

## Babergh District Council



## Leavenheath Neighbourhood Development Plan

### Submission Consultation Responses

In February 2022, Leavenheath Parish Council (the 'qualifying body') submitted their Neighbourhood Development Plan to Babergh District Council. Further screening work was carried out before the Plan was re-submitted in August 2022 for formal consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The consultation period ran from 5 September until 4 November 2022.

Eleven organisations / individuals submitted written representations. They are listed below and copies of their representation are attached.

| Ref No. | Consultee  |
|---------|--|
| (1)     | Suffolk County Council                           |
| (2)     | Babergh District Council                         |
| (3)     | Natural England                                  |
| (4)     | Historic England                                 |
| (5)     | National Highways                                |
| (6)     | Anglian Water                                    |
| (7)     | Water Management Alliance                        |
| (8)     | Marine Management Organisation                   |
| (9)     | Defence Infrastructure Organisation, obo the MOD |
| (10)    | Resident - McConnell, K                          |
| (11)    | Resident - McConnell, M                          |

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# (1) SUFFOLK COUNTY COUNCIL

Date: 19 October 2022  
Enquiries to: Georgia Teague  
Tel: [REDACTED]  
Email: [REDACTED]  
[neighbourhoodplanning@suffolk.gov.uk](mailto:neighbourhoodplanning@suffolk.gov.uk)



Babergh District Council  
Endeavour House,  
8 Russell Road,  
Ipswich  
IP1 2BX

Dear Mr Hobbs & Mr Bryant,

## **Submission Consultation version of the Leavenheath Neighbourhood Plan**

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

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

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

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

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

We note that many of the comments raised by the County Council during the Pre-Submission Consultation have not been included in the Consultation Statement, or the suggested amendments included in the plan. As such, it is not clear that the comments from SCC have been considered.

The comments made that are missing from the Consultation Statement are summarised below. We attach our response letter to the Pre-submission Consultation as an Appendix to this letter for ease of reference.

Policy LEAV2:

- Natural environment comments, with concerns of sites 1, 4, 5
- Public Health suggestion for LEAV2 regarding accessibility
- Removal of "exceptional circumstances"

Policy LEAV3:

- Natural environment biodiversity text amendments
- Natural environment suggestion of removal of final sentence of policy

Policy LEAV4:

- Flooding text amendment to policy
- SUDS requirements

Policy LEAV6:

- Natural environment suggested key words "settlement gap" "coalescence"
- Suggested to change final line of policy

Policy LEAV7:

- Public Health suggested additional wording regarding M4(2) to be added

Policy LEAV10: transport, PROW, Public Health & AONB comments have been noted and discussed in the Consultation Statement.

- Natural environment comments regarding LGS made reference to LEAV10

LEAV12:

- Public Health comment regarding accessibility of facilities

LEAV13:

- General Public Health support, no specific changes.

Policy LEAV2: Local Green Spaces

SCC saw a draft of the Leavenheath plan for an informal view in March 2021, where we raised our concerns with some of the sites designated as Local Green Spaces. These sites have remained in the Reg14 and Reg16 drafts of the plan. SCC objects to this designation of the following Local Green Spaces in Policy LEAV2.

- Site 1: line of trees and grass verges High Road
- Site 4: grass verges along A134
- Site 5: north entrance Stoke Road junction with A134

Each of these sites are highways verges, and located as part of the perimeter of the highways. SCC, as the Highways Authority has the right to undertake "permitted development" which does not require planning permission. This means that if there are works needed on or adjoining the highway network, such as the maintenance and/or improvements to the carriageway or the implementation of a footway or cycle path, SCC will undertake these works.

This is indicated in the Town and Country Planning Act 2015, Part 9<sup>1</sup>, which has defined permitted development as:

*The carrying out by a highway authority—*

*(a) on land within the boundaries of a road, of any works required for the maintenance or improvement of the road, where such works involve development by virtue of section 55(2)(b)(1) of the Act; or*

*(b) on land outside but adjoining the boundary of an existing highway of works required for or incidental to the maintenance or improvement of the highway.*

Paragraph 102, part b, of the NPPF states that the local green space must be “demonstrably special” to the community it serves. We are not sure how sites 1, 4 and 5 meets the criteria, as the justification of the does not show how the sites have any of the following: beauty, historic significance, recreational value, tranquillity, or richness of wildlife. These points were detailed in the County Council’s Regulation 14 response in the appendix of this response.

The responses within the Consultation Statement responding to these points do not overcome our concerns.

### Design Guidance and Codes

During the Pre-Submission consultation, SCC raised some highways concerns of the Design Guidelines and Code. Following a meeting with AECOM and Locality, they have confirmed that changes can be made to Design Codes and Guides when suggested by planning authorities.

Paragraph 16, part d, of the NPPF states that plans should “d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;”.

The Suffolk Streets Design Guide has now been adopted, and sets the county council’s expectations for the design of streets and highways. We are concerned that an application could be submitted that adheres to the standards set in the Leavenheath Design Code, and that which does not accord with the Streets Guide.

Figure 9 of the Leavenheath Neighbourhood Plan indicates that the AECOM Design Guidelines and Code are to be considered at the same level as the policies.

We note that Policy LEAV9 states that proposals should be guided by the design guidelines and codes supporting document. It should be noted that other design guidance is relevant, such as Suffolk Guidance for Parking and the Suffolk Design Guide for Streets. We note in our Reg14 response that Leavenheath design code contradicts these guides.

If possible, the Design Guidelines could be amended to refer to these documents.

If amendments are not possible to the Design Guidelines and Code, we would recommend that Policy LEAV9 should clarify that design proposals should follow other guidance where relevant.

### General

Paragraph 1.2 refers to the Localism Act 2012, but in fact should be 2011.

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<sup>1</sup> <https://www.legislation.gov.uk/ukxi/2015/596/schedule/2/part/9/made?view=plain>

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If there is anything that I have raised that you would like to discuss, please use my contact information at the top of this letter.

Yours sincerely,

Georgia Teague  
Planning Officer  
Growth, Highways, and Infrastructure

## APPENDIX: SCC Pre-Submission response letter.

Date: 22 October 2021  
Enquiries to: Georgia Teague  
Tel: [REDACTED]  
Email: [REDACTED]  
[neighbourhoodplanning@suffolk.gov.uk](mailto:neighbourhoodplanning@suffolk.gov.uk)



Dear Ms Rachel Leggett, and Leavenheath Neighbourhood Plan group,

### **Pre-Submission version of the Leavenheath Neighbourhood Plan**

Thank you for consulting Suffolk County Council (SCC) on the Pre-Submission version of the Leavenheath Neighbourhood Plan.

SCC is not a plan making authority, except for minerals and waste. However, it is a fundamental part of the planning system being responsible for matters including:

- Archaeology
- Education
- Fire and Rescue
- Flooding
- Health and Wellbeing
- Libraries
- Minerals and Waste
- Natural Environment
- Public Rights of Way
- Transport

This response, as with all those comments which SCC makes on emerging planning policies and allocations, will focus on matters relating to those services.

Suffolk County Council is supportive of the vision for the Parish. In this letter we aim to highlight potential issues and opportunities in the plan and are happy to discuss anything that is raised.

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

### Archaeology

In section 2.5 the brief history could make a note about the information held in the Historic Environment Record (HER) and should state that the HER is maintained by Suffolk County Council Archaeological Service (SCCAS), with publicly accessible records being viewable on the Suffolk Heritage Explorer, which can be viewed at <https://heritage.suffolk.gov.uk/>.

For a more detailed search of the records in the HER for the neighbourhood plan, a HER search could be undertaken<sup>2</sup>

In section 5.2 SCC would also encourage the following text relating to the historic environment and archaeology, which would give clarity to developers:

*“Suffolk County Council manages the Historic Environment Record for the county, and non-designated archaeological heritage assets would be managed through the National Planning Policy Framework. Suffolk County Council Archaeological Service advises that there should be early consultation of the Historic Environment Record and assessment of the archaeological potential of the area at an appropriate stage in the design of new developments, in order that the requirements of the National Planning Policy Framework and Babergh District Council Core Strategy (2011- 2031) are met. Suffolk County Council Archaeological Service would be happy to advise on the level of archaeological assessment and stages to be undertaken.”*

Section 5.2 could also highlight a level of outreach and public engagement that might be aspired from archaeology undertaken as part of a development project. Increased public understanding of heritage assets is an aspiration of NPPF, and could fit well with the community action project.

SCC welcomes the inclusion of Appendix D and highlighting the archaeological interest associated with the Non-designated Heritage Assets.

#### Area of Outstanding Natural Beauty (AONB)

Paragraph 5.1.3 criteria i) could be strengthened by amending the text as follows:

“There are significant sized areas of open landscape providing wide panoramic views, with the potential of ~~for~~ any form of development to be visibly ~~destructive~~ *intrusive* if it has been designed without sufficient screening, sensitive design, appropriate landscape design plan ~~or~~ *and* appropriate siting.”

