

# Responses to Westerfield Neighbourhood Plan

## Regulation 16 Publicising a Neighbourhood Plan

Publicity period: 21 August to 9 October 2024

November 2024



# Responses

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## What is the purpose of this document?

Westerfield 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.

The consultation was due to close on 2 October 2024, however due to the delayed publication of the press release the consultation deadline was extended until 9 October 2024.

This document contains all representations received during the publicity period of 21 August to 9 October 2024.

A representation from Suffolk Constabulary was received after the closing date of 5pm on 9 October 2024. This is contained in a separate document entitled Late Responses to Westerfield Neighbourhood Plan.

# Ambury Development (Savills)

## 1. Introduction

- 1.1. Neighbourhood Plans, once approved at referendum attain the same legal status as a local plan and form part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise, as stated in Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 1.2. The Neighbourhood Planning process includes the following stages:
  - Designation of a Neighbourhood Area
  - Preparation of Draft Local Plan
  - Regulation 14 Public Consultation of Draft Local Plan
  - Updating of Plan based on comments received at consultation
  - Regulation 16 Public Consultation
  - Independent Examination
  - Parish Referendum.
- 1.3. The Westerfield Neighbourhood Plan Area was designated on 27th September 2021 by East Suffolk Council under Regulation 7 of the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.4. The designated Neighbourhood Plan area is shown in red on Figure 1 below.



- 1.5. Following the designation of the Neighbourhood Plan Area, consultation on the draft Westerfield Neighbourhood Plan (Regulation 14 Pre-Submission) ran until 19th January 2024.
- 1.6. Westerfield Parish Council submitted their Neighbourhood Plan to East Suffolk Council ahead of it being submitted for independent examination. East Suffolk are inviting representations until 9th October 2024.

## 2. Representations

- 2.1. Ambury Development own a parcel of land to the north of Lower Road, Westerfield. The site is predominantly agricultural in nature, with a water abstraction, booster and treatment plant located to the north of the site, with access gained from Sandy Lane to the west.

### Policy WFD 4 – Protection of Important Views

- 2.2. The Westerfield Neighbourhood Plan Regulation 16 Submission Version seeks to identify opportunities for extensive views into and out of the built-up area of the village from publicly accessible points. The map below demonstrates where the Parish

Council consider these important views to be. It is considered that when proposals for development within the area are being prepared, then a Landscape and Visual Impact Assessment would be required in order to satisfactorily ensure any/all possible effects of change on the landscape have been considered in decision-making.

2.3. Policy WFD 4 states:

*“Important views from public vantage points, either within the built-up area or into or out of the surrounding countryside, are identified on Map 7. Any proposed development should not have a detrimental visual impact on the key landscape and built development features of those views as identified in the Neighbourhood Plan Assessment of Important Views”.*



Figure 1: Map 7 – Important Views

- 2.4. With respect to these representations in particular, it is viewpoints 5, 9a and 9b which are to be discussed further.
- 2.5. As part of the supporting evidence for the Westerfield draft neighbourhood plan, a Landscape Appraisal was produced in November 2022 by Lucy Batchelor-Wylam, Landscape Architect. Section 6 of the Landscape Appraisal states that as part of the assessment for local character, the assessment as provided a brief but robust objective evidence-base to inform and underpin the Key View policy.

- 2.6. The appraisal confirms that the Key Views were selected by the Parish Council, after being provided with supporting text justification from the Landscape Architect. It is important to note that the Landscape Architect themselves have confirmed that the selection of views was *“as a result of people’s perceptions, so it is somewhat more subjective than other landscape appraisal techniques”*.

View 5: footpath west of Fullers Lane, toward the southwest

- 2.7. The key view is taken from a public footpath connecting Swan Lane in the south running north. The justification provided in the Landscape Appraisal states “This is a view enjoyed by walkers on the footpath, pausing to take in the long view. The wooded character of the skyline and the well vegetated edge convey the rural setting of the view.”



*Figure 2: View 5: Footpath west of Fullers Lane, toward the southwest*

- 2.8. This view is currently dotted with residential properties that sit along Swan Lane and Lower Road, and therefore it is arguable that the character of the area is residential, rather than wooded. The aim of the view is to protect the rural character of the view, however given the clusters of residential properties along the horizon, we would request that this is not an “important view”, rather just a view into the village, similar to many others.

View 9a and 9b: footpath 2, facing south

- 2.9. The key view is taken from a public footpath connecting Sandy Lane to Westerfield Road, east to west. The Viewpoint has been split into 9a and 9b and both face south.
- 2.10. The justification presented within the Landscape Appraisal for views 9a and 9b (in addition to 10) is “Particularly long views across the shallow valley to the south, and across the plateau edge to the north. The views reveal much of the parish, and having a strong rural and tranquil feel despite the expanding edge of Ipswich at Henley Gate. The large scale pylons are a detracting feature”.



2.11. It is important to note that within the long views across the valley, is a water abstraction, booster and treatment plant. As a result, given it has already been mentioned that the large-scale pylons are a detracting feature, it is strongly considered that when taking into account the water abstraction, booster and treatment plant also – the view has deteriorated too much to be considered a key view.

2.12. In addition to the points already raised above, there is concern about the designation of key views sterilising development growth within the water abstraction, booster and treatment plant. The site is used for essential infrastructure and expansion of these premises could be required in the future in order to provide the infrastructure required to a growing population. Inclusion of this as a key view, in addition to the requirement for an LVIA, it could jeopardise this.

### **Basic Conditions**

2.13. There are a series of basic conditions that a draft Neighbourhood Plan must meet if it is to proceed to referendum, as set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990. The Westerfield Neighbourhood Plan Statement of Basic Conditions (published July 2024) states that the Neighbourhood Plan meets the legal requirements and the basic conditions.

2.14. However, there are three basic conditions we believe that the Neighbourhood Plan does not comply with in relation to the identification of our client's land as a designation. These are the following:

- Has regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contributes to the achievement of sustainable development;
- Is in general conformity with the strategic policies of the development plan for the area;

2.15. As identified in national policy, Neighbourhood Plans should support the delivery of the strategic policies set out within Local Plans (Paragraph 13; National Planning Policy Framework (NPPF)). Equally, as per the Planning Practice Guidance (PPG), a



Neighbourhood Plan must be in general conformity with the strategic policies contained within the Development Plan for the area.

- 2.16. In relation to this site in Westerfield, there is no reference to this type of protective designation within the adopted Suffolk Coastal Local Plan (September 2020). It is therefore difficult to justify the emergence of this designation of important views and whether it holds any weight in supporting Local Plan policies.
- 2.17. As per paragraph 11 of the NPPF, there is a presumption in favour of sustainable development, through social, environmental and economic objectives. This is in line with the requirement of the basic conditions of Neighbourhood Plans to contribute towards the achievement of sustainable development. As per policy SCLP3.2 (settlement hierarchy) of the Suffolk Coastal Local Plan (2020), Westerfield is identified as a small village. Within small villages, new development will be acceptable in principle, subject to consideration of other relevant policies of the development plan. Furthermore, paragraph 83 of the NPPF (December 2023) states that in order to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and policies should help identified opportunities for villages to grow and thrive.
- 2.18. In terms of landscape protection, paragraph 135 of the NPPF states that planning policies and decision should ensure that developments are sympathetic to the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). This is in line with Policy SCLP10.4 (landscape character) of the Suffolk Coastal Local Plan, which ensures that landscape impacts are taken into consideration during the planning process. It is noted that the policy allows for Neighbourhood Plans to include local policies related to protecting and enhancing landscape character, however this does not expand to include designations of important views.
- 2.19. Therefore, it is considered that the introduction of a designation that largely restricts the possibility of future development, including the expansion of essential infrastructure, is contradictory to the goals of both local and national planning policies, which in turn do not allow for a contribution to sustainable development. As a result, the Westerfield draft neighbourhood plan does not meet the basic conditions set out in Paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990.

# Anglian Water

Thank you for consulting Anglian Water on the draft Westerfield neighbourhood plan. Anglian Water is the statutory water and sewerage undertaker within the designated area.

Anglian Water is identified as a consultation body under the Neighbourhood Planning (General) Regulations 2012 and we support neighbourhood plans and their role in delivering environmental and social prosperity in the region.

Overall, Anglian Water is the water supply and water recycling provider for over 6 million customers. Our operational area spans between the Humber and Thames estuaries and includes around a fifth of the English coastline. The region is the driest in the UK and the lowest lying, with a quarter of our area below sea level. This makes it particularly vulnerable to the impacts of climate change including heightened risks of both drought and flooding, including inundation by the sea. Additionally, parts of the area have the highest rate of housing growth in England.

Anglian Water has amended its Articles of Association to legally enshrine public interest within the constitutional make up of our business – this is our pledge to deliver wider benefits to society, beyond the provision of clean, fresh drinking water and effective treatment of used water. Our Purpose is to bring environmental and social prosperity to the region we serve through our commitment to Love Every Drop.

Anglian Water wants to proactively engage with the neighbourhood plan process to ensure the plan delivers benefits for residents and visitors to the area, and in doing so protect the environment and water resources. Anglian Water has produced a specific guidance note on the preparation of NPs found using this link under our Strategic Growth and Infrastructure webpage - [Strategic Growth and Infrastructure \(anglianwater.co.uk\)](https://www.anglianwater.co.uk/strategic-growth-and-infrastructure) The guidance also has sign posting/ links to obtaining information on relevant assets and infrastructure in map form, where relevant.

The comments set out below are made, ensuring the making of the plan contributes to sustainable development and has regard to assets owned and managed by Anglian Water. Overall, we are supportive of the policy ambitions within the neighbourhood plan, subject to the proposed amendments.

## **Policy WFD 3 - Local Green Spaces**

The policy designates areas of Local Green Spaces (LGS) within the neighbourhood plan area. The policy states *“Development proposals within designated local green will only be supported in very special circumstances.”*

Anglian Water does have assets forming part of our water and water recycling network (e.g. rising mains and sewers) located in or in the vicinity of these designated areas of local green

space. For example, at WFD 3-3 and WFD there are mains pipes running across these and along the boundaries of these sites.

Whilst we do not consider that any operational works or enhancements to our assets should be prevented, it would be helpful if the neighbourhood plan clarified that this relates to national policy on the Green Belt as set out in para. 107 of the current NPPF (2023) *“Policies for managing development within a Local Green Space should be consistent with those for Green Belts.”*. This would provide the policy basis for decision-making if any future development was proposed on these sites.

For information, maps of Anglian Water’s assets detailing the location of our water and water recycling infrastructure are available at: [www.utilities.digdat.co.uk](http://www.utilities.digdat.co.uk)

### **Policy WFD 1 – Landscape Buffer**

As explained above, Anglian Water does have assets in the neighbourhood plan area. There are main pipes along the northern and eastern boundary of this designation. We do not consider that this policy should prevent any operational development that would be normally permitted, such as maintenance and repair our assets to be undertaken to ensure our network is maintained.

### **Policy WFD 5 – Protection of Trees, Hedgerows and other Natural Features**

Anglian Water supports this policy for prioritising the delivery of biodiversity net gains within the neighbourhood planning area, to support habitat recovery and enhancements within existing and new areas of green and blue infrastructure.

As the neighbourhood plan progresses, there may also be benefit in referencing the emerging Local Nature Recovery Strategies for Norfolk and Suffolk [Norfolk and Suffolk Nature Recovery Partnership \(nsnrp.org\)](https://www.nsnrp.org) which will identify priority actions for nature and map specific areas for improving habitats for nature recovery.

Anglian Water has made a corporate commitment to deliver a biodiversity net gain of 10% against the measured losses of habitats on all AW-owned land.

### **Policy WFD 6 - Design Considerations**

#### **Paragraph 7.12 (p.31)**

Anglian Water welcomes reference to climate change Policies SCLP9.2: Sustainable Construction and Policy SCLP9.7: Holistic Water Management in the East Suffolk Coastal Local Plan. Policy SCLP9.2 includes the current requirements for water efficiency measures in new development.

