

Babergh District Council



Stutton Neighbourhood Development Plan

Submission Consultation Responses

On the 11 August 2022, Stutton Parish Council (the 'qualifying body') submitted their Neighbourhood Development Plan to Babergh District Council for formal consultation under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended). The consultation period ran from Monday 12 September until Friday 28 October 2022.

Seven organisations submitted written representations. They are listed below and copies of their representation are attached.

Ref No.	Consultee
(1)	Suffolk County Council
(2)	Natural England
(3)	Historic England
(4)	National Highways
(5)	Anglian Water
(6)	Marine Management Organisation
(7)	Defence Infrastructure Organisation, obo the MOD

[PLEASE NOTE: THIS PAGE IS INTENTIONALLY BLANK]

(1) SUFFOLK COUNTY COUNCIL

Date: 21 October 2022
Enquiries to: Georgia Teague
Tel: [REDACTED]
Email: [REDACTED]
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 Stutton Neighbourhood Plan

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

We thank the Stutton Neighbourhood Plan Working Group for undertaking the amendments as suggested by SCC. We have no further comments to make on the Stutton Neighbourhood plan at this time.

We wish to be kept informed of this plan as it progresses.

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

(2) NATURAL ENGLAND

Date: 20 September 2022
Our ref: 406284
Your ref: Stutton Neighbourhood Plan - Regulation 16



Paul Bryant
Babergh & Mid Suffolk District Councils
communityplanning@baberghmidsuffolk.gov.uk

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

T 0300 060 3900

BY EMAIL ONLY

Dear Paul Bryant

Stutton Neighbourhood Plan – Regulation 16 Consultation

Thank you for your consultation on the above dated 09 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.

Yours sincerely

Dominic Rogers
Consultations Team

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

Natural environment information sources

The [Magic](#)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

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

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](#)⁵ website and also from the [LandIS website](#)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

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

¹ <http://magic.defra.gov.uk/>

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

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

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

⁵ <http://magic.defra.gov.uk/>

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

⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/807247/NPPF_Feb_2019_revised.pdf

⁸ <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](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. 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](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² 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](#)¹³.

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.

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

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

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

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

¹³ <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](#) ¹⁴).
- 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).

¹⁴ <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/>

(3) HISTORIC ENGLAND



Historic England

Mr Paul Bryant
Babergh & Mid Suffolk District Councils
Endeavor House
8 Russell Road
Ipswich
Suffolk
IP7 6SJ

Direct Dial: [REDACTED]

Our ref: PL00490015

10 October 2022

Dear Mr Bryant

Ref: Stutton 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/>

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

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
Edward.James@HistoricEngland.org.uk

cc:



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582749
HistoricEngland.org.uk



[PLEASE NOTE: THIS PAGE IS INTENTIONALLY BLANK]

(4) NATIONAL HIGHWAYS

E from: Spatial Planning Team National Highways

Rec'd: 26 September 2022

Subject: Stutton NP Reg-16 consultation submission by National Highways

Dear Sir/Madam

Consultation under Reg' 16 of the Neighbourhood Planning (General) Regulations 2012 (as amended) – The Stutton Neighbourhood Plan 2022 – 2037

Thank you for your correspondence, dated 09 September 2022, notifying National Highways of the consultation under Regulation 16 of the Stutton Neighbourhood Plan (2022-2037).

As you are already aware that 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 Stutton Neighbourhood Plan we have responsibility for the trunk road A12. With respect to the proposed neighbourhood site location, all these are remote from our strategic road network.

Consequently, National Highways offers 'No Comment' to this application.

Please contact us PlanningEE@nationalhighways.co.uk if you require any clarification.

Regards

Shamsul Hoque, PhD MCIHT FBIP FIAB

Spatial Planning Team

Operations (East)

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

This email may contain information which is confidential and is intended only for use of the recipient/s named above. If you are not an intended recipient, you are hereby notified that any copying, distribution, disclosure, reliance upon or other use of the contents of this email is strictly prohibited. If you have received this email in error, please notify the sender and destroy it.

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

Registered in England and Wales no 9346363 | Registered Office: Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ

Consider the environment. Please don't print this e-mail unless you really need to.

[Ends]

[PLEASE NOTE: THIS PAGE IS INTENTIONALLY BLANK]

(5) ANGLIAN WATER

14 October 2022



Anglian Water Consultation Response

Stutton Submission Neighbourhood Plan Reg. 16 Consultation

Anglian Water welcomes the opportunity to respond to the consultation on the Stutton 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 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. Babergh can currently demonstrate sufficient land supply for housing growth as evidenced by their five-year land supply position statement.

