give a “village green feel to the centre of the village”. Further text had been added to this policy stating that “Proposal for development with these spaces will only be supported in Very Special Circumstance”, but this is not lenient enough for SCC, as the Highway Authority, to carry out its duty to ensure that roads are maintained and safe.

The county council is concerned that, should there be a need to undertake highway works that affect the verges included in these allocations, there may be local opposition to such works from the perceived damage to a protected green space, even though undertaken by (or on behalf of) the Highway Authority and permitted development.

As previously stated in SCC’s response at Regulation 14 stage, it is also not clear how highways verges meet the criteria of paragraph 106 of the NPPF (2023) of being “demonstrably special” or of “particular local significance”. The Parish has provided no further justification or evidence other than stating in paragraphs 4.4.7 and 4.4.8 that they are “demonstrably special to the local community, holds particular significance”.

SCC recommends these designations are removed as Local Green Spaces to accord with Basic Condition C. As already suggested in the Regulation 14 response, they could be appropriately protected through incorporation into policy ONHP1 Ecology and Biodiversity and/or Policy ONHP2 Landscape and Amenity, which would protect the verges, while still enabling necessary highway or statutory works to be carried out, when required.

It is also noted that there are no sizes stated for the proposed Local Green Spaces. This should be provided to ensure that each site meets the criteria of not being an “extensive tract of land” as per paragraph 106 of the NPPF (2023).

Policy ONHP6 – Green Gaps

Within SCC’s response to the pre-submission (Regulation 14) consultation stage it was recommended that instead of “Green Gaps” the policy should refer to the term “Settlement Gaps” as this is the terminology typically used for planning purposes, and is found in many recent adopted Neighbourhood Plans. The Parish has reasoned that the term “Green Gaps” is “retained to avoid confusion with settlement boundaries” however this is not an issue that is likely to occur because both Settlement Boundary and Settlement Gaps are clearly defined planning terms. The county council believes that it would be the term “Green Gaps” which would cause confusion because it is not used in any other Neighbourhood Plans, and is not defined planning terminology.

Additionally, in both Appendix D - Map of distinct settlements across the Parish and Appendix K – Policies Map the keys refer to Settlement Gaps so this term should be reflected

throughout the plan and its policies for continuity, clarity and to accord with Basic Condition C.

Policy ONHP8 – Site and Plot boundaries

In relation to criterion e, SCC would reiterate that while wildlife corridors can sometimes provide screening, this is not their primary function. The Parish has responded that the policy has been revised to address the issues raised, but criterion e remains unchanged.

Annex 2: Glossary in the NPPF (2023) defines Wildlife Corridors as “Areas of habitat connecting wildlife populations”, therefore screening is not an envisioned function and should not be a required criteria for wildlife corridors when designing new development. The International Union for Conservation of Nature¹ defines Wildlife Corridor as "a land or water bridge, usually linear in form, that facilitates the movement of individuals between fragmented habitats". Therefore, screening trees and/or hedges are not a defined requirement, especially as wildlife corridors can be waterways.

This policy stipulation may make it more difficult for wildlife corridors to be implemented if they cannot provide enough screening. This difficulty of implementing wildlife corridors could hinder sustainable development and thus the plan would not be in accordance with Basic Condition B.

The policy wording should be revised to provide more leniency for screening, as follows.

“New developments shall:

[...]

e) Provide a wildlife corridor, which ~~shall be~~ would be supported when planted with native mixed hedges and trees ~~to which can~~ provide visual screening of the new development from the existing developments;”

Transport

Policy ONHP12 – Business and Commercial

Within SCC’s response to the pre-submission (Regulation 14) consultation stage it was noted that in relation to criterion c:

SCC as Local Highway Authority would expect an appropriate Transport Note or Transport Statement to accompany any proposal that may significantly impact upon the local highway network.

The Parish has responded that “Impact statements and traffic assessments included in policy”. However, SCC notes that a transport statement and an impact statement are not

¹ <https://iucn.org/>

the same thing. Likewise, these are both different to a transport note or a traffic assessment. It is not suitable for these terms to be used interchangeably.

General

The references in Policy ONHP4 that states “as set out in paragraph 4.4.2” is incorrect should be updated to refer to paragraph 4.4.3.

Suffolk Wildlife Trust

Thank you for sending us details of the Regulation 16 Consultation for the Otley Neighbourhood Plan. We are pleased to see that the Plan recognises the importance of biodiversity and greenspaces and proposes measures to protect and enhance these within Plan Policies.