As a region identified as seriously water stressed, we encourage measures to improve water efficiency in developments. Anglian Water’s water resources management plan (WRMP) for 2025-2050 identifies key challenges of population growth, climate change, and the need to

protect sensitive environments by reducing abstraction. See [Water resources management plan \(anglianwater.co.uk\)](https://www.anglianwater.co.uk/planning-and-policy/water-resources-management-plan)

Managing the demand for water is therefore an important aspect of maintaining future supplies. This can be achieved by a fixtures and fittings approach, including through rainwater/storm water, harvesting and reuse, and greywater recycling. Such measures to improve water efficiency standards and opportunities for water reuse and recycling also reduces the volume of wastewater needed to be treated by our water recycling centres. This will help to reduce customer bills (including for other energy bills) as well as reduce carbon emissions in the supply and recycling of water.

Given the proposed national focus on water efficiency, Anglian Water encourages Local Plans and Neighbourhood Plans to cover this issue through a policy-based approach.

For information, the Government Department DEFRA [Plan for Water: our integrated plan for delivering clean and plentiful water - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/plan-for-water-our-integrated-plan-for-delivering-clean-and-plentiful-water) supports the need to improve water efficiency and the Government's [Environment Improvement Plan](https://www.gov.uk/government/consultations/environment-improvement-plan) sets ten actions in the Roadmap to Water Efficiency in new developments. This includes consideration of a new standard for new homes in England of 100 litres per person per day (l/p/d) where there is a clear local need, such as in areas of serious water stress.

It has recently been announced by Government that a review of the Water Efficiency Standard(s) within the Building Regulations 2010 (Part G2 of the Approved Documents) will be consulted on in the next few months.

#### Criterion (e) SuDS

Anglian Water is supportive of measures to address surface water run-off, including the preference for this to be managed using Sustainable Drainage Systems (SuDS) and requiring permeable surfaces for new areas of hardstanding within developments to align with the drainage hierarchy. Such measures help to avoid surface water run-off from entering our foul drainage network, and connections to a surface water sewer should only be considered where all other options are demonstrated to be impracticable. Any requirements for a surface water connection to our surface water sewer network will require the developer to fund the cost of modelling and any upgrades required to accept the flows from the development.

It is the Government's intention to implement Schedule Three of The Flood and Water Management Act 2010 to make SuDS mandatory in all new developments in England. However, we welcome the neighbourhood plan approach to ensure SuDS measures are incorporated within new developments, until the Schedule is formally implemented and the necessary measures are in place.

Anglian Water encourages the use of nature-based solutions for SuDS wherever possible, including retrofitting SuDS to existing urban areas to enhance amenity and biodiversity within the neighbourhood plan area and contribute to green and blue infrastructure.

### **Westerfield Design guidance and codes**

#### **Code 7 (p.38)**

Parking and servicing (p.31) – Reference to “*Hard standing and driveways must be constructed from **porous** materials, to minimise surface water run-off and therefore, help mitigate potential flooding.*”. The term porous should be replaced with permeable in order that run-off for surface water can pass through such surface material used for these areas.

#### **Code 21 (p.48 & 49)**

Water saving is not included under code 21 regarding minimising energy use, but Figure 56 does illustrate examples of water efficiency measures that can be implemented for existing and new homes. This could be covered more under code 21 and in the later checklist under Section 4.4. For example, Checklist 8 bullet point 8 where energy efficiency measures are listed.

Figure 56 has a typo under ‘existing buildings’ point 6 - this should make reference to 'highly **water**-efficient devices" rather than "highly **waste**-efficient devices".

#### **Checklist 10 - Parking (p.58)**

It is suggested that the neighbourhood plan could specify that permeable surfaces (pavements and other areas of hard standing such as vehicle parking areas) are used in the design of new developments to reduce surface water run-off from the introduction of hard-standing areas.

## Anthony Cornell

The existing Westerfield railway station is in need of complete remodelling to bring its infrastructure to the standards needed by rail users. I am a regular user of the station and have noted the following issues which need resolution to make the station less prohibitive to use:

The station platforms, and the B1077 Westerfield Road, have no means for pedestrians to cross the line when the level crossing barriers are lowered, which sometimes reach over 15 minutes in duration. For those rail users from Westerfield village attempting to reach the Ipswich and Felixstowe bound platform (number 1) over the level crossing, being held by lowered barriers can easily cause one's intended train to be missed. Because of the unknown length of time that the barriers can remain lowered and when, my wife and I have to make sure we are at the level crossing barriers 20 minutes before our intended train is due to depart. This, we calculate, is sufficient time to allow the longest barriers-down time to occur and to still catch the train to Felixstowe for our shopping. I am certain that commuters hurrying for their early morning trains are not able to tolerate a missed train from being 'caught' the wrong side of the barriers nor, it seems, do they have the luxury of possessing an extra 20 minutes to arrive early at the station for their departure. Two of my commuting neighbours to London have given up using Westerfield railway station for this very reason, one now drives to Ipswich station and the other drives to Manningtree station. Although Paragraph 4 of Westerfield NP, Community Action 9, implies acknowledgement of this important issue for intending railway station users, the proposal stated in the Plan to link the station to Fonnereau Way (foot?) bridge by a footpath does not present a practical solution. This is because the footbridge is too far from the station (around a 400 metre detour) to be used merely to cross the line, and which usage has to be gambled against the level crossing barriers rising at any moment. Furthermore, on the North side of the level crossing, there is little available land available between the crossing barrier equipment and the adjacent dwelling to provide a footpath access to the Fonnereau footbridge. The railway station (and possibly the B1077 road, too) should have its own means provided for pedestrians to cross safely from one side of the line to the other. As more and more freight is put on on the railway through Westerfield, the length of time the level crossing barriers remain lowered is already creating a serious challenge to waiting pedestrians. The risk is that, with the growing length of time the barriers remain lowered, temptation will overcome common sense leading to lives being put in jeopardy through misuse of the level crossing. The new housing and school developments in the area will result in the number of pedestrians using the level crossing increasing considerably, particularly when the school day ends, all of which increases the likelihood of level crossing misuse. A footbridge or similar needs to be provided immediately at the station and/or level crossing to reduce the growing risk of misuse of the latter.

Westerfield station infrastructure has not kept pace with the current growth in rail traffic over recent years. The entry to Platform 1 for Ipswich and Felixstowe trains, is narrow and requires the platform end slope at around 1.4 metres wide to be used to reach street level. Photo 1. shows the platform slope and overall narrowness of the access from street to platform 1. At this very narrow point there is not sufficient width of walkway to continue the tactile studs, which cease back along the platform. Thus, being faced with a sudden absence of the studs, there is a strong possibility that the partially sighted will seek to find them again potentially by veering towards the platform edge. On the slope, there is also very little room for wheel-chair users to recover from a momentary loss of concentration, particularly if startled by a passing train. Even the able, who are entitled to be on the slope, are not free of exposure to the hazard of passing heavy freight trains merely an arm's length away. Apart from the provision of a fence to raise the height of the yellow pointed wall shown in Photo 1, there is nothing obvious that Network Rail can do to correct the situation, as the adjacent dwelling is restricting remedial action. In viewing Photo1, it will be seen that there is room to relocate Westerfield station closer to the new green Fonnereau bridleway bridge. To do this, would remove the restricted access problems of the current station, provide users of the new station with access to the adjacent new footbridge to cross the line, and locate the station closer to Ipswich Garden Suburb development. The current limitations of Westerfield Network Rail rail storage yard on the south side of the line, as seen in Photos 2 and 3 and discussed below, suggest that it be converted to a station passenger drop-off and rail-user car park, whilst on the north side a footpath access to the station from the country park and Westerfield village exists currently as part of the Country Park provision.

The Network Rail yard stores lengths of rail and other long track components, such as points, which requires long articulated vehicles to access it for loading/unloading of that material. Due to the restricted width of the yard, there is insufficient room for the articulated vehicles to turn within its confines, meaning they are unable to exit the yard cab-first if they enter it that way. Photos 2 and 3 show a Network Rail contractor's vehicle reversing from the yard onto the B1077 Westerfield Road. This is a slow and potentially dangerous manoeuvre to motorists and pedestrians alike, and further blocks the level crossing when the barriers are raised for them to cross the line. If the articulated vehicle was to reverse into the yard, it would present a similar hazard.

I am asking East Suffolk Council to enter into dialogue with Network Rail to relocate Westerfield station to a new position between the green Fonnereau footbridge and Westerfield level crossing, in order to provide a footbridge for station users and to remove the hazards faced by users of the current Westerfield station. By moving the station closer to the Garden Suburb, it will make of rail services at Westerfield station that much more attractive to the new residents of the Suburb, whilst the improved access will also be attractive to current and potential users. Left without the provision of a footbridge between



platforms at the current Westerfield station, increases the likelihood of pedestrians risking their lives by crossing the line illegally, especially in view of the considerable number of freight and passenger trains using the railway lines through Westerfield.

#### Attachments



*Photo 1. Westerfield Station Platform 1 Access to & from Street Level 2023.02.21\_085135*





*Photo 2 Network Rail Contractor Vehicle commencing reversing from Westerfield station Yard onto B1077 Road 2024.08.30\_113409 (number plate redacted)*



*Photo 3 Network Rail Contractor Vehicle Reversing onto Level Crossing to Exit Westerfield Station Yard 2024.08.30\_113434*

## East Suffolk Council

The preparation of the Neighbourhood Plan for Westerfield is supported and it is considered that overall, the Plan complements the strategy and policies contained in the Suffolk Coastal Local Plan and, further, is a well-presented Plan. We have provided 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. However, there are some outstanding suggested amendments and matters. Comments on the Submission Neighbourhood Plan are set out below.

### **Westerfield Neighbourhood Plan Submission Version**

The comments below represent significant concerns that we believe will require further consideration during the examination.

#### **Map 5 – Landscape Buffer and Sensitive Landscape**

The map defines the landscape buffer detailed in policy WFD1, but the policy area is difficult to accurately apply. The landscape buffer's boundaries do not match any physical boundaries on the ground and would be difficult to determine for any planning officer whether development is within or outside the policy area.

Maps 4 and 5 should be renumbered as maps 3 and 4.

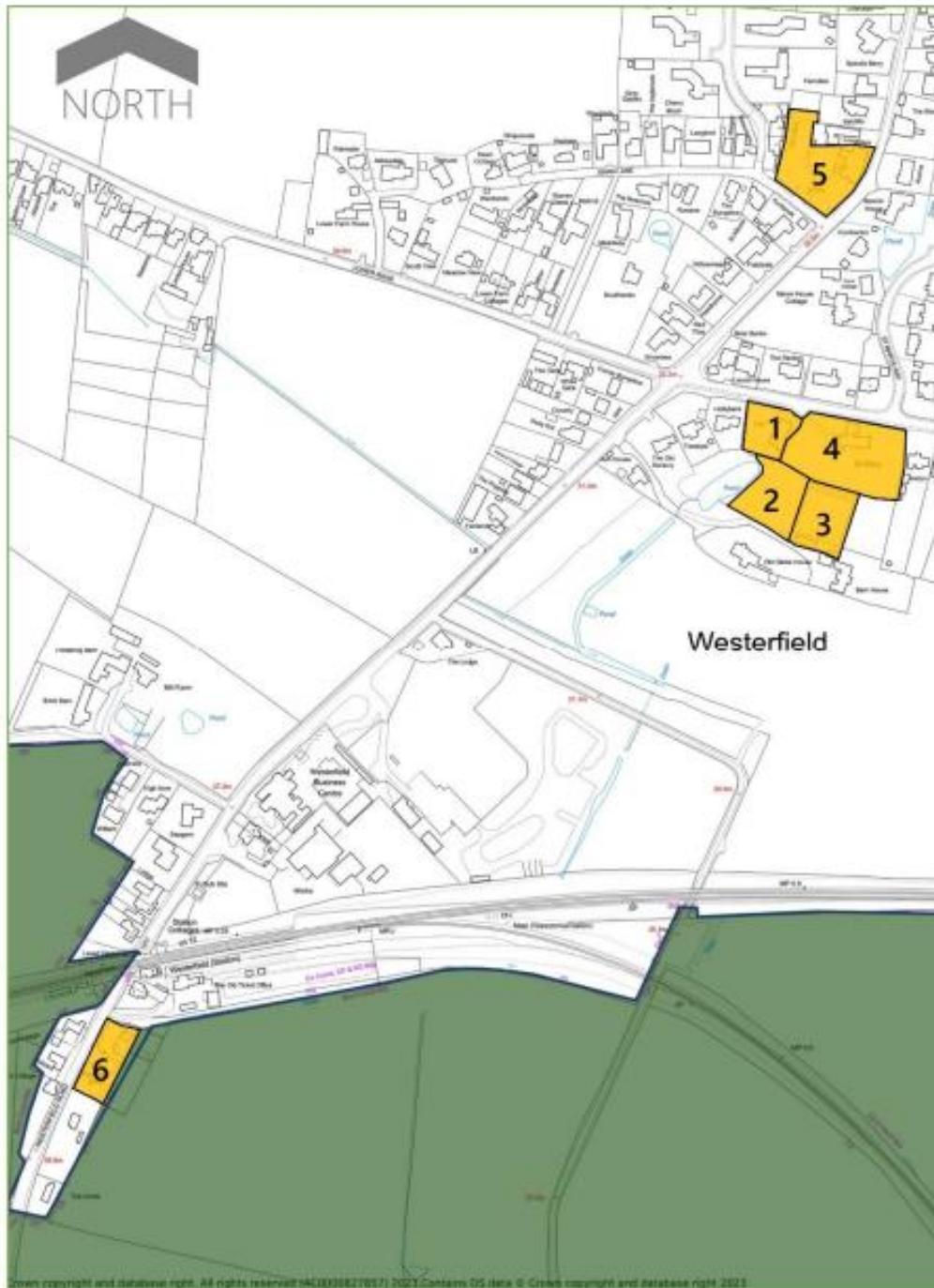
#### **Maps 6 (Local Green Spaces) and 9 (Design Considerations)**

Policy WFD 8.2 identifies Westerfield Railway Station as a village facility. However, it is not identified on Map 9 (Village Facilities) below.