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 Stutton neighbourhood plan area and is identified as a consultation body 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 residents and visitors to the area, 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 STUTTON NEIGHBOURHOOD PLAN

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

Policy SN6 Achieving good design in Stutton

We welcome this policy which supports the achievement of good design including integrating energy efficiency and carbon savings in new developments. Whilst the neighbourhood plan does not specifically address water efficiency, we recognise that such measures will be addressed in the Joint Local Plan for Babergh and Mid Suffolk once it is adopted, and therefore will support our approach to reducing water demand from new development across the district. However, we recognise that the Design Guidelines and Codes developed to inform the neighbourhood plan design policy does include specific codes that support the management of surface water flood risk, water reuse, and water efficiency measures.

Stutton Design Guidelines and Codes

Anglian Water supports the Design Guidelines and Codes which have been developed to inform the design of new residential development in the neighbourhood plan area. We particularly welcome approaches that minimise surface water run-off through SuDS (sustainable drainage systems) including permeable paving.

Design Code EN.02.Low carbon development: We support this design code which includes ideal features such as water management and cooling with more ambitious water efficiency standards. This is an approach which we advocate as it helps to minimise the use of potable water and reduces the amount of water recycling required at our water recycling centres – saving water and energy.

We suggest that the minimal requirements bullet point 6 should read “highly **water** efficient devices”.

Design Code EN.07.SuDS:

We support the approach taken in relation to SuDS and the opportunity to combine these with water storage and reuse options in an area of serious water stress. We would seek to clarify that when the text refers to ‘sewers’ that these are ‘surface water sewers’ to avoid misconnections to our foul water sewers. The text should refer to the drainage hierarchy to ensure the correct terminology is used. Surface water sewers generally drain to an ordinary watercourse as the water does not require treatment.

Design Codes EN.08Green Corridors and EN.09. New Woodlands: Anglian Water supports the code requirements to assist with enhancing biodiversity and improving the health and wellbeing of the community. As part of our routemap to net zero¹, Anglian Water will implement forestry schemes on 50 hectares of our own land, following best practices on biodiversity and the Woodland Carbon Code practices – this includes tree planting at our reservoirs.

Policy SN8 Sustainable drainage

Anglian Water supports measures to reduce surface water flooding, and particularly welcome references to sustainable drainage systems (SuDS), rainwater harvesting, and greywater recycling, which help to minimise flood risk and reduce demand for potable water. We are pleased to note that the policy requires the appropriate climate change allowances to be included in flood risk assessments, and the design of SuDS.

Our [draft Drainage and Wastewater Management Plan](#) identifies that Stutton is within the water recycling catchment for Brantham WRC (Water Recycling Centre). The medium-term strategy for the catchment to 2035 is proposed to be mixed strategies with the main solution being SuDS. Over the longer term, to 2050, the strategy will be 10% surface water removal from our network. This demonstrates that SuDS are essential for the long-term performance of the Brantham WRC.

¹ <https://www.anglianwater.co.uk/siteassets/household/environment/net-zero-2030-strategy-2021.pdf>

Policy SN9 Stutton Landscape and Settlement Character

Anglian Water notes that the neighbourhood plan area includes part of [Alton Water](#), one of our reservoirs. The parish/neighbourhood plan area also includes several leisure facilities located at the water park, including the water sports centre, the campsite, car parking, a play area and cafe.

Stutton Parish Landscape Study: We note that the Fringe Character Area 2 (FCA2) references the creation of Alton Water as a disruption to the valley landscape. Whilst this is a historically factual statement, the reservoir has been supplying water to the region for almost 50 years, and therefore can be considered a distinctive and embedded feature of the local landscape. Therefore, many residents will only have experienced the landscape with the reservoir.

Within the Landscape Study we note that the FCA2 change management recommendations include:

- *Further intensification of visitor and tourist facilities or accommodation at Alton Water could have visual impacts as well as impact the prevailing tranquillity. Direct and Indirect Impacts should be considered carefully. Appropriately designed belts of vegetation must be used to assimilate and screen views from the village edges.*
- *Encourage ongoing communication between the parish and Anglian Water on the future of Alton Water.*

Given the intention of Policy SN9 and its reliance on the Landscape Study to inform future development proposals, we raise our concerns that the change management recommendation regarding further intensification of the leisure facilities could be interpreted to effectively propose 'no further development' at Alton Water, which is a recognised tourist and leisure destination for the wider region as well as serving residents of Stutton parish and surrounding parishes. We consider that the facilities that we currently provide enable visitors and local residents to enjoy our water park and spend time in and around the reservoir, including providing wider benefits to the local economy. Indeed, Point View 9 on Alton Water, identified on Policy Map SN9A and illustrated on page 57 of the neighbourhood plan clearly looks towards the water sports centre and associated water park facilities in the context of the wider landscape.

