

Westerfield Neighbourhood Plan

Parish Council response to Examiner's Clarification Note

December 2024

The Neighbourhood Plan Examiner published a Clarification Note on 28 November 2024. This paper provides the Parish Council's response to the questions raised in the Note.

Policy WFD 1 – Landscape Buffer

The Examiner seeks clarification of the defined Landscape Buffer and whether it is a general concept rather than defined parcels of land. He also asks if the reference to minimising the harm to heritage assets is incidental to the intended purpose of the buffer to prevent settlement coalescence?

Parish Council response

The Examiner's attention is drawn to paragraphs 20 and 21 of the Landscape Appraisal that accompanies the Submission Plan. It states: "Their separation, and outlook over open farmland, is an important part of their significance and they form an important component in views across character area WF2 [Eastern farmlands character area as defined on Map 4 of the Plan]."

It continues "The openness of the farmland that provides setting to these assets must be protected. Future development should not be directed to this part of the village fringe and any land use change which reduces the undeveloped gap to the village edge should be resisted. In any case, extending the village up beyond the 42m contour is not characteristic of Westerfield and is not appropriate."

From this professionally produced evidence, the buffer is a general concept to maintain the separation between the main built-up area of the village (within the Settlement Boundary) and the group of buildings to the north of the settlement that includes the Grade II* Westerfield Hall, the Grade II barn and outbuildings of Westerfield Hall, and Grade II Swan's Nest dwelling. The loss of that buffer, ie the gap between the settlement and the group of buildings would clearly have a significant detrimental impact on the nature and form of the settlement as a whole. Minimising harm on the designated heritage assets is something that is set out in national policy and, whilst the definition of the buffer is not solely to prevent harm to designated heritage assets, development within the buffer would be likely to result in harm to the setting of those assets.

Policy WFD 2 - Sensitive Landscape

The Examiner asks if he is correct to conclude that the sensitivity of the landscape relates to the potential impact of development proposals on the heritage assets on the western side of Westerfield Road rather than to the inherent landscape quality and/or sensitivity of the land concerned?

Parish Council response

The Examiner's attention is drawn to the Landscape Appraisal. Page 25 notes, in respect of this landscape character area:

"Land that adjoins and forms setting to heritage assets is sensitive for example the undeveloped farmland that faces Westerfield Hall. Any land use change or development here would have a direct impact on the perceptions of the Hall as a historical rural feature separated from the village edge. The undeveloped quality of the landscape in which it is seen is central to its significance as a Hall farm complex.

In all parts of WF2 the landscape is also visually sensitive as it is regularly bisected by roads and footpaths offering views across most of the area. that connects the Witnesham Road and By Road. Its gentle topography and only sporadic wooded features means that fairly long views across the parcel."

As such, the Landscape Appraisal notes that this area is not the highest quality landscape in the neighbourhood area, but the area identified in the draft Plan as a sensitive landscape clearly has an important role to play in the setting of the nearby heritage assets.

Policy WFD 3 – Local Green Spaces

The Examiner asks whether the Parish Council wishes to provide further details about Local Green Space 3 (open area west of B1077 and south-west of Fairlands) and 4 (open area east of B1077 between Ash House and The Lodge) beyond those in the relevant Appraisal?

Parish Council response

The two proposed Local Green Spaces referred to by the Examiner were identified, in landscape importance terms, through the preparation of the Landscape Appraisal. However, the Parish Council acknowledges that landscape importance alone does not necessarily mean that the spaces would satisfy the criteria for designation set out in the NPPF. The Parish Council therefore appraised the areas in the light of paragraph 105 of the NPPF (December 2023).

It is acknowledged that the Landscape Appraisal notes that, in Section 8 paragraph 7, the Local Green Space designation could "help protect the remaining meadows from development." However, the Parish Council acknowledges the designation must meet the criteria paragraph 105 and that this is conclusively demonstrated in Appendix 2 of the Plan.

Policy WFD 4 – Protection of Important Views

The Examiner seeks:

- i. clarification on the overall approach to the identification of Important Views and the differences in the evidence base,

- ii. comments as to whether the approach conflicts with the ambitions of both local and national planning policies, and does not allow for a contribution to sustainable development, and
- iii. whether the policy be worded in a positive rather than a negative way?