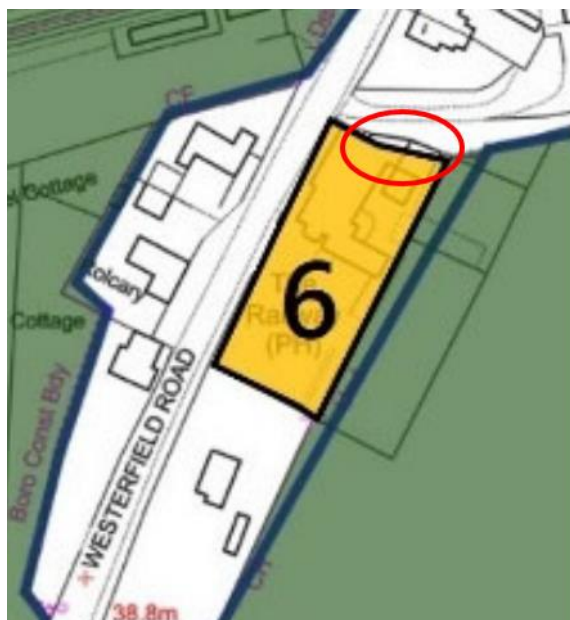
1. Village Hall
2. The paddock and pond rear of the Village Hall
3. Bowling Green
4. Parish Church of St Mary Magdalene
5. The Swan public house and restaurant
6. The Railway Inn public house and restaurant
7. Westerfield Railway Station

The location of these is illustrated on Map 9.



### Map 9 – Village Facilities

Village facility 6 – The northern edge of the Railway Inn public house appears to be drawn incorrectly and does not include the northern wall of the building. This discrepancy is circled in red on the map below.

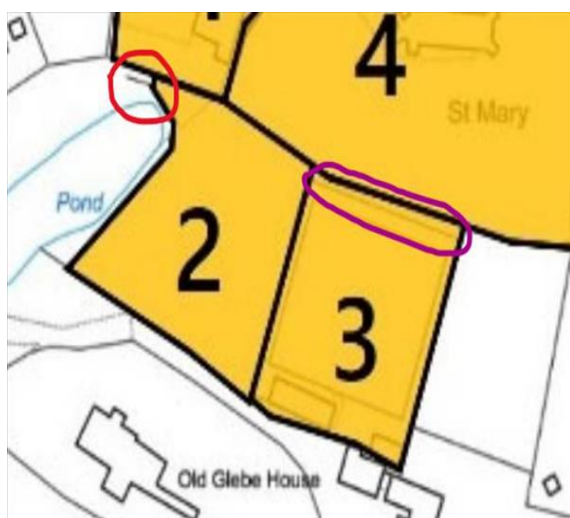


### Map 9 – Village Facilities (extract)

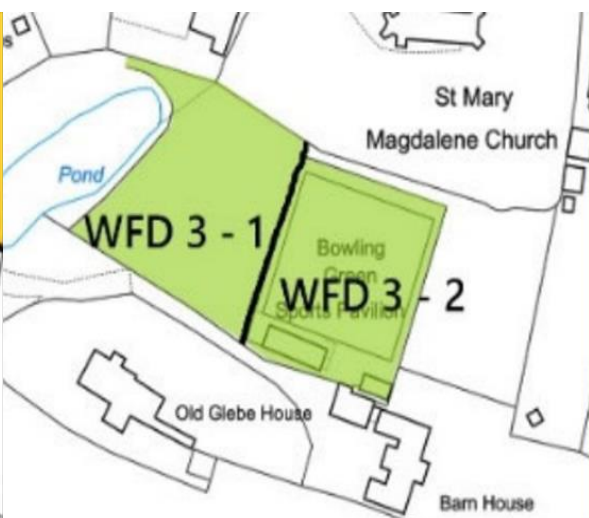
There are also discrepancies between Map 9 (Village Facilities) and Map 6 (Local Green Spaces).

Village facility 2 – The area shaded in red is not shown as being part of village facility 2. However, it is included in Map 6 as part of WFD3-1.

Village facility 3 – The parcel of land marked in purple along the northern edge of the site is not included in WFD3-2 on Map 6.

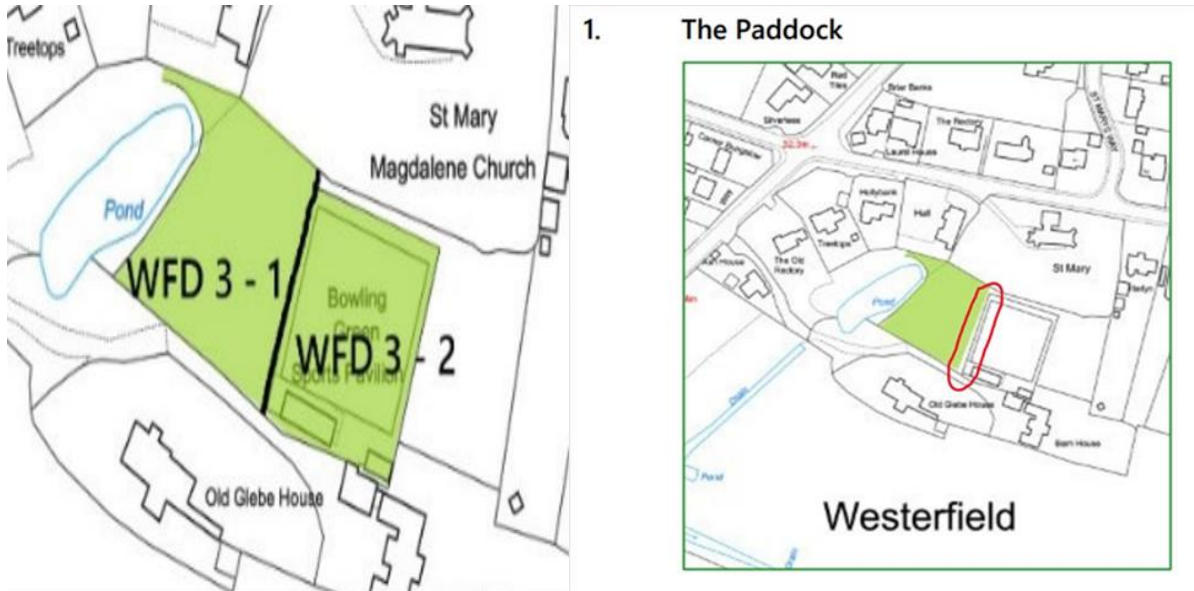


Map 9 extract



Map 6 extract

Map 6 (Local Green Spaces) shows that local green spaces WFD 3-1 and WFD 3-2 are directly adjoining and share a common boundary. However, the Inset map on page 50 (Local Green Space Appraisal) appears to show a small gap between the two (highlighted in red below), so that they do not share a common boundary.



**Map 6 extract**

**Local Green Space Appraisal – Map 1**

### **Map 8 - Westerfield's Ecological Networks**

The map shows area where WFD5 applies, but this goes outside the Neighbourhood Plan area, so care is needed to ensure that the map does not impose its own policy on area outside its boundary.

### **Other comments**

These comments are often more minor than those above, but the Examiner may still wish to recommend changes to the neighbourhood plan document as a result.

### **Paragraph 4.2, point 1**

The text does not explain whether the term 'small village' relates to Suffolk Coastal Local Plan policy SCLP3.2 Settlement Hierarchy. There is also no explanation of what is meant by 'green ring.' This has the potential to conflict with the Local Plan by exceeding restrictions on development contained in Local Plan policies.

## **Chapter 5 - Village Development Locations**

### **Page 15**

Box at the top of the page still does not refer to Suffolk Coastal Local Plan SCLP5.2 (Housing Development in Small Villages).

### **Paragraph 5.1**

It is not clear from the text whether certain types of development would be permitted as per SCLP4.5 and SCLP4.6.

### **Paragraph 5.5**

The text should be amended to state both that the Neighbourhood Plan cannot allocate less housing than a Local Plan allocation, nor can it revoke a Local Plan allocation.

## **Chapter 6 - Landscape and Natural Environment**

### **Policy WFD 1 - Landscape Buffer**

Is the policy trying to achieve two things: the protection of the setting of historic buildings and the prevention of settlement coalescence? If so, is this the most effective way of doing it, because preventing settlement coalescence with a landscape appraisal is much more difficult as any development in this area could represent a coalescence regardless of the design and landscaping.

### **WFD2 - Sensitive landscape**

Policy WFD2 – paragraph 2 overrides SCLP3.3, in that the Landscape and Visual Impact Assessment and Heritage Impact Assessment could be used to refuse proposals that would be in accordance with SCLP3.3. In both cases the requirement for a Landscape and Visual Impact Assessment may be excessive for some developments and so should be limited to larger development proposals and not householder applications. This policy also replicates WFD1 and it could be that the two can be rationalised into a single policy.

It is also not clear from policy WFD2 how the sensitive landscape area has been defined. The Landscape Appraisal does not explain why this area should receive special protection.

### **WFD3 – Local Green Spaces**

Policy WFD3 identifies four areas as Local Green Spaces, including number 3 (Open Area West of B1077 and Southwest of Fairlands) and number 4 (Open Area of East of B1077 between Ashe House and the Lodge). Appendix 2 provides further information and justification for designating these two sites as Local Green Spaces. In the case of site 3 and 4 appendix 2 lists it as a buffer between developed areas. However, East Suffolk Council questions whether sufficient justification has been given for designating these two sites and whether they should be designated as local green spaces.

### **Map 7 - Important Views**

An additional view (9A) has been added and an explanation is needed about why this change was made. This should be reflected in the Consultation Statement.

The views on map 7 are based on the Landscape Appraisal. However, these differ significantly from what is in the Design Guidance.

There are also still minor differences between the views shown in the neighbourhood plan map 7 and those in the Landscape Appraisal.

#### **Paragraph 6.18**

The text does not refer to the relevant National Planning Practice Guidance paragraph number.

#### **Paragraph 6.19**

The text still does not state that the quote was taken from the executive summary of the Landscape and Biodiversity Evaluation.

#### **WFD4 - Protection of Important Views**

It is suggested that this policy is amended to refer to 'significant' rather than 'important' views and it should state that the development should not have a significantly detrimental impact rather than simply detrimental impact which could be very wide.

Ultimately all key views should be robustly justified.

#### **Paragraph 6.22**

Mandatory Biodiversity Net Gain is now in force, which means that this paragraph needs to be either updated or deleted.