The AONB team commissioned Guidance<sup>3</sup> on the Selection and Use of Colour in Development for the Dedham Vale AONB. This guide could be referenced in section 5.1.3 iii. of the Neighbourhood Plan and Design Guidance. The guide includes information on developed colour palettes to help ensure that integrate new development integrates sympathetically in the AONB.

SCC AONB team recommend the following amendments to paragraph 5.1.13:

~~“...Powers to designate AONBs is land protected by are granted through the National Parks and Access to the Countryside Act 1949. The Countryside and Rights of Way Act 2000. **Part IV of the Countryside and Rights of Way Act 2000 (CRoW Act) sets out the main legislative framework for AONBs.** It protects the land to~~ *The primary purpose of designation is to conserve and enhance its natural beauty. Natural England must give advice to local planning authorities on development proposals within an AONB and consider the conservation and enhancement of AONBs in its work, for example, when carrying out land management activities or giving permission for when statutory bodies or other public bodies to carry out works within an AONB. Only local authorities or the Secretary of State can give permission for development in, or affecting, an AONB.*

<sup>2</sup> <https://www.suffolk.gov.uk/culture-heritage-and-leisure/suffolk-archaeological-service/what-is-the-historic-environment-record/>

<sup>3</sup> <https://www.dedhamvalestourvalley.org/wp-content/uploads/2020/12/Dedham-Vale-Use-of-Colour-Guidance.pdf>



~~Any~~ All proposals should have regard for the purpose of conserving and enhancing the natural beauty of the AONB, *in accordance with the Duty of Regard obligations (Section 85 CROW Act 2000)*. Examples include the installation of ~~for example when adding~~ utility services, like gas pipes and telecommunications cables, and creating public access as part of rights of way improvement.”

Paragraph 5.1.15 seeks to encourage the inclusion of 30.8 hectares of land under Suffolk Wildlife Trust’s ownership to the west Leavenheath in an extension to the Dedham Vale AONB.

An aspiration to review the boundary of the Dedham Vale AONB began in 2009. A potential evaluation area was proposed by the AONB Partnership. In 2016, Alison Farmer Associates completed an assessment of this Evaluation Area to determine its suitability to be designated as AONB. As a result of this work, an area was identified that was considered to share many of the same qualities as the current AONB. The area was forwarded onto to Nature England to further assess the suitability of amending the existing AONB boundary to include this additional land.

While the proposal for the boundary variation to the Dedham Vale AONB has been registered by Natural England, it has not been formally assessed yet. A small part in the west of Leavenheath parish fell within the wider Evaluation Area but none of the parish fell within the candidate extension area between Bures and Sudbury considered as potentially suitable for inclusion in an extension to the AONB.

Securing a boundary variation to a Protected Landscape is a lengthy formal process. As the land proposed for inclusion in an extension to the AONB in the Neighbourhood Plan lies outside the Candidate Area that Natural England will be assessing, the AONB team recommend removing this objective from the draft Neighbourhood Plan as it unlikely to be deliverable.

A small area of land in the south west of the parish also lies within the Stour Valley Project Area. While the Stour Valley Project Area does not benefit from the same level of statutory protection as the Dedham Vale AONB, evidence is available via the Stour Valley Valued Landscape Assessment Report<sup>4</sup> that significant parts of it are valued landscapes. This Assessment Report contains useful principles and recommendations for conserving and enhancing the Project Area which could be incorporated into draft the Neighbourhood Plan under Policy LEAV3.

#### *Policy LEAV10*

The AONB team is broadly supportive of the objectives of Policy LEAV10. We request that the policy is amended to encourage enhanced Public Right of Way links from new developments into the wider AONB and Stour Valley Project Area as well as the countryside and other hamlets in the parish.

## Education

### *Early Years*

Ladybird’s Pre School operates from the village hall in Leavenheath. This would make any expansion of early years places difficult without capital and land. Therefore, any large scale housing growth may require a developer contribution for Early Years, depending on the available capacity at the time of any planning application.

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<sup>4</sup> <https://www.dedhamvalestourvalley.org/wp-content/uploads/2021/04/Final-Report-Stour-Valley-Project-Area-Valued-Landscapes-Assessment.pdf>

### *Primary*

The catchment school for Leavenheath is Nayland Primary School. Taking into account BMSDC local plan site allocation LA098, the school is not currently forecast to exceed 95% capacity during the forecast period. The number of pupils arising from applications pending decision and local plan site allocations is also not expected to cause the school to exceed 95% capacity based on current forecasts. Therefore, SCC does not foresee any issues for primary education arising from the neighbourhood plan.

### *Secondary*

The historical secondary catchment school for Leavenheath is Thomas Gainsborough School. However, the school does not operate a catchment area to prioritise applications to the school. The school is not currently forecast to exceed 95% capacity during the forecast period. However, the number of pupils arising from housing completions beyond the forecast period, applications pending decision, and local plan site allocations are expected to cause the school to exceed 95% capacity based on current forecasts. This takes account of site allocation LA098. Additional capacity is planned for Ormiston Sudbury High School, to accommodate new pupils from housing development in Sudbury and the surrounding areas.

## Flooding

With respect to risk of flooding, the NP is correct in its understanding that flooding from rivers is very low. It highlights surface water drainage issues as existing and 'likely to increase' through climate change. The location descriptions (figure 8 and Policy LEAV4) suggest that they are generally associated with roads and their drainage, and this is certainly the indication we have from the records kept of reported incidents.

SCC welcomes Policy LEAV4, however this policy could be further strengthened through the following amendments:

*~~"D-All development proposals within the immediate locality of any of the surface water drainage areas should use appropriate drainage methods such as Sustainable Drainage Systems (SuDS) to prevent, and, where appropriate, alleviate the drainage issues. Examples include rainwater harvesting and greywater recycling, run-off and water management or other natural drainage systems where easily accessible maintenance can be achieved. Future development must not cause or contribute to new flooding or drainage issues, exacerbate existing issues, or cause water pollution, and should mitigate its own flooding and drainage impacts."~~*

Policy LEAV4 would be more complete in its direction if it referred to the requirement for development to include SuDS features to manage water in a sustainable way and potentially produce or induce reduction of existing surface water drainage issues.

## Health and Wellbeing

### *Ageing Population*

The neighbourhood plan refers to an ageing population in paragraph 5.2.17, and the desire for smaller homes. We particularly welcome the mentions of specialist housing for older people and adaptable homes in Policy LEAV7.

It is suggested that this policy could be further strengthened with some additional wording, as followed:

“Homes that are adaptable (*meaning built to optional M4(2) standards*) in order to meet the needs of the increasingly aging population, without restricting the needs of younger families.”

### *Green Spaces and Facilities*

The provision of the designated Local Green Spaces in the Neighbourhood Plan is welcomed. There are proven links<sup>5</sup> between access to green outdoor spaces and the improvements to both physical and mental health and wellbeing for the population as a whole, including increasing the quality of life for the elderly, working age adults, and for children.

There are currently no mentions of health and wellbeing in the plan. It is suggested that paragraph 5.1.12 could include reference to the physical and mental health and wellbeing benefits that can be gained from access to pleasant outdoor areas.

SCC would suggest the inclusion of the need to make green spaces and facilities accessible to residents with limited mobility (inclusion of benches and well-maintained paths etc), into Policies LEAV2 and LEAV12. This could help to make an elderly population feel more included as part of the community and reduce isolation of vulnerable groups.

SCC welcomes Policies LEAV12 and LEAV13 for protection of community facilities and recreational spaces. These services and facilities can help to encourage community cohesion and reduce isolation, particularly for the elderly.

### *Active Travel*

Active travel, such as walking and cycling, is important in order to improve physical health and reduce obesity levels, as well as can help to minimise levels of air pollution from motorised vehicles.

SCC welcomes the desire for safe walking and cycling routes highlighted throughout the plan and particularly in Objective 3 and Policy LEAV10. Safe routes for walking and cycling are important to ensure the safety of residents of all ages, especially those that are very young or very old, and have mobility issues or are frail.

### Minerals and Waste

Suffolk County Council is the Minerals and Waste Planning Authority for Suffolk. This means the County Council makes planning policy and decisions in relation to minerals and waste. The relevant policy document is the Suffolk Minerals and Waste Local Plan, adopted in July 2020.

The County Council has assessed the neighbourhood plan regarding the safeguarding of potential minerals resources and operating minerals and waste facilities and has no concerns with the proposals in the plan. The minerals consultation area covers the parish, however there are no safeguarded facilities in the plan area. The plan does not contain any further site allocations than are already proposed in the JLP, therefore there are no minerals or waste safeguarding issues arising from the plan.

### Natural Environment

#### *Policy LEAV2: Local Green Spaces*

SCC welcomes neighbourhood plans that designate Local Green as this supports the ongoing work to make Suffolk the Greenest County<sup>6</sup>.