Parish Council response

- i. The neighbourhood plan views have specifically been informed on a professional basis as part of the Landscape Appraisal and the approach to their identification and inclusion is set out in section 6 of the Appraisal. Given that the assessment of the key features of these views is set out in the Landscape Appraisal, they have been included in the Neighbourhood Plan. Conversely, the Design Guidelines and Codes includes views which were identified by the community during the Residents' Survey, which is not a professionally assessed approach. Some views are duplicated in the Landscape Appraisal but, given the primacy of the Neighbourhood Plan policy and its reference to Map 7, it is clear that the views identified in the Design Guidelines and Codes do not have weight in the Plan. The Examiner may wish to clarify this through suggesting that the Design Guidelines and Codes include a statement to note that the views do not have a status in the Plan.
- ii. The approach to identifying important views has been demonstrated, through the Basic Conditions Statement, not to conflict with the strategic policies of the Local Plan or the National Planning Policy Framework. In the case of the latter, this remains the case with the December 2024 publication of a revised NPPF. The policy does not block development but states that "Any proposed development should not have a detrimental visual impact on the key landscape and built development features of those views".
- iii. Should the Examiner consider it necessary, the policy could be reworded by amending the second sentence as follows:
Otherwise acceptable proposals that demonstrate, through appropriate and proportionate evidence, that the development can be accommodated without having significant adverse impacts on the key features of the views, as identified in the Neighbourhood Plan Landscape Appraisal, will be supported. ~~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.~~

Policy WFD 8 – Parish Services and Facilities

The Examiner states that he is minded to reverse the order of the policy elements and seeks the Parish Council's comments.

Parish Council response

The Parish Council considers such an approach would not undermine the intent of the Policy.

Representations

The Examiner asks for the Parish Council's comments on the representations from:

- Ambury Development
- Anglian Water
- Ipswich Borough Council
- Ipswich School
- Mr and Mrs Pipe
- Suffolk County Council

The Examiner also seeks comments on the series of detailed refinements suggested by East Suffolk Council.

Parish Council's response to representations

The table below sets out the Parish Council's response to the representations highlighted by the Examiner.

Summary Comment		Parish Council response	
Ambury Development (Savills) Ambury Development did not at Regulation 14 consultation stage			
<u>Policy WFD 4 – Protection of Important Views</u> Ambury Developments raise concerns as to the value of identifying views 5, 9a and 9b in the Neighbourhood Plan and question whether the policy in itself is in accordance with the policies of the Local Plan.		The views have been assessed through a professional assessment contained within the Landscape Appraisal. It is considered that they provide an appropriate response to the local landscape character of the neighbourhood area. As has been identified in the Basic Conditions Statement, the policy is considered to be in general conformity with the strategic policies of the Suffolk Coastal Local Plan.	
Anglian Water Anglian Water were consulted but did not comment at 14 consultation stage			
<u>Policy WFD 1 – Landscape Buffer</u> Anglian Water 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.		No comment necessary	
<u>Policy WFD 3 – Local Green Spaces</u> Anglian Water seeks a clarification in the Plan that “Policies for managing development within a Local		Such a change is not considered necessary for the policy but, if the Examiner	

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<p>Green Space should be consistent with those for Green Belts.”</p> <p><u>Policy WFD 5 - Protection of Trees, Hedgerows and other Natural Features</u> Anglian Water supports the policy and suggests adding reference to the emerging Local Nature Recovery Strategies for Norfolk and Suffolk.</p> <p><u>Policy WFD 6 - Design Considerations</u> Anglian Water suggest that measures for water management could be included in the policy.</p> <p><u>Design Guidance and Codes</u> Anglian Water suggest making amendments to the Design Guidance and Codes in relation to using porous materials for parking surfaces and water efficiency.</p>	<p>considers it necessary, an additional sentence to this effect could be added to the end of paragraph 6.14.</p> <p>This is not considered necessary</p> <p>This matter is addressed in Policy SCLP9.7: Holistic Water Management of the Suffolk Coastal Local Plan</p> <p>This is not considered necessary</p>
<p>Ipswich Borough Council Ipswich Borough Council were consulted but did not comment at 14 consultation stage</p>	
<p><u>Policy WFD 3 – Local Green Spaces</u> Ipswich Borough Council suggests: i. the extent of LGS 3 (open area west of B1077 and south-west of Fairlands) is excessive and does not meet the definition of LGS and should be removed from the Plan. ii. limiting LGS 4 (open area east of B1077 between Ash House and The Lodge) to the woodland habitat, as the remainder of the site holds no environmental or conservation designations.</p> <p><u>Policy WFD 5 – Protection of Trees, Hedgerows and other Natural Features</u></p>	<p>The Parish Council remains of the opinion that the two areas meet the definition set out in the National Planning Policy Framework. LGS3 has an area of just over 2 hectares and is certainly not considered excessive when compared with designations that have been made nationally in local and neighbourhood plans The criteria for designating LGS in the NPPF does not require sites to have an environmental or conservation designation. To do so would suggest that the LGS designation does not add any value.</p> <p>The Examiner may wish to consider the inclusion of a</p>