#### **WFD5 - Protection of Trees, Hedgerows and Other Important Views**

The phrase 'Otherwise acceptable...' is used at the start of paragraph 3. It is unclear what this means some explanation would be helpful.

(b) The supporting text could be expanded to give consideration as to whether native species required in the policy should be resistant to climate change.

In addition, the policy quotes map 7, but it is listed as map 8 above.

It is suggested that the term 'distinctive tree' is explained in the supporting text.

### **Chapter 7 - Built Environment**

#### **WFD6 - Design considerations**

The National Model Design Code sets out the guidance for producing design codes, rather than being used to decide planning applications. It is suggested that the text just refers to the Neighbourhood Plan Design Code instead.

e) The applicant has to go through a series of tests set out in the NPPF to determine whether the proposal is an acceptable use in the flood zone under Local Plan policy. This means that development within flood zones may be acceptable in certain circumstances, whereas the policy appears to take a blanket approach.



**Paragraph 7.17**

The National Planning Policy Framework paragraph reference should be amended to 191c)

**WFD7 - Artificial Lighting**

We still think that points ii) and iii) are written in a way that is too broad and that this undermines the effectiveness of the policy. However, should the Parish Council wish to retain points ii) and iii) then the following wording could be considered, which was first suggested in East Suffolk Council's response to the regulation 14 consultation.

*'Dark skies should be maintained as much as possible throughout the Neighbourhood Plan area. Therefore, development proposals that include street lights will not be supported unless considered necessary for ensuring adequate highway safety, security, or to meet the needs of particular individuals and groups.'*

*'Where artificial lighting systems are proposed for use on buildings, open spaces and/or off-street active travel routes, they should keep artificial light pollution impacts on wildlife and residential amenity to a minimum. Artificial lighting systems should therefore be downward focussed, task limited, time-limited, energy efficient and designed to minimise uplighting, horizontal spillage and glare impacts.'*

**Chapter 8 - Services and Facilities****Paragraph 8.2**

Reference should be made to Suffolk Coastal Local Plan policy SCLP8.2 (Open Space), which safeguards open space.

**Policy WFD8 – Parish Services and Facilities**

Consideration should be given as to whether the railway station counts as a public service and facility or whether it should be the subject of a separate policy about transport.

**Chapter 9 - Highways and Travel****Map 10 - Parish Public Rights of Way Network**

It is recommended that Map 10 is modified to state that the public rights of way are correct as of a certain date.

**Design Guidelines and Codes****Paragraph 1.1**

Update the NPPF paragraph number.

**Page 15, Figure 08**

Important views differ from those in the Neighbourhood Plan and Landscape Appraisal.

## **Code 8**

There is no reference to Suffolk County Council Parking Standards (2023).

## **Landscape and Biodiversity Evaluation, 2023**

### **Paragraph 2.2**

References to NPPF (2021) have still not been updated.

## **Landscape Appraisal**

### **Page 45, figure 8.1**

Important views are not included in the key.

Only one important viewpoint is shown. Additional text should be inserted to explain why the important viewpoint is different to the other key views.

Please note that these comments are given at an Officer level without prejudice to any future decisions that the Council may make. I would be pleased to respond to any questions that you may have.

## Environment Agency

Thank you for consulting us on the pre-submission plan for the Westerfield Neighbourhood Plan.

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:

#### **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 water course to the south of Westerfield.

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 167 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](http://www.gov.uk)).

## Contaminated Land

For land that may have been affected by contamination as a result of its previous use or that of the surrounding land, sufficient information should be provided with any planning application to satisfy the requirements of the NPPF for dealing with land contamination. This should take the form of a Preliminary Risk Assessment (including a desk study, conceptual model and initial assessment of risk), and provide assurance that the risk to the water environment is fully understood and can be addressed through appropriate

measures. This is because Hadleigh Neighbourhood Plan Area is a source protection zone 2 and 3 as well as on a principal Aquifer. For any planning application the prior use should be checked to ensure there is no risk of contamination.

### **Source Protection Zones**

Your plan includes areas which are located on Source Protection Zones 2 and 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 Draft of this Neighbourhood Plan.

We welcome the production 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) 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.

## Ipswich Borough Council

Thank you for consulting Ipswich Borough Council on the Westerfield Neighbourhood Plan. Ipswich Borough Council's Planning Policy Team have provided comments from the perspective of an adjoining local planning authority.

The government has emphasised the critical need to boost house building as a key part of its policy agenda, with a pledge to deliver 1.5 million new homes each year by the end of the current parliamentary term. Following the recent closure of a consultation on proposed changes to the National Planning Policy Framework (NPPF), Ipswich Borough Council and East Suffolk Council could face significantly higher housing targets if these reforms are implemented. This makes it essential to carefully consider how future housing requirements will be met. It is crucial that the objectives and policies of the Neighbourhood Plan strike a careful balance between enhancing the character of Westerfield and addressing local housing needs.

Westerfield and Ipswich share a close geographical relationship, with part of Westerfield's settlement boundary running directly along the Ipswich Borough boundary. This proximity is further highlighted by the presence of Ipswich Borough Council's largest housing allocation site, the Ipswich Garden Suburb (IGS), which borders Westerfield. Two of the three IGS neighbourhoods (IP180, IP181, IP182, and IP185) are currently under construction, with additional sites at Humber Doucy Lane (ISPA4) under review and subject to appeal.

### Policy WFD 3 – Local Green Spaces

The Westerfield Neighbourhood Plan designates several areas as Local Green Space (LGS), including The Paddock, The Bowls Club and Open area east of B1077 and south-west of Fairlands and Open area east of B1077 between Ash House and The Lodge (some of these spaces are grouped together).

For land to be eligible for designation as LGS, it must meet the criteria set out in paragraph 106 of the NPPF (2023), including being 'local in character' and 'not an extensive tract of land'. The purpose of LGS designation is to protect local spaces. Containing urban sprawl or protecting open countryside would not be proper uses of the designation.

It is recommended that WFD3.4 be limited to the woodland habitat, as the remainder of the site holds no environmental or conservation designations. Similarly, while WFD3.3 is recognised as an area of some historical significance, the extent of the local green space

designation is considered excessive and does not meet the definition of LGS and should be removed from the Plan.

#### Policy WFD 5 – Protection of Trees, Hedgerows and other Natural Features

The Westerfield Neighbourhood Plan Landscape Appraisal (2023) recommends that any new development replicates the well vegetated edge character of the village. This could be incorporated into the relevant policy. This addition would help enhance the character of the village and gives clearer advice to developers on how to do so.

In the first paragraph, reference should be made to Map 8 not Map 7.

#### Chapter 5 - Village Development Locations

Chapter 5 provides an overview of development requirements in Westerfield. A resident's survey was carried out to gather opinions on important aspects of the village, as well as on future growth. The residents survey only shows data for respondents who 'strongly agree', leaving out the percentage of residents who may 'slightly agree'. As a result, is the concluding statement that there is 'little in the way of support for further growth of the village', may not take account of all residents' views. It may be more balanced to publish the entire range of responses, as with the survey in paragraph 7.9.

#### Chapter 6 - Landscape and Natural Environment

Chapter 6 addresses the local landscape and natural environment. The Chapter includes a number of maps to illustrate the policy requirements. The section on Map 5 (Landscape Buffer and Sensitive Landscape) should be labelled with a key below instead of labels on the map itself, for clarity.

#### Chapter 8 – Services and Facilities

Chapter 8 of the Westerfield Neighbourhood Plan addresses community services and facilities, and how development should relate to these services. It is stated that adopted Local Plan Policy SCLP8.1: Community Facilities and Assets 'generally supports the provision of new community facilities if the proposal meets the needs of the community'. While the Westerfield Neighbourhood Plan aligns itself with this policy, it doesn't give any indication what type of facilities may be needed, there is no further proactive reference to this issue. It would be beneficial for developers and for planning officers to know what services the village needs so they can effectively plan, and the council can consider how best to allocate CIL contributions or utilise S106 Agreements where necessary.



### Other Areas of Note

The Westerfield Landscape Appraisal recommends area WF3 be designated as an 'Area of Greater Landscape Value' due to its greater significance. It suggests that any alternate housing proposal that avoids the development of meadows – such as on the business park site – is preferred. This may have unintended negative consequences on the business park and a more balanced consideration of use of the village space as whole is recommended. A successful village needs a mix of housing, employment areas and green space. Also, the loss of the business park may impact air quality and congestion as more residents travel to Ipswich or further for work.

We strongly support the proposal to develop the yard area of the railway station into a car park (Community Action 9) and encourage the neighbourhood plan to include specifications for covered cycle parking in this location. Additionally, we would support proposals for cycling infrastructure to promote the use of sustainable transport and policies aimed at enhancing the accessibility of footpaths and pavements.

Finally, re-wilding is mentioned as an aim of the plan, but not addressed in the policy section. There are references to preserving and enhancing green space, but there are no mentions of 'restoring ecosystems to the point where nature is allowed to take care of itself', the key aim of re-wilding. We would support further exploration through policy as a potential avenue for enhancing the wildlife in the village.

Thank you again for the opportunity to comment on the Westerfield Neighbourhood Plan.

# Ipswich School (Boyer)

## 1. INTRODUCTION

- 1.1 These representations have been prepared by Boyer on behalf of Ipswich School (the School) in response to the consultation on the Westerfield Neighbourhood Plan Submission consultation under Regulation 16 of the Neighbourhood Planning Regulations. The School makes these representations in order to ensure that a workable Neighbourhood Plan is produced for Westerfield. The School seeks to protect its interests over the land it owns in the Parish but for the sake of clarity, it has no current plans to develop land in Westerfield although it may use the Local Plan process to seek allocations of land in coming years.
- 1.2 The School is a significant landowner within the Parish and supports the production of the Neighbourhood Plan and encourages local residents undertake an active role in delivering new development in their local area.
- 1.3 In preparing these representations, the Consultation Statement (2024), Design Guidelines and Codes (2023), the Basic Conditions Statement (2024), Landscape Appraisal (2022), and the Landscape and Biodiversity Evaluation (2023) , submitted alongside the Neighbourhood Plan, have been reviewed and will be referenced when appropriate.
- 1.4 As set out within National Planning Practice Guidance (NPPG), Neighbourhood Plan policies should be clear and unambiguous (Paragraph: 041 Reference ID: 41-041-20140306). Moreover, National policy and guidance requires that Neighbourhood Plans are in general conformity with the adopted Local Plan in their area (Paragraph: 065 Reference ID: 41-065-20140306).
- 1.5 The Basic Conditions relevant to the making of a neighbourhood plan are:
  - Condition (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;
  - Condition (d) the making of the neighbourhood development plan contributes to the achievement of sustainable development;
  - Condition (e) the making of the neighbourhood development 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);
  - Condition (f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with EU obligations; and

- Condition (g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.

1.6 The Neighbourhood Plan must have appropriate regard to national policy. The National Planning Policy Framework is created with a presumption in favour of sustainable development. As defined by the Framework, sustainable development has three overarching objectives:

- An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- An environmental objective—to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

1.7 It is our view, that as currently drafted, the Submission Neighbourhood Plan published by Westerfield Parish Council demonstrates a range of issues facing the parish but requires further amendments to meet the Basic Conditions. We consider that the Neighbourhood Plan therefore should not progress to Examination by an independent examiner. To be able to progress the Neighbourhood Plan will need to reconsider its policies and objectives around the “green ring” and landscape buffer to ensure that it is not restricting development in suitable locations to come forward.

#### **Land west of Westerfield Road, Westerfield**

- 1.8 These representations have made specific reference to land west of Westerfield Road, as identified on the site location plan at Appendix 1. The site comprises approximately 7 acres of farmland and is rectangular in shape.
- 1.9 The site is well related to the settlement of Westerfield, with both the south, east and north boundaries abutting the existing built-up area, albeit only the area south of the site lies within the identified settlement boundary.

