

## Wherstead Neighbourhood Plan

Parish Council's response to comments received at Regulation 16 Consultation stage

<b>Body</b>	<b>Parish Council response</b>
<p>1) Suffolk County Council</p>	<p>Suffolk County Council commented at the Regulation 14 consultation stage.</p> <p><u>Policy WTD 11</u> The Government introduced national technical standards for housing in 2015. A Written Ministerial Statement (2015) explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout, or performance of new dwellings. We believe that the requirement for new dwellings to be built to optional M4(2) standards falls within these restrictions.</p> <p><u>Policy WTD 14</u> Recent development in Wherstead, most notably that carried out by Bellway Homes off Bourne Hill, has demonstrated to the Parish Council that the parking provision does not meet the requirements of people purchasing these dwellings. The County Council Guidance for Parking (2019) has no statutory status and, as the title suggests, is "guidance" and there is no requirement for the local planning authority to adopt the guidance if local circumstances can demonstrate a need to move away from this guidance. It notes, on page 52, that the requirements are a minimum provision. With this in mind, and given the locally specific issues, the Parish Council considers there is justification in requiring higher provision.</p> <p>On-street parking resulting from the lack of on-plot provision is also causing problems within the settlement and, again, is expressed through vehicles parking and obstructing the highway. Given the nature of the roads in the village, especially those south of the A14, further parking on the highway due to lack of on-plot provision will lead to the potential obstruction of emergency vehicles and creation of a hazard.</p> <p>The Parish Council does not believe there are conflicts between the requirements for increased car parking provision and encouraging sustainable travel modes. Public transport provision for residents is limited and there is no dedicated cycle lane into Ipswich town centre. It would take in excess of 30 minutes to walk from the northernmost edge of the village to the southern edge of Ipswich town centre.</p>
<p>2) Babergh District Council</p>	<p>Babergh District Council commented at the Regulation 14 consultation stage.</p> <p>Page 7 – the timetable can be amended following examination and when the Referendum date is known.</p> <p>Para 6.1 footnote – this can be amended following examination and when the Referendum version of the Plan is prepared. It does not impact on whether the Plan meets the Basic Conditions.</p> <p>Para 6.7 – The suggested amendment can be made following examination and when the Referendum version of the Plan is prepared. It does not impact on whether the Plan meets the Basic Conditions.</p> <p>Para 9.2 - The suggested amendment can be made following examination and when the Referendum version of the Plan is prepared. It does not impact on whether the Plan meets the Basic Conditions.</p>

	<p>Para 9.4 - The suggested amendment can be made following examination and when the Referendum version of the Plan is prepared. It does not impact on whether the Plan meets the Basic Conditions.</p> <p>Policy Maps – these amendments can be made without impacting on whether the Plan meets the Basic Conditions.</p> <p>Appendix 1 - The suggested amendment can be made following examination and when the Referendum version of the Plan is prepared. It does not impact on whether the Plan meets the Basic Conditions.</p>
3) Natural England	Natural England did not comment at the Regulation 14 consultation stage. Nothing further to add
4) Historic England	Historic England commented at the Regulation 14 consultation stage. Nothing further to add
5) Anglian Water	Anglian Water did not comment at the Regulation 14 consultation stage. Nothing further to add
6) Marine Management Organisation	The Organisation commented at Regulation 14 consultation stage. Nothing further to add
7) East Suffolk Drainage Board	<p><u>Policy WTD 13</u></p> <p>It is not considered that the Policy requires amending to include reference to the relevant regulators. Such a requirement will be part of the development management process when planning applications are considered and will depend upon which bodies are in place at the time.</p>
8) Armstrong Rigg on behalf of Burnt Wood Ltd	<p>Burnt Wood Ltd made comments at Regulation 14 consultation stage by R Paul. Many of the comments raised by Armstrong Rigg on their behalf were not raised at the Regulation 14 stage.</p> <p><u>Wherstead Today:</u> Some natural updating of the Neighbourhood Plan will be necessary following examination and, where planning applications have now been determined, amendments can be made to such statements to bring the Plan up-to-date ahead of the Referendum.</p> <p>Food Enterprise Zones were created by the Government and in 2015 the Orwell Food Enterprise Zone was designated. There are currently no Local Development Orders in place to ease the planning requirements for development in this area.</p> <p><u>Policy WTD1</u> The Parish Council does not consider the amendments proposed are necessary to make the Plan satisfy the Basic Conditions.</p> <p><u>Policy WTD2</u> It is acknowledged that the NPPF footnote 60 overrules the NPPF Glossary and is undefined but "is a matter for the decision maker". As such, development that would not satisfy the definition of major development in the NPPG Glossary could be determined as "major" for the purposes of para 177 of the Framework. The Examiner may wish to recommend a suitable change to the policy to clarify the definition, but the Parish</p>

Council considers that Policy WTD2 as a whole should remain in the absence of a locally up-to-date local plan policy.