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<sup>5</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5663018/>

<sup>6</sup> <https://www.suffolk.gov.uk/planning-waste-and-environment/greenest-county/>

During an informal view of the draft plan in March 2021, we raised some concerns over five of the designated sites, due to highways concerns. Three of these five sites remain in this version of the plan, and SCC must once again object to the following sites:

- Site 1: line of trees and grass verges High Road
- Site 4: grass verges along A134
- Site 5: north entrance Stoke Road junction with A134

While SCC do not formally object of the designation of highway verges, there are some issues which the Parish Council should be aware of.

It is not clear how verges can meet the criteria of the NPPF of being “demonstrably special” or “locally significant”. Whilst some of the sites contain trees, specific evidence from ecological surveys would be needed to show if there is any diverse and/or unique wildlife. In order to designate these verges, the justification must be clear and in line with the criteria in paragraph 102 of the NPPF. It is not clear why the selected verges are more special than other verges in the plan, such as Harrow Road, or Plough Lane etc.

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

Land adjoining an existing highway is the subject of ‘Permitted Development’ rights, which could be used to bring forward development that may be contrary to a Local Green Space designation, but would not require planning permission to be granted. Highway land may also be utilised in bringing forward future highway/transport schemes. This means that SCC, as the Highways Authority, can undertake works such as widening footpaths or creating cycleways, without requiring planning permission. Encouraging active and sustainable travel is one of the key agendas of the county council. As the plan states in paragraph 5.3.4, there are no formal cycle routes in the parish, and Objective 3 is to encourage walking and cycling. As stated in Policy LEAV10, ‘footpaths and cycle ways should be visible and separate from roads where possible’ however queries where else would segregated footways and cycleways be located to avoid being a part of the road. The designation of verges as Local Green Spaces will not prevent sustainable travel infrastructure from coming forward but will conflict with the other objectives policies of the plan.

National guidance also states that there is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation<sup>7</sup>.

SCC also notes Appendix D states in reference to Site 5 "As highlighted on the Defra map, it is designated as a Priority Habitat Inventory - Deciduous Woodland". Therefore, SCC suggests that as this site is already protected as a priority habitat, it could be removed from the designation of Local Green Spaces, in Policy LEAV2 and figure 14.

SCC also notes the JLP allocated housing site LA098 is on the other side of the belt of trees of Site 1, as indicated in Figure 4. According to Local Plan Policy LA098, which states:

‘V. Provision of footway along the frontage of the site, which connects to existing footway network on the junction at Maple Way;

VI. Public Rights of Way on southern boundary of site should be retained and enhanced to enable access to the countryside and active transport;’

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<sup>7</sup> <http://democracy.gravesham.gov.uk/documents/s58822/Appendix%205%20-%20Draft%20Designating%20Local%20Green%20Spaces%20Consultation.pdf>

Vehicular and pedestrian access to this site will be through the tree line of this proposed designated local green space, as there are no other access options for the site. For safe visibility splays onto the road, it is likely that additional trees around the access point will need to be also removed. The designation of this green space will be incompatible with proposed site allocation in the Joint Local Plan.

We also recommend the removal of the line regarding "exceptional circumstances" in Policy LEAV2. This is commonly being removed at examination stage.

#### *Policy LEAV3: Landscape and Biodiversity*

The distinction between the former Special Landscape Areas (SLA) (as shown in Figure 17) and Areas of Local Landscape Sensitivity (ALLS) should be made more clearly; Figure 17 should be renamed, and a distinction made between the ALLS dedicated as part of the NP for this parish and the SLA which it is based on (and which extends beyond the parish).

SCC welcomes the biodiversity wording in Policy LEAV3. We would recommend that the biodiversity wording could be strengthened through the following amendment:

“... Development proposals ~~should~~ *must* identify how they will provide a net gain in biodiversity through, for example: ...

New and enhanced ecological networks and wildlife corridors *that are interconnected* will be encouraged.”

At the end of Policy LEAV3, reference is made to protection of trees and grass verges. SCC supports the protection of verges in this policy. As mentioned above the designation of the green space does not prevent SCC from undertaking permitted development as the highway authority. Therefore it is recommended that the final sentence of LEAV3 is removed as it will not be effective.

#### *Policy LEAV6: Pattern of growth and strategic gap between hamlets*

The plan aims to protect green corridors and there is a wish to keep the three hamlets of Harrow Street, High Road, and Honey Tye distinct.

Policy LEAV6 could be further strengthened by using the terms “settlement gap” and “coalescence”

The first paragraph of Policy LEAV6 states that development that undermines the physical or visual separation of the hamlets will not be supported. The third paragraph of the policy then states that physical connections such as parish and cycleways would be encouraged. This appears to be a contradiction. Therefore in order to avoid confusion, it is recommended to change the final line of the policy to read as follows:

“~~Physical~~ *Active travel* connections (paths and cycle ways) between the hamlets are encouraged (see policy LEAV10).”

#### Public Rights of Way

SCC welcomes 5.3.7 which details the ‘Leavenheath Walks’ walking guide, a joint publication between Leavenheath Parish Council and Suffolk County Council.

We welcome ‘Policy LEAV10: Walking Cycling’ which seeks to protect and enhance the public rights of way network.

There could be reference to other strategies that support this Neighbourhood Plan. This includes Suffolk County Council's Green Access Strategy (2020-2030)<sup>8</sup>. This strategy sets out the council's commitment to enhance public rights of way, including new linkages and upgrading routes where there is a need. The strategy also seeks to improve access for all and to support healthy and sustainable access between communities and services through development funding and partnership working.

## Transport

### *Policy LEAV10: Walking and cycling*

SCC acknowledges that due to the rural nature of the parish, car usage and ownership is high. The mentions of cycling and walking in Policy LEAV10 is welcomed, as this can help to encourage the community to use more sustainable modes of transport.

The following wording is suggested for Policy LEAV10:

*"Development proposals should include provisions for safe and secure cycle storage, in accordance with adopted cycle parking standards."*

### *Leavenheath Design Code*

SPC. Codes for Street Typologies & Car Parking 1-4: This looks generally acceptable but should accord with the emerging Suffolk Design: Streets Guide particularly with regard to road layouts, width, geometry and drainage. Road layouts that do not accord with our current (Suffolk Design Guide) or the emerging guidance may not be suitable for adoption by the Highway Authority.

SPC.05. Car parking solutions: Car parking provision and layouts (plus cycle storage and EV charging) should accord with Suffolk Guidance for Parking (2019)<sup>9</sup>. In particular, 'triple tandem' parking should be avoided.

SPC.06. Street planting: Some of illustrated planting examples could result in obstructions to visibility, pedestrian routes and maintenance risks to highways and utilities. The emerging Suffolk Design: Streets Guide provides details on acceptable tree and other planting close to roads and footways.

SPC.07. Street lighting: Any adoptable street lighting must be designed or approved by SCC Street Lighting team.

EE.05. Storage: Secure, covered cycle storage should accord with Suffolk Guidance for Parking (2019). Bin storage and presentation areas should be clear of the highway so as not to obstruct pedestrian, cycle, and vehicle routes.

## General

All the references to the NPPF paragraph numbers will need to be checked and amended where necessary, as some of these will have changed with the publication of the recently revised NPPF<sup>10</sup>.

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<sup>8</sup> <https://www.suffolk.gov.uk/assets/Roads-and-transport/public-rights-of-way/suffolk-green-access-strategy-2020-2030.pdf>

<sup>9</sup> <https://www.suffolk.gov.uk/assets/planning-waste-and-environment/planning-and-development-advice/Suffolk-Guidance-for-Parking-2019-Adopted-by-SCC.pdf>

<sup>10</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005759/NPPF\\_July\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf)

For example, page 25 refers to paragraph 170 of the NPPF, which is now regarding coastal change and not planning policies for the natural environment.

We recommend including the Joint Local Plan allocated housing site LA098 on Figure 9 Composite Policies Map, to improve clarity and context of the village to the reader. On this image, the site is currently displayed as woodland, which could be misleading.

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I hope that these comments are helpful. SCC is always willing to discuss issues or queries you may have. Some of these issues may be addressed by the SCC's Neighbourhood Planning Guidance, which contains information relating to County Council service areas and links to other potentially helpful resources.

The guidance can be accessed here: [Suffolk County Council Neighbourhood Planning Guidance](#).

If there is anything that I have raised that you would like to discuss, please use my contact information at the top of this letter.

Yours sincerely,

Georgia Teague  
Planning Officer  
Growth, Highways, and Infrastructure

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## (2) BABERGH DISTRICT COUNCIL

Our Ref: Leavenheath NP R16

Date: 4 November 2022

FAO: Janet Cheesley – Independent Examiner to the  
Leavenheath Neighbourhood Plan

Dear Janet

1. Leavenheath Neighbourhood Plan 2022 – 2037
2. Reg 16 submission consultation: further comments from Babergh District Council

This response has been prepared for and on behalf of Robert Hobbs (Corporate Manager for Strategic Planning).