- 1.10 The Westerfield Railway Station can be accessed from the site within a 15 minute walk, or 3 minute cycle. The railway station provides services between Felixstowe and Ipswich, where there are further connections to London Liverpool Street and Norwich. The site can therefore be easily accessed by sustainable modes of transport. In addition, the site is closely located to the services in Westerfield, such as the Swan Public House and the village hall, making the site a sustainable and suitable location of development.
- 1.11 Development of the site would be able to deliver a high-quality landscape-led scheme, providing the village with market and affordable homes, which could provide improvements to the nearby Public Rights of Way network and provide a landscaped edge to the countryside.

## **2. COMMENTS ON WESTERFIELD NEIGHBOURHOOD PLAN**

### **Westerfield Neighbourhood Plan Objectives**

- 2.1 Objective 1 in the Neighbourhood Plan seeks to “Maintain Westerfield as a ‘small village’ (in planning perms) by creating an apparent “green ring” around the Settlement Boundary to protect it from creeping developments both from outside and within the village”. We are concerned that this will have a detrimental impact on the future growth of the village which is not in accordance with the Local Plan.
- 2.2 The Settlement Boundary has and always will need to evolve to reflect development and identify new sites for suitable development to meet local needs. This objective of creating a green ring is inherently limiting and anti-development and fails to acknowledge that Westerfield as it is today have evolved over time.
- 2.3 The purpose of a Neighbourhood Plan is not to prohibit development; however it seems it is the intention of this objective which is then translated through into other restrictive policies.
- 2.4 The rural feel of the area can still be maintained over a longer period without a “green ring”. The objective should therefore be amended, and the reference to the Settlement Boundary should be removed.

### **Policy WFD 1 – Landscape Buffer**

- 2.5 Policy WFD1 – Landscape Buffer and Map 5 identifies a landscape buffer on the site, which covers most of the north eastern corner and stretches over to the field on the east side of Westerfield Road. The buffer has been identified to maintain the undeveloped nature of the area to prevent settlement coalescence and minimise potential harm to the designated heritage assets.

- 2.6 The landscape buffer designation has come forward without discussion with the landowner (the School) and unreasonably limits the site's future potential. One could question why the policy (and policy WFD 2) singles out land under ownership of the School, rather than focussing the policy on all development sites delivering appropriate landscape buffers to the countryside.
- 2.7 It is unclear what the Policy is looking to achieve here. It is not clear what is meant by a landscape buffer, and whether the Parish is looking for this to be maintained and planted vegetation, or undeveloped. If the Parish are envisaging planting, it is unclear how this will be achieved and who will fund the ongoing maintenance. It is also unclear whether the location of the buffer is indicative or specifically the area defined on Map 5.
- 2.8 Whilst we appreciate that there is a want to reduce the risk of settlement coalescence (albeit all within Westerfield and not reducing the "gap" between Westerfield and a neighbouring settlement), we think that this can be achieved without placing a designation which clearly restricts development coming forward. We think that the first paragraph of the policy text could be removed, as well as the green area on Map 5. The School may want to engage with East Suffolk in future rounds of Local Plan preparation to promote the site for residential development. It would not be the intention of the School to propose a development on the site which is not in conformity with the Local Plan, and therefore the requirement for a Landscape and Visual Impact Assessment and a landscape buffer to the north could and would still be delivered on the site. The landscape buffer should be incorporated into any future development to ensure that it can follow urban design, landscape and heritage principles.
- 2.9 We again question the need for the designated landscape buffer in the first place. It is clear that the Neighbourhood Plan does not seek to make any allocations in the village, and no further development will therefore come forward, making the buffer unnecessary. Furthermore, the requirement of the buffer from a heritage perspective is not understood, as neither of the listings of the designated heritage assets Swan's Nest<sup>1</sup>, Westerfield Hall<sup>2</sup> nor the Barn and Outbuildings<sup>3</sup> to south east of Westerfield Hall specifically mention the open fields as important to their setting. We argue that their settings are already well contained through their walled boundaries, with limited views across the fields from within the site.
- 2.10 As stated in East Suffolk Council's response to the Regulation 14 consultation, part 2 of this policy is potentially in conflict with Suffolk Coastal Local Plan policy SCLP3.3

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<sup>1</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1236127>

<sup>2</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1264761>

<sup>3</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1236092>

(Settlement Boundaries) as it seeks to prevent development that might be supported by a Local Plan policy.

#### **Policy WFD 4 – Protection of Important Views**

- 2.11 The important views identified in the Neighbourhood Plan differ from the ones identified in the Design Guide Codes. These views have been identified by villagers and should represent the views that are actually important to local people. It is disappointing that this is not the evidence that supports policy WFD 4, but rather the Landscape Appraisal (2022) which has been prepared by Lucy Batchelor-Wylam. Having two different evidence base documents which include different maps and information broadly focussed on the same aspects is a cause for confusion and will hinder decision makers in the determination of proposals which come forward in Westerfield over the plan period.
- 2.12 The Neighbourhood Plan identifies many and wide important viewpoints, covering most, if not all, of the undeveloped area of the Parish. The excessive number of viewpoints reduce their value and are in conflict with the Local Plan as they restrict development in too much of the Parish.
- 2.13 Policy WFD 4 is not clear as to what type of development would be appropriate in a location which affects the identified views, nor does the Policy acknowledge the positive benefits development can bring to views.
- 2.14 Important Viewpoints 6 and 7 provide short views over the same field, and we question the importance of these views. Considering viewpoint 5, arguably both viewpoints 6 and 7 are only covering the field owned by the School, we therefore question why these views have been designated by the Neighbourhood Plan. It is also considered that there is inconsistencies with the types of views identified, with some being short and others covering longer distances. Again, the evidence base should be reviewed to understand why different types of views have been identified and what implications they will have, such as causing confusion for the decision maker.

#### **Policy WFD 5 – Protection of Trees, Hedgerows and other natural features**

- 2.15 The School is generally supportive of the objective of policy WFD 5, and agrees that it is important that trees, hedgerows and other natural features are protected. However, we question how the policy works alongside national policy and requirements. Specifically, it is the mention of measurable biodiversity net gain, and how it will be delivered, that we are concerned about.
- 2.16 Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) requires developers to deliver a Biodiversity Net Gain of

10%. It is therefore unnecessary to require “measurable” BNG, as 10% is already required to be delivered by any development in the Parish.

- 2.17 Planning Policy Guidance (Paragraph: 006 Reference ID: 74-006-20240214) describes that the requirement does not need to duplicate the detailed provisions of the PPG and the NPPF. In addition, PPG at the same paragraph states that “Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain [...] unless justified”. If the Parish Council were to consider that a higher percentage of BNG is required, this will need to be justified through a robust evidence base which assesses the need for a local percentage, as well as any impacts on viability of developments.
- 2.18 We are also concerned about the third paragraph of the Policy, and how it is proposed to deliver BNG. The Environment Act, through the BNG Metric, appraises the number of biodiversity units that exist of Habitat, Hedge, and Watercourse type biodiversity. Each development then has to deliver a 10% net gain based on the baseline for each of these types of habitats.
- 2.19 The third paragraph undermines the Biodiversity Metric and does not appreciate the requirements that are already in place. The policy does therefore not have regard to national policies and advice required by the Basic Conditions.
- 2.20 Whilst we agree that biodiversity enhancements and mitigation should form an integral part of the design concept, the way that it is enhanced should be steered by the Environment Act to ensure that there is no confusion.

### **Policy WFD 6 – Design Considerations**

- 2.21 Ipswich School support the need for proposals to reflect local character and support the creation of high quality, safe and sustainable environments. However, we are concerned that the policy repeats the requirements of the Local Plan and does not provide details of the local characteristics which are important to Westerfield. It is acknowledged that the policy references Design Guidelines and Codes but these are not subject to the same rigour, consultation and assessment as a Neighbourhood Plan or a Local Plan and the policies within them. As such the policy is seeking to divert decision making to documents which are outside of the Neighbourhood Plan process, and this is inappropriate.

### **Policy WFD 9 – Public Rights of Way**

- 2.22 Development of land west of Westerfield Road would provide an excellent opportunity to improve the Public Rights of Way network in the village, as the north, west and southern boundaries of the site are all public footpaths, and measures to

enhance the biodiversity along these routes could be explored where practical and can be included as part of a future development proposal for the wider site.

- 2.23 Whilst there is already a footpath on the west side of Westerfield Road, it is likely that a proposed development of the site could also contribute to improving the pedestrian and cycle connections along the road to the village.

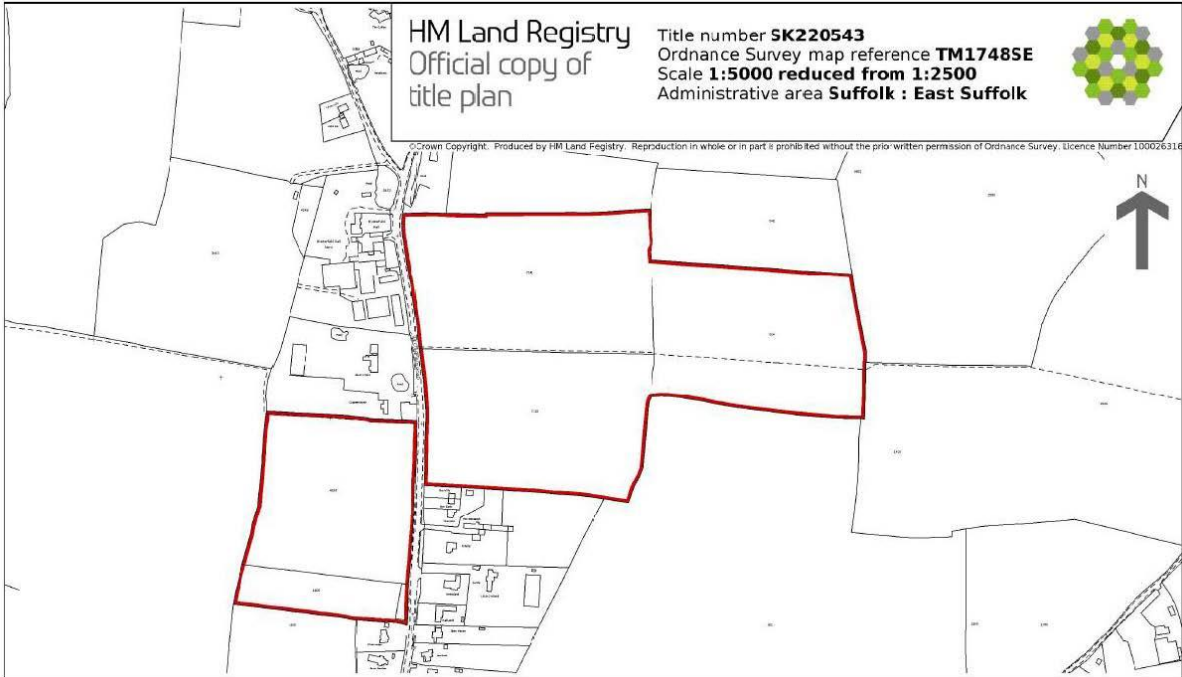
### **3. CONCLUSION**

- 3.1 These representations are submitted by Boyer on behalf of Ipswich School in response to the consultation on the Westerfield Neighbourhood Plan Submission consultation under Regulation 16 of the Neighbourhood Planning Regulations.
- 3.2 The School is a significant landowner within the Parish and supports the production of the Neighbourhood Plan and encourages local residents to undertake an active role in delivering new development in their local area.
- 3.3 The School has concerns about some of the landscape policies within the Neighbourhood Plan, as set out in section 2. We are concerned that the Westerfield Neighbourhood Plan is currently restricting future development opportunities within the village and not allocating any new sites for development. The restrictive nature of the policies could have significant impacts for site selection that is expected to come forward through the Local Plan process by designating a landscape buffer which covers almost half of the site.
- 3.4 It is considered that in order to deliver a managed and kept landscape buffer that improves the setting of the listed buildings, an allocation policy for the site may be the most appropriate course of action. An allocation would allow for the landscape buffer to be designed and incorporated into any development and would still be able to deliver the purposes of limiting settlement coalescence and providing a landscaped buffer to the listed buildings north of the site.
- 3.5 It is understood that the Neighbourhood Plan does not seek to allocate any sites for future development, however the Plan should not hinder sites from coming forward through the Local Plan, which East Suffolk are due to review in 2025.