The Parish Council remains of the opinion that a Landscape Visual Impact Assessment should inform development proposals within the AONB or within its setting and would draw the Examiner's attention to Policy BEN 6 of the recently examined Bentley Neighbourhood Plan.

#### Policy WTD3

The Parish Council does not consider the policy to be more onerous or restrictive than national policy, but reflects local circumstances. It also reflects new national legislation and Policy LP18 of the Babergh and Mid Suffolk Joint Local Plan (Pre-Submission version - November 2020).

The Parish Council considers the policy should be retained.

#### Policy WTD5

The Examiner will note that the nature of the Orwell valley landscape and the AONB (including its setting) is such that there are many fine and distinct views across the Neighbourhood Area. The Appraisal of Views document, that supports the policy, has been prepared to demonstrate the importance of these views, which are all from publicly accessible points.

The policy is consistent with those of recently made neighbourhood plans in Babergh.

#### Policy WTD8

A separate appraisal of "Buildings and Structures of Architectural and Historic Interest" has been prepared and submitted in support of Policy WTD5. The appraisal uses a framework that has had regard to the Historic England Advice Note "Local Heritage Listing: Identifying and Conserving Local Heritage" published in January 2021.

Regardless of the list of properties in the policy, the suggested policy amendments put forward by Armstrong Rigg do not make sense and are not consistent with other recently made neighbourhood plans, such as the nearby Bentley Neighbourhood Plan. Their suggestion is that the opening sentence of the policy would be thus:  
"The impact of proposed development on the significance of the following Buildings of Local Heritage Significance, as identified on the Policies Map, will be taken into account when considered planning applications."

#### Policy WTD9

The policy notes where employment development has taken place and, as such, the use has been implemented. Until the development takes place, the existing land use remains and the Parish Council does not believe that the policy and Policies Map should be amended as suggested.

#### Policy WTD10

The Orwell Food Enterprise Zone was designated by the Government in 2015 but has no planning status but, as noted in para 09.18 of the Babergh and Mid Suffolk Joint Local Plan (Pre-Submission version - November 2020) it "offers business incentives to businesses in the food and beverage industries." A Local Development Order (LDO) supporting the Food Enterprise Zone was put in place at Jimmy's Farm in 2016 for a period to October 2021. The LDO was not renewed by Babergh District Council. No other LDOs were implemented.

	<p>The Parish Council considers that the policy meets the Basic Conditions and does not require the amendments put forward.</p> <p><u>Policy WTD11</u> The policy is consistent with the Government’s aims for neighbourhood planning in that it is locally derived, based on local evidence and consistent with the strategic policies of the adopted Local Plan and in conformity with the NPPF. It does not, as suggested in the comment, restrict development that is otherwise in conformity with the strategic policies of the Local Plan.</p> <p>The Parish Council remains of the opinion that the policy meets the Basic Conditions and should be retained.</p> <p><u>Policy WTD12</u> The Parish Council considers that the policy meets the Basic Conditions and should be retained.</p> <p><u>Policy WTD13</u> The Parish Council considers that the policy meets the Basic Conditions and should be retained.</p> <p><u>Policy WTD14</u> See the Parish Council’s response to the County Council comments above.</p> <p><u>Policy WTD16</u> Paragraph 11.1 of the Plan recognises that “Many travel and highways matters fall outside the remit of town planning as planning permission is not required for road improvements within the highway boundary.” The Neighbourhood Plan does not prevent such improvements and the County Council, as highway authority, has not objected to the policy at the Regulation 16 consultation stage.</p> <p>The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.</p>
<p>9) Boyer Planning on behalf of East of England Co-Operative Society</p>	<p>Boyer Planning commented on behalf of East of England Co-Operative Society at the Regulation 14 consultation stage.</p> <p><u>Vision and Objectives</u> It is not necessary to amend the Vision and Objectives for the Plan to meet the Basic Conditions.</p> <p><u>Policy WTD1</u> It is not considered necessary to make the amendments to the Policy as suggested. The Neighbourhood Plan does not have to allocate the site proposed as the Neighbourhood Plan, where relevant, supplements rather than replaces existing adopted policies.</p> <p>The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.</p> <p><u>Policy WTD2</u> Nothing further to add</p>

Policy WTD5

Nothing further to add to our response to the Regulation 14 consultation comments.