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<p>The Borough Council refers to the Landscape Appraisal recommendation that any new development replicates the well vegetated edge character of the village. They suggest that this could be incorporated in a policy. They also note that the map reference should be made to Map 8 not Map 7.</p>	<p>reference to the recommendations contained in the Landscape Appraisal in the policy. The Parish Council agrees that the reference should be to Map 8.</p>
<p><u>Chapter 5 - Village Development Locations</u> The Borough Council suggests that the statement in paragraph 5.5 that there is "little in the way of support for further growth of the village", may not take account of all residents' views. They suggests that a more balanced to publish the entire range of responses, as with the survey in paragraph 7.9.</p>	<p>This is not considered necessary</p>
<p><u>Chapter 6 - Landscape and Natural Environment</u> The Borough Council suggest that Map 5 (Landscape Buffer and Sensitive Landscape) should be labelled with a key below instead of labels on the map itself, for clarity.</p>	<p>This is not considered necessary</p>
<p><u>Chapter 8 – Services and Facilities</u> The Borough Council suggest that 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.</p>	<p>This is not considered necessary</p>
<p><u>Other areas of note</u> The Borough Council makes reference to the Landscape Appraisal and its reference to avoiding development on the meadows and development of the business park is preferred. They consider that this could have unintended negative consequences on the business park.</p>	<p>Paragraph 5.7 notes that planning permission has been granted for up to 75 dwellings and 16 business units at the Old Station Works (the business park).</p>
<p>The Borough Council state that they would support proposals for cycling infrastructure to promote the use of sustainable transport and policies aimed at enhancing the accessibility of footpaths and pavements.</p>	<p>These comments are noted</p>
<p>The Borough Council sate that 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. They would support further exploration through policy as a potential avenue for enhancing the wildlife in the village.</p>	<p>This is not considered necessary</p>

Summary Comment	Parish Council response
<p>Ipswich School Ipswich School did not comment at Regulation 14 consultation stage</p>	
<p>Ipswich School's representation relates to land in their ownership west of Westerfield Road having an area of approximately 7 acres. Specifically the representation states that they "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."</p> <p>"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.</p> <p>"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."</p> <p><u>Westerfield Neighbourhood Plan Objectives</u> Ipswich School state that the objective of creating a green ring around the Settlement Boundary will have a detrimental impact on the future growth of the village which is not in accordance with the Local Plan.</p> <p><u>Policy WFD 1 – Landscape Buffer</u> Ipswich School state that the designation of a landscape buffer "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</p>	<p>The Neighbourhood Plan is in generally conformity with the strategic policies of the Local Plan. That Plan does not allocate the site owned by Ipswich School for development. It would be for Ipswich School to demonstrate through the Local Plan preparation process that their site is capable of being developed while having regard to potential landscape and heritage impacts.</p> <p>There is no requirement for the Neighbourhood Plan to allocate sites for development.</p> <p>The Plan does not hinder suitable sites coming forward to development in the future Local Plan where they are in conformity with the spatial strategy of that Plan.</p> <p>The objective is considered to be in accordance with the Local Plan given the outward growth of the built-up area is not proposed other than at the site south of Lower Road.</p> <p>The Landscape Appraisal identifies the need for the buffer on this land. It would be for Ipswich School to demonstrate through the Local Plan preparation process that their site is capable of being</p>