APPENDIX 1. SITE LOCATION PLAN

ANNEXURE 10



## National Grid (Avison Young)

National Grid Electricity Transmission has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following representation with regard to the current consultation on the above document.

### **About National Grid Electricity Transmission**

National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators, so it can reach homes and businesses.

National Grid no longer owns or operates the high-pressure gas transmission system across the UK. This is the responsibility of National Gas Transmission, which is a separate entity and must be consulted independently.

National Grid Ventures (NGV) develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States. NGV is separate from National Grid's core regulated businesses. Please also consult with NGV separately from NGET.

### **Proposed development sites crossed or in close proximity to NGET assets:**

An assessment has been carried out with respect to NGET assets which include high voltage electricity assets and other electricity infrastructure.

NGET has identified that no assets are currently affected by proposed allocations within the Neighbourhood Plan area.

NGET provides information in relation to its assets at the website below.

- [www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/](http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/)

Please also see attached information outlining guidance on development close to NGET infrastructure.

### **Distribution Networks**

Information regarding the electricity distribution network is available at the website below: [www.energynetworks.org.uk](http://www.energynetworks.org.uk)

**Further Advice**

Please remember to consult NGET on any Neighbourhood Plan Documents or site-specific proposals that could affect our assets. We would be grateful if you could add our details shown below to your consultation database, if not already included:

**Matt Verlander, Director**

[nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

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Central Square South  
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NE1 3AZ

**Tiffany Bate, Development Liaison Officer**

[box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

National Grid Electricity Transmission  
National Grid House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA

If you require any further information in respect of this letter, then please contact us.

NGET is able to provide advice and guidance to the Council concerning their networks and encourages high quality and well-planned development in the vicinity of its assets.

Developers of sites crossed or in close proximity to NGET assets should be aware that it is NGET policy to retain existing overhead lines in-situ, though it recognises that there may be exceptional circumstances that would justify the request where, for example, the proposal is of regional or national importance.

NGET's '*Guidelines for Development near pylons and high voltage overhead power lines*' promote the successful development of sites crossed by existing overhead lines and the creation of well- designed places. The guidelines demonstrate that a creative design approach can minimise the impact of overhead lines whilst promoting a quality environment. The guidelines can be downloaded here:

<https://www.nationalgridet.com/document/130626/download>

The statutory safety clearances between overhead lines, the ground, and built structures must not be infringed. Where changes are proposed to ground levels beneath an existing line then it is important that changes in ground levels do not result in safety clearances being infringed.

National Grid can, on request, provide to developers detailed line profile drawings that detail the height of conductors, above ordnance datum, at a specific site.

NGET's statutory safety clearances are detailed in their '*Guidelines when working near National Grid Electricity Transmission assets*', which can be downloaded here:

[www.nationalgridet.com/network-and-assets/working-near-our-assets](http://www.nationalgridet.com/network-and-assets/working-near-our-assets)

#### How to contact NGET

If you require any further information in relation to the above and/or if you would like to check if NGET's transmission networks may be affected by a proposed development, please visit the website: <https://lsbud.co.uk/>

For local planning policy queries, please contact: [nationalgrid.uk@avisonyoung.com](mailto:nationalgrid.uk@avisonyoung.com)

# National Highways

Thank you for your correspondence, dated on 22 August 2024, notifying National Highways of the consultation under Regulation 16.

National Highways is responsible for the operation, maintenance, and improvement of the Strategic Road Network (SRN) in England on behalf of the Secretary of the State. In the area within and surrounding this Neighbourhood Plan, we have responsibility for the trunk road A14.

We have completed our review of the submitted supporting document, Westerfield Neighbourhood Plan 2023-2036 (Regulation 16) Submission Draft Version July 2024.

Different policies related to Landscape and Natural Environment, Built Environment, Service and Facilities, Highways and Travel have been proposed. However, because of the proposed policy's nature, location, and scale, there may not be any predicted adverse impact on the Strategic Road Network (SRN).

For any further clarification, National Highways would expect to be consulted at the earliest opportunity.

## **Standing advice to the local planning authority**

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 74 and 109 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 108 and 114 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the Switch and Improve criteria as set out in clause 4.3 of PAS2080:2023 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

# Natural England

Thank you for your consultation on the above dated 21 August 2024.

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 an 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/)<sup>1</sup> 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 \(England\)](https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-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](https://www.associationoflocalenvironmentalrecordscentres.org/) .

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](https://www.gov.uk/government/publications/habitats-and-species-of-principal-importance-in-england)<sup>2</sup>. 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](https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making)<sup>3</sup>.

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.

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<sup>1</sup> <http://magic.defra.gov.uk/>

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

<sup>3</sup> <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](#)<sup>4</sup> website and also from the [LandIS website](#)<sup>5</sup>, which contains more information about obtaining soil data.

### **Natural environment issues to consider**

The [National Planning Policy Framework](#)<sup>6</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)<sup>7</sup> 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](#)<sup>8</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>9</sup>. 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.

#### Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)<sup>10</sup>) or protected species. To help you do this, Natural England has produced

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<sup>4</sup> <http://magic.defra.gov.uk/>

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

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

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

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

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

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



advice [here](#)<sup>11</sup> 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](#)<sup>12</sup>.

### **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.
- 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

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

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

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](#)<sup>13</sup>).
- 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.

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

# Network Rail

Thank you for consulting Network Rail (NR) regarding the Westerfield Neighbourhood Plan Policy, this letter is a response to the Community Action 9 found in Page 44 of the Westerfield Neighborhood Plan 2023 – 2036 document.

## **Response to Community Action 9 – Westerfield Railway Station**

### **1. Secure more stopping services at Westerfield**

NR is currently undertaking a study that is examining the possibility of adding more services on the East Suffolk Line and increasing the number of stops at Westerfield station. We acknowledge the desire for more frequent services in this area and others, and we will produce advice to outline how these aspirations could be met. Suffolk County Council has been involved with this study which is due to be complete in January 2025.

### **2. Consider the parking impact of additional commuter traffic. We will encourage Network Rail to invest in secure bike storage capacity, and turn the existing works area into a car park.**

NR opposes the suggestion of converting the current maintenance yard into a car park. NR Maintenance is not inclined to relinquish its yard at Westerfield station to create a station car park. The yard serves as a valuable access point to the railway, especially during works on the Westerfield level crossing and the nearby switches.

While NR is unlikely to be willing to dispose of any land near Westerfield station that is useful to NR's operation and maintenance of the railway, NR is open to exploring options for creating a footpath/cycle link through the yard to connect with the new cycle bridge.

Greater Anglia (GA), the Train Operating Company responsible for operating Westerfield Station would need to determine the amount cycle storage provision and similar station facilities. NR, GA, and the Local Authority must jointly determine the most effective way to allocate the existing and potential future S106 funds in terms of the railway station.

### **3. Ensure the s106 funding available for the station from the northern fringe development is spent appropriately on resources which will benefit the community.**

The funds from S106 should be used to enhance safety in and around the station, rather than being allocated to improving community spaces as outlined in the neighbourhood plan. NR has been collaborating with GA and has received a list of recommendations on the most effective use of the S106 funds to enhance the station operation and safety. There are evidently improvements required within the station.

Ultimately, improving the railway station will benefit the broader community. We support the idea that S106 funds should be invested in the station, but we believe that NR, in collaboration with GA and local authorities, should have the final decision in determining where the improvements should be made.

4. Seek to develop a direct route between the Fonnereau Way bridge (on the southern side) and the station to ensure commuters have a direct route to the station away from main roads, and provide a route between the main Ipswich platform and the village when the barriers are down for extended periods

NR acknowledges that access to the station can be improved and agrees with the neighbourhood plan that enhancements are essential. There are various ways to improve access to and from the station, primarily through a new southern entrance and a footbridge at Westerfield Station. These improvements would benefit the wider community and passengers. NR is keen to work with the Local Authority to help progress this potential aspiration.

I trust the above provides clarity on NR's position on the neighbourhood plan.

## Pipe, Mr & Mrs William (Landbridge)

I write on behalf of my clients, Mr and Mrs William Pipe of *\*\*address redacted\*\**, who own land in Westerfield, which is detailed as WFD 3 – 4 on Page 23 of the draft Westerfield Neighbourhood Plan

Please find attached a Letter of Objection, prepared by Birketts Solicitors on behalf of my clients, which was submitted to Westerfield Parish Council during the draft Neighbourhood Plan consultation window (January 2024). No regard has been had by the Parish Council to the attached objection, and no amendments to the draft Neighbourhood Plan have been made.

Mr and Mrs Pipe **strongly object** to the land within their ownership (as detailed above) being allocated as Local Green Space under policy WFD 3 of the Draft Plan, for the reasons detailed in the attached letter.

Should the attached letter not be taken into consideration and amendments made, my clients will have no choice other than to bring a judicial challenge against the decision to include their land as currently drafted.

Please may I draw your attention, in particular, to Clause 4 of the attached letter, which sets out four relevant grounds of objection, having regard to planning policy. Please note that East Suffolk's Local Plan does not allocate the land in question at all, let alone as open space. Please also note that the adjoining land (Old Station Works) has the benefit of residential planning permission under planning number DC/18/3850/OUT.

Please notify me of East Suffolk's decision, and keep me updated with future progress on the plan.

## Letter of Objection submitted to Westerfield Parish Council during the draft Neighbourhood Plan consultation window (January 2024)



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Longways  
Westerfield Road  
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Dear Sir / Madam

### Westerfield Neighbourhood Plan 2023-2036 (the "Draft Plan") Land to the east of B1077 between Ash House and The Lodge (the "Land")

#### 1. INTRODUCTION

- 1.1 This letter is prepared by Birketts LLP on behalf of our clients William and Monica Pipe, who are the owners of the Land.
- 1.2 Westerfield Parish Council (the "Parish Council") proposes to allocate the Land as Local Green Space under Policy WFD 3 of the Draft Plan. For the reasons set out below, Mr & Mrs Pipe **OBJECT** to the Land being allocated as Local Green Space and invite the Parish Council to either allocate the Land for residential development or not to allocate the Land at all.
- 1.3 Should the Parish Council decide to proceed with allocating the Land as Local Green Space in its final Neighbourhood Plan, Mr and Mrs Pipe would have no option but to consider bringing a judicial challenge against the Parish Council in respect of that decision.

#### 2. BACKGROUND

- 2.1 Mr & Mrs Pipe acquired the land known as [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- 2.2 [REDACTED] is made up of several parcels of land in the villages of Westerfield and Tuddenham, one of which is the Land. The Land comprises an fallow field (the "Field") and a belt of woodland on the southern boundary (the "Woodland"). The Field is at the northern part of the Land and is abutted to the north by housing and there is also housing adjacent to the Field on the west side of Westerfield Road (the B1077). To the south of the Woodland is a residential dwelling known as "The Lodge" and an area of land known as the "Old Station Works" that has extant planning permission for residential development. There is a field adjacent to the Woodland on the west side of the B1077.