Specifically, Suffolk Wildlife Trust support Otley Parish Council in their ambition for new development to deliver a Biodiversity Net Gain of 20%, which is reflected in Policy ONHP1.

Policy ONHP 1: Ecology and Biodiversity

Suffolk Wildlife Trust are happy to see the detailed definition of important ecological features within the parish which will have been clearly identified.

Section 4.2.10 shows that the people to Otley value nature and natural habitats within the parish, which provides rationale for development to go above and beyond, reflected in the policy wording which states that new development should deliver a 20% net gain. Further evidence supporting this, in the wider context, is provided within the plan.

It should also be noted that East Suffolk Council have published draft guidance (open to consultation earlier in 2025) for Neighbourhood Plans¹ which states that plans should be able to include the ambition for Biodiversity Net Gain to deliver beyond the statutory minimum levels.

This is evidence that Otley Neighbourhood Plan's ambitious policy is reasonable and further supports the environmental need for ambitious policy already included within the Plan.

Further afield in Suffolk, the Hadleigh Neighbourhood Plan has recently been adopted² and includes the ambition for new development to deliver 20% net gain, demonstrating that such ambition is viable within a Neighbourhood Plan. Hadleigh's plan is worded, "*...all development proposals should deliver a minimum of 10% net gain in biodiversity and are encouraged to deliver a minimum of 20%. Development should take a 'biodiversity-first' approach...*" While Suffolk Wildlife Trust agree and have long campaigned that the minimum Biodiversity Net Gain requirement should be 20%, we suggest that it may be prudent to re-word Policy ONHP1 to reflect the national requirement of 10% and the ambition or encouragement for development in Otley to reflect the value of residents and deliver at least 20% net gain.

¹ Neighbourhood Plan Guidance for Climate Change

² <https://www.babergh.gov.uk/web/babergh/w/hadleigh-neighbourhood-plan>

Policy ONHP2: Landscape and Amenity

Suffolk Wildlife Trust support point 'a' of this policy, which falls within the Trust's charitable remit.

Policy ONHP4: Local Green Space

This policy suitably identifies greenspaces within the parish and highlights the importance of these area for biodiversity and offering people a chance to connect with the natural world. Suffolk Wildlife Trust support this policy.

Overall, Suffolk Wildlife Trust are happy to support this plan, including its ambitious approach to ensuring that development fully supports nature recovery. Please do not hesitate to contact us should you require anything further.

Appendix: Evidence to support and justify aspiration for 20% BNG within Policy ONHP1

The inspector's report of the Maidstone Local Plan **Error! Bookmark not defined.** Para.368 states;

- *"The policy sets a requirement for a minimum 20% BNG. Whilst the national BNG requirement is set at a minimum 10%, there is nothing in the NPPF 2021 or the Environment Act 2021 to suppress local authorities seeking more ambitious minimum targets through Local Plans provided it is justified. The environmental baseline in the SA [Sustainability Appraisal] confirms that Kent has not met its 2010 Biodiversity targets, and is unlikely to have met 2020 targets, and this is set to decline further without targeted interventions. In this regard I was referred to the collaborative approach being taken across Kent, including through the Kent Nature Partnership and from Kent Wildlife Trust³ that is seeking a minimum 20% BNG in Local Plan policies. This would also align with widespread representations at earlier stages of Plan preparation for a stronger policy framework for biodiversity, as set out in the Environment Topic Paper."*
- (Para 369) *"At a more local level, seeking a 20% BNG would clearly align with the objectives and ambitions set out in the Council's Climate Change and Biodiversity Strategy and Action Plan⁴. This includes a number of actions for the Borough Council including implementing a Biodiversity Strategy and a Nature Recovery Strategy and working with others to deliver landscape scale biodiversity initiatives. The minimum 20%, measured against the latest metric, is strongly supported by Natural England and KCC, amongst others. SA has also taken account of 20% BNG, both as part of Policy LPRSP14(A) and in the strategic policies for Heathlands and Lidsing, which has informed*

³ <https://www.kentwildlifetrust.org.uk/blog/what-is-biodiversity-net-gain>

⁴ <https://www.kent.gov.uk/environment-waste-and-planning/climate-change/climate-emergency-statement>

an assessment that it can be anticipated to have positive effects in mitigating the effects of development.”