Summary Comment	Parish Council response
<p>policy on all development sites delivering appropriate landscape buffers to the countryside.</p> <p><u>Policy WFD 4 – Protection of Important Views</u> Ipswich School note that the important views identified in the Neighbourhood Plan differ from the ones identified in the Design Guide Codes. They state that “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.” They further question why viewpoints 6 and 7 have been designated given that they only cover the site owned by them.</p> <p><u>Policy WFD 5 – Protection of Trees, Hedgerows and other natural features</u> Ipswich School is generally supportive of the policy but question how the policy works alongside national policy and requirements, specifically “the mention of measurable biodiversity net gain, and how it will be delivered”. They consider that the way that biodiversity enhancement and mitigation should be steered by the Environment Act to avoid confusion.</p> <p><u>Policy WFD 9 – Public Rights of Way</u> Ipswich School state that “Development of land west of Westerfield Road would provide an excellent opportunity to improve the Public Rights of Way network in the village” and that the development of the site “could also contribute to improving the pedestrian and cycle connections along the road to the village.”</p>	<p>developed while having regard to potential landscape and heritage impacts.</p> <p>This matter is addressed above in response to the question raised by the Examiner. The type of development supported outside a Settlement Boundary is addressed in the Local Plan. Where development outside the Settlement Boundary is supported, it would then be judged against Policy WFD 4. The views are identified based on landscape character and not on who owns the land.</p> <p>The Parish Council is satisfied that this policy is appropriate in respect of the requirements of the Environment Act.</p> <p>The Plan is not required to allocate additional sites for housing development.</p>
<p>Mr and Mrs Pipe Mr and Mrs Pipe commented at Regulation 14 consultation stage</p>	
<p>Mr and Mrs Pipe state that no regard has been had by the Parish Council to the previously submitted letter of objection which has been submitted again in full, and no amendments to the draft Neighbourhood Plan have been made.</p>	<p>The Parish Council remains of the opinion that the site concerned meets the criteria in the NPPF for designating Local Green Space. Since the original draft Plan was prepared, the Examiner will</p>

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<p>Mr and Mrs Pipe strongly object to the land within their ownership being allocated as Local Green Space (Open area east of B1077 between Ash House and The Lodge). The solicitor acting on their behalf states that, should the objection not be taken into consideration and amendments made, they will have no choice other than to bring a judicial challenge against the decision to include their land as currently drafted.</p> <p>Attention is drawn, in particular, to Clause 4 of the letter of objection, which sets out four relevant grounds of objection, having regard to planning policy. The objection states that East Suffolk's Local Plan does not allocate the land in question at all, let alone as open space and notes the adjoining land (Old Station Works) has the benefit of residential planning permission under planning number DC/18/3850/OUT.</p>	<p>have seen that the tree belt to the rear of the site has now been felled which further adds to the importance of this space and it's setting of the Grade II listed Glebe House to the north.</p> <p>The Parish Council remains of the opinion that all legal requirements in preparing the Plan have been met and that a judicial challenge can only be brought where a Plan has not been prepared within the specified regulations.</p>
<p>Suffolk County Council The County Council commented at Regulation 14 consultation stage</p>	
<p><u>Spatial Strategy</u> 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.</p> <p><u>Flooding</u> In relation to the site allocated at Lower Road in the Local Plan, the County Council require the Plan to 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."</p> <p><u>Policy WFD 6 – Design Considerations</u> The County Council continues to seek an amendment to Policy WFD 6 to include the support of provision of M4(2) housing.</p> <p><u>Policy WFD 5 – Protection of Trees, Hedgerows and other Natural Features</u> The County Council continues to seek changes put forward at Regulation 14 consultation stage.</p>	<p>This is not necessary and is not a requirement of the quoted Act. The matter is adequately addressed in the adopted Suffolk Coastal Local Plan and there is no need to repeat policies contained in plan.</p> <p>The Neighbourhood Plan does not allocate this site and therefore it is not within its gift to seek these requirements.</p> <p>Policy SCLP 5.8 of the Local Plan addresses this.</p> <p>This is not considered necessary</p>

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<p><u>Public Rights of Way</u> The County Council continues to seek an amendment to paragraph 9.5 in relation to investment in improvements.</p> <p><u>Aims and Objectives</u> The County Council has again raised concerns about the aim of defining an apparent “green ring” around the Settlement Boundary and suggests that the Neighbourhood Plan is defining a Green Belt.</p> <p><u>Policies Map</u> The County Council continues to seek the inclusion of a Policies Map in the Plan.</p>	<p>The suggested amendments put forward by the County Council would suggest that investment in the public rights of way network only comes from Section 106 obligations or Section 278 agreements, both of which would occur via planning approvals. Such a change would create confusion in the community given that other sources of investment in improving the network are available.</p> <p>The County Council appears to be confusing an objective of the Plan with the planning policies. The aims have not weight in the consideration of planning applications. The Parish Council is also aware that it cannot define a Green Belt.</p> <p>There is no statutory requirement to include a Policies Map and the land use designations will be included in the East Suffolk Policies Map once the Plan is made.</p>
<p>East Suffolk Council The Council commented at Regulation 14 consultation stage</p>	
<p><u>Maps</u> The Council raises a number of matters concerning the maps which were not raised at the Pre-Submission stage.</p> <p><u>Paragraph 4.2 – Objective 1</u></p>	<p>The Parish Council is disappointed that the matters relating to the accuracy of the maps were not raised at the Pre-Submission stage. Had they been, the maps could have been amended prior to the Plan being submitted.</p> <p>It is considered that the objective terms and self-</p>