Alton Water has a history of sporting events and is a space for active lifestyles and recreation which is essential to promoting good health and wellbeing. Onsite facilities offer employment opportunities for local residents and indirectly as a part of the wider tourism offer within Suffolk. Development of leisure facilities adjacent to the reservoir in this area has typically been favoured in preference to the surrounding countryside, waterways and estuaries which hold higher status conservation designations and protections, including the Suffolk Coasts and Heaths AONB and the Stour and Orwell Estuaries Special Protection Area and Ramsar Site.

Anglian Water disagrees with the statement that suggests FCA2 has a 'prevailing tranquillity' given that there are already leisure facilities and associated activities in this location. The perception of tranquillity is subjective, and it would be dependent on when the landscape character was assessed. We receive circa 200,000 visitors a year to Alton Water, and therefore when sporting events are held, or during busy weekends and holiday periods, especially in the summer, a different perception would be presented to receptors in this character area in comparison to the area during the winter months for example.

Anglian Water supports and promotes the wellbeing of communities by behaving in a socially responsible manner. Our sustainable contribution brings benefits to customers, employees, investors, business partners and the wider community. We therefore request that the Parish Landscape Study is amended to clearly identify the characteristics of FCA2 more appropriately in the context of the existing water park amenities and their associated activities if the recommendations of the study are to be used to inform future development proposals.

We propose that the neighbourhood plan should acknowledge that the reservoir's primary purpose is to supply water to the surrounding area, and therefore we may also need to carry out operational development in and around the lake shores to ensure that we are able to continue to provide vital water supplies to the region. In addition, our routemap to net zero identifies that our target pathway headline actions include the installation of renewable energy at our energy intensive assets, to decarbonise our electricity supply. We have a certificate of lawfulness to install a solar array at the water treatment works at Alton Water, which is outside the neighbourhood plan area, which demonstrates our commitment to becoming a zero-carbon business by 2030.

Policy SN10 – Enhancing the natural environment

Anglian Water supports the policy approach for the protection and enhancement of the natural environment. Alton Water has a three-mile nature walk which has been specifically designed to ensure visitors have the best opportunity to see the wildlife at the reservoir. The trail takes visitors around the nature reserve, passing key wildlife hotspots including woodland areas, wildflower meadow, ponds, and bird hides.

We agree with the policy requirement for development to provide 10% biodiversity net gain, which is a requirement that is expected to be mandatory in 2023 once secondary legislation is introduced under the Environment Act 2021. Anglian Water has a voluntary business plan commitment to deliver biodiversity net gain of 10% against the measured losses of habitats by area on all Anglian Water-owned land. It is important to recognise that Anglian Water can support the development of landscape scale biodiversity net gain through our landholdings and projects, and in partnership with other conservation bodies. Such measures can support climate change adaptation and species resilience.

Policy SN13 – Conserving and enhancing the Suffolk Coast and Heaths Area of Outstanding Natural Beauty

We recognise that the parish predominantly lies within the AONB and its setting. However, the policy corresponds closely to Policy SN9 in requiring a proportionate landscape assessment. It would therefore make sense to ensure these policies are more closely aligned to provide a more legible landscape policy approach for future applicants.

Policy SN14 Visitor and tourist development

We welcome acknowledgement in the neighbourhood plan that Alton Water is a provider of key leisure and tourism facilities in the neighbourhood plan area. Whilst our reservoirs are primarily vital infrastructure, providing our 4.3 million customers with high quality drinking water, they are also valued open spaces supporting health and wellbeing of local communities and visitors alike. Alton Water has been supplying water resources to a large part of Suffolk for almost 50 years and the water treatment works, built in 1987, (outside the neighbourhood plan area) treats around 10 million gallons of water a day. Set in 400 acres of countryside, Alton Water provides the perfect

location for a range of activities including an eight-mile rambling route and an eight-mile cross-country cycle track.

The reservoir has continued to achieve Green Flag status, and for the first time in 2022, the site has been awarded the Green Heritage Site Accreditation, supported by Historic England, and is the only site in Suffolk that has achieved this coveted status. The Green Flag scheme is recognition of the high standards of management of Alton Water for our customers and the environment. We welcome the recognition in the submission draft Neighbourhood Plan that Alton Water provides a major regional leisure facility that attracts many visitors to pursue a range of activities on our site as well as being the destination for major events. It also hosts a park run for local residents every Saturday morning.