In May 2021 we provided informal feedback on a working draft version of the Leavenheath Neighbourhood Plan (the 'Plan'). In October 2021, we made a formal representation at the Regulation 14 Pre-submission stage. We have also engaged with the Steering Group outside of these two events on numerous issue and thank them for their patience as we have worked through those. It is clear that the group have taken on board and implemented many of our earlier recommendations / suggestions. We also recognise that parts of the Plan have had to be amended yet further as a consequence of own emerging Joint Local Plan (JLP) situation. The new paragraphs towards the end of Chapter 2 provide a helpful summary of the position as it stands today.

We do have some further observations to make on the Plan which we set out below. With one exception, we propose that these could be dealt with by way minor modifications

### **LEAV2: Local Green Spaces [LGS5 and LGS6]**

The Plan still retains the local green space allocations around the Stoke Road junction with the A134 [ LGS5 and LGS6]. In our R14 response, we said that we had been contacted by who we understood to be the owner of one of these sites. We also said that, while privately owned land (with or without public access) can be designated as a local green space, it would be reasonable to assume that the consent of the landowner had been sought and that space itself was capable of enduring beyond the end of the plan period. Given some of the comments set out in the Consultation Statement, we remain unsure that this is the case here.



## **Minor modifications**

- LEAV5: Based on the recommendation set out at para 5.2 of the HRA Screening Report (LUC, June 2022), the second bullet point in policy LEAV5 should be deleted, leaving just the last bullet point. This would also avoid any potential confusion / repetition within the policy
- Para 2.8: Fails to mention that the NPPF was revised in July 2021.
- Para 2.11: This differs slightly from the proposed new text set out on pgs. 156-157 of the Consultation Statement. With some further edits, we feel that what was the proposed provided the better explanation for how the 44 dwelling figure was arrived at.

*“The emerging Joint Local Plan had set out a minimum housing requirement figure of 44 new dwellings for this Neighbourhood Plan Area (to be built between April 2018 and March 2037). This figure comprised the allocation site LA098 (Land South of High Road) for 40 dwellings, and 4 new dwellings identified as having been granted consent, but which had not yet been completed at 1st April 2018 (the base date of the emerging Joint Local Plan). Since April 2018, 5 new dwellings have been granted consent which contribute to the figure of new dwellings for Leavenheath.”*

- Para 5.2.5: The JLP allocation (LA098) was for 40 dwellings (not 44 dwellings as implied). The first sentence in para 5.2.5 should be amended to read: *“The emerging Joint Local Plan set out a housing requirement figure of 44 new homes for the designated plan area.”*. The second sentence could read: *“Recognising that this was likely to be ...”*.

We also commented that the last sentence, which refers to the retained settlement boundaries, seemed superfluous and that it could be deleted. Had the JLP progressed as originally intended, the settlement boundaries would not necessarily have been the same as those adopted in the 2006 Babergh Local Plan.

- Para 5.2.7: We did not comment on this previously but it would be better if the sentence read *“The number of recorded housing completions in the past few years has been very low.”*

For the record, we can now also confirm that there were ‘0 completions’ in 2020/21 and ‘4 completions’ during 2021/22.

We trust that all of the above are helpful and would be happy to answer any further questions you may have.

Yours sincerely

Paul Bryant  
Neighbourhood Planning Officer  
Babergh & Mid Suffolk District Councils – Working Together  
T: 01449 724771 / 07860 829547  
E: [communityplanning@baberghmidsuffolk.gov.uk](mailto:communityplanning@baberghmidsuffolk.gov.uk)

## (3) NATURAL ENGLAND

Date: 14 September 2022  
Our ref: 405780  
Your ref: **Leavenheath Neighbourhood Plan**



[communityplanning@babberghmidsuffolk.gov.uk](mailto:communityplanning@babberghmidsuffolk.gov.uk)

**BY EMAIL ONLY**

Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 3900

Dear Sir or Madam,

### **Leavenheath Neighbourhood Plan R16**

Thank you for your consultation on the above dated 02 September 2022

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.

For any further consultations on your plan, please contact: [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours faithfully

Julian Clarke  
Consultations Team

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

## Natural environment information sources

The [Magic](#)<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), 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 [here](#)<sup>2</sup>.

**Priority habitats** are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)<sup>3</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](#)<sup>4</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.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](#)<sup>5</sup> website and also from the [LandIS website](#)<sup>6</sup>, which contains more information about obtaining soil data.

## Natural environment issues to consider

The [National Planning Policy Framework](#)<sup>7</sup> sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](#)<sup>8</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.**

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

<sup>2</sup> <http://www.nbn-nfbr.org.uk/nfbr.php>

<sup>3</sup> <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>4</sup> <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

<sup>5</sup> <http://magic.defra.gov.uk/>

<sup>6</sup> <http://www.landis.org.uk/index.cfm>

<sup>7</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/807247/NPPF\\_Feb\\_2019\\_revised.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf)

<sup>8</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

## 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>9</sup>), such as Sites of Special Scientific Interest or [Ancient woodland](#)<sup>10</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>11</sup>) or protected species. To help you do this, Natural England has produced advice [here](#)<sup>12</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 171. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)<sup>13</sup>.

## **Improving your natural environment**

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, 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. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- 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 encourage wildlife.
- Adding a green roof to new buildings.

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<sup>9</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>10</sup> <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

<sup>11</sup><http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

<sup>12</sup> <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

<sup>13</sup> <http://publications.naturalengland.org.uk/publication/35012>

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.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](#) <sup>14</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, 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).

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<sup>14</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

## (4) HISTORIC ENGLAND



Historic England

Babergh and Mid Suffolk District Councils

Direct Dial: [REDACTED]

Our ref: PL00583782  
10 October 2022

Dear ....

### **Ref: Leavenheath Neighbourhood Plan Regulation 16 Consultation**

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

Having reviewed the plan and relevant documentation we do not consider it necessary for Historic England to provide detailed comments at this time. We would refer you if appropriate to any previous comments submitted at Regulation 14 stage, and for any further information to our detailed advice on successfully incorporating historic environment considerations into a neighbourhood plan, which can be found here: [<https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>](https://historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/)

We would be grateful if you would notify us on [eastplanningpolicy@historicengland.org.uk](mailto:eastplanningpolicy@historicengland.org.uk) [<mailto:eastplanningpolicy@historicengland.org.uk>](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.

Please do contact me, either via email or the number above, if you have any queries.

Yours sincerely,

Edward James  
Historic Places Advisor, East of England

CC:



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749  
[HistoricEngland.org.uk](http://HistoricEngland.org.uk)



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## (5) NATIONAL HIGHWAYS

**E from:** Spatial Planning Team National Highways

**Rec'd:** 14 September 2022

**Subject: Consultation under Reg' 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) – The Leavenheath Neighbourhood Plan 2022 - 2037 (Regulation 16)**

Dear Paul,

Thank you for sending this above-mentioned Neighbourhood Consultation email dated 02 September 2022

As you are already aware [the] 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 the Leavenheath Neighbourhood Plan we have responsibility for the trunk road A12.

The location of this neighbourhood plan site is remote from the nearest Strategic Road Network (SRN). Therefore, we do not have any comment on this Neighbourhood Plan.

Please contact us [PlanningEE@nationalhighways.co.uk](mailto:PlanningEE@nationalhighways.co.uk) if you require any clarification.

Yours sincerely

**Shamsul Hoque**, PhD MCIHT FBIP FIAB

Spatial Planning Team

Operations (East)

Highways England | Woodlands | Manton Lane | Bedford | MK41 7LW

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**National Highways Limited | General enquiries: 0300 123 5000 | National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF | <https://nationalhighways.co.uk> | [info@nationalhighways.co.uk](mailto:info@nationalhighways.co.uk)**

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## Anglian Water Consultation Response

### Leavenheath Neighbourhood Plan Reg. 16 Consultation

Anglian Water welcomes the opportunity to respond to the consultation on the Leavenheath Submission Neighbourhood Plan.

#### Anglian Water

Anglian Water is the water and water recycling provider for over 6 million customers in the east of England. 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 full 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. Additionally, our region has the highest rate of housing in England. The initial 2021 census report identifies that population growth in the region was 8.3% in the past decade against a national average of 6.6%. Population growth in the district of Babergh was at a lower rate growing by 5.2% between 2011 and 2021.

Anglian Water has amended its Articles of Association to include the requirement that in undertaking these duties we will act in the public interest. Our Purpose is to bring environmental and social prosperity to the region we serve through our commitment to Love Every Drop.

#### Anglian Water and the Neighbourhood Plan

Anglian Water is the statutory water and sewerage undertaker for the Leavenheath neighbourhood plan area and is a statutory consultee under the Neighbourhood Planning (General) Regulations 2012. Anglian Water wants to proactively engage with the neighbourhood plan process to ensure the plan delivers benefits for the residents, and in doing so protect the environment and water resources. As a purpose-led company, we are committed to seeking positive environmental and social outcomes for our region.

#### Comments on the Leavenheath Neighbourhood Plan

The following comments are made in relation to ensuring the making of the neighbourhood plan contributes to sustainable development and has regard to assets owned and managed by Anglian Water.