- 2.3 The Land falls within the East Suffolk District (the "District") and is subject to the Suffolk Coastal Local Plan (adopted on 23 September 2020) (the "Local Plan") of East Suffolk Council (the "District Council"). The Local Plan does not allocate the Land as open space or at all.
- 2.4 Planning applications have previously been made for residential development at the Land<sup>1</sup>. Most recently, in January 2021, an appeal against the 2019 Refusal (concerning an application for eight residential dwellings) was dismissed<sup>2</sup>. Notwithstanding that the Appeal was dismissed, the appeal decision acknowledged benefits of residential development at the Land including the transport sustainability of the location, the delivery of market housing, making use of vacant land, and providing open space and a wildlife enhancement area. Mr & Mrs Pipe remain eager to secure planning permission for residential development at the Land.
- 2.5 As mentioned in paragraph 2.2 above, to the south of the Land lies a site which has the benefit of outline planning permission for 75 dwellings and 16 commercial units (reference DC/18/3850/OUT). This site was allocated for housing in the District Council's previous Local Plan (identified as SSP18).
- 2.6 Notwithstanding Mr & Mrs Pipe's continued desire to develop the Land, Policy WFD 3.4 of the Draft Plan proposes to designate the Land as Local Green Space. This policy says that "development proposals within the designated local green spaces will only be supported in very special circumstances". This policy is problematic for several reasons. These grounds are particularised in section 4 below.
- 2.6.1 The Land does not qualify as open space.
- 2.6.2 The allocation of the Land as open space is not in conformity with the Local Plan.
- 2.6.3 The allocation of the Land as open space unreasonably restricts Mr & Mrs Pipe's use of the Land.
- 2.6.4 By allocating the Land as open space, the Land effectively becomes a ransom strip for the approved residential development for 75 dwellings under DC/18/3850/OUT at the Old Station Works.
3. **PLANNING LAW, POLICY, AND GUIDANCE**
- 3.1 The allocation of the Land as open space is contrary to planning law, policy, and guidance. In particular, the allocation is contrary to various paragraphs of the National

<sup>1</sup> Application with reference 0/38/58, which was refused in 1958; application reference 0/147/720, which was refused in 1973; application reference DC/17/5138, which was withdrawn on 2 March 2018; application with reference DC/19/2271/OUT (the "2019 Application"), which was refused in August 2019 (the "2019 Refusal")

<sup>2</sup> Appeal Ref: APP/X3540/W/19/3242029 (the "Appeal")



Planning Policy Framework ("NPPF") including paragraph 106 relating to the criteria for local green space and paragraph 29, which states that neighbourhood plans should be in conformity with strategic policies. In addition, the allocation creates issues arising out of section 38(6) of the Planning and Compulsory Purchase Act 2004 ("PCPA 2004") concerning the regard to be had to development plans and paragraphs 10 and 11 of the NPPF which relate to the presumption in favour of sustainable development. The relevant passages are set out below in this section 3.

3.2 Paragraph 106 of the NPPF provides:

*"The Local Green Space designation should only be used where the green space is:*

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land."*

3.3 Paragraph 29 of the NPPF provides:

*"Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies.*

And footnote 16 at paragraph 29 of the NPPF provides:

*"Neighbourhood plans must be in general conformity with the strategic policies contained in any development plan that covers their area."*

3.4 Footnote 16 of the NPPF is corroborated by Government Guidance on Neighbourhood Planning<sup>3</sup> which says at paragraph 009 that "A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition". This sentiment is repeated throughout this guidance.

3.5 Section 38(6) of the PCPA 2004 provides:

*"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

3.6 Paragraph 10 of the NPPF provides "So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable

<sup>3</sup> <https://www.gov.uk/guidance/neighbourhood-planning-2>

*development (paragraph 11)" and paragraph 11 provides "Plans and decisions should apply a presumption in favour of sustainable development."*

- 3.7 Paragraph 70 of the NPPF provides *"Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly."*

#### 4. OBJECTION

- 4.1 Mr & Mrs Pipe wish to OBJECT to the Draft Plan which, with reference to our paragraphs 3.1 to 3.6 above, should make it clear that the allocation of the Land as local green space in the Draft Plan is totally unacceptable. There is nothing in planning law, policy, or guidance that would assist the Parish Council in proceedings with the allocation of the Land as local green space and the Draft Plan should be amended accordingly. There are four grounds of objection which we set out in paragraphs 4.2 to 4.14 below.

*The Land does not qualify as local green space under paragraph 106 of the NPPF*

- 4.2 Paragraphs 106 (a), (b) and (c) of the NPPF set out the three-step test for as to when land should be designated as local green space (as set out in paragraph 3.2 above). We submit that the Land clearly fails to meet part (b) of that test.
- 4.3 The Land remains in agricultural use but has overgrown. The Field in particular has no special beauty or character and is simply an unmaintained stretch of land. The Parish Council acknowledges itself at page 49 of the Draft Plan that there are no records of the Land having historical significance, and, when considered with the fact that the public has no right of access to the Land, it is difficult to see how the Land can be regarded as demonstrably significant to the local community.
- 4.4 The Appeal decision refers to the Land forming part of a "central penetrating pastoral green open space"<sup>4</sup>. This alleged central open space divides the southern and northern halves of Westerfield and, according to the Appeal, is apparent when driving through Westerfield on Westerfield Road. The suggestion in the Appeal was that the Land should not be developed because doing so would erode the character of this central open space.
- 4.5 This assessment does not hold up to scrutiny when the surrounding area to the Land is properly considered. In particular, the land adjacent to the Field on the west side of the B1077 is a cluster of around 11 residential dwellings. The addition of, for example, eight dwellings on the Land (as sought under the 2019 Application) would not affect any alleged openness when the area of land opposite the Land already

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<sup>4</sup> Paragraph 18 of the Appeal decision.

consists of housing. As such, it is patently obvious that the openness of the Land is immaterial to maintaining the alleged central open space.

- 4.6 In the circumstances, the Land comes nowhere close to meeting the requirement in paragraph 106(b) for local green space. We therefore submit that the designation of the land as local green space should be removed from the Draft Plan on that basis.

*The Draft Plan is not in conformity with the Local Plan in respect of the allocation of the Land*

- 4.7 As set out in paragraphs 3.3 and 3.4 above, the NPPF and Government Guidance is clear that Neighbourhood Plans should not undermine or contradict the existing development plan. The current development plan relevant to the Land comprises the Local Plan. The Local Plan is silent on the allocation of the Land. Moreover, we understand<sup>5</sup> that the District Council has previously indicated to Mr & Mrs Pipe that the Land was potentially suitable for residential development.

- 4.8 Accordingly, it is wholly inappropriate for the Parish Council to designate the Land as local green space when that designation does not conform with the District Council's current Local Plan and its previous communications with Mr & Mrs Pipe. We consequently submit that the designation of the Land as local green space should be removed from the Draft Plan as continuing to so designate the Land would not be in conformity with the strategic policies for the District.

*The allocation of the Land as local green space unreasonably restricts the use of the Land*

- 4.9 As set out in paragraph 2.4 above, several planning applications for residential development have been made in respect of the Land. Whilst those applications were refused, as discussed at paragraph 4.7 above, the District Council has previously indicated that the Land could be suitable for residential development. Mr & Mrs Pipe are still exploring this possibility and may make a revised application in the future. However, their ability to succeed in any application would be unreasonably hindered by the designation of the Land as local green space.

- 4.10 It is established that neighbourhood plans are part of a development plan. As any neighbourhood plan implemented by the Parish Council would be more recent than the Local Plan, its provisions would have primacy over the Local Plan. Section 38(6) of the PCPA 2004 (set out in full at paragraph 3.5 above) makes it clear that any planning application should be considered in accordance with the development plan unless material considerations indicate otherwise. If the Land were designated as local green space as is proposed in the Draft Plan, that would greatly undermine any

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<sup>5</sup> See page 5 and Appendix 1 to the Planning Statement dated 1 April 2019 submitted with the 2019 Application.

future application for development of the Land for anything other than open space. The use of the Land would be pigeonholed as open space notwithstanding that the District Council has previously indicated the suitability of the Land for residential development.

- 4.11 This restriction of the Land is particularly unreasonable given the need for sustainable development and the current Government policy that more housing is needed. Paragraphs 10 and 11 of the NPPF set out the presumption in favour of sustainable development and paragraph 70 of the NPPF explains that small and medium sized sites can make an important contribution to meeting housing requirements. It is acknowledged across the planning sector that there is a housing shortage in England and that the Government's housebuilding targets are unlikely to be met. With this backdrop, it is incomprehensible that the Parish Council would undermine the potential residential development in the area especially when the District Council has previously indicated that the Land is suitable for residential use. We submit that the designation of the Land as local green space should be removed on this basis.

*The designation of the Land as local green space effectively creates a ransom situation*

- 4.12 As set out in paragraph 2.5, the Old Station Works has the benefit of planning permission and was designated for housing in the District Council's previous Local Plan. If this development is to come forward, open space will need to be provided and the Land, if designated as local green space in the final version of the Draft Plan, would be most suitable for this.
- 4.13 The developer of the Old Station Works would be required to purchase the Land from Mr & Mrs Pipe in order to create the open space, and this would likely create a ransom situation. Mr & Mrs Pipe would be entirely reasonable in holding out for a sum in excess of the usual market value for land designated as open space because of its importance to the development at the Old Station Works. However, any potential developer of the Old Station Works might be unwilling to pay that ransom sum for the Land. This situation is likely to result in undermining the future development of the Old Station Works because any possible developers would be discouraged from purchasing the Old Station Works due to the open space issue.
- 4.14 In the circumstances, not only is the designation of Land as open space unreasonably restricting the use of the Land, but it would unnecessarily inhibit any future development of the Old Station Works. The District Council is likely to view the latter as particularly concerning given that the housing to be delivered at the Old Station Works is included in its housing supply calculations. We therefore submit that the Land should not be allocated as local green space for this reason.

**5. CONCLUSION**

- 5.1 For the reasons set out above, Mr & Mrs Pipe OBJECT to the Draft Plan and submit that it should be amended to remove the designation of the Land as local green space. We consider that the Land should properly be allocated for residential development; however, if the Parish Council does not consider that appropriate at this stage, then the Land should not be allocated at all.
- 5.2 Should the Parish Council proceed with allocating the Land as local green space, this will likely lead to a challenge in the Courts which on the facts will be successful.

**Birketts LLP**  
**For and on behalf of Mr William Pipe and Mrs Monica Pipe**  
**18 January 2024**

## Sport England

Government planning policy, within the **National Planning Policy Framework (NPPF)**, identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.

Therefore, it is essential that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 102 and 103. It is also important to be aware of Sport England's statutory consultee role in **protecting playing fields** and the presumption against the loss of playing field land. Sport England's playing fields policy is set out in our Playing Fields Policy and Guidance document.

[https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing\\_fields\\_policy](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy)

Sport England provides guidance on **developing planning policy** for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.

[https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning\\_applications](https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications)

Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 103 of the NPPF, this takes the form of **assessments of need and strategies for indoor and outdoor sports facilities**. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.



Where such evidence does not already exist then relevant planning policies in a neighbourhood plan should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.

<http://www.sportengland.org/planningtoolsandguidance>

If **new or improved sports facilities** are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

Any **new housing** developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.

Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>



PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

*(Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)*

# Suffolk County Council

Thank you for consulting Suffolk County Council (SCC) on the Submission Consultation version of the Westerfield 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 ~~striketrough~~.

## Spatial Strategy

Within SCC's response to the pre-submission (Regulation 14) consultation stage, the following was stated:

"SCC notes that, unlike many other neighbourhood plans, this neighbourhood plan has not included a spatial or planning strategy policy.

It is recommended that one is included, in order to be clear and unambiguous as to what the housing and development strategy is for the parish.

SCC notes that paragraphs 5.3 and 5.8 sets out most of the details, as the SCLP allocates a site for 20 dwellings, and any other development should infill within the settlement boundary, as set out in Map 2. It is recommended that this is anchored into a policy, for clarity.

Without having a clear Housing Strategy Policy, the parish is opened up to potential for inappropriate speculative development."

To accord with Paragraph 13 of the NPPF (December 2023) and paragraph 8(2) Schedule 4B to the Town and Country Planning Act Part A it states “Plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development strategies; and should shape and direct development that is outside of these strategic policies.” Paragraph 16, part d of the NPPF states the plan should “contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals”.

SCC raised concerns during the Pre-Submission consultation that a specific Housing Strategy Policy had not been created in the plan. SCC is continuing to suggest that a Housing Strategy Policy is added to plan for clarity, and to meet the conditions of paragraph 8(2) Schedule 4B to the Town and Country Planning Act Part A.

### Flooding

Within SCC’s response to the pre-submission (Regulation 14) consultation stage, the following was stated:

“Allocated Site SCLP12.67 – SCC notes that this site was allocated before the changes to the NPPF as it is not in a Flood Zone, but does have a potentially significant surface water flow path through it (see Map 1, below). With changes to the NPPF it is likely it should require sequential testing due to the flood risk.”