Suffolk Wildlife Trust therefore put forward the following rationale for delivering BNG above 10% in Suffolk:

- The 2023 State of Nature Report⁵ highlights that, despite considerable conservation efforts over recent decades, many species continue to decline. This includes, of note to Suffolk:
 - The abundance of 753 terrestrial and freshwater species has on average fallen by 19% across the UK since 1970. Within this average figure, 290 species have declined in abundance (38%).
 - The UK distributions of 4,979 invertebrate species have on average decreased by 13% since 1970. Stronger declines were seen in some insect groups which provide key ecosystem functions such as pollination (average 18% decrease in species’ distributions).
 - Since 1970, the distributions of 54% of flowering plant species and 59% of bryophytes (mosses and liverworts) have decreased across Great Britain.
 - 10,008 species were assessed using Red List criteria. 2% (151 species) are extinct in Great Britain and a further 16% (almost 1,500 species) are now threatened with extinction.
- The UK Government’s 25-Year Environment Plan⁶ includes the following targets, which are more likely to be met should BNG deliver levels above 10%:
 - Restoring 75% of our one million hectares of terrestrial and freshwater protected sites to favourable condition
 - Creating or restoring 500,000 hectares of wildlife-rich habitat outside of the protected sites network, focusing on priority habitats as part of a wider set of land management changes
 - Increasing woodland in England in line with our aspiration of 12% cover by 2060; this would involve planting 180,000 hectares by the end of 2042.
- The UK Government has committed to delivering “30by30” on Land in England⁷:
 - In 2020, the government committed to protecting 30% of the UK’s land by 2030 (30by30). Thanks to UK leadership, a global 30by30 target was adopted at the UN

⁵ https://stateofnature.org.uk/wp-content/uploads/2023/09/TP25999-State-of-Nature-main-report_2023_FULL-DOC-v12.pdf

⁶ <https://assets.publishing.service.gov.uk/media/5ab3a67840f0b65bb584297e/25-year-environment-plan.pdf>

⁷

https://assets.publishing.service.gov.uk/media/65807a5e23b70a000d234b5d/Delivering_30by30_on_land_in_England.pdf

Biodiversity Summit COP15 in December 2022, as part of an ambitious Global Biodiversity Framework.

- In October 2023, Wildlife and Countryside Link published the 30by30 in England 2023 Progress Report⁸. This found:
 - The area of England effectively protected for nature is still hovering around 3.11% on land and at maximum 8% at sea.
 - The UK is one of the most nature-depleted countries in the world, sitting in the bottom 10% globally for biodiversity remaining.
- At a minimum, the UK has failed to meet 14 of the 19 Aichi biodiversity targets, the global nature goals the UK committed to meet by 2020⁹, which were put forward as part of a “2020 Vision”¹⁰.
- West Suffolk Council have declared a climate and environment emergency¹¹ and following the introduction of the Environment Act 2021, West Suffolk Council as a public authority must consider how to conserve and enhance biodiversity in the area. This ‘biodiversity duty’ requires West Suffolk Council to “*consider what we [WSC] can do to conserve and enhance biodiversity.*”
- East Suffolk Council have, alongside declaration of a climate emergency in 2019, now declared a biodiversity emergency¹².
- Suffolk County Council have declared a climate emergency¹³ and will continue to change approaches to progress to net zero, and work to encourage others' behavior changes. Both are needed to protect and enhance Suffolk's environment and biodiversity.
 - We will fulfil this ambition by:
 - Promoting biodiversity and conserving natural habitats and open spaces.
- Babergh Mid-Suffolk District Council declared a climate and biodiversity emergency in 2019¹⁴ and in September 2019, councilors approved commitments to enhance and protect biodiversity across our district.

⁸ https://wcl.org.uk/assets/uploads/img/files/WCL_2023_Progress_Report_on_30x30_in_England_1.pdf

⁹ <https://publications.parliament.uk/pa/cm5802/cmselect/cmenvaud/136/136-summary.html>

¹⁰ <https://www.gov.uk/government/publications/biodiversity-2020-a-strategy-for-england-s-wildlife-and-ecosystem-services>

¹¹ <https://www.westsuffolk.gov.uk/environment/climate-change/index.cfm>

¹² <https://www.bbc.co.uk/news/uk-england-suffolk-68370018>

¹³ <https://www.suffolk.gov.uk/council-and-democracy/our-aims-and-transformation-programmes/our-ambitions-for-suffolk/protecting-and-enhancing-our-environment>

¹⁴ <https://www.babergh.gov.uk/documents/d/mid-suffolk/climate-change-and-biodiversity-annual-report-mid-suffolk>