##### Policy LEAV2: Local Green Spaces

Whilst Anglian Water support the ambition of the Neighbourhood Plan to protect areas of Local Green Space within the neighbourhood plan area that are valued by the local community, the areas defined by Local Green Spaces 1 (Line of trees and grass verge on High Road) and 4 (Grass verges along A134) is questioned regarding whether they meet the National Planning Policy Framework (NPPF) tests.

Furthermore, Anglian Water network assets follow the route of the respective verges identified on Figure 15, and we would therefore oppose any designation that might impact on our ability to undertake necessary works to our assets. Whilst many of our operations fall within permitted

development\ we would require the policy or the supporting text to acknowledge essential infrastructure by the statutory water and sewerage undertaker to be included as exceptional circumstances, should the examiner determine that Local Green Spaces 1 and 4 appropriately meet the NPPF policy tests.

#### Policy LEAV4: Surface Water Drainage

Anglian Water supports the policy approach to use appropriate drainage methods to minimise the risk of surface water flooding, particularly where this directly affects the operation/efficiency of our network. Given the impacts of climate change such as extreme weather events and ensuring future development can be resilient to these impacts, we would recommend that the policy addresses development across the neighbourhood plan area, but still reference the locations identified in Policy LEAV4 as areas of specific relevance.

We would suggest that the policy specifically references the use of sustainable drainage systems (SuDS) as they aim to mimic the way rainfall drains naturally rather than conventional piped methods, which can cause problems such as flooding, pollution, or damage to the environment. SuDS are promoted in the Leaven Heath Design Guidelines and Codes and therefore there is an opportunity to ensure an appropriate cross reference which provides consistency between the neighbourhood plan and the design guidance. Anglian Water promotes the use of SuDS as a sustainable and natural way of controlling surface water run-off. Furthermore, the recently revised National Planning Practice Guidance for flood risk emphasises the importance of SuDS for minimising surface water flood risk whilst providing wider benefits and opportunities for wildlife, and health and wellbeing.

#### Policy LEAV9: Design principles (design guidelines and codes)

Anglian Water supports the policy approach in terms of the encouragement of net zero carbon homes and the use of the design guidelines and codes to inform the design of new development in the parish - see specific comments below with reference to the addendum Leaven Heath Design Guidelines and Codes.

#### Leaven Heath Design Guidelines and Codes

**SPC.04. SuDS:** Anglian Water welcomes the focus of this design code which promotes the use of sustainable drainage systems to manage surface water effectively; minimising flood risk and enhancing water quality. SuDS also provides opportunities for visual and community benefits and enhancing and creating habitats for wildlife.

We would suggest however, that where rainwater re-use is not possible, the following drainage hierarchy is followed:

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<sup>1</sup>The Town and Country Planning (General Permitted Development) (England) Order 2015 - as amended

*Surface water run-off will either flow to natural drainage or discharge to the sewer in the following sequence of preference:*

- *An adequate soakaway or some other adequate infiltration system; or, where that is not reasonably practicable*
- *A watercourse; or where that is not reasonably practicable*
- *A surface water sewer.*

The design guidelines need to be clear that surface water should not be discharged to a foul sewer to reduce sewer flooding events. Further information can be found in the [Anglian Water Manual for SuDS](#). SuDS guidance is also provided by the Lead Local Flood Authority - Suffolk County Council.

Another key point to include in the design guidance is to ensure that the frequency and volume of surface water runoff from new development is, wherever possible, equal to or less than the frequency and volume that would be discharged under equivalent greenfield conditions.

**EE.02. Low Carbon Development:** We are supportive of the approach to minimise capital (embedded) and operation carbon from new development, this aligns with our commitment to become a net zero business by 2030 and reduce our capital carbon by 70%. We particularly encourage more ambitious water efficiency standards in new homes, this helps to reduce the amount of water we need to abstract and consequently the amount we need to treat. Rainwater harvesting and greywater recycling can help to reduce the amount of potable water required by new homes and these measures also contribute to energy efficiency savings and reducing carbon emissions.

## **Conclusion**

Anglian Water broadly supports the direction taken in the Leaven Heath Neighbourhood Plan - subject to the suggested clarifications- which is consistent with our strategic direction. Our view is that further prominence could be placed on SuDS to minimise flood risk, whilst providing environmental benefits.

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## (7) WATER MANAGEMENT ALLIANCE

**E from:** Planning Department <Planning@wlma.org.uk>  
**Rec'd:** 5 September 2022  
**Subject:** RE: Consultation on Reg 16 Leavenheath N'hood Plan (Babergh DC)

Good morning,

Thank you for consulting us on the Leavenheath Neighbourhood Plan, as detailed below.

The parish of Leavenheath lies outside the Internal Drainage District of the East Suffolk Internal Drainage Board as well as the Board's wider watershed catchment. For this reason, the Board has no comments to make.

Kind Regards,

Ella



**Ella Thorpe BSc (Hons.), MSc, GradCIWEM**  
Sustainable Development Officer  
Water Management Alliance  
T: [REDACTED] | [REDACTED]

Registered office: Pierpoint House, 28 Horsley's Fields, King's Lynn, Norfolk, PE30 5DD

t: 01553 819600 | e: [info@wlma.org.uk](mailto:info@wlma.org.uk) | [www.wlma.org.uk](http://www.wlma.org.uk)

WMA members: [Broads Drainage Board](#), [East Suffolk Drainage Board](#), [King's Lynn Drainage Board](#), [Norfolk Rivers Drainage Board](#), [South Holland Drainage Board](#), [Waveney, Lower Yare and Lothingland IDB](#) in association with [Pevensey and Cuckmere Water Level Management Board](#)

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## **(8) MARINE MANAGEMENT ORGANISATION**

**E from:** Lucinda Robinson

**Rec'd:** 19 October 2022

**Subject:** RE: New consultation end date on R16 Leavenheath NP - Fri 4 Nov 2022

Thank you for including the Marine Management Organisation (MMO) in your recent consultation submission. The MMO will review your document and respond to you directly should a bespoke response be required. If you do not receive a bespoke response from us within your deadline, please consider the following information as the MMO's formal response.

Kind regards,

The Marine Management Organisation

### **Marine Management Organisation Functions**

The MMO is a non-departmental public body responsible for the management of England's marine area on behalf of the UK government. The MMO's delivery functions are: marine planning, marine licensing, wildlife licensing and enforcement, marine protected area management, marine emergencies, fisheries management and issuing grants.

### **Marine Planning and Local Plan development**

Under delegation from the Secretary of State for Environment, Food and Rural Affairs (the marine planning authority), the MMO is responsible for preparing marine plans for English inshore and offshore waters. At its landward extent, a marine plan will apply up to the Mean High Water Springs (MHWS) mark, which includes the tidal extent of any rivers. As marine plan boundaries extend up to the level of MHWS, there will be an overlap with terrestrial plans, which generally extend to the Mean Low Water Springs (MLWS) mark. To work together in this overlap, the Department of Environment, Food and Rural Affairs (Defra) created the [Coastal Concordat](#). This is a framework enabling decision-makers to co-ordinate processes for coastal development consents. It is designed to streamline the process where multiple consents are required from numerous decision-makers, thereby saving time and resources. Defra encourage coastal authorities to sign up as it provides a road map to simplify the process of consenting a development, which may require both a terrestrial planning consent and a marine licence. Furthermore, marine plans inform and guide decision-makers on development in marine and coastal areas.

Under Section 58(3) of [Marine and Coastal Access Act \(MCAA\) 2009](#) all public authorities making decisions capable of affecting the UK marine area (but which are not for authorisation or enforcement) must have regard to the relevant marine plan and the UK [Marine Policy Statement](#). This includes local authorities developing planning documents for areas with a coastal influence. We advise that all marine plan objectives and policies are taken into consideration by local planning authorities when plan-making. It is important to note that individual marine plan policies do not work in isolation, and decision-makers should consider a whole-plan approach. Local authorities may also wish to refer to our [online guidance](#) and the [Planning Advisory Service: soundness self-assessment checklist](#). We have also produced a [guidance note](#) aimed at local authorities who wish to consider how local plans could have regard to marine plans. For any other information please contact your local marine planning officer. You can find their details on our [gov.uk page](#).

See [this map on our website to locate](#) the marine plan areas in England. For further information on how to apply the marine plans and the subsequent policies, please visit our [Explore Marine Plans](#) online digital service.

The adoption of the [North East](#), [North West](#), [South East](#), and [South West Marine Plans](#) in 2021 follows the adoption of the [East Marine Plans](#) in 2014 and the [South Marine Plans](#) in 2018. All marine plans for English waters are a material consideration for public authorities with decision-making functions and provide a framework for integrated plan-led management.