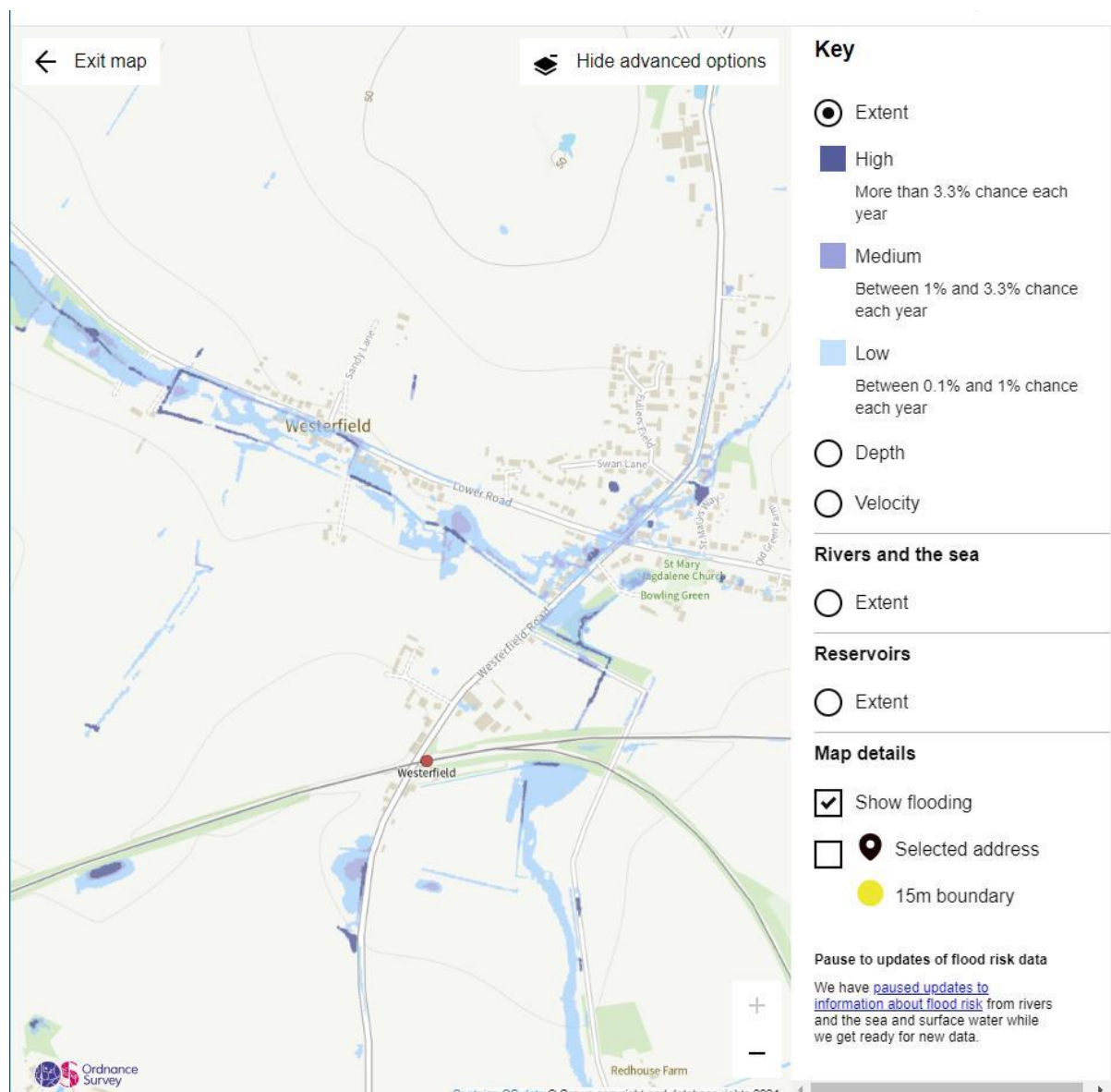
The allocated site SCLP12.67 falls within Flood Zone 3, this means that there is a high probability of flooding. In order to accord with Paragraph 165 of the NPPF (December 2023) and paragraph 8(2) Schedule 4B to the Town and Country Planning Act Part A it states that “inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk”. Advice should also be followed from paragraph 168 where a “sequential test is used to steer new development to areas with the lowest risk of flooding from any source”. Because the development consists of 20 dwellings it will also be a major development that requires Sustainable Drainage Systems (SuDS) and advice should be followed from the LLFA in order to accord with paragraph 175 of the NPPF.

Developments within Flood Zone 3 must submit a flood risk assessment as part of the planning application. Before a planning application is accepted for this site, the applicant must contact East Suffolk Local Planning Authority to check their planning requirements. The Environment Agency advises that all developments in Flood Zone 3 should include an assessment of all sources of flooding and take into account climate change allowances.

The watercourse to the southern boundary of the site and will also need to be fully accessible and incorporated into any proposed site. SCC notes that that the Local Plan site

allocation includes public open space and this should be used as surface water flood mitigation areas.

Therefore, the plan should be amended to state that any developers of the site must engage with SCC as the Lead Local Flood Authority as part of early engagement and master-planning.



Map 1 – Extent of Flood Risk located surrounding Site Allocation SCLP12.67

### Health and Wellbeing

Within SCC's response to the pre-submission (Regulation 14) consultation stage, the following addition was stated about Policy WFD 6 – Design Considerations:

SCC recommends including an additional part to Policy WFD 6, using the following wording:

*i. a range of housing types are provided that meet local need. Particular support will be given to homes that are adaptable and accessible (meaning built to optional M4(2) standards) in order to meet the needs of the aging population, without excluding the needs of younger occupants and families”*

The Westerfield Neighbourhood Plan states that the parish’s ‘biggest area of change in population is for those aged 65 and over’. Of the 483 people living in the parish 33.5% (2021 Census) of people living in the area are aged over 65, this is above the national average of 18.6% (2021 Census). However, the plan does little to meet the needs of these residents, it is recommended that there should be specific mention of support of adaptable homes built to the M4(2) Standard. To accord with footnote 52 of the NPPF (December 2023) and paragraph 8(2) Schedule 4B to the Town and Country Planning Act Part A and B

The SCLP 5.8 on housing mix advises that on proposals of 10 or more new dwelling, should be built to meet the requirements for accessible and adaptable dwellings under Part M4(2) of building regulations. It also suggests that Neighbourhood Plans may set out an approach to housing type and mix specific to the local area where this is supported by evidence.

Following guidance from footnote 52 in the NPPF December 2023 “Planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties. Policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified.”

Therefore, SCC would recommend Policy WFD6 be amended as above, to include the support of provision of M4(2) housing.

### Natural Environment

Within SCC’s response to the pre-submission (Regulation 14) consultation stage, the following was recommend removing the examples, as below, as there is a wider scope for measures without them. The following wording could be used:

“Otherwise acceptable development proposals will be supported where they provide a net gain in biodiversity through, for example:

- a. Restoring and repairing fragmented wildlife networks and the creation of new natural habitats including ponds;
- b. the planting of additional native trees and hedgerows of local provenance (reflecting the character of Westerfield’s traditional woodland and hedgerows), and;
- ~~c. restoring and repairing fragmented biodiversity networks through, for example, including swift boxes, bat boxes and holes in fences which allow access for hedgehogs.”~~

With regards to the biodiversity improvement measures listed, SCC has some concerns regarding the mention of swift and bat boxes in the same vein as habitat creation listed in point c. Losing the connectivity of one or several hedgerows will not be repaired with the installation of bat or bird boxes. Swift and Bat boxes are not considered habitat creation and therefore could enable developers to underdeliver mitigation. SCC would recommend removing the examples as above as there is a wider scope for measures without them.

In order to accord with paragraph 185-part b of the NPPF it is suggested that neighbourhood plans should lead to the enhancement of habitats. The positioning of Swift and Bat boxes together would not lead to this.

### Public Rights of Way

Within SCC's response to the pre-submission (Regulation 14) consultation stage, the following statement was made about inaccurate information in paragraph 9.5:

"SCC notes that paragraph 9.5 states that highway improvements are reliant on the County Council Highways Department for investment in projects, which is a misnomer. The Public Rights of Way (PROW) network is legally part of the highways network and improvements to the PROW network are heavily reliant on Section 106 obligations under the Town and Country Planning Act 1990, and Section 278 agreements under the Highways Act 1980"

SCC would strongly advise that an alteration is made to paragraph 9.5. The second sentence of paragraph 9.5 (~~"Improvements are therefore reliant on the County Council's Highways Department for investment in projects"~~) should be removed and replaced by the following wording:

*PROW network is legally part of the highways network and improvements to the PROW network are heavily reliant on Section 106 obligations under the Town and Country Planning Act 1990, and Section 278 agreements under the Highways Act 1980.*

SCC is advising that the way paragraph 9.5 is currently worded means that the Plan is factually incorrect. SCC is continuing to strongly advise that the alteration suggested at the as above is actioned. Whilst this is not a breach of any of the basic conditions, without the change suggested this could create confusion for the community.

### Aims and Objectives:

Within SCC's response to the pre-submission (Regulation 14) consultation stage, the following was strongly suggested to be amended in Aim 1:

"SCC notes Aim 1 which states "Maintain Westerfield as a 'small village' (in planning terms) by creating a "green ring" to protect it from creeping developments both from

outside and within the village.” SCC queries the legality of this, as neighbourhood plans cannot create their own Green Belt.”

NPPF December 2023 paragraph 144 states: “The general extent of Green Belts across the country is already established. New green Belts should only be established in exceptional circumstances, for example when planning for larger scale developments such as new settlements or major urban extensions.”

Please note that there are no Green Belt in Suffolk.

There is no other mention of the phrase “green ring” in this plan, so it is unclear how this aim is supposed to be delivered through the plan. If the intention of this aim is to prevent coalescence with Ipswich, there are other mechanisms to do so.

SCC also notes that this plan has included the following methods of protecting green spaces, landscapes and settlement gaps:

Policy WFD 1: Landscape Buffer

Policy WFD 2: Sensitive Landscape

Policy WFD 3: Local Green Spaces

Policy WFD 4: Protection of Important Views

It is also unclear what is meant by the phrasing of “small village (in planning terms)”, as this term does not appear in the glossary, nor is it a recognised term in the NPPF. SCC has interpreted this to mean in accordance with the classification of Westerfield in the adopted Suffolk Coastal Local Plan SCLP3.2: Settlement Hierarchy. Therefore, it is strongly recommended to remove the “(in planning terms)” and the reference to “green ring” from the Aim. We are proposing the following wording to be used as a necessary alternative:

1. Maintain Westerfield as a ‘small village’ (in accordance with its classification under Suffolk Coastal Local Plan Policy SCLP3.2) and protect its valued surrounding landscape and rural feel. by creating a “green ring” to protect it from creeping developments both from outside and within the village.”

To accord with Paragraph 16d of the NPPF (December 2023) and paragraph 8(2) Schedule 4B to the Town and Country Planning Act Part A it states that the plan should ‘contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals’. Whilst this is not a policy, it is not clear and not unambiguous of what this aim is trying to achieve. SCC believes that the plan has not been positively prepared because it is trying to block development through creating a ‘green belt’. As previously said at the Regulation 14 stage there are no green belts in Suffolk, and these cannot be created in Neighbourhood Plans as this would be a breach of paragraph 144 in the NPPF. SCC supports the desire to protect the landscape and rural feel around



Westerfield, but believes that the phrasing of “green ring” is vague, unjustified, and is not a recognised planning term.

SCC would again recommend that this aim is amended as per the above wording, to ensure the plan is positively prepared in a way that is aspirational, but also deliverable.

#### Policies Map:

Within SCC’s response to the pre-submission (Regulation 14) consultation stage, it was strongly recommended that the plan creates a policies map. A Policy map is an important and useful tool which clearly displays the important features within the plan policies in one clear and consolidated image.

As per the previous comments to the pre-submission (Regulation 14) consultation stage SCC would suggest that map displays the following: Parish boundary, Settlement boundary, allocated housing sites, Listed buildings and/or heritage assets, designated Local Green Space, important views, Public Rights of Way, and any other important features or facilities of the parish.

SCC suggests the addition of a policies map would help to shape and direct development that is outside of the strategic policies (i.e. non-strategic policies of a neighbourhood plan) by showing the important features and aspects of the community within the Neighbourhood Plan area. Whilst it is not a statutory requirement for one to be included, a policies map would provide a useful contribution to the visual accessibility through providing a map containing all of the key features and facilities of the parish.

#### General

SCC notes that there is no Map 3 within the plan (previously Westerfield Landscape character areas (currently Map 4)).