Policy WTD7

The policy does not repeat national and local policies as it provides a level of detail that is not available in those policies, especially given the status of the emerging Joint Local Plan.

The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.

Policy WTD9

It is considered that the policy in the Neighbourhood Plan, when considered with the Local Plan and NPPF, enables the sensitive development of employment sites where the impact on landscape character, residential amenity and vehicle movement are acceptable. The Parish Council agrees that “any future development proposals should be considered by using the established and existing lawful position for the employment use” but planning proposals should be considered with regard to the potential impact that any intensification of use arising from planning applications. Changes of occupants could intensify use of a building through additional employees and deliveries that would not normally require planning permission if the use class remained the same.

There is no conflict between Policy WTD9 and WTD16, the latter dealing with growth in employment uses where planning consent is required. The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.

Policy WTD15

Proposals that result in “additional development or intensification through changes in opening hours, range of activities and vehicular movements to ensure the protection (and retention) of existing services and facilities” can adequately be considered through this and the other policies of the development plan and it is not appropriate to specify support for such circumstances in Policy WTD15.

The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.

Policy WTD16

The neighbourhood plan does not need to identify “dedicated routes or solutions” as this is for the developer of a proposal to secure. Such a proposal would, firstly, have to be in accordance with the strategic policies of the Development Plan in relation to the location of development. The emerging Joint Local Plan does not currently support further employment development at Wherstead over and above that which has planning consent. The Neighbourhood Plan does not need to allocate the site adjacent to The Street that’s in the 2014 Local Plan, especially given the District Council’s intent not to carry it forward in the Joint Local Plan.

Non-inclusion of a policy or allocation does not render the Plan as failing to meet a Basic Condition. The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.

Policies Map

	<p>The Parish Council is satisfied that The Policies Map correctly identifies the Wherstead Park site.</p>
<p>Pigeon Investment Management</p>	<p>Pigeon Investment Management commented at the Regulation 14 consultation stage</p> <p><u>Housing Need</u> The Parish Council is satisfied that matters relating to housing need are adequately stated in the Neighbourhood Plan and that there is no requirement for it to identify how any housing need set out in the strategic policies of the Local Plan will be met.</p> <p><u>Policy WTD1 and Policy WTD9</u> The Neighbourhood Plan does not need to allocate the site adjacent to The Street that's in the 2014 Local Plan, especially given the District Council's intent not to carry it forward in the emerging Joint Local Plan.</p> <p>The 4<sup>th</sup> paragraph of the policy is entirely consistent with the needs for development plans to plan positively for the amount and location of development and protecting the natural environment.</p> <p>The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.</p> <p><u>Policy WTD3</u> The Parish Council disagrees that the last sentence of paragraph 3 (should be 4) should be deleted. The requirement is fundamental to the intent of the Environment Act 2021.</p> <p>The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.</p> <p><u>Policy WTD4</u> The requirement is provided in Natural England's response to the Strategic Environmental Assessment screening opinion appended to the <a href="#">Determination Notice</a> dated September 2022.</p> <p>The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.</p> <p><u>Policy WTD5</u> The Examiner will note that the nature of the Orwell valley landscape and AONB is such that there are many fine and distinct views across the Neighbourhood Area. The Appraisal of Views document, that supports the policy, has been prepared to demonstrate the importance of these views, which are all from publicly accessible points.</p> <p>The policy is consistent with those of recently made neighbourhood plans in Babergh. The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.</p> <p><u>Policy WTD6</u> Nothing further to add</p> <p><u>Policy WTD7</u> It is considered that the policy as drafted meets the Basic Conditions and does not require the amendment suggested.</p>

Policy WTD9

Given that development west of the A137 and north of the A14 has now commenced, the Examiner may wish to consider whether the Policies Map should be amended to reflect that the situation has changed since the Plan was submitted.

Policy WTD10

The Parish Council understands that the provision of strategic employment land has not been questioned by the Local Plan Inspectors during examination and, given that Babergh DC have not commented on paragraph 8.6, it does not need amending.

It is considered wholly appropriate to place a blanket ban on the development of new employment sites within the AONB given the availability of land elsewhere that would not be in the AONB.

The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.

Policy WTD11

The Parish Council considers the policy is satisfactory and does not require further amendment to meet the Basic Conditions.

Policy WTD12

The Parish Council considers the policy is satisfactory and does not require further amendment to meet the Basic Conditions.

Policy WTD16

The Parish Council considers the policy is satisfactory and does not require further amendment to meet the Basic Conditions. Additional employment development in this part of the village could have significant detrimental impacts on the existing narrow lanes.

The Parish Council considers that the policy meets the Basic Conditions and that the amendments put forward are not necessary.