### **Marine Licensing and consultation requests below MHWS**

Activities taking place below MHWS (which includes the tidal influence/limit of any river or estuary) may require a [marine licence](#) in accordance with the MCAA. Such activities include the construction, alteration or improvement of any works, dredging, or a deposit or removal of a substance or object. Activities between MHWS and MLWS may also require a local authority planning permission. Such permissions would need to be in accordance with the relevant marine plan under section 58(1) of the MCAA. Local authorities may wish to refer to our [marine licensing guide for local planning authorities](#) for more detailed information. We have produced a [guidance note](#) (worked example) on the decision-making process under S58(1) of MCAA, which decision-makers may find useful. The licensing team can be contacted at: [marine.consents@marinemanagement.org.uk](mailto:marine.consents@marinemanagement.org.uk).

### **Consultation requests for development above MHWS**

If you are requesting a consultee response from the MMO on a planning application, which your authority considers will affect the UK marine area, please consider the following points:

- The UK Marine Policy Statement and relevant marine plan are material considerations for decision-making, but Local Plans may be a more relevant consideration in certain circumstances. This is because a marine plan is not a 'development plan' under the [Planning and Compulsory Purchase Act 2004](#). Local planning authorities will wish to consider this when determining whether a planning application above MHWS should be referred to the MMO for a consultee response.
- It is for the relevant decision-maker to ensure s58 of MCAA has been considered as part of the decision-making process. If a public authority takes a decision under s58(1) of MCAA that is not in accordance with a marine plan, then the authority must state its reasons under s58(2) of the same Act.
- If the MMO does not respond to specific consultation requests then please use the above guidance to assist in making a determination on any planning application.

### **Minerals and Waste Local Plans and Local Aggregate Assessments**

If you are consulting on a minerals and waste local plan or local aggregate assessment, the MMO recommends reference to marine aggregates, and to the documents below, to be included:

- The [Marine Policy Statement \(MPS\)](#), Section 3.5 which highlights the importance of marine aggregates and its supply to England's (and the UK's) construction industry.
- The [National Planning Policy Framework \(NPPF\)](#), which sets out policies for national (England) construction mineral supply.
- [The minerals planning practice guidance](#) which includes specific references to the role of marine aggregates in the wider portfolio of supply.
- [The national and regional guidelines for aggregates provision in England 2005-2020](#) predict likely aggregate demand over this period, including marine supply.

The minerals planning practice guidance requires local mineral planning authorities to prepare Local Aggregate Assessments. These assessments must consider the opportunities and constraints of all mineral supplies into their planning regions – including marine sources. This means that even land-locked counties may have to consider the role that marine-sourced supplies (delivered by rail or river) have – particularly where land-based resources are becoming increasingly constrained.

If you wish to contact the MMO regarding our response, please email us at [consultations@marinemanagement.org.uk](mailto:consultations@marinemanagement.org.uk) or telephone us on 0208 0265 325

**Lucinda Robinson, MSc (She/Her) | Marine Planner | Marine Management Organisation**

☰ [Nobel House | 17 Smith Square | London | SW1P 3JR]

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**Ministry  
of Defence**

Paul Bryant  
Neighbourhood Planning Officer  
Babergh and Mid Suffolk District Councils  
Endeavour House  
8 Russell Road  
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**Defence  
Infrastructure  
Organisation**

Safeguarding Department  
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25<sup>th</sup> October 2022

**Your Ref: Babergh & Mid Suffolk District Councils - Leavenheath Parish Council Neighbourhood Plan  
Consultation under Regulation 16  
DIO Ref: 10056148**

Dear Paul,

It is understood that Babergh District Council are undertaking a consultation regarding Leavenheath Parish Council submission of a Neighbourhood Plan with consultation under Regulation 16. This document will guide the future development of the parish.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a statutory consultee in the UK planning system to ensure designated zones around key operational defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites are not adversely affected by development outside the MOD estate. For clarity, this response relates to MOD Safeguarding concerns only and should be read in conjunction with any other submissions that might be provided by other MOD sites or departments.

The MOD may be involved in the planning system both as a statutory and non-statutory consultee with statutory involvement stemming from consultation occurring as a result of the provisions of the Town and Country Planning (Safeguarded aerodromes, technical sites and military explosives storage areas) Direction 2002 (DfT/ODPM Circular 01/2003) and the location data and criteria set out on safeguarding maps issued by Department for Levelling Up Housing and Communities (DLUHC) in accordance with the provisions of that Direction.

**Copies of these plans, in both GIS shapefile and .pdf format, can be provided on request through the email address above.**

The MOD have an interest within the area covered by the Leavenheath Neighbourhood Plan as it contains areas that are washed over by safeguarding zones that are designated to preserve the operation and capability of defence assets and sites. Wattisham Station is located to the North-East and benefits from safeguarding zones drawn to preserve the airspace above and surrounding the aerodrome to ensure that development does not form a physical obstruction to the safe operation of aircraft using that aerodrome. New development may have detrimental impacts depending on site location relative to safeguarded sites and assets.

**Wherever the criteria are triggered, the MOD should be consulted in order that appropriate assessments can be carried out and, where necessary, requests for required conditions or objections be communicated.**

In addition, and where development falls outside designated safeguarding zones, the MOD may also have an interest, particularly where the development is of a type likely to have an impact on operational capability by virtue of scale, height, or physical properties. Examples of these types of development include renewable energy development such as the installation of wind turbine generators or solar photo voltaic panels, or any development that would exceed a height of 50m above ground level. Both tall (of or exceeding a height of 50m above ground level) structures and wind turbine development introduce physical obstacles to low flying aircraft. Solar PV development can compromise the operation of communications and other technical assets by introducing substantial areas of metal that degrade signals and, depending on the location of development, may produce glint and glare to the detriment of aviation safety. Wind turbines may impact on the operation of surveillance systems such as radar where the rotating motion of their blades can degrade and cause interference to the effective operation of these types of installations, potentially resulting in detriment to aviation safety and operational capability. This potential is recognised in the Government's online Planning Practice Guidance which contains, within the Renewable and Low Carbon Energy section, specific guidance that both developers and Local Planning Authorities should consult the MOD where a proposed turbine has a tip height of, or exceeding 11m, and/or has a rotor diameter of 2m or more.

In summary, the MOD have no concerns or suggested amendments to the current draft of the Leavenheath Neighbourhood Plan that forms the subject of the current consultation.

I trust this clearly explains our position on this update. Please do not hesitate to contact me should you wish to consider these points further.

Yours sincerely

*C Waldron*

Chris Waldron  
DIO Assistant Safeguarding Manager

## (10) Resident – McConnell, K

**MSDC note: When reading the following representation, please be aware that:**

1. Where page numbers etc. have been quoted by the respondent, these are to the Regulation 14 Pre-submission draft version Leavenheath NP and not the Submission Draft. To assist, we provide a cross-reference to the relevant page number(s) in the latter. These appear in square brackets, i.e., '[see now page xx]'
2. The comments on the format of the Consultation Response Form relate to the one used by the Parish Council at the Regulation 14 stage. A copy of this is replicated on pages 119 - 122 of the submitted [Consultation Statement](#).

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### Section One: Respondents Details

#### Part A: Respondent

**Title/Name: Kathryn McConnell**

Together with my sister Marion McConnell I am joint proprietor and a beneficial owner of our late mother's house together with adjoining land being Hunters Lodge, Stoke Road, Leavenheath CO6 4PP. For ease of identification land forming part of Hunters Lodge appears irrationally pictured in Figure 83 as 'Land to north of entrance to Stoke Road junction with A134' (which it is not) on page 85 of the Pre-submission DRAFT September 2021 [see now Appendix C, page 91].

I am also a beneficial owner of land (for ease of reference hereinafter I refer to as The Old Road Land as it is registered as such) (that is only in part triangular) bordered by The Old Road: Stoke Road: the A134 and land that completes the triangle who's ownership remains unknown to me. The Old Road Land is identified as LEAV1:View 4 page 24 of the Pre-submission DRAFT September 2021 [see now page 27]. The Old Road Land is also identified as LEAV2: Local Green Spaces 6. 'Land to south of entrance to Stoke Road junction with A134'. Page 28 of the Pre-submission DRAFT September 2022 [still LEAV2: LGS6 but see now page 32].

### Section Two: My representations

My representations relate to Policy Nos LEAV1 and LEAVE2

I comment generally on what in my view has been a highly partisan approach to achieving certain goals and objectives of some of the Steering Group and Parish Councillors guided by professional paid advisors as to the path by which this could best be achieved regardless of in my case land being privately owned. No reference to land being privately owned was made in any documentation put forward to parishioners. Nothing relating to call for land was ever delivered to Hunters Lodge

The questions on 'POLICIES' in the 'DRAFT Neighbourhood plan CONSULTATION RESPONSE FORM' were drafted in what appeared to me to be a most uncompromising way. Policies could only be answered per policy with boxes to tick being merely 'Agree' 'Mostly Agree' 'Mostly Disagree' 'Disagree' rather than a requirement to respond to each

individual inclusion of that policy. With regard to Views of Community Importance this was only 4 views. With regard to Local Green Spaces only 9 spaces. Notwithstanding being a space to add 'Comments' these would not have been reflected in the sum of how many agreed or mostly agreed or mostly disagreed or disagreed to a specific policy.