We appreciate the policy support for appropriate tourism and leisure development providing services or facilities for the enjoyment of visitors and local communities, including Stutton. **However, we are concerned that there may be some inconsistency between Policy SN9 and Policy SN14**, which may make it difficult for decision makers to come to a judgement on any future development proposals. The policy is also repetitive in terms of impacts on landscape and heritage, which could be rationalised given the separate policies covering these topic areas. The income generated by our leisure facilities enable us to manage and protect and when possible, enhance the habitats in and around Alton Water. It is important that there is sufficient flexibility in the policies to ensure that the various uses and facilities can continue to operate or to introduce new facilities and uses where appropriate.

The emerging Babergh and Mid Suffolk Joint Local Plan strategic policy SP07 – Tourism provides a strategic framework that encourages tourism development in the district, which we support in terms of developing the tourism economy.

Furthermore, the commentary in the neighbourhood plan regarding light pollution implies that there has been considerable concern raised in relation to lighting at our campsite. We can confirm that a complaint submitted to the local planning authority was not upheld as we do use movement sensors, all lighting is low level, and screen planting is all in place, as required by the relevant planning conditions.

Community Action 7: Working together with Anglian Water

Anglian Water welcomes the opportunity to work with the local community. We seek to enhance the visitor experience to Alton Water, including for local residents, and work to ensure that our water parks are a haven for wildlife and the perfect place for people to relax and get back to nature. They are a great place to take up new water-based sports and other recreational activities to improve health and wellbeing.

Policy SN20 Protecting Community Facilities

We note that the play facilities at Alton Water are identified as a community facility within the policy and on Policy Map SN20. Whilst we recognise that the play area serves the local community, it is also serving tourists and day visitors as part of the wider regional water park leisure destination and therefore development at Alton Water is more appropriately guided under the neighbourhood plan Policy SN14 Visitor and tourist development.



We therefore request that the text '*and at Alton Water Reservoir*' is removed from the policy and location 12 removed from the SN20 Policy Map to reflect that the play area serves a wider population as part of the sub-regional leisure facilities available at Alton Water.

CONCLUSION

Anglian Water is generally supportive of the direction taken in the Stutton Neighbourhood Plan - subject to the suggested clarifications outlined in our response above. These clarifications aim to ensure the plan will help to deliver sustainable development including essential operational aspects of the reservoir for water supply and that appropriately designed tourist and visitor development can be provided for the benefit and enjoyment of local communities and visitors alike.

(6) MARINE MANAGEMENT ORGANISATION

E from: Lucinda Robinson

Rec'd: 26 September 2022

Subject: RE: Consultation on Reg 16 Stutton N'hood Plan (Babergh DC)

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.

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 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]

[Ends]

[PLEASE NOTE: THIS PAGE IS INTENTIONALLY BLANK]



**Ministry
of Defence**

Paul Bryant
Neighbourhood Planning Officer
Babergh and Mid Suffolk District Councils
Endeavour House
8 Russell Road
Ipswich, IP1 2BX

**Defence
Infrastructure
Organisation**

Safeguarding Department
Statutory & Offshore
Defence Infrastructure Organisation
St Georges House
DIO Head Office
DMS Whittington
Lichfield
Staffordshire
WS14 9PY
Tel: 07800 505824
E-mail: DIO-safeguarding-statutory@mod.gov.uk
www.mod.uk/DIO

24th October 2022

Your Ref: Babergh & Mid Suffolk District Councils - The Stutton Neighbourhood Plan 2022 - 2037
Consultation under Regulation 16
DIO Ref: 10056210

Dear Paul,

It is understood that Babergh District Council are undertaking a consultation regarding their Stutton Neighbourhood Plan 2022 – 2037 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 Stutton Neighbourhood Plan, in a new technical asset known as the East 2 WAM Network, which contributes to aviation safety by feeding into the air traffic management system in the Eastern areas of England. There is the potential for development to impact on the operation and/or capability of this new technical asset which consists of nodes and connecting pathways, each of which have their own consultation criteria. Elements of this asset pass through the Stutton Neighbourhood Plan area of interest.

The Safeguarding map associated with the East 2 WAM Network has been submitted to DLUHC for issue. As is typical, the map provides both the geographic extent of consultation zones and the criteria associated with them. Within the statutory consultation areas identified on the map are zones where the key concerns are the presence and height of development, and where introduction of sources of electro-magnetic fields (such as power lines or solar photo voltaic panels and their associated infrastructure) are of particular concern.

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 Stutton Neighbourhood Plan 2022 - 2037 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