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<p>The Council seeks clarification of the term “small village” and “green ring”.</p> <p>Chapter 5 The Council seeks amendments to the list of Relevant Suffolk Coastal Local Plan Policies and clarity in paragraphs 5.1 and 5.5.</p> <p><u>Policy WFD1 – Landscaper Buffer</u> The Council asks if the policy is seeking to protect coalescence and the heritage assets and whether this is the most effective way of achieving it.</p> <p><u>Policy WFD 2 – Sensitive Landscape</u> The Council effectively repeats the comments it submitted at pre-submission consultation stage.</p> <p><u>Policy WFD 3 – Local Green Spaces</u> The Council questions whether there is sufficient justification for the designation of sites 3 and 4.</p> <p><u>Map 7 – Important Views</u> The Council refers to the differences between the map and those identified in the Design Guidance and also notes some minor differences between Map 7 and those in the Landscape Appraisal.</p> <p><u>Policy WFD 4 - Protection of Important Views</u> The Council suggests that the policy should 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.</p>	<p>evident and do not require amending.</p> <p>The list of relevant policies can be updated before the Referendum but the suggested changes to paragraphs 5.1 and 5.5 are not considered necessary.</p> <p>These points were not previously raised by the Council at the Regulation 14 stage. The Parish Council has nothing further to add to the response to the Examiner’s question above.</p> <p>The Parish Council has nothing further to add to the response to the Examiner’s question above.</p> <p>It is disappointing that East Suffolk Council did not raise these points at the pre-submission consultation stage. The Parish Council can only assume that they were satisfied with their designation at the time? The Parish Council has nothing further to add to the response to the Examiner’s question above.</p> <p>The Parish Council has nothing further to add to the response to the Examiner’s question above.</p> <p>It is disappointing that East Suffolk Council did not raise these points at the pre-submission consultation stage. The Parish Council considers that the policy wording, which is the same as that used in the recently made Playford Neighbourhood Plan, is satisfactory.</p>

Summary Comment	Parish Council response
<p><u>Policy WFD5 - Protection of Trees, Hedgerows and Other Important Views</u> The Council seeks an explanation of the term "otherwise acceptable" and suggests some changes to supporting text.</p> <p><u>Chapter 6 comments</u> The Council raises a number of minor matters in paragraphs 6.18, 6.19 and 6.22</p> <p><u>Policy WFD6 - Design considerations</u> The Council considers deleting references to the National Model Design Code.</p> <p>The Council makes comments about development in flood zones, but it is not clear what they are seeking.</p> <p><u>Policy WFD7 - Artificial Lighting</u> The Council repeats its representation from the pre-submission consultation and continues to seek changes to the policy.</p> <p><u>Policy WFD8 – Parish Services and Facilities</u> The Council questions whether the railway station counts as a public service and facility or whether it should be the subject of a separate policy about transport.</p> <p><u>Design Guidelines and Codes</u> The Council seeks the updating of NPPF paragraph numbers and notes that the important views differ from those in the Landscape Appraisal.</p> <p><u>Landscape Appraisal</u> The Council seeks amendments to figure 8.1</p>	<p>The minor amendments suggested are not considered necessary. The term "otherwise acceptable" is used in the same policy in the recently made Playford Neighbourhood Plan.</p> <p>The Parish Council notes the comments.</p> <p>The Parish Council considers that the Examiner will determine if changes are necessary in order for the Plan to meet the Basic Conditions.</p> <p>The policy, as worded, is the same as in the recently made Playford Neighbourhood Plan.</p> <p>The Parish Council considers it appropriate to designate the station as a service/facility.</p> <p>Just as with evidence documents produced in support of the Local Plan, the Design Guidelines are produced at a point in time and in both instances become out of date when the NPPF is amended. The Council has not amended its evidence documents and the Parish Council does not consider it necessary to ask for the Design Guidelines to be amended.</p> <p>The Parish Council does not consider this necessary.</p>