By way of example those who ticked the box 'Agree' to LEAV2 Local Green Spaces agreed to land that is part of Hunters Lodge that was described as a Local Green Space believing (wrongly) that it is designated as a Priority Habitat Inventory (which it is not, nor has it ever been) - Deciduous Woodland when only a few of the trees are deciduous. The land contains mostly Christmas trees planted by my late mother at a time when she thought they might be revenue generating. Unfortunately they were planted too close to each other and due to failing health my mother was unable to harvest them so they became enormously overgrown. The last minute and hasty (see the construction of its wording) inclusion of this land as being designated as Local Green Space was particularly galling as three members of the Neighbourhood Plan Steering Group two of whom are parish councillors live just a couple houses away from or almost opposite the land and if they did not question the obvious difference between conifers and deciduous trees then I do not believe it unfair to consider their integrity. It was only following much time consuming but near unchallengeable representations by my sister and I that we were informed that Hunters Lodge land was being removed from being designated Local Green Space but it was part of the Pre-Submission DRAFT September 2021.

### **LEAV1: Views of Community importance**

I most strongly oppose The Old Road land being included as a View of Community Importance.

It is my contention that The Old Road Land '4. View from A134, looking north towards Harrow Street.' has been included as a View of community importance so as to Belt and Brace as it were together with its designation as a Local Green Space the fact that certain steering group members and parish councillors are doing all that they can to prevent any future development of The Old Road land. This was confirmed to me at the exhibition when I questioned one of the exhibitors who was unaware of who I am.

This was also confirmed verbally by an exhibitor to an acquaintance who lives in the Parish.

I am hopeful that the examiner will have full access to mine and my sister's DRAFT Neighbourhood Consultation Response Forms and comments and attachments thereto together with all of the correspondence exchanged between (mostly from) myself and my sister and the Parish Council and the Steering Group such that in an attempt to comply with the requirement to be as brief and concise as possible I need not attach copies herein.

As can be seen from the map on page 87 figure 84 [the equivalent is now page 94 figure 86] our land is not a complete triangle. The end piece (of the triangle) is owned perhaps by the district council. This piece of land completing the triangle has not been included as a view of Community importance.

Why? It is much closer to the 'listed' Hare and Hounds Public House than The Old Road land. Could it be because the steering group and Parish Councillors consider there is little chance of it being developed?



Why is our land included as a view of community importance and the land at the end of the triangle not?

On page 24 [see now page 27] View 4 The Old Road Land is described as a 'View looking North from the A134 towards the Harrow Street hamlet **with important glimpses to the listed Hare and Hounds Public House** (my emphasis). Why are glimpses to the listed Hare and Hounds Public House more important than a full on view? The view from A134 directly to the listed Hare and Hounds Public House is therefore clearly considered not a view important to the community.

Nor is the view from the pointed piece of land alongside Harrow Street that completes the triangle. Part of the listed Hare and Hounds Public House has recently been demolished and new structure is being built with the approval and I contend assistance of the members of the Steering Group and Parish Council. In fact Babergh District Council turned down planning permission for the demolition and new accommodation being built either partly or wholly on the grounds that the listed Hare and Hounds Public House is outside the built up area boundary. During a parish council meeting the councillor who heads up the planning committee and who is also a member of the steering group somewhat nonchalantly advised the meeting that she could 'flip' Babergh District Council's decision to refuse planning permission.

Thereafter a fresh or revised planning application was submitted to Babergh District Council that included the provision of a village shop in the new building citing what I may wrongly consider should be privileged information that Parishioners had voted in the DRAFT Neighbourhood Plan CONSULTATION RESPONSE FORM that they wished to have a village shop and that this would be provided in the new building. So the current position is that drivers travelling at 40MPH plus on the A134 could see important glimpses of a listed building being demolished to make way for increased accommodation for the Landlord's growing family. Accommodation that remains outside the built up area boundary. I have no particular objection to the new building but I do object to glimpses of the original listed building being cited as justification for The Old Road land becoming a View of Community Importance.

I note that there appears to be no Appendix in the Pre-Submission DRAFT September 2021 justifying Views of Community Importance. It is my understanding that just 61 people completed the DRAFT Neighbourhood Plan CONSULTATION RESPONSE FORM. Of those that did it would be reasonable to contend that all of the Steering Committee and most of the Parish Councillors would have done so. Myself and my sister objected as did others I know. Therefore I think it not unreasonable to contend that the community as a whole do not consider The Old Road land as a View of **community** (my emphasis) importance.

## **LEAV2: Local Green Spaces**

I most strongly oppose to 6. Land to south of entrance to Stoke Road junction with A134 (The Old Road land (our land)) being designated as a Local Green Space.

The land is described on page 86 as 'The triangular piece of land south of the junction and bordered by trees'. As can be seen by the plan on page 87 the land is not a complete triangle and as such the Parish Council cannot claim that the exclusion of the piece of land forming the end of the triangle of being designated a Local Green Space was a mere oversight. Why was it not included? My contention is that it was not considered by the

Steering Group as likely to be developed and therefore not necessary to be included and further that it is not privately owned as is the case with our land. That piece of land is more of a main entrance to the Harrow Street Hamlet than our land as it borders Harrow Street itself and would harbour more wildlife than The Old Street land although I have no recollection over the last 50 years of ever seeing much wildlife in The Old Road Land apart from birds and whilst sheep were kept there mice and rats. I do not agree that the Old Road land is demonstrably special to the local community nor that it holds a particular local significance. I do accept that certain parish councillors and steering group members would prefer walking alongside undeveloped land when visiting the listed Hare and Hounds Public House rather than passing alongside development on both sides of the road. In fact a member of the Steering Group with whom I am acquainted told me that he wished he could purchase the land himself so as to keep it as it is (or at least was at the time when he made that comment).

[The broad equivalents are now pages 92 – 94]

Relative to the Harrow Street hamlet the land could be considered extensive. As can be seen by the map on page 87 [see now page 94] the land runs parallel to eight Old Road large houses and it extends close to the width of that part of the entire hamlet that falls within the built up area boundary.

What improvements or modifications would I suggest?

I suggest that engagement between my sister and I and the Parish council be undertaken to explore prospective use of the land to to benefit of both the community and the beneficial owners of the land. My sister my partner and I have attended numerous Parish Council meetings both in person and electronically and listen with bemusement to discussions relating to equipment and playing fields when not once has reference been made to whether engagement with us (and the owner of the piece of land at the end of the triangle) could be productive.

The parish comprises three separate hamlets and for Harrow Street parishioners and/or their children often entails a trip by car. This is obvious when attending Parish Council meetings as most councillors arrive by car.

**I consider that a hearing be held because...**

It might enable my sister and I prior to the referendum to further explain our position and opposition and what the consequence to the Parish could be should our land become a Local Green Space and/or View of Community importance and perhaps explore outcomes that could benefit the Parish and ourselves.

I very much wish to be notified of:

The publication of the recommendations of the Examiner And The final 'making' (adoption) of the Leavenheath NP by Babergh District Council.

K McConnell

November 4 2022

**(11) Resident - McConnell, M**



**Section One: Respondents Details**

All respondents should complete Part A. If you are an Agent please complete Part's A & B

| <b>Part A: Respondent</b>              |                          |
|--|--------------------------|
| Title / Name:                          | Marion McConnell         |
| Job Title (if applicable):             |                          |
| Organisation/ Company (if applicable): | Landowner in Leavenheath |
| Address:                               |                          |
| Postcode:                              |                          |
| Tel No:                                |                          |
| E-mail:                                |                          |

| <b>Part B: Agents - Please complete details of the client/ company you represent</b> |     |
|--|-----|
| Client / Company Name:   | NIA |
| Address:   |     |
| Postcode:  |     |
| Tel No:  |     |
| E-mail:  |     |

## Section Two: Your representation(s)

**To which part of the document does your representation relate? (You may wish to complete a separate form for each separate representation)}**

|                      |                   |                 |
|----------------------|-------------------|-----------------|
| <b>Paragraph No.</b> | <b>Policy No.</b> | LEAV2 and LEAV1 |
|----------------------|-------------------|-----------------|

**Do you support, oppose, or wish to comment on this paragraph? (Please tick one answer)**

|                                   |                      |  |
|-----------------------------------|----------------------|--|
| <b>Support</b>                    | <b>Oppose</b>        |  |
| <b>Support with modifications</b> | <b>Have Comments</b> |  |

**Please give details of your reasons for support/ opposition, or make other comments here:**

*Please be as brief and concise as possible ..*

I am one of the owners of this piece of land, which forms part of my late Mother and her Partner's Estate, which has been designated a Local Green Space without consent or engagement with me or the other owners, which I believe to be contrary to comments made by Babergh Council which are as follows:-

- 1 Informal Comments 5 May 2021 "LEAV2 - "Those perceived not to be able to endure beyond the end of the plan period and sites in private ownership/with no public access are unlikely to be permitted."
- 2 Page 134 of the Consultation Statement:- "During this consultation period we were contacted directly by **what** we understood to be either LGS5 and/or LGS6, the implication being that the current landowners were unaware of the allocations and had concerns over what that might mean going forwards. Noting that we, Babergh District Council were contacted specifically about Royston Wood, we can only assume that the same happened with all the proposed sites. Privately owned land, with or without public access, can **be** designated as LGS in a neighbourhood plan but it would be reasonable to assume that this would be done with the full knowledge and consent of the landowners, and knowing that the site itself is capable of enduring beyond the end of the plan period".

I write the following comments, which I have tried to keep as concise as possible, not as an expert in planning matters but by a member of the public suddenly thrust into this process without any clear explanation or discussion of what the consequences of the actions of the LNP Steering Group would be for our property.

In February 2021 I was handed a letter by a neighbour/LNP Steering Group member, who was well known to my late Mother, who had lived in her property at Leavenheath for 50 years, with the comment "you are not going to like this" It was the letter saying that the field we had inherited from my late Mother was being considered as a LGS. This letter showed the piece of land that belonged to us clearly as '6' South of entrance to Stoke Road and was included with land to the north of Stoke Road (not owned by us). The LGS marked '5' was a Grass Verge close to the village sign, nowhere near our field or property.

Despite responding to the letter, which invited us to send our views, apart from a two line acknowledgement of receipt, no-one ever contacted me further to discuss the decision. My sister was assured by the Chairman of the Steering Group via email that despite "having the difficult balancing act of work and family life and then trying to fit the neighbourhood plan work with in our freetime" he would "provide an opportunity for you to speak directly with us about your concerns" However, he never did find the time to do this, which I consider to **be** rude and unprofessional to say the least.

When the Draft Plan was out for public consultation in September 21 I was dismayed and angry to discover that a second piece of land belonging to my family had been included and that '5' was now land to the north of Stoke Road, including a stretch of land attached to my late Mother's house, and the field was now number '6'. We were NEVER informed of this land being included. We did protest and the designation was eventually removed after the public consultation, but I mention it here to explain the comments above from BOC, as **it** was me who rang BOC direct as we aot no answers from the LNP Steering Group

However, I was equally angry to discover that the 'justification' for our field being designated a LGS and its historical use was a fabrication. I immediately emailed Dean Kingham, who lives close by and is a Steering Group member, and asked where he had obtained his information - his reply was local knowledge (in other words hearsay) and I requested that the inaccuracies he had included as justification, with no discussion or engagement with ourselves, be removed immediately. Via an exchange of emails between us he told me that this was not possible and all I could do was make comments on the consultation document! I was astounded. It was outrageous and in my opinion constitutes malpractice - surely if comments are made in a document out for public consultation, they should be verified as accurate, and if they are not they should be removed. It felt as if this was becoming a personal attack on our property, particularly as our field had also been included as part of a View of Community Importance, - which I also object to, and two of the Steering Group members had designated their own property and one located next door to our property (which is part of a charity of which they are also Trustees), as Community Heritage Assets, all of which has an impact on our property, as we have already discovered. It felt as if we were being targeted from all directions. Two people we know were actually told at the Consultation Exhibition in September that the reason for designating our field as LGS New of Community Importance was to prevent development.

We did complain to the Parish Council as to how we felt we were being treated, as it was very stressful. They appeared to be sympathetic, and ask us to present them with the documents we had to prove our case. We did this, but only one member stood up for us, which he did most vigorously - in fact he restored my faith in human nature - but the draft submission was approved by the Parish Council.

One of the Parish Councillors said that they agreed to our land being designated as LGS because the LNP contained recommendations of how residents want to see the village as a whole. I have read the LNP and could not see where any resident had said they wanted our land to be designated. So I wrote to the Parish Council to ask if they could tell me how many residents had voted for the LNP via the consultation document to indicate how they wanted to see the village as a whole, including designating our field. They dodged the question twice, and on the third time of asking, when I enquired whether it should be a FOi request. they reluctantly said that there were 61 responses and added the caveat that there is no requirement as to a minimum or maximum number of responses within the Regulations. I do not of course dispute this last statement, but taking into consideration that I know that at least five of these responses would have been votes against the LGS designation, it is a tiny percentage of the population of Leavenheath (1370 at 2011 census) who have taken the trouble to indicate how they wanted to see the village as a whole.

The Consultation Statement itself was not a very fair way of expressing opinion - having to tick a box with four options - 'Agree, Mostly Agree, Mostly Disagree, or Disagree' - to each Point. It is in my opinion loaded.

Following the Consultation, the Steering Group have now completely changed their justification for designating our field as Green Space Page 92-93 of the Submission Document. Yet again they do not mention that it is a privately owned field with no public access. How can they justify discovering a completely new set of justifications?

This consultation is the first opportunity I have had to object to these new justifications, (that again have been compiled without any discussions with ourselves) which I do as follows:-

- The trees are only around parts of the perimeter - in fact mainly along one side of triangle which borders the A 134. There was a hedge along the Old Road perimeter which has gradually been damaged by ivy, soil erosion and finally Storms Eunice and Franklin earlier this year. New hawthorn whips have been planted but there are certainly not many trees along this stretch of the Old Road.
- Whilst the Old Road was the original road before the A134, it was NOT the centre of the Harrow Street community- the clue being in the name Harrow Street. When my Mother first lived in Leavenheath in the 1970's the only building in the Old Road was the original wooden village hall. There are still a few original Harrow Street residents who can verify this. There were no other buildings, historic or otherwise, that overlooked this field and I will dispute with anyone that the listed Hare and Hounds overlooks it, as claimed in the justification. I have stood outside and taken photographs which prove this. It overlooks the A 134 and a piece of land on the corner of A 134/Harrow Street which is not part of our field and has not been designated as part of the LGS. (Please see map).
- The site adding to the rural character in that it screens the main development area of the Hamlet is surely a contradiction? A housing estate such as the one that borders one side of the field, surely has no rural character. Since the storms this year there is not much screening. I would note that there is a field in a comparable position on the corner of the High Road/134, but that field has not been designated a LGS so how can it be claimed that there is a key characteristic of Leavenheath with similar buffers. There are no buffers in Honey Tye, designated or not, as the hamlet straddles both sides of the A 134.
- Over the years I have spent many hours in our field and the only wildlife are birds that visit the hedges, but not many nest there, and I have seen one or two cats from the housing estate. It is bordered on two sides of the triangle by busy main roads. The Steering committee seem unable to substantiate their claim with examples

of the wildlife that use the field as a stepping stone, despite me having commented on this in the consultation response form.

We have subsequently discovered that a call for sites survey was made in August 2020, but we never received this flyer at Hunters Lodge. It is quite possible that we (the beneficiaries of my Mother's and her late partner's Estate) would have like to put forward our field as a potential site. Everyone we have spoken to regarding the potential of the land have said that it forms a natural extension of the housing estate already located in the Harrow Street Hamlet.

To summarise:-

I am aggrieved at the way we have been treated by the Steering Group, and also to some extent by the Parish Council, in relation to the designation of our land as LGS New of Community Importance. It feels as if the Steering Group, at least 3 of whom live in the immediate vicinity, are desperate to prevent possibility of development on our land. Harrow Street Hamlet appears to be the only one of the Hamlets with no new build allocations. Whilst we have no current plans for development on any of the property, it does not feel right that a group of unelected people, who we don't know, one of whom has stated in writing the difficulties of dealing with the Neighbourhood Plan in his free time is difficult, can undemocratically make decisions about our land without the courtesy of any engagement with ourselves, by both designating it as part of a View of Community Importance as well as a Local Green Space

Had they engaged with us, it is quite feasible that we could have come to some arrangement whereby the land, or part of it, could have been used for some benefit to the community. However, we will be looking to utilise it in accordance with our late Mother's and her late Partner's wishes. We have already received much interest in it and how it could possibly be used and in order to carry out their wishes it cannot endure in its current state indefinitely.

For all the reasons outlined in my response above please could I request that the two designations be removed from our land.

What improvements or modifications would you suggest?

*Please be as brief and concise as possible ..*

(Continue on separate sheet if necessary)

If you are including additional pages these should be clearly labelled and referenced.

Normally the Examiner will aim to consider the responses through written representations.

Occasionally an Examiner may consider it necessary to hold a hearing to discuss particular issues. If you consider a hearing should be held please explain why this is necessary.

Please note that a decision on whether to hold a hearing is entirely at the discretion of the Examiner.

I consider that a hearing should be held because ...

*Please be as brief and concise as possible ..*

It would be an opportunity to raise our concerns, which so far we have not had.

(Continue on separate sheet if necessary)

Please indicate (tick) whether you wish to be notified of:

|   |                                     |
|---|-------------------------------------|
| The publication of the recommendations of the Examiner                          | <input checked="" type="checkbox"/> |
| The final 'making' (adoption) of the Leavenheath NP by Babergh District Council | <input checked="" type="checkbox"/> |

|  |                     |
|--|---------------------|
| Signed:  | Dated: 10, 11, 2022 |
|--|